MINNESOTA POLLUTION CONTROL AGENCY

Draft
Air Individual Permit
Major Amendment
16300010-104

Permittee: **Circle K Terminal Group Newport**

Facility name: **Circle K Terminal Group Newport**
54 21st St
Newport, MN 55055-1002
Washington County

Operating permit issuance date: December 11, 2001

Expiration date: Non-expiring Permit
* All Title I Conditions do not expire

Major Amendment: [TBD]

Permit characteristics: State; Limits to avoid Part 70/ Limits to avoid NSR; True Minor for NSR

The emission units, control equipment and emission stacks at the stationary source authorized in this permit amendment are as described in the submittals listed in the Permit Applications Table.

This permit amendment supersedes Air Emission Permit No. 16300010-103 and authorizes the Permittee to operate and modify the stationary source at the address listed above unless otherwise noted in the permit. The Permittee must comply with all the conditions of the permit. Any changes or modifications to the stationary source must be performed in compliance with Minn. R. 7007.1150 to 7007.1500. Terms used in the permit are as defined in the state air pollution control rules unless the term is explicitly defined in the permit.

Unless otherwise indicated, all the Minnesota rules cited as the origin of the permit terms are incorporated into the SIP under 40 CFR § 52.1220 and as such are enforceable by U.S. Environmental Protection Agency (EPA) Administrator or citizens under the Clean Air Act.

Signature: .....

This document has been electronically signed.

for Steven S. Pak, P.E., Manager
Air Quality Permits Section
Industrial Division

for the Minnesota Pollution Control Agency

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1. Permit applications table

Title description	Application receipt date	Action number
Major Amendment	10/27/2026 with supplemental information on 01/15/2026 and 04/27/2026	16300010-104
Administrative Amendment	04/26/2021	16300010-103
Minor Amendment	06/15/2021	16300010-103
Administrative Amendment	04/26/2018	16300010-102
Major Amendment	10/02/2012	16300010- 005
Major Amendment	09/19/2011	16300010- 004
Administrative Amendment	None- MPCA Initiated	16300010- 003
Major Amendment	05/27/2008	16300010- 002
Minor Amendment	08/28/2003	16300010- 002
State Permit	05/18/2001	16300010- 001

2. Where to send submittals

Send submittals that are required to be submitted to the EPA regional office to:

Chief Air Enforcement
Air and Radiation Branch
EPA Region V
77 West Jackson Boulevard
Chicago, Illinois 60604

Each submittal must be postmarked or received by the date specified in the applicable Table.
Those submittals required by Minn. R. 7007.0100 to 7007.1850 must be certified by a responsible official, defined in Minn. R. 7007.0100, subp. 21. Other submittals shall be certified as appropriate if certification is required by an applicable rule or permit condition.

Send submittals that are required by the Acid Rain Program to:

U.S. Environmental Protection Agency
Clean Air Markets Division
1200 Pennsylvania Avenue NW (6204M)
Washington, D.C. 20460

Send any application for a permit or permit amendment to:

Fiscal Services – 6th Floor
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

Also, where required by an applicable rule or permit condition, send to the Permit Document Coordinator notices of:

a. Accumulated insignificant activities
b. Installation of control equipment
c. Replacement of an emissions unit, and
d. Changes that contravene a permit term

Unless another person is identified in the applicable Table, send all other submittals to:

AQ Compliance Tracking Coordinator
Industrial Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

Or

Email a signed and scanned PDF copy to:
submitstacktest.pca@state.mn.us
(for submittals related to stack testing)
AQRoutineReport.PCA@state.mn.us
(for other compliance submittals)
(See complete email instructions in "Routine Air Report Instructions Letter" at https://www.pca.state.mn.us/sites/default/files/aq-f6-15.pdf)

3. Facility description

The Circle K Terminal Group Newport (Facility) is located at 54 21st St, Newport, Washington County, Minnesota.

Circle K Terminal Group Newport is a bulk transfer and storage terminal for petroleum products (gasoline). The facility consists of three ethanol storage tanks, seven gasoline storage tanks, and a transfer station with two loading racks. The main pollutants from the facility are Hazardous Air Pollutants (HAP) and Volatile Organic Compounds (VOC) emitted from product loading, storage tank standing and working losses, tank roof landing events, fugitive emissions from valves, pumps, and flanges, and tanker purging. Vapor Recovery Unit (VRU) is the primary VOC control device for the gasoline truck loading racks with a Vapor Combustion Unit (VCU) as a backup control.

This permit is a Major Amendment that authorizes installation of butane blending and injection equipment at the truck loading rack. Butane will be received by transport truck, stored in two new 60,000-gallon tanks, and injected into gasoline product lines on an as-needed basis.

4. Summary of subject items

SI ID: Description	Relationship type	Related SI ID: Description
TFAC 1: Circle K Terminal Group		
ACTV 1: All IAs		
COMG 1: Storage Tanks	has members	EQUI 9, EQUI 10, EQUI 11, EQUI 12, EQUI 13, EQUI 14, EQUI 15, EQUI 16, EQUI 17, EQUI 18
COMG 2: 40 CFR pt. 63, subp. BBBBBB Requirements - Enforcement Not Delegated to MPCA	has members	EQUI 3, EQUI 4, EQUI 8, EQUI 12, EQUI 13, EQUI 14, EQUI 15, EQUI 16, EQUI 17, EQUI 18
COMG 4: Total Facility VOC Limits	has members	EQUI 6, EQUI 9, EQUI 10, EQUI 11, EQUI 12, EQUI 13, EQUI 14, EQUI 15, EQUI 16, EQUI 17, EQUI 18, EQUI 55
EQUI 1: Pilot Flame UV Light Signal	receives from	EQUI 3: Temperature reading monitor
EQUI 2: VRU DAS	receives from	EQUI 4: VRU CEMS
EQUI 3: Temperature reading monitor		
EQUI 4: VRU CEMS		
EQUI 6: Diesel emergency generator	sends to	STRU 3: Emergency Diesel Generator
EQUI 8: Loading Rack	sends to	EQUI 2: VRU DAS
EQUI 8: Loading Rack	is monitored by	EQUI 3: Temperature reading monitor
EQUI 8: Loading Rack	is monitored by	EQUI 4: VRU CEMS
EQUI 8: Loading Rack	sends to	STRU 2: VRU
EQUI 8: Loading Rack	sends to	STRU 4: Loading Rack 1 - gasoline
EQUI 8: Loading Rack	is controlled in parallel by	TREA 2: Vapor Recovery Unit (VRU)
EQUI 8: Loading Rack	is controlled in parallel by	TREA 5: Vapor Combustion Unit
EQUI 9: Tank 103 Ethanol		
EQUI 10: Tank 104 Ethanol		
EQUI 11: Tank 105 Ethanol		
EQUI 12: Tank 106 Gasoline		
EQUI 13: Tank 107 Gasoline		
EQUI 14: Tank 108 Gasoline		
EQUI 15: Tank 109 Gasoline		
EQUI 16: Tank 110 Gasoline		
EQUI 17: Tank 111 Gasoline		
EQUI 18: Tank 112 Gasoline		
EQUI 55: Reciprocating IC Engine	sends to	STRU 6: Natural Gas Emergency Generator
FUGI 1: Valves, Flanges, Seals		
FUGI 2: Tanker Purging		
STRU 2: VRU		
STRU 3: Emergency Diesel Generator		
STRU 4: Loading Rack 1 - gasoline		
STRU 6: Natural Gas Emergency Generator		
TREA 2: Vapor Recovery Unit (VRU)		
TREA 5: Vapor Combustion Unit		

5. Limits and other requirements

Requirement number	Requirement and citation
TFAC 1	**Circle K Terminal Group**
5.1.1	Permit Appendices: This permit contains appendices as listed in the permit Table of Contents. The Permittee shall comply with all requirements contained in Appendices: Appendix A - Insignificant Activities; Appendix B - 40 CFR Part 60, Subpart A - General Provisions; Appendix C - 40 CFR Part 60, Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines; Appendix D - 40 CFR Part 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines; Appendix E - 40 CFR pt. 60, subp. XX - Standards of Performance for Bulk Gasoline Terminals That Commenced Construction, Modification, or Reconstruction After December 17, 1980, and On or Before June 10, 2022; Appendix F - 40 CFR pt. 60, subp. XXa - Standards of Performance for Bulk Gasoline Terminals that Commenced Construction, Modification, or Reconstruction After June 10, 2022; Appendix G - 40 CFR Part 63, Subpart A - General Provisions; and Appendix H - 40 CFR Part 63, Subpart BBBBBB - National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities. [Minn. R. 7007.0800, subp. 2(A) & (B)]
5.1.2	The Permittee must comply with Minn. Stat. 116.385. The Permittee may not use trichloroethylene at its permitted facility including in any manufacturing, processing, or cleaning processes, except as described in Minn. Stat. 116.385, subd. 2(b) and 4. This is a state-only requirement and is not enforceable by the U.S. Environmental Protection Agency (EPA) Administrator and citizens under the Clean Air Act. [Minn. R. 7007.0100, subp. 7(X), Minn. Stat. 116.385]
5.1.3	PERMIT SHIELD: Subject to the limitations in Minn. R. 7007.1800, compliance with the conditions of this permit shall be deemed compliance with the specific provision of the applicable requirement identified in the permit as the basis of each condition. Subject to the limitations of Minn. R. 7007.1800 and 7017.0100, subp. 2, notwithstanding the conditions of this permit specifying compliance practices for applicable requirements, any person (including the Permittee) may also use other credible evidence to establish compliance or noncompliance with applicable requirements. This permit shall not alter or affect the liability of the Permittee for any violation of applicable requirements prior to or at the time of permit issuance. [Minn. R. 7007.1800(A)(2)]
5.1.4	The Permittee must comply with National Primary and Secondary Ambient Air Quality Standards, 40 CFR pt. 50, and the Minnesota Ambient Air Quality Standards, Minn. R. 7009.0010 to 7009.0090. Compliance must be demonstrated upon written request by the MPCA. [Minn. R. 7007.0800, subp. 2(A) & (B), Minn. R. 7009.0020-7009.0090, Minn. Stat. 116.07, subd. 4a(a)]
5.1.5	Circumvention: Do not install or use a device or means that conceals or dilutes emissions, which would otherwise violate a federal or state air pollution control rule, without reducing the total amount of pollutant emitted. [Minn. R. 7011.0020]
5.1.6	The Permittee must at all times properly operate and maintain the facilities and systems of treatment and control and the appurtenances related to them that are installed or used by the Permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. [Minn. R. 7007.0800, subp. 16(J)]
5.1.7	Operation and Maintenance Plan: Retain at the stationary source an operation and maintenance plan for all air pollution control equipment. At a minimum, the O & M plan shall identify all air pollution

Requirement number	Requirement and citation
	control equipment and control practices and shall include a preventative maintenance program for the equipment and practices, a description of (the minimum but not necessarily the only) corrective actions to be taken to restore the equipment and practices to proper operation to meet applicable permit conditions, a description of the employee training program for proper operation and maintenance of the control equipment and practices, and the records kept to demonstrate plan implementation. [Minn. R. 7007.0800, subp. 14, Minn. R. 7007.0800, subp. 16(J)]
5.1.8	Operation Changes: In any shutdown, breakdown, or deviation the Permittee must immediately or as soon as possible considering plant and personnel safety take all practical steps to modify operations to reduce the emission of any regulated air pollutant. No emissions units that have an unreasonable shutdown or breakdown frequency of process or control equipment are permitted to operate. [Minn. R. 7019.1000, subp. 4]
5.1.9	Fugitive Emissions: Do not cause or permit the handling, use, transporting, or storage of any material in a manner which may allow avoidable amounts of particulate matter to become airborne. Comply with all other requirements listed in Minn. R. 7011.0150. [Minn. R. 7011.0150]
5.1.10	Noise: The Permittee shall comply with the noise standards set forth in Minn. R. 7030.0010 to 7030.0080 at all times during the operation of any emission units. This is a state only requirement and is not enforceable by the U.S. Environmental Protection Agency (EPA) Administrator and citizens under the Clean Air Act. [Minn. R. 7030.0010-7030.0080]
5.1.11	Inspections: The Permittee shall comply with the inspection procedures and requirements as found in Minn. R. 7007.0800, subp. 9(A). [Minn. R. 7007.0800, subp. 9(A)]
5.1.12	The Permittee shall comply with the General Conditions listed in Minn. R. 7007.0800, subp. 16. [Minn. R. 7007.0800, subp. 16]
5.1.13	Performance Testing: Conduct all performance tests in accordance with Minn. R. ch. 7017 unless otherwise noted in this permit. [Minn. R. ch. 7017]
5.1.14	Performance Test Notifications and Submittals: Performance Test Notification and Plan: due 30 days before each Performance Test Performance Test Pre-test Meeting: due seven days before each Performance Test Performance Test Report: due 45 days after each Performance Test The Notification, Test Plan, and Test Report must be submitted in a format specified by the commissioner. [Minn. R. 7017.2017, Minn. R. 7017.2030, subps. 1-4, Minn. R. 7017.2035, subps. 1-2]
5.1.15	Limits set as a result of a performance test (conducted before or after permit issuance) apply until superseded as stated in the MPCA's follow up compliance letter granting preliminary approval. Preliminary approval is based on formal review of a subsequent performance test on the same unit as specified by Minn. R. 7017.2025, subp. 3. The limit is final upon issuance of a permit amendment incorporating the change. [Minn. R. 7017.2025, subp. 3]
5.1.16	Monitoring Equipment Calibration - The Permittee shall either: 1. Calibrate or replace required monitoring equipment every 12 months; or 2. Calibrate at the frequency stated in the manufacturer's specifications. For each monitor, the Permittee shall maintain a record of all calibrations, including the date conducted, and any corrective action that resulted. The Permittee shall include the calibration frequencies, procedures, and manufacturer's specifications (if applicable) in the Operations and Maintenance Plan. Any requirements applying to continuous emission monitors are listed separately in this permit. [Minn. R. 7007.0800, subp. 4(D)]
5.1.17	Operation of Monitoring Equipment: Unless noted elsewhere in this permit, monitoring a process or control equipment connected to that process is not necessary during periods when the process is

Requirement number	Requirement and citation
	shutdown, or during checks of the monitoring systems, such as calibration checks and zero and span adjustments. If monitoring records are required, they should reflect any such periods of process shutdown or checks of the monitoring system. [Minn. R. 7007.0800, subp. 4(D)]
5.1.18	Recordkeeping: Retain all records at the stationary source, unless otherwise specified within this permit, for five (5) years from the date of monitoring, sample, measurement, or report. Records which must be retained at this location include all calibration and maintenance records, all original recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Records must conform to the requirements listed in Minn. R. 7007.0800, subp. 5(A). [Minn. R. 7007.0800, subp. 5(C)]
5.1.19	Recordkeeping: Maintain records describing any insignificant modifications (as required by Minn. R. 7007.1250, subp. 3) or changes contravening permit terms (as required by Minn. R. 7007.1350, subp. 2), including records of the emissions resulting from those changes. [Minn. R. 7007.0800, subp. 5(B)]
5.1.20	If the Permittee determines that no permit amendment or notification is required prior to making a change, the Permittee must retain records of all calculations required under Minn. R. 7007.1200. For non-expiring permits, these records shall be kept for a period of five years from the date that the change was made. The records shall be kept at the stationary source for the current calendar year of operation and may be kept at the stationary source or office of the stationary source for all other years. The records may be maintained in either electronic or paper format. [Minn. R. 7007.1200, subp. 4]
5.1.21	Shutdown Notifications: Notify the commissioner at least 24 hours in advance of a planned shutdown of any control equipment or process equipment if the shutdown would cause any increase in the emissions of any regulated air pollutant. If the Permittee does not have advance knowledge of the shutdown, the Permittee must notify the commissioner as soon as possible after the shutdown. However, notification is not required in the circumstances outlined in items A, B, and C of Minn. R. 7019.1000, subp. 3. At the time of notification, the owner or operator must inform the commissioner of the cause of the shutdown and the estimated duration. The owner or operator must notify the commissioner when the shutdown is over. [Minn. R. 7019.1000, subp. 3]
5.1.22	Breakdown Notifications: Notify the commissioner within 24 hours of a breakdown of more than one hour of any control equipment or process equipment if the breakdown causes any increase in the emissions of any regulated air pollutant. The 24-hour time period starts when the breakdown was discovered or reasonably should have been discovered by the owner or operator. However, notification is not required in the circumstances outlined in items A, B, and C of Minn. R. 7019.1000, subp. 2. At the time of notification or as soon as possible thereafter, the Permittee must inform the commissioner of the cause of the breakdown and the estimated duration. The Permittee must notify the commissioner when the breakdown is over. [Minn. R. 7019.1000, subp. 2]
5.1.23	Notification of Deviations Endangering Human Health or the Environment: Immediately after discovery of the deviation or immediately after when the deviation reasonably should have been discovered, notify the commissioner either orally or by e-mail, or telephone the state duty officer at 800-422-0798 or 651-649-5451, of any deviation from permit conditions that could endanger human health or the environment. [Minn. R. 7019.1000, subp. 1]
5.1.24	Notification of Deviations Endangering Human Health or the Environment Report: Within two working days of discovery, notify the commissioner in writing of any deviation from permit conditions that could endanger human health or the environment. Include the following information in this written description: 1. the cause of the deviation;

Requirement number	Requirement and citation
	2. the exact dates of the period of the deviation, if the deviation has been corrected; 3. whether or not the deviation has been corrected; 4. the anticipated time by which the deviation is expected to be corrected, if not yet corrected; and 5. steps taken or planned to reduce, eliminate, and prevent reoccurrence of the deviation. [Minn. R. 7019.1000, subp. 1]
5.1.25	Application for Permit Amendment: If a permit amendment is needed, submit an application in accordance with the requirements of Minn. R. 7007.1150 through Minn. R. 7007.1500. Submittal dates vary, depending on the type of amendment needed. Upon adoption of a new or amended federal applicable requirement, and if there are three or more years remaining in the permit term, the Permittee shall file an application for an amendment within nine months of promulgation of the applicable requirement, pursuant to Minn. R. 7007.0400, subp. 3. [Minn. R. 7007.0400, subp. 3, Minn. R. 7007.1150 - 7007.1500]
5.1.26	Extension Requests: The Permittee may apply for an Administrative Amendment to extend a deadline in a permit by no more than 120 days, provided the proposed deadline extension meets the requirements of Minn. R. 7007.1400, subp. 1(H). Performance testing deadlines from the General Provisions of 40 CFR pt. 60 and pt. 63 are examples of deadlines for which the MPCA does not have authority to grant extensions and therefore do not meet the requirements of Minn. R. 7007.1400, subp. 1(H). [Minn. R. 7007.1400, subp. 1(H)]
5.1.27	Within 15 days of a request from the Commissioner, the Permittee must provide a complete summary of all performance tests required at the facility including the subject item, pollutant, most recent test date (if applicable), and the date of the next test in an approved format. [Minn. R. 7007.0800, subp. 16(L)]
5.1.28	Emission Inventory Report: due on or before April 1 of each calendar year following permit issuance. Submit in a format specified by the Commissioner. [Minn. R. 7019.3000-7019.3100]
5.1.29	Emission Fees: due 30 days after receipt of an MPCA bill. [Minn. R. 7002.0005-7002.0085]
COMG 1	**Storage Tanks**
5.2.1	Monthly Recordkeeping - Gasoline Throughput: By the 15th day of each month the Permittee must calculate, record, and maintain the gasoline throughput (all grades) during the previous calendar month as follows: 1. EQUI 12 (Tank 106) throughput; 2. EQUI 13, EQUI 14, EQUI 15, EQUI 16, EQUI 17, and EQUI 18 (Tank 107 - Tank 112) total throughput. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.2.2	Monthly Recordkeeping - Tank Landings: by the 15th day of each month the Permittee must calculate, record, and maintain the following: 1. The combined total tank landings for EQUI 13, EQUI 14, EQUI 15, EQUI 16, EQUI 17, and EQUI 18 during the previous calendar month; 2. The total tank landings for EQUI 12 during the previous calendar month. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.2.3	Standing Losses Calculations: By the 15th day of each month, the Permittee must calculate, record, and maintain the total tank standing losses for the previous calendar month using the methodology

Requirement number	Requirement and citation
	prescribed in U.S. EPA AP-42, Chapter 7.1, the version in effect at the time the calculation is performed (including any referenced equations, procedures, and required inputs). The Permittee must retain the calculation output and supporting documentation for all inputs used (e.g., tank ID, stored liquid, tank dimensions, roof type, meteorological data/temperatures, vapor pressure/true vapor pressure assumptions, fitting configuration as applicable). For any tank taken out of service during the month, the Permittee must document the out-of-service status (including dates) and must calculate working losses consistent with AP-42, Chapter 7.1 for the tank's actual operating status during the month. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.2.4	Working Losses Calculations: By the 15th day of each month, the Permittee must calculate, record, and maintain the total tank working losses for the previous calendar month using the methodology prescribed in U.S. EPA AP-42, Chapter 7.1, the version in effect at the time the calculation is performed. The Permittee must document monthly throughput for each tank (or for each stored liquid/tank as applicable) and shall retain the calculation output and supporting records for all inputs used. For any tank taken out of service during the month, the Permittee must document the out-of-service status (including dates) and must calculate working losses consistent with AP-42, Chapter 7.1 for the tank's actual operating status during the month. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.2.5	Tank Landing Emission Calculations: By the 15th day of each month, the Permittee must calculate, record, and maintain the total floating roof landing losses for the previous calendar month using the methodology prescribed in U.S. EPA AP-42, Chapter 7.1, the version in effect at the time the calculation is performed. The Permittee must record the number of roof landings for each applicable tank for the previous month and retain calculation output and supporting documentation for all inputs used. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
COMG 2	**40 CFR pt. 63, subp. BBBBBB Requirements - Enforcement Not Delegated to MPCA**
5.3.1	Prior to May 8, 2027, the Permittee must limit Total Organic Compounds <= 80 milligrams per liter of gasoline loaded into gasoline cargo tanks at the loading rack. [40 CFR 63.11083(d)(3), 40 CFR pt. 63, subp. BBBBBB(Table 2)(item 1)(b), Minn. R. 7011.7180, B]
5.3.2	On or after May 8, 2027, the Permittee must limit Total Organic Compounds <= 35 milligrams per liter of liquid product loaded into gasoline cargo tanks at the loading rack when vapors are routed to the VCU (thermal oxidation system). [40 CFR 63.11083(d)(3), 40 CFR pt. 63, subp. BBBBBB(Table 3)(item 1)(a), Minn. R. 7011.7180(B)]
5.3.3	On or after May 8, 2027 the Permittee must limit Total Organic Compounds <= 19,200 parts per million 3-hour rolling average by volume as propane considering all periods when vapors are routed to the vapor recovery system is capable of processing gasoline vapors, including periods when liquid product is being loaded, during carbon bed regeneration, and when preparing the beds for reuse. [40 CFR 63.11083(d)(3), 40 CFR pt. 63, subp. BBBBBB(Table 3)(item 3)(a), Minn. R. 7011.7180(B)]
5.3.4	The Permittee must comply with all applicable requirements of 40 CFR pt. 63, subp. BBBBBB as follows: 40 CFR 63.11080;

Requirement number	Requirement and citation
	40 CFR 63.11081(a)(1); 40 CFR 63.11081(b); 40 CFR 63.11081(f)-(j); 40 CFR 63.11082; 40 CFR 63.11083; 40 CFR 63.11085; 40 CFR 63.11087(e)-(g); 40 CFR 63.11088; 40 CFR 63.11089(b)(3); 40 CFR 63.11089(c)-(f); 40 CFR 63.11092(a); 40 CFR 63.11092(b)(1)(i); 40 CFR 63.11092(b)(1)(iii)-(iv); 40 CFR 63.11092(b)(3)-(b)(5); 40 CFR 63.11092(c)-(d); 40 CFR 63.11092(e)(1)-(e)(2); 40 CFR 63.11092(e)(4); 40 CFR 63.11092(f)(1); 40 CFR 63.11092(g)(1); 40 CFR 63.11092(h)-(i); 40 CFR 63.11093; 40 CFR 63.11094(a)-(g)(1); 40 CFR 63.11094(g)(3); 40 CFR 63.11094(h)-(o); 40 CFR 63.11095(a)-(c)(2); 40 CFR 63.11095(d)(1)-(d)(2); 40 CFR 63.11095(d)(4)-(d)(9); 40 CFR 63.11095(e); 40 CFR 63.11098; 40 CFR 63.11099(a)-(c); 40 CFR 63.11100; 40 CFR pt. 63, subp. BBBBBB Table 1; 40 CFR pt. 63, subp. BBBBBB Table 2, item 1; 40 CFR pt. 63, subp. BBBBBB Table 3, items 1 & 3; and 40 CFR pt. 63, subp. BBBBBB Table 4. A copy of 40 CFR pt. 63, subp. BBBBBB is included in Appendix H. If the standard changes or upon adoption of a new or amended federal applicable requirement, and if there are more than three years remaining in the permit term, the Permittee shall file an application for an amendment within nine months of promulgation of the applicable requirement, pursuant to Minn. R. 7007.0400, subp. 3. [40 CFR pt. 63, subp. BBBBBB, Minn. R. 7007.0400, subp. 3, Minn. R. 7007.1150-7007.1500, Minn. R. 7011.7180(B)]
5.3.5	The Permittee must comply with all applicable requirements of 40 CFR pt. 63, subp. A as follows: 40 CFR 63.1(a); 40 CFR 63.1(b)(1); 40 CFR 63.1(c)(1)-(c)(2); 40 CFR 63.1(c)(5); 40 CFR 63.1(e); 40 CFR 63.2; 40 CFR 63.3;

Requirement number	Requirement and citation
	40 CFR 63.4; 40 CFR 63.5(b); 40 CFR 63.5(d)-(f); 40 CFR 63.6(a); 40 CFR 63.6(b)(7); 40 CFR 63.6(c)(1)-(c)(2); 40 CFR 63.6(c)(5); 40 CFR 63.6(e)(1); 40 CFR 63.6(e)(3); 40 CFR 63.6(i)(1); 40 CFR 63.6(i)(3)-(i)(4); 40 CFR 63.6(i)(6); 40 CFR 63.6(i)(8); 40 CFR 63.6(i)(9); 40 CFR 63.6(i)(11); 40 CFR 63.6(j); 40 CFR 63.7(a)(2); 40 CFR 63.7(a)(2)(ix); 40 CFR 63.7(a)(3); 40 CFR 63.7(a)(4); 40 CFR 63.7(b)-(h); 40 CFR 63.7(h); 40 CFR 63.8(b)-(g); 40 CFR 63.9(b)(1); 40 CFR 63.9(c); 40 CFR 63.9(e); 40 CFR 63.9(g)-(j); 40 CFR 63.10(a)(5)-(a)(7); 40 CFR 63.10(b); 40 CFR 63.10(c); 40 CFR 63.10(d)(1); 40 CFR 63.10(d)(2); 40 CFR 63.10(d)(5); 40 CFR 63.10(e)-(f); 40 CFR 63.11; 40 CFR 63.12; 40 CFR 63.13; 40 CFR 63.14; and 40 CFR 63.15(a). A copy of 40 CFR pt. 63, subp. A is included in Appendix G. If the standard changes or upon adoption of a new or amended federal applicable requirement, and if there are more than three years remaining in the permit term, the Permittee shall file an application for an amendment within nine months of promulgation of the applicable requirement, pursuant to Minn. R. 7007.0400, subp. 3. [40 CFR pt. 63, subp. A, Minn. R. 7007.0400, subp. 3, Minn. R. 7007.1150-7007.1500, Minn. R. 7011.0050, subp. 1(B), Minn. R. 7017.1010 & 7017.2015, subp. 3, Minn. R. 7019.0100]
COMG 4	**Total Facility VOC Limits**
5.4.1	The Permittee must limit emissions of Volatile Organic Compounds <= 95.0 tons per year 12-month rolling sum to be calculated by the 15th day of each month for the previous 12-month period as described later in this permit. All VOC-emitting equipment at the Facility is subject to this limit except for the insignificant activities .

Requirement number	Requirement and citation
	If the Permittee replaces any existing VOC-emitting equipment, adds new VOC-emitting equipment, or modifies the existing equipment, such equipment is subject to this permit limit as well as all of the requirements COMG 1 and COMG 4. Prior to making such a change, the Permittee must apply for and obtain the appropriate permit amendment, as applicable. The Permittee is not required to complete VOC calculations described in Minn. R. 7007.1200, subp. 2. A permit amendment will still be needed regardless of the emissions increase if the change will be subject to a new applicable requirement or requires revisions to the limits or monitoring and recordkeeping in this permit. [Title I Condition: Avoid major modification under 40 CFR 52.21(b)(2) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2]
5.4.2	Volatile Organic Compounds: Monthly Recordkeeping -- VOC Emissions. By the 15th of the month, the Permittee must calculate and record the following: 1) The facility VOC emissions for the previous month using the formulas specified in this permit; and 2) The total facility 12-month rolling sum VOC emissions for the previous 12-month period by summing the monthly VOC emissions data for the previous 12 months. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.4.3	Volatile Organic Compounds: Volatile Organic Compounds: Monthly Calculation -- VOC Emissions. The Permittee must calculate VOC emissions using the following equations: TFE = (LR1 + TS + TW + TL + FE + TP + EG + NGE)/2000 where: TFE = total terminal facility monthly VOC emissions, tons LR1 = loading rack 1 emissions calculated under EQUI 8, lb/month TS = storage tank standing losses calculated under COMG 1, lb/month TW = storage tank working losses calculated under COMG 1, lb/month TL = tank roof landing emissions calculated under COMG 1, lb/month FE = fugitive emissions calculated under FUGI 1, lb/month TP = tanker purging emissions calculated under FUGI 2, lb/month EG = emergency generator emissions calculated under EQUI 6, lb/month NGE = natural gas emergency generator emissions calculated under EQUI 55, lb/month. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
EQUI 4	**VRU CEMS**
5.5.1	Additional monitoring requirements may apply. The Permittee is responsible for meeting all applicable requirements. [Minn. R. 7007.0800, subp. 4(A)]
5.5.2	Volatile Organic Compounds: Emissions Monitoring: The owner or operator must use a CEMS to measure emissions from EQUI 8 when controlled by TREA 2. [40 CFR pt. 63, subp. BBBBBB, Minn. R. 7017.1010, subp 1]
5.5.3	CEMS Applicability: EQUI 4 is required to comply with 40 CFR Part 63, Subpart BBBBBB. The CEMS must be installed, operated, and maintained in accordance with 40 CFR 63.11092(b) and the general monitoring requirements in 40 CFR 63.8, as applicable. Performance specifications and QA/QC procedures shall follow 40 CFR Part 60, Appendix B and Appendix F, as applicable. [40 CFR 63.11092(b), 40 CFR 63.8, 40 CFR pt. 60, App. B, 40 CFR pt. 60, App. F, Minn. R. 7011.7180, B]

Requirement number	Requirement and citation
5.5.4	Continuous Operation: CEMS must be operated and data recorded during all periods of emission unit operation when controlled by TREA 2 including periods of emission unit start-up, shutdown, or malfunction except for periods of acceptable monitor downtime. This requirement applies whether or not a numerical emission limit applies during these periods. A CEMS must not be bypassed except in emergencies where failure to bypass would endanger human health, safety, or plant equipment. [Minn. R. 7017.1010, subp. 1(A), Minn. R. 7017.1090]
5.5.5	QA Plan: Develop and implement a written quality assurance plan that covers each CEMS. The plan must be on site and available for inspection within 30 days after monitor certification. The plan must contain all of the information required by 40 CFR Part 60, Appendix F, Section 3. The plan must include the manufacturer's spare parts list for each CEMS and require that those parts be kept at the facility unless the Commissioner gives written approval to exclude specific spare parts from the list. [40 CFR 63.8(d), 40 CFR pt. 60, Appendix F, 3, Minn. R. 7017.1010, subp. 1(C), Minn. R. 7017.1170, subp. 2]
5.5.6	CEMS QA/QC: The Permittee is subject to the performance specifications listed in 40 CFR pt. 60, Appendix B and shall operate, calibrate, and maintain each CEMS according to the QA/QC procedures in 40 CFR pt. 60, Appendix F as amended and maintain a written QA/QC program available in a form suitable for inspection. [40 CFR 63.8, 40 CFR pt. 60, Appendix F, Minn. R. 7017.1010, subp. 1(A)]
5.5.7	CEMS Daily Calibration Drift Test: Check the zero (low level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily. The zero and span must, at a minimum, be adjusted whenever the drift exceeds two times the limit specified in 40 CFR pt. 60, Appendix B. 40 CFR pt. 60, Appendix F, Section 4.3.1 must be used to determine out-of-control periods for CEMS. [40 CFR 63.8, 40 CFR pt. 60, Appendix F, 4.1, Minn. R. 7017.1010, subp. 1(A), Minn. R. 7017.1170, subp. 3]
5.5.8	CEMS Monitor Design: Each CEMS shall be designed to complete a minimum of one cycle of sampling, analyzing, and data recording in each 15-minute period. [40 CFR 63.8(c)(4)(ii), Minn. R. 7017.1010, subp. 1(A)]
EQUI 6	**Diesel emergency generator**
5.6.1	The Permittee must limit emissions of NMHC+NOx <= 6.4 grams per kilowatt-hour as described in 40 CFR pt. 1039, Appendix I. [40 CFR 60.4202(a)(2), 40 CFR 60.4205(b), Minn. R. 7011.2305]
5.6.2	The Permittee must limit emissions of Particulate Matter <= 0.20 grams per kilowatt-hour as described in 40 CFR pt. 1039, Appendix I. [40 CFR 60.4202(a)(2), 40 CFR 60.4205(b), Minn. R. 7011.2305]
5.6.3	The Permittee must limit emissions of Carbon Monoxide <= 3.5 grams per kilowatt-hour as described in 40 CFR pt. 1039, Appendix I. [40 CFR 60.4202(a)(2), 40 CFR 60.4205(b), Minn. R. 7011.2305]
5.6.4	The Permittee must limit emissions of Opacity <= 20 percent opacity during the acceleration mode. [40 CFR 60.4202(a)(2), 40 CFR 60.4205(b), Minn. R. 7011.2305]
5.6.5	The Permittee must limit emissions of Opacity <= 15 percent opacity during the lugging mode. [40 CFR 60.4202(a)(2), 40 CFR 60.4205(b), Minn. R. 7011.2305]
5.6.6	The Permittee must limit emissions of Opacity <= 50 percent opacity during the peaks in either the acceleration or lugging modes. [40 CFR 60.4202(a)(2), 40 CFR 60.4205(b), Minn. R. 7011.2305]
5.6.7	Hours: Daily Recordkeeping. On each day of operation, the Permittee must calculate, record, and maintain a record of the total hours of operation. This must be based on hours of operation logs or hour meter readings. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.6.8	Hours: Monthly Recordkeeping. By the 15th of the month, the Permittee must calculate and record the following: 1) The total hours of operation for the previous calendar month using the daily records; and

Requirement number	Requirement and citation
	2) The 12-month rolling sum hours of operation for the previous 12-month period by summing the monthly hours of operation for the previous 12 months. [Minn. R. 7007.0800, subps. 4-5]
5.6.9	The Permittee must limit Sulfur Content of Fuel <= 15.0 parts per million and either a minimum cetane index of 40 or a maximum aromatic content of 35 percent by volume, as required by 40 CFR 1090.305. [40 CFR 60.4207(b), Minn. R. 7011.2305]
5.6.10	Opacity <= 20 percent opacity once operating temperatures have been attained. [Minn. R. 7011.2300, subp. 1]
5.6.11	Sulfur Dioxide <= 0.0015 pounds per million Btu heat input. The potential to emit from the unit is 0.0015 lb/MMBtu due to equipment design and allowable fuels. [Minn. R. 7011.2300, subp. 2(B)]
5.6.12	Fuel type: Diesel fuel oil and diesel fuel oil blends only, by design. [Minn. R. 7005.0100, subp. 35a]
5.6.13	Hours of Operation: The Permittee shall maintain documentation on site that the unit is an emergency generator by design that qualifies under the U.S. EPA memorandum entitled "Calculating Potential to Emit (PTE) for Emergency Generators" dated September 6, 1995, that allows calculation of potential emissions based on 500 operating hours per year. [Minn. R. 7007.0800, subps. 4-5]
5.6.14	The Permittee shall keep records of fuel type and usage on a monthly basis. [Minn. R. 7007.0800, subp. 5]
5.6.15	Fuel Supplier Certification: The Permittee shall obtain and maintain a fuel supplier certification for each shipment of diesel fuel oil, certifying that the sulfur content does not exceed 0.0015 percent by weight. [Minn. R. 7007.0800, subps. 4-5]
5.6.16	EQUI 6 is a new affected source as defined under 40 CFR pt. 63, subp. ZZZZ, and the facility is an area source as defined at 40 CFR 63.2. The Permittee shall meet the requirements of 40 CFR pt. 63, subp. ZZZZ by meeting the requirements of 40 CFR pt. 60, subp. IIII. No further requirements of 40 CFR pt. 63, subp. ZZZZ apply to EQUI 6. [40 CFR 63.6590(c), Minn. R. 7011.8150]
5.6.17	Volatile Organic Compounds: Monthly Recordkeeping. By the 15th of the month, the Permittee must calculate and record the following using the formulas specified in this permit: 1) The VOC emissions for the previous month using the formulas specified in this permit; and 2) The 12-month rolling sum of VOC emissions for the previous 12-month period by summing the monthly emissions data for the previous 12 months. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major modification under 40 CFR 52.21(b)(2) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.6.18	Volatile Organic Compounds: Monthly calculations: By the 15th day of each month the Permittee must calculate, record, and maintain the emergency generator VOC emissions for the previous month using the following equation: EG = 2.83E-01 lb/MMBtu * 0.51306 MMBtu/hr * MH where: 2.83E-01 = VOC diesel emission factor at the time of the permit amendment (lb/MMBtu); 0.513064 = Heat Input of EQUI 6 (MMBTU/hr); and MH = hours of operation for EQUI 6 recorded during the previous month. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major modification under 40 CFR 52.21(b)(2) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]

Requirement number	Requirement and citation
5.6.19	The Permittee must comply with all applicable requirements of 40 CFR pt. 60, subp. IIII as follows: 40 CFR 60.4200(a)(2)(i); 40 CFR 60.4202(a)(2); 40 CFR 60.4205(b); 40 CFR 60.4206; 40 CFR 60.4207(b); 40 CFR 60.4208(a); 40 CFR 60.4209(a); 40 CFR 60.4211(a); 40 CFR 60.4211(c); 40 CFR 60.4211(f)(1); 40 CFR 60.4211(f)(2)(i); 40 CFR 60.4211(f)(3); 40 CFR 60.4214(b); 40 CFR 60.4218; 40 CFR 60.4219; and 40 CFR pt. 60, subp. IIII, Table 8. A copy of 40 CFR pt. 60, subp. IIII is included in Appendix C. If the standard changes or upon adoption of a new or amended federal applicable requirement, and if there are more than three years remaining in the permit term, the Permittee shall file an application for an amendment within nine months of promulgation of the applicable requirement, pursuant to Minn. R. 7007.0400, subp. 3. [40 CFR pt. 60, subp. IIII, Minn. R. 7007.0400, subp. 3, Minn. R. 7007.1150-7007.1500, Minn. R. 7011.2305]
5.6.20	The Permittee must comply with all applicable requirements of 40 CFR pt. 60, subp. A as follows: 40 CFR 60.1(a)-(c); 40 CFR 60.2; 40 CFR 60.3; 40 CFR 60.4; 40 CFR 60.5(a)-(b); 40 CFR 60.6(a)-(b); 40 CFR 60.7(a)(1); 40 CFR 60.7(a)(3); 40 CFR 60.7(a)(4); 40 CFR 60.7(b); 40 CFR 60.9; 40 CFR 60.11(d); 40 CFR 60.12; 40 CFR 60.14(a); 40 CFR 60.14(b); 40 CFR 60.14(c); 40 CFR 60.14(f); 40 CFR 60.14(g); 40 CFR 60.14(h); 40 CFR 60.14(l); 40 CFR 60.15(a)-(g) 40 CFR 60.17; 40 CFR 60.18(g)-(i);

Requirement number	Requirement and citation
	40 CFR 60.19(a)-(e); 40 CFR 60.19(f)(1); 40 CFR 60.19(f)(2); 40 CFR 60.19(f)(3); and 40 CFR 60.19(f)(4). A copy of 40 CFR pt. 60, subp. A is included in Appendix B. If the standard changes or upon adoption of a new or amended federal applicable requirement, and if there are more than three years remaining in the permit term, the Permittee shall file an application for an amendment within nine months of promulgation of the applicable requirement, pursuant to Minn. R. 7007.0400, subp. 3. [40 CFR pt. 60, subp. A, Minn. R. 7007.0400, subp. 3, Minn. R. 7007.1150-7007.1500, Minn. R. 7011.0050, subp. 1(A), Minn. R. 7017.1010 & 7017.2015, subp. 2, Minn. R. 7019.0100]
EQUI 8	**Loading Rack**
5.7.1	During operation of the loading rack the Permittee must vent emissions from EQUI 8 to control equipment meeting the requirements of TREA 2 (VRU) or TREA 5 (VCU) whenever EQUI 8 operates. [Minn. R. 7011.0075, subp. 1, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.7.2	EQUI 8 must be equipped with a vapor collection system designed to collect the total organic compounds vapors displaced from tank trucks during product loading. [40 CFR 60.502(a) and (d), Minn. R. 7011.1550]
5.7.3	Total Organic Compounds <= 35 milligrams per liter of gasoline loaded due to the loading of liquid product into gasoline tank trucks. [40 CFR 60.502(b), Minn. R. 7011.1550]
5.7.4	Recordkeeping - Gasoline Loading: By the 15th day of each month the Permittee must calculate and record the gallons of gasoline loaded during the previous calendar month. Gasoline includes gasoline/ethanol blends and E-85. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.7.5	Loading Emissions Calculations: By the 15 day of each month the Permittee must calculate and record the VOC loading emissions from the previous month using the following equation: LR = ((0.987 *gal_TREA 2 * a) + (0.987 *gal_TREA 5 * b) + (0.013 * (gal_TREA 5 + gal_TREA 2)*c) + (d * c))/1000 where: LR = Loading Rack monthly emissions, lbs/month gal_TREA 2= gallons of gasoline loaded the previous month, TREA 2 in service gal_TREA 5= gallons of gasoline loaded the previous month, TREA 5 in service a = VRU controlled emission factor in lb/mgal (currently 0.083 lb/mgal (based on 10 mg/liter manufacturer guarantee), or as revised based on performance testing) b = VCU controlled emission factor in lb/mgal (currently 0.14 lb/mgal on performance testing) c = uncontrolled emission factor (7.92 lb/mgal) d = gallons of gasoline loaded, TREA 5 and TREA 2 out of service. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.7.6	The Permittee must comply with all applicable requirements of 40 CFR pt. 60, subp. XX as follows: 40 CFR 60.500(a);

Requirement number	Requirement and citation
	40 CFR 60.500(b); 40 CFR 60.501; 40 CFR 60.502(a)-(j); 40 CFR 60.503(a)-(f); and 40 CFR 60.505. A copy of 40 CFR pt. 60, subp. XX is included in Appendix E. If the standard changes or upon adoption of a new or amended federal applicable requirement, and if there are more than three years remaining in the permit term, the Permittee shall file an application for an amendment within nine months of promulgation of the applicable requirement, pursuant to Minn. R. 7007.0400, subp. 3. [40 CFR pt. 60, subp. XX, Minn. R. 7007.0400, subp. 3, Minn. R. 7007.1150-1500, Minn. R. 7011.1550]
5.7.7	The Permittee must comply with all applicable requirements of 40 CFR pt. 60, subp. A as follows: 40 CFR 60.1(a)-(c); 40 CFR 60.2; 40 CFR 60.3; 40 CFR 60.4; 40 CFR 60.7(a)(1); 40 CFR 60.7(a)(3)-(a)(7); 40 CFR 60.7(b)-(d); 40 CFR 60.8(a); 40 CFR 60.8(b); 40 CFR 60.8(g); 40 CFR 60.8(h); 40 CFR 60.8(i); 40 CFR 60.12; 40 CFR 60.15(a)-(g); 40 CFR 60.17; 40 CFR 60.18(b)-(f); 40 CFR 60.19(a)-(e); 40 CFR 60.19(f)(1); 40 CFR 60.19(f)(2); 40 CFR 60.19(f)(3); and 40 CFR 60.19(f)(4). A copy of 40 CFR pt. 60, subp. A is included in Appendix B. If the standard changes or upon adoption of a new or amended federal applicable requirement, and if there are more than three years remaining in the permit term, the Permittee shall file an application for an amendment within nine months of promulgation of the applicable requirement, pursuant to Minn. R. 7007.0400, subp. 3. [40 CFR pt. 60, subp. A, Minn. R. 7007.0400, subp. 3, Minn. R. 7007.1150-7007.1500, Minn. R. 7011.0050, subp. 1(A), Minn. R. 7017.1010 & 7017.2015, subp. 2, Minn. R. 7019.0100]
EQUI 55	**Reciprocating IC Engine**
5.8.1	Opacity <= 20 percent opacity once operating temperatures have been attained. [Minn. R. 7011.2300, subp. 1]
5.8.2	Sulfur Dioxide <= 0.0015 pounds per million Btu heat input. The potential to emit from the unit is 0.0015 lb/MMBtu due to equipment design and allowable fuels. [Minn. R. 7011.2300, subp. 2(B)]
5.8.3	The Permittee must limit HC+NOx <= 10.0 grams per horsepower-hour. [40 CFR 60.4233(e), 40 CFR 63.6590(c), 40 CFR pt. 60, subp. JJJJ(Table 1), Minn. R. 7011.2310, Minn. R. 7011.8150]
5.8.4	The Permittee must limit Carbon Monoxide <= 387 grams per horsepower-hour. [40 CFR 60.4233(e), 40 CFR 63.6590(c), 40 CFR pt. 60, subp. JJJJ(Table 1), Minn. R. 7011.2310, Minn. R. 7011.8150]

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5.8.5	Fuel type: Natural gas only, by design. [Minn. R. 7005.0100, subp. 35a]
5.8.6	Hours of Operation: The Permittee shall maintain documentation on site that the unit is an emergency generator by design that qualifies under the U.S. EPA memorandum entitled "Calculating Potential to Emit (PTE) for Emergency Generators" dated September 6, 1995, that allows calculation of potential emissions based on 500 operating hours per year. [Minn. R. 7007.0800, subps. 4-5]
5.8.7	Hours: Daily Recordkeeping. On each day of operation, the Permittee must calculate, record, and maintain a record of the total hours of operation. This must be based on hours of operation logs or our meter readings. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.8.8	Hours: Monthly Recordkeeping. By the 15th of the month, the Permittee must calculate and record the following: 1) The total hours of operation for the previous calendar month using the daily records; and 2) The 12-month rolling sum hours of operation for the previous 12-month period by summing the monthly hours of operation for the previous 12 months. [Minn. R. 7007.0800, subps. 4-5]
5.8.9	The Permittee shall keep records of fuel type and usage on a monthly basis. [Minn. R. 7007.0800, subp. 5]
5.8.10	Volatile Organic Compounds: Monthly Recordkeeping. By the 15th of the month, the Permittee must calculate and maintain the following: 1) The VOC emissions for the previous month using the formulas specified in this permit; and 2) The 12-month rolling sum of VOC emissions for the previous 12-month period by summing the monthly emissions data for the previous 12 months. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major modification under 40 CFR 52.21(b)(2)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.8.11	Volatile Organic Compounds: Monthly calculations - Volatile Organic Compounds. The Permittee must calculate VOC emissions using the following equation: VOC Emissions (lb/month) = 3.60E-01 lb/MMscf *4.33 Btu/hr * NGH where: NGH = Hours of operation for EQUI 55 recorded during the previous month (hr/months); 3.60E-01 = VOC natural gas emission factor at the time of the permit amendment (lb/MMscf); and 4.33 = Heat Input of EQUI 55 (BTU/hr). [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major modification under 40 CFR 52.21(b)(2) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.8.12	The Permittee must comply with all applicable requirements of 40 CFR pt. 60, subp. JJJJ as follows: 40 CFR 60.4230(a)(4)(iv); 40 CFR 60.4230(a)(6); 40 CFR 60.4233(d); as it pertains to stationary SI ICE meeting the criteria in the first sentence of this item; 40 CFR 60.4234; 40 CFR 60.4237(c); 40 CFR 60.4243(a)(1); 40 CFR 60.4243(b)(1); 40 CFR 60.4243(d)(1);

Requirement number	Requirement and citation
	40 CFR 60.4243(d)(2); 40 CFR 60.4243(d)(2)(i); 40 CFR 60.4243(d)(3); 40 CFR 60.4243(e); 40 CFR 60.4245(a)(1)-(a)(3); 40 CFR 60.4245(b); 40 CFR 60.4245(g)-(j); 40 CFR 60.4246; 40 CFR 60.4248; and 40 CFR pt. 60, subp JJJJ Table 1. A copy of 40 CFR pt. 60, subp. JJJJ is included in Appendix D. If the standard changes or upon adoption of a new or amended federal applicable requirement, and if there are more than three years remaining in the permit term, the Permittee shall file an application for an amendment within nine months of promulgation of the applicable requirement, pursuant to Minn. R. 7007.0400, subp. 3. [40 CFR 63.6590(c), 40 CFR pt. 60, subp. JJJJ, Minn. R. 7007.0400, subp. 3, Minn. R. 7007.1150-7007.1500, Minn. R. 7011.2310, Minn. R. 7011.8150]
5.8.13	EQUI 55 is a new affected source as defined under 40 CFR pt. 63, subp. ZZZZ, and the facility is an area source as defined at 40 CFR 63.2. The Permittee shall meet the requirements of 40 CFR pt. 63, subp. ZZZZ by meeting the requirements of 40 CFR pt. 60, subp. JJJJ. No further requirements of 40 CFR pt. 63, subp. ZZZZ apply to EQUI 55. [40 CFR 63.6590(c), Minn. R. 7011.8150]
5.8.14	The Permittee must comply with all applicable requirements of 40 CFR pt. 60, subp. A as follows: 40 CFR 60.1(a)-(c); 40 CFR 60.2; 40 CFR 60.3; 40 CFR 60.4; 40 CFR 60.5(a)-(b); 40 CFR 60.6(a)-(b); 40 CFR 60.7(a)(1); 40 CFR 60.7(a)(3); 40 CFR 60.7(a)(4); 40 CFR 60.7(b); 40 CFR 60.9; 40 CFR 60.11(d); 40 CFR 60.12; 40 CFR 60.14(a); 40 CFR 60.14(b); 40 CFR 60.14(c); 40 CFR 60.14(f); 40 CFR 60.14(g); 40 CFR 60.14(h); 40 CFR 60.14(l); 40 CFR 60.15(a)-(g) 40 CFR 60.17; 40 CFR 60.18(g)-(i); 40 CFR 60.19(a)-(e); 40 CFR 60.19(f)(1); 40 CFR 60.19(f)(2); 40 CFR 60.19(f)(3); and 40 CFR 60.19(f)(4).

Requirement number	Requirement and citation
	A copy of 40 CFR pt. 60, subp. A is included in Appendix B. If the standard changes or upon adoption of a new or amended federal applicable requirement, and if there are more than three years remaining in the permit term, the Permittee shall file an application for an amendment within nine months of promulgation of the applicable requirement, pursuant to Minn. R. 7007.0400, subp. 3. [40 CFR pt. 60, subp. A, Minn. R. 7007.0400, subp. 3, Minn. R. 7007.1150-7007.1500, Minn. R. 7011.0050, subp. 1(A), Minn. R. 7017.1010 & 7017.2015, subp. 2, Minn. R. 7019.0100]
FUGI 1	**Valves, Flanges, Seals**
5.9.1	The Permittee must comply with all applicable requirements of 40 CFR pt. 60, subp. XXa as follows: 40 CFR 60.500a(a)(2); 40 CFR 60.500a(b); 40 CFR 60.500a(c); 40 CFR 60.500a(e)(1)-(e)(2); 40 CFR 60.501a; 40 CFR 60.502a(j); 40 CFR 60.502a(k); 40 CFR 60.503a(e); 40 CFR 60.505a(a)(6); 40 CFR 60.505a(a)(9); 40 CFR 60.505a(c)(1); 40 CFR 60.505a(c)(6)-(c)(7); and 40 CFR 60.505a(d)-(g). A copy of 40 CFR pt. 60, subp. XXa is included in Appendix F. If the standard changes or upon adoption of a new or amended federal applicable requirement, and if there are more than three years remaining in the permit term, the Permittee shall file an application for an amendment within nine months of promulgation of the applicable requirement, pursuant to Minn. R. 7007.0400, subp. 3. [40 CFR pt. 60, subp. XXa, Minn. R. 7007.0400, subp. 3, Minn. R. 7007.1150-7007.1500]
5.9.2	The Permittee must keep an updated record of the FUGI 1 inventory. The inventory must state the number of valves, flanges, and pump seals. As of April 15, 2026 there were 652 valves, 2518 flanges, and 30 pump seals. [Minn. R. 7007.0800, subp. 2, Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major modification under 40 CFR 52.21(b)(1)(i) and Minn. R 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.9.3	Volatile Organic Compounds: Monthly Recordkeeping -- VOC Emissions. By the 15th of each month, the Permittee must calculate and record the following: 1) The FUGI 1 VOC emissions for the previous month using the formulas specified in this permit; and 2) The total FUGI 1 12-month rolling sum VOC emissions for the previous 12-month period by summing the monthly VOC emissions data for the previous 12 months. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.9.4	Fugitive Emissions Calculations: By the 15th day of each month, the Permittee must calculate, record, and maintain fugitive VOC emissions from the previous month using the following equation: FE = T*U + V*W + X*Y where FE = fugitive emissions, lb/month; T = total valve count;

Requirement number	Requirement and citation
	U = valve emission factor; V = total flange count; W = flange emission factor; X = total pump seal count; and Y = pump seal emission factor. [Minn. R. 7007.0800, subp. 2, Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major modification under 40 CFR 52.21(b)(1)(i) and Minn. R 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.9.5	The Permittee must comply with all applicable requirements of 40 CFR pt. 60, subp. A as follows: 40 CFR 60.2; 40 CFR 60.3; 40 CFR 60.4; 40 CFR 60.8(b); 40 CFR 60.11(f); 40 CFR 60.14(a)-(l); and 40 CFR 60.15(a)-(g); A copy of 40 CFR pt. 60, subp. A is included in Appendix B. If the standard changes or upon adoption of a new or amended federal applicable requirement, and if there are more than three years remaining in the permit term, the Permittee shall file an application for an amendment within nine months of promulgation of the applicable requirement, pursuant to Minn. R. 7007.0400, subp. 3. [40 CFR pt. 60, subp. A, Minn. R. 7007.0400, subp. 3, Minn. R. 7007.1150-7007.1500, Minn. R. 7011.0050, subp. 1(A), Minn. R. 7017.1010 & 7017.2015, subp. 2, Minn. R. 7019.0100]
FUGI 2	**Tanker Purging**
5.10.1	Volatile Organic Compounds: Monthly Recordkeeping -- VOC Emissions. By the 15th of each month, the Permittee must calculate and record the following: 1) The FUGI 2 VOC emissions for the previous month using the formulas specified in this permit; and 2) The total FUGI 2 12-month rolling sum VOC emissions for the previous 12-month period by summing the monthly VOC emissions data for the previous 12 months. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.10.2	Recordkeeping - Tanker Purging: By the 15th day of each month the Permittee must calculate, record, and maintain the fugitive VOC emissions from the previous month using the following equation: TP = Z*AA*8500 where TP = tanker purging emissions, lb/month; Z = purging emission factor; and AA = total number of 8500 gallon tanker purged during the previous month. [Minn. R. 7007.0800, subp. 2, Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
TREA 2	**Vapor Recovery Unit (VRU)**
5.11.1	The Permittee must install, operate, and maintain a CEMS (EQUI 4) in the VRU exhaust air stream to continuously measure and record organic concentration, as required by NESHAP BBBBBB. The CEMS must be in service and properly maintained whenever the VRU is capable of processing gasoline vapors, including during gasoline loading operations.

Requirement number	Requirement and citation
	[40 CFR 63.11092, Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.11.2	The Permittee must vent emissions from EQUI 8 to TREA 2 or TREA 5 whenever EQUI 8 operates and operate and maintain TREA 2 at all times that any emissions are vented to TREA 2. The Permittee must document periods of non-operation of the control equipment TREA 2 or TREA 1 whenever EQUI 8 is operating. [40 CFR 63.11092, Minn. R. 7007.0800, subp. 2(A), Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.11.3	If the Permittee replaces TREA 2, the replacement control must meet or exceed the control efficiency requirements of TREA 2 as well as comply with all other requirements of TREA 2. Prior to making such a change, the Permittee shall apply for and obtain the appropriate permit amendment, as applicable. If no amendment is needed for the replacement, the Permittee shall submit an electronic notice to the Agency using Form CR-05. The notice must be received by the Agency seven working days prior to the commencement/start of replacement. [Minn. R. 7007.0800, subp. 14, Minn. R. 7007.0800, subp. 2(A)]
5.11.4	The Permittee must operate and maintain the Vapor Recovery System in accordance with the Operation and Maintenance (O & M) Plan. The Permittee must keep copies of the O & M Plan available onsite for use by staff and MPCA staff. [Minn. R. 7007.0800, subp. 14]
5.11.5	Annual Inspection: At least once per calendar year, or more frequently as required by the manufacturing specifications, the Permittee must conduct an inspection of the operating systems of the control device. The Permittee must record the inspection and any action resulting from the inspection. [Minn. R. 7007.0800, subp. 14, Minn. R. 7007.0800, subp. 2(A), Minn. R. 7007.0800, subp. 5]
5.11.6	Corrective Actions: If any of the Vapor Recovery System components are found during the inspections to need repair, the Permittee must take corrective action as soon as possible. Corrective actions include, but are not limited to, those outlined in the O & M Plan for the Vapor Recovery System. The Permittee must keep a record of the type and date of any corrective action taken. [Minn. R. 7007.0800, subp. 14, Minn. R. 7007.0800, subp. 2(A), Minn. R. 7007.0800, subp. 5]
TREA 5	**Vapor Combustion Unit**
5.12.1	The Permittee must vent emissions from EQUI 8 to TREA 5 or TREA 2 whenever EQUI 8 operates, and operate and maintain TREA 5 at all times that any emissions are vented to TREA 5. The Permittee must document periods of non-operation of the control equipment TREA 5 whenever EQUI 8 is operating. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.12.2	If the Permittee replaces TREA 5, the replacement control must meet or exceed the control efficiency requirements of TREA 5 as well as comply with all other requirements of TREA 5. Prior to making such a change, the Permittee must apply for and obtain the appropriate permit amendment, as applicable. If no amendment is needed for the replacement, the Permittee must submit an electronic notice to the Agency using Form CR-05. The notice must be received by the Agency seven working days prior to the commencement/start of replacement. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.12.3	The Permittee must operate and maintain control equipment such that it achieves a control efficiency for Volatile Organic Compounds >= 98.7 percent control efficiency. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major modification under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I

Requirement number	Requirement and citation
	Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
5.12.4	Compliance for TREA 5 (VCU): At all times that vapors are routed to TREA 5, the Permittee must comply with the current thermal oxidation system requirements applicable under 40 CFR pt. 63, subp. BBBBBB. [40 CFR 63.11092(e)(2)(ii), Minn. R. 7011.7180, B]
5.12.5	The VCU must be operated with a flame or pilot flame (or an electronically controlled automatic igniter system) present at all times. [Minn. R. 7007.0800, subp. 14, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000]
5.12.6	The Permittee must operate and maintain the flare in accordance with the Operations and Maintenance (O & M) Plan. The Permittee must keep copies of the O & M Plan available onsite for use by staff and MPCA staff. [Minn. R. 7007.0800, subp. 14]
5.12.7	Daily Monitoring: The Permittee must physically verify the operation of the device used to monitor for flame presence at least once each operating day to verify that it is working and recording properly. The Permittee must maintain a written record of the daily verifications. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000]
5.12.8	Recordkeeping: The Permittee must record the date, times and duration of all periods during which: 1. the flame or all the pilot flames are absent; 3. whether or not emissions were being vented to the VCU during periods of flame absence; and 4. whether or not emissions were being vented to the VCU during periods of visible emissions. If periods of flame absence or visible emissions are recorded when emissions are being vented to the VCU, the emissions during that time must be considered uncontrolled until flame presence and/or no visible emission conditions are restored. The period of time for which there is no flame or there are visible emissions are considered deviations as defined by Minn. R. 7007.0100, subp. 8a and must be reported. [Minn. R. 7007.0800, subps. 4-5]
5.12.9	Recordkeeping of Flame Presence: The Permittee must maintain records of flame presence and other supporting information. The Permittee must maintain written records of the monitoring. [Minn. R. 7007.0800, subp. 5]
5.12.10	The Permittee must install, maintain, and operate a heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself that continuously indicates and records the presence of a flame. [Minn. R. 7007.0800, subps. 4-5, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000]
5.12.11	The Permittee must calibrate or replace the thermocouple or other equivalent monitoring device at least once every 12 months, or calibrate at the frequency stated in the manufacturer's specifications, and must maintain a written record of the calibration and any action resulting from the calibration. [Minn. R. 7007.0800, subp. 14, Minn. R. 7007.0800, subps. 4-5]
5.12.12	Annual Inspection: At least once per calendar year, the Permittee must conduct an inspection of the operating systems of the control device. The Permittee must keep a record of the inspection and any action resulting from the inspection. [Minn. R. 7007.0800, subp. 14, Minn. R. 7007.0800, subps. 4-5]
5.12.13	Corrective Actions: If any of the flare components are found during the inspections to need repair, or the presence of flame is not detected, the Permittee must take corrective action as soon as possible. Corrective actions include, but are not limited to, those outlined in the O & M Plan for the Flare. The Permittee must keep a record of the type and date of any corrective action taken. [Minn. R. 7007.0800, subp. 14, Minn. R. 7007.0800, subp. 2(A), Minn. R. 7007.0800, subp. 5]

6. Submittal/action requirements

This section lists most of the submittals required by this permit. Please note that some submittal requirements may appear in the Limits and Other Requirements section, or, if applicable, within a Compliance Schedule section.

Requirement number	Requirement and citation
TFAC 1	**Circle K Terminal Group**
6.1.1	The Permittee must submit a semiannual deviations report : Due semiannually, by the 30th of January and July. The first semiannual report submitted by the Permittee must cover the calendar half-year in which the permit is issued. The first report of each calendar year covers January 1 - June 30. The second report of each calendar year covers July 1 - December 31. Submit this on form DRF-2 (Deviation Reporting Form). If no deviations have occurred, submit the signed report certifying that there were no deviations. [Minn. R. 7007.0800, subp. 6(B)(2)]
6.1.2	The Permittee must submit a compliance certification : Due annually, by the 31st of January (for the previous calendar year). Submit this on form CR-04 (Annual Compliance Certification Report). This report covers all deviations experienced during the calendar year. If no deviations have occurred, submit the signed report certifying that there were no deviations. [Minn. R. 7007.0800, subp. 6(D)]
COMG 2	**40 CFR pt. 63, subp. BBBBBB Requirements - Enforcement Not Delegated to MPCA**
6.2.1	Performance test reports shall be submitted according to 40 CFR 63.13. Beginning on November 4, 2024, within 60 days after completing each performance test required by 40 CFR pt. 63, subp. BBBBBB, the Permittee shall submit the results of the performance test following the procedures specified in 40 CFR 63.9(k). The performance test report shall include the applicable operating parameter limit(s) established during the performance test, as applicable. If the monitoring alternative in 40 CFR 63.11092(h) is used, the report shall identify each loading rack subject to this subpart and include the highest instantaneous pressure monitored during the performance test or performance evaluation for each identified loading rack. Test data collected using methods supported by EPA's Electronic Reporting Tool (ERT) at the time of the test shall be submitted in an ERT-generated format (or an electronic file consistent with the ERT XML schema). Test data collected using methods not supported by ERT at the time of the test shall be included as an attachment in the ERT package or an alternate electronic file. [40 CFR 63.11092(h), 40 CFR 63.11095(a), 40 CFR 63.7(g)(2)(iv), 40 CFR 63.9(k), Minn. R. 7011.7180(B)]
6.2.2	Prior to May 8, 2027, the Permittee shall submit a semiannual compliance report to the Administrator including the applicable information specified in 40 CFR 63.11095(c)(1)(i) through (iv). At the time the semiannual compliance report is submitted, the Permittee shall submit an excess emissions report if required, consistent with 40 CFR 63.11095(c)(2)(i) through (v). [40 CFR 63.11095(c)(1), 40 CFR 63.11095(c)(2), Minn. R. 7011.7180(B)]
6.2.3	On or after May 8, 2027, the Permittee shall submit semiannual reports with the applicable information in 40 CFR 63.11095(d)(1) through (9) following the procedures in 40 CFR 63.11095(e). Beginning on May 8, 2027, or once the report template for this subpart has been available on the CEDRI website for one year (whichever date is later), the Permittee shall submit all subsequent semiannual compliance reports using the appropriate electronic report template on the CEDRI website for this subpart and following the procedures specified in 40 CFR 63.9(k). The Permittee shall submit required electronic reports to EPA via CEDRI (accessed through EPA's CDX) by the applicable deadline. If the Permittee claims EPA system outage or force majeure as the reason for failure to timely comply with an electronic reporting requirement, the Permittee shall submit the written report to the Administrator at the appropriate address listed in 40 CFR 63.13 and email a copy to the MPCA as directed in Section 2 of this permit for other compliance submittals. [40 CFR 63.11095(d), 40 CFR 63.11095(e), 40 CFR 63.9(k), Minn. R. 7011.7180(B)]

Requirement number	Requirement and citation
EQUI 4	**VRU CEMS**
6.3.1	Relative Accuracy Test Audit (RATA) Results Summary: due 30 days after end of each calendar quarter in which a RATA was conducted. [Minn. R. 7017.1180, subp. 3]
6.3.2	Cylinder Gas Audit (CGA) Results Summary: due 30 days after end of each calendar quarter in which a CGA was conducted. [Minn. R. 7017.1180, subp. 1]
6.3.3	Certification Test Plan due 30 days before Certification Test. Certification Test Pretest Meeting due seven days before Certification Test. Certification Test Report due 45 days after Certification Test. Notify the commissioner prior to making any planned change or if unforeseen, within two working days, when a monitor must be recertified as outlined in Minn. R. 7017.1050, subp. 2. Test plans and reports must be submitted in a format specified by the commissioner. [40 CFR 63.8(e)(2), 40 CFR 63.8(e)(5), Minn. R. 7017.1060, subp. 1-3, Minn. R. 7017.1080]
6.3.4	CEMS Certification/Recertification Test: due 90 days after the first excess emissions report required for the CEMS or any change which invalidates the monitor's certification status as outlined in Minn. R. 7017.1050, subp. 2. [40 CFR 63.8(e), Minn. R. 7017.1010, subp. 1(A)]
6.3.5	The Permittee must conduct a cylinder gas audit: Due by the end of each three of four calendar quarters but no more than three quarters in succession. A CGA is not required during any calendar quarter in which a RATA was performed. [40 CFR pt. 60, Appendix F, 5.1.2, Minn. R. 7017.1010, subp. 1(C)]
6.3.6	The Permittee must conduct a relative accuracy test audit: Due one of each four calendar quarters. [40 CFR pt. 60, Appendix F, 5.1.1, Minn. R. 7017.1010, subp. 1(C)]
EQUI 8	**Loading Rack**
6.4.1	Volatile Organic Compounds: The Permittee shall conduct a performance test due before 09/05/2028 and every 60 months thereafter to measure emissions. The first test is due by the date specified above and all subsequent tests shall be completed every 60 months thereafter by the due date (month and day) and as described below. The performance test shall be conducted at worst-case conditions defined at Minn. R. 7017.2005, subp. 8 or at the operating conditions described at Minn. R. 7017.2025, subp. 2, using EPA Reference Methods 25A, or other method approved by MPCA in the performance test plan approval. Testing conducted during the 60 days prior to the performance test due date will not reset the test due date for future testing as required by this permit or within a follow up compliance letter. Testing conducted more than 60 days prior to the performance test due date satisfies this test due date requirement but will reset future performance test due dates based on the performance test date. [Minn. R. 7017.2020, subp. 1, Title I Condition: Avoid major source under 40 CFR 52.21(b)(1)(i) and Minn. R. 7007.3000, Title I Condition: Avoid major source under 40 CFR 63.2, To avoid major source under 40 CFR 70.2 & Minn. R. 7007.0200]
FUGI 1	**Valves, Flanges, Seals**
6.5.1	Submit a Semiannual Report with the applicable information in 40 CFR 60.505a(c)(1)-(c)(7) to the Administrator. The first semiannual report will cover the date starting with the date the source first becomes an affected facility subject to 40 CFR pt. 60, subp. XXa and ending with the last day of the month five months later. For example, if the source becomes an affected facility on April 15, the first semiannual report would cover the period from April 15 to September 30. The first semiannual report must be submitted on or before the last day of the month two months after the last date covered by the semiannual report. In this example, the first semiannual report would be due November 30.

Requirement number	Requirement and citation
	Subsequent semiannual reports will cover subsequent 6 calendar month periods with each report due on or before the last day of the month two months after the last date covered by the semiannual report. [40 CFR 60.505a(c), 40 CFR 60.505a(d)]

7. Appendices

Appendix A. Insignificant activities and general applicable requirements

The table below lists the insignificant activities that are currently at the Facility and their associated general applicable requirements.

Minn. R.	Rule description of the activity	General applicable requirement
Minn. R. 7007.1300, subp. 3(C)(2)	Nonhazardous air pollutant VOC storage tanks with total capacity not more than 10,000 gallons meeting certain vapor pressure requirements • One 775-gallon diesel storage tank	PM, variable depending on airflow Opacity <= 20% (Minn. R. 7011.0715)
Minn. R. 7007.1300, subp. 3(F)	Individual units with potential emissions less than 2000 lb/year of certain pollutants • Two tanks (Horizontal Fixed Roof Tank and vertical fixed-roof diesel storage tank)	Permanent submerged fill pipe added to the storage vessel (Minn. R. 7011.1505 subp. 3(B))
	Individual units with potential emissions less than 2000 lb/year of certain pollutants • Fuel Loading	PM, variable depending on airflow Opacity <= 20% (Minn. R. 7011.0715)
	Individual units with potential emissions less than 2000 lb/year of certain pollutants • Fugitive dust emissions from paved roads and parking lots	Requirement to take reasonable measures to prevent PM from becoming airborne (Minn. R. 7011.0150)

Appendix B. 40 CFR Part 60, Subpart A—General Provisions

§ 60.1 Applicability.

(a) Except as provided in subparts B, Ba, and C of this part, the provisions of this part apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of any standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(b) Any new or revised standard of performance promulgated pursuant to section 111(b) of the Act shall apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of such new or revised standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(c) In addition to complying with the provisions of this part, the owner or operator of an affected facility may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution control agency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to Title V of the Clean Air Act (Act) as amended November 15, 1990 (42 U.S.C. 7661). For more information about obtaining an operating permit see part 70 of this chapter.

(d) *Site-specific standard for Merck & Co., Inc.'s Stonewall Plant in Elkton, Virginia.*

(1) This paragraph applies only to the pharmaceutical manufacturing facility, commonly referred to as the Stonewall Plant, located at Route 340 South, in Elkton, Virginia ("site").

(2) Except for compliance with 40 CFR 60.49b(u), the site shall have the option of either complying directly with the requirements of this part, or reducing the site-wide emissions caps in accordance with the procedures set forth in a permit issued pursuant to 40 CFR 52.2454. If the site chooses the option of reducing the site-wide emissions caps in accordance with the procedures set forth in such permit, the requirements of such permit shall apply in lieu of the otherwise applicable requirements of this part.

(3) Notwithstanding the provisions of paragraph (d)(2) of this section, for any provisions of this part except for Subpart Kb, the owner/operator of the site shall comply with the applicable provisions of this part if the Administrator determines that compliance with the provisions of this part is necessary for achieving the objectives of the regulation and the Administrator notifies the site in accordance with the provisions of the permit issued pursuant to 40 CFR 52.2454.

§ 60.2 Definitions.

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 *et seq.*)

Administrator means the Administrator of the Environmental Protection Agency or his authorized representative.

Affected facility means, with reference to a stationary source, any apparatus to which a standard is applicable.

Alternative method means any method of sampling and analyzing for an air pollutant which is not a reference or equivalent method but which has been demonstrated to the Administrator's satisfaction to, in specific cases, produce results adequate for his determination of compliance.

Approved permit program means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to Title V of the Act (42 U.S.C. 7661).

Capital expenditure means an expenditure for a physical or operational change to an existing facility which exceeds the product of the applicable "annual asset guideline repair allowance percentage" specified in the latest edition of

Internal Revenue Service (IRS) Publication 534 and the existing facility's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to an existing facility must not be reduced by any "excluded additions" as defined in IRS Publication 534, as would be done for tax purposes.

Clean coal technology demonstration project means a project using funds appropriated under the heading 'Department of Energy-Clean Coal Technology', up to a total amount of $2,500,000,000 for commercial demonstrations of clean coal technology, or similar projects funded through appropriations for the Environmental Protection Agency.

Commenced means, with respect to the definition of *new source* in section 111(a)(2) of the Act, that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

Construction means fabrication, erection, or installation of an affected facility.

Continuous monitoring system means the total equipment, required under the emission monitoring sections in applicable subparts, used to sample and condition (if applicable), to analyze, and to provide a permanent record of emissions or process parameters.

Electric utility steam generating unit means any steam electric generating unit that is constructed for the purpose of supplying more than one-third of its potential electric output capacity and more than 25 MW electrical output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

Equivalent method means any method of sampling and analyzing for an air pollutant which has been demonstrated to the Administrator's satisfaction to have a consistent and quantitatively known relationship to the reference method, under specified conditions.

Excess Emissions and Monitoring Systems Performance Report is a report that must be submitted periodically by a source in order to provide data on its compliance with stated emission limits and operating parameters, and on the performance of its monitoring systems.

Existing facility means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in this part, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type.

Force majeure means, for purposes of § 60.8, an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents the owner or operator from complying with the regulatory requirement to conduct performance tests within the specified timeframe despite the affected facility's best efforts to fulfill the obligation. Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility.

Isokinetic sampling means sampling in which the linear velocity of the gas entering the sampling nozzle is equal to that of the undisturbed gas stream at the sample point.

Issuance of a part 70 permit will occur, if the State is the permitting authority, in accordance with the requirements of part 70 of this chapter and the applicable, approved State permit program. When the EPA is the permitting authority, issuance of a Title V permit occurs immediately after the EPA takes final action on the final permit.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Modification means any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted.

Monitoring device means the total equipment, required under the monitoring of operations sections in applicable subparts, used to measure and record (if applicable) process parameters.

Nitrogen oxides means all oxides of nitrogen except nitrous oxide, as measured by test methods set forth in this part.

One-hour period means any 60-minute period commencing on the hour.

Opacity means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background.

Owner or operator means any person who owns, leases, operates, controls, or supervises an affected facility or a stationary source of which an affected facility is a part.

Part 70 permit means any permit issued, renewed, or revised pursuant to part 70 of this chapter.

Particulate matter means any finely divided solid or liquid material, other than uncombined water, as measured by the reference methods specified under each applicable subpart, or an equivalent or alternative method.

Permit program means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

Permitting authority means:

(1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter; or

(2) The Administrator, in the case of EPA-implemented permit programs under title V of the Act (42 U.S.C. 7661).

Proportional sampling means sampling at a rate that produces a constant ratio of sampling rate to stack gas flow rate.

Reactivation of a very clean coal-fired electric utility steam generating unit means any physical change or change in the method of operation associated with the commencement of commercial operations by a coal-fired utility unit after a period of discontinued operation where the unit:

(1) Has not been in operation for the two-year period prior to the enactment of the Clean Air Act Amendments of 1990, and the emissions from such unit continue to be carried in the permitting authority's emissions inventory at the time of enactment;

(2) Was equipped prior to shut-down with a continuous system of emissions control that achieves a removal efficiency for sulfur dioxide of no less than 85 percent and a removal efficiency for particulates of no less than 98 percent;

(3) Is equipped with low-NO_X burners prior to the time of commencement of operations following reactivation; and

(4) Is otherwise in compliance with the requirements of the Clean Air Act.

Reference method means any method of sampling and analyzing for an air pollutant as specified in the applicable subpart.

Repowering means replacement of an existing coal-fired boiler with one of the following clean coal technologies: atmospheric or pressurized fluidized bed combustion, integrated gasification combined cycle, magnetohydrodynamics, direct and indirect coal-fired turbines, integrated gasification fuel cells, or as determined by the Administrator, in consultation with the Secretary of Energy, a derivative of one or more of these technologies, and any other technology capable of controlling multiple combustion emissions simultaneously with improved boiler or generation efficiency and with significantly greater waste reduction relative to the performance of technology in widespread commercial use as of November 15, 1990. Repowering shall also include any oil and/or gas-fired unit which has been awarded clean coal technology demonstration funding as of January 1, 1991, by the Department of Energy.

Run means the net period of time during which an emission sample is collected. Unless otherwise specified, a run may be either intermittent or continuous within the limits of good engineering practice.

Shutdown means the cessation of operation of an affected facility for any purpose.

Six-minute period means any one of the 10 equal parts of a one-hour period.

Standard means a standard of performance proposed or promulgated under this part.

Standard conditions means a temperature of 293 K (68F) and a pressure of 101.3 kilopascals (29.92 in Hg).

Startup means the setting in operation of an affected facility for any purpose.

State means all non-Federal authorities, including local agencies, interstate associations, and State-wide programs, that have delegated authority to implement:

(1) The provisions of this part; and/or

(2) the permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant.

Title V permit means any permit issued, renewed, or revised pursuant to Federal or State regulations established to implement title V of the Act (42 U.S.C. 7661). A title V permit issued by a State permitting authority is called a part 70 permit in this part.

Volatile Organic Compound means any organic compound which participates in atmospheric photochemical reactions; or which is measured by a reference method, an equivalent method, an alternative method, or which is determined by procedures specified under any subpart.

§ 60.3 Units and abbreviations.

Used in this part are abbreviations and symbols of units of measure. These are defined as follows:

(a) System International (SI) units of measure:

A—ampere

g—gram

Hz—hertz

J—joule

K—degree Kelvin

kg—kilogram

m—meter

m^3—cubic meter

mg—milligram—10^{-3} gram

mm—millimeter—10^{-3} meter

Mg—megagram—10^6 gram

mol—mole

N—newton

ng—nanogram—10^{-9} gram

nm—nanometer—10^{-9} meter

Pa—pascal

s—second

V—volt

W—watt

Ω—ohm

µg—microgram—10^{-6} gram

(b) Other units of measure:

Btu—British thermal unit

°C—degree Celsius (centigrade)

cal—calorie

cfm—cubic feet per minute

cu ft—cubic feet

dcf—dry cubic feet

dcm—dry cubic meter

dscf—dry cubic feet at standard conditions

dscm—dry cubic meter at standard conditions

eq—equivalent

°F—degree Fahrenheit

ft—feet

gal—gallon

gr—grain

g-eq—gram equivalent

hr—hour

in—inch

k—1,000

l—liter

lpm—liter per minute

lb—pound

meq—milliequivalent

min—minute

ml—milliliter

mol. wt.—molecular weight

ppb—parts per billion

ppm—parts per million

psia—pounds per square inch absolute

psig—pounds per square inch gage

°R—degree Rankine

scf—cubic feet at standard conditions

scfh—cubic feet per hour at standard conditions

scm—cubic meter at standard conditions

sec—second

sq ft—square feet

std—at standard conditions

(c) Chemical nomenclature:

CdS—cadmium sulfide

CO—carbon monoxide

CO_2—carbon dioxide

HCl—hydrochloric acid

Hg—mercury

H_2O—water

H_2S—hydrogen sulfide

H_2SO_4—sulfuric acid

N_2—nitrogen

NO—nitric oxide

NO_2—nitrogen dioxide

NO_X—nitrogen oxides

O_2—oxygen

SO_2—sulfur dioxide

SO_3—sulfur trioxide

SO_X—sulfur oxides

(d) Miscellaneous:

A.S.T.M.—American Society for Testing and Materials

§ 60.4 Address.

(a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the appropriate Regional Office of the U.S. Environmental Protection Agency to the attention of the Director of the Division indicated in the following table.

Table 1 to Paragraph (a)

Region	Address	State
I	Director, Enforcement and Compliance Assurance Division, U.S. EPA Region I, 5 Post Office Square—Suite 100 (04-2), Boston, MA 02109-3912, Attn: Air Compliance Clerk	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.
II	Director, Air and Waste Management Division, U.S. Environmental Protection Agency, Federal Office Building, 26 Federal Plaza (Foley Square), New York, NY 10278	New Jersey, New York, Puerto Rico, Virgin Islands.
III	Director, Air Protection Division, Mail Code 3AP00, 1650 Arch Street, Philadelphia, PA 19103-2029	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.
IV	Director, Air and Radiation Division, 61 Forsyth Street SW, Atlanta, Georgia 30303-8960	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.
V	Director, Air and Radiation Division, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, IL 60604-3590	Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.
VI	Director; Enforcement and Compliance Assurance Division; U.S. Environmental Protection Agency, 1201 Elm Street, Suite 500, Mail Code 6ECD, Dallas, Texas 75270-2102	Arkansas, Louisiana, New Mexico, Oklahoma, Texas.
VII	Director, Air and Waste Management Division, 11201 Renner Boulevard, Lenexa, Kansas 66219	Iowa, Kansas, Missouri, Nebraska.

Table 1 to Paragraph (a)		
Region	**Address**	**State**
VIII	Director, Air and Toxics Technical Enforcement Program, Office of Enforcement, Compliance and Environmental Justice, Mail Code 8ENF-AT, 1595 Wynkoop Street, Denver, CO 80202-1129	Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming.
IX	Director, Enforcement and Compliance Assurance Division (ENF 2-1), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105	Arizona, California, Hawaii and Nevada; the territories of American Samoa and Guam; the Commonwealth of the Northern Mariana Islands; the territories of Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Atoll, Palmyra Atoll, and Wake Islands; and certain U.S. Government activities in the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.
X	Director, Air and Waste Management Division, U.S. Environmental Protection Agency, 1200 Sixth Avenue, Seattle, WA 98101	Alaska, Oregon, Idaho, Washington.

(b) Section 111(c) directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards of performance for new stationary sources located in such State. All information required to be submitted to EPA under paragraph (a) of this section, must also be submitted to the appropriate State Agency of any State to which this authority has been delegated (provided that each specific delegation may except sources from a certain Federal or State reporting requirement). The appropriate mailing address for those States whose delegation request has been approved is as follows:

(1) [Reserved]

(2) State of Alabama: Alabama Department of Environmental Management, P.O. Box 301463, Montgomery, Alabama 36130-1463.

(3) State of Alaska, Department of Environmental Conservation, Pouch O, Juneau, AK 99811.

(4) Arizona:

Arizona Department of Environmental Quality, Suite #160, 1110 West Washington Street, Phoenix, AZ 85007.

Maricopa County Air Quality Department, 301 West Jefferson Street, Phoenix, AZ 85003.

Pima County Department of Environmental Quality, 33 North Stone Avenue, Suite 700, Tucson, AZ 85701.

Pinal County Air Quality Department, 31 North Pinal Street, Building F, Florence, AZ 85132.

Note 1 to paragraph (b)(4):

For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(5) State of Arkansas: Chief, Division of Air Pollution Control, Arkansas Department of Pollution Control and Ecology, 8001 National Drive, P.O. Box 9583, Little Rock, AR 72209.

(6) California:

Amador Air District, 810 Court Street, Jackson, CA 95642.

Antelope Valley Air Quality Management District, 2551 W Avenue H, Lancaster, CA 93536.

Bay Area Air Quality Management District, 375 Beale Street, Suite 600, San Francisco, CA 94105.

Butte County Air Quality Management District, 629 Entler Avenue, Suite 15, Chico, CA 95928.

Calaveras County Air Pollution Control District, 891 Mountain Ranch Road, Building E, San Andreas, CA 95249.

Colusa County Air Pollution Control District, 100 Sunrise Blvd., Suite A, Colusa, CA 95932-3246.

El Dorado County Air Quality Management District, 330 Fair Lane, Placerville, CA 95667-4100.

Eastern Kern Air Pollution Control District, 2700 “M” Street, Suite 302, Bakersfield, CA 93301-2370.

Feather River Air Quality Management District, 541 Washington Avenue, Yuba City, CA 95991.

Glenn County Air Pollution Control District, 720 N Colusa Street, P.O. Box 351, Willows, CA 95988-0351.

Great Basin Unified Air Pollution Control District, 157 Short Street, Bishop, CA 93514-3537.

Imperial County Air Pollution Control District, 150 South Ninth Street, El Centro, CA 92243-2839.

Lake County Air Quality Management District, 2617 S Main St., Lakeport, CA 95453-5405.

Lassen County Air Pollution Control District, 720 South St., Susanville, CA 96130.

Mariposa County Air Pollution Control District, P.O. Box 5, Mariposa, CA 95338.

Mendocino County Air Quality Management District, 306 E Gobbi Street, Ukiah, CA 95482-5511.

Modoc County Air Pollution Control District, 202 W 4th Street, Alturas, CA 96101.

Mojave Desert Air Quality Management District, 14306 Park Avenue, Victorville, CA 92392-2310.

Monterey Bay Air Resources District, 24580 Silver Cloud Court, Monterey, CA 93940.

North Coast Unified Air Quality Management District, 707 L Street, Eureka, CA 95501-3327.

Northern Sierra Air Quality Management District, 200 Litton Drive, Suite 320, Grass Valley, CA 95945-2509.

Northern Sonoma County Air Pollution Control District, 150 Matheson Street, Healdsburg, CA 95448-4908.

Placer County Air Pollution Control District, 110 Maple Street, Auburn, CA 95603.

Sacramento Metropolitan Air Quality Management District, 777 12th Street, Suite 300, Sacramento, CA 95814-1908.

San Diego County Air Pollution Control District, 10124 Old Grove Road, San Diego, CA 92131-1649.

San Joaquin Valley Air Pollution Control District, 1990 E Gettysburg, Fresno, CA 93726.

San Luis Obispo County Air Pollution Control District, 3433 Roberto Court, San Luis Obispo, CA 93401-7126.

Santa Barbara County Air Pollution Control District, 260 North San Antonio Road, Suite A, Santa Barbara, CA 93110-1315.

Shasta County Air Quality Management District, 1855 Placer Street, Suite 101, Redding, CA 96001-1759.

Siskiyou County Air Pollution Control District, 525 So. Foothill Drive, Yreka, CA 96097-3036.

South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, CA 91765-4182.

Tehama County Air Pollution Control District, P.O. Box 1169 (1834 Walnut Street), Red Bluff, CA 96080-0038.

Tuolumne County Air Pollution Control District, 2 South Green St., Sonora, CA 95370-4618.

Ventura County Air Pollution Control District, 4567 Telephone Road, 2nd Floor, Ventura, CA 93003-5417.

Yolo-Solano Air Quality Management District, 1947 Galileo Court, Suite 103, Davis, CA 95618.

Note 2 to paragraph (b)(6):

For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(7) State of Colorado, Department of Public Health and Environment, 4300 Cherry Creek Drive South, Denver, CO 80222-1530.

Note:

For a table listing Region VIII's NSPS delegation status, see paragraph (c) of this section.

(8) State of Connecticut, Compliance Analysis and Coordination Unit, Bureau of Air Management, Department of Energy and Environmental Protection, 79 Elm Street, 5th Floor, Hartford, CT 06106-5127.

(9) State of Delaware, Department of Natural Resources & Environmental Control, 89 Kings Highway, P.O. Box 1401, Dover, Delaware 19903.

(10) District of Columbia, Department of Public Health, Air Quality Division, 51 N Street, NE., Washington, DC 20002.

(11) State of Florida: Florida Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400.

(12) State of Georgia: Georgia Department of Natural Resources, Environmental Protection Division, Air Protection Branch, 4244 International Parkway, Suite 120, Atlanta, Georgia 30354.

(13) Hawaii:

Clean Air Branch, Hawaii Department of Health, 2827 Waimano Home Road, #130 Pearl City, HI 96782.

Note 4 to paragraph (b)(13):

For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(14) State of Idaho, Department of Health and Welfare, Statehouse, Boise, ID 83701.

(15) State of Illinois: Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, Illinois 62794.

(16) State of Indiana: Indiana Department of Environmental Management, Office of Air Quality, 100 North Senate Avenue, Indianapolis, Indiana 46204.

(17) State of Iowa: Iowa Department of Natural Resources, Environmental Protection Division, Air Quality Bureau, 7900 Hickman Road, Suite 1, Urbandale, IA 50322.

(18) State of Kansas: Kansas Department of Health and Environment, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, KS 66612-1366.

(19) Commonwealth of Kentucky: Kentucky Department for Environmental Protection, Division for Air Quality, 300 Sower Boulevard, 2nd Floor, Frankfort, Kentucky 40601 or local agency, Louisville Metro Air Pollution Control District, 701 W. Ormsby Ave., Suite 303, Louisville, Kentucky 40203.

(20) State of Louisiana: Louisiana Department of Environmental Quality, P.O. Box 4301, Baton Rouge, Louisiana 70821-4301.

Note:

For a list of delegated standards for Louisiana (excluding Indian country), see paragraph (e)(2) of this section.

(21) State of Maine, Maine Department of Environmental Protection, Bureau of Air Quality, 17 State House Station, Augusta, ME 04333-0017.

(22) State of Maryland, Department of the Environment, 1800 Washington Boulevard, Suite 705, Baltimore, Maryland 21230.

(23) Commonwealth of Massachusetts, Massachusetts Department of Environmental Protection, Division of Air and Climate Programs, One Winter Street, Boston, MA 02108.

(24) State of Michigan: Michigan Department of Natural Resources and Environment, Air Quality Division, P.O. Box 30028, Lansing, Michigan 48909.

(25) State of Minnesota: Minnesota Pollution Control Agency, Division of Air Quality, 520 Lafayette Road North, St. Paul, Minnesota 55155.

(26) State of Mississippi: Hand Deliver or Courier: Mississippi Department of Environmental Quality, Office of Pollution Control, Air Division, 515 East Amite Street, Jackson, Mississippi 39201, Mailing Address: Mississippi Department of Environmental Quality, Office of Pollution Control, Air Division, P.O. Box 2261, Jackson, Mississippi 39225.

(27) State of Missouri: Missouri Department of Natural Resources, Division of Environmental Quality, P.O. Box 176, Jefferson City, MO 65102.

(28) State of Montana, Department of Environmental Quality, 1520 E. 6th Ave., PO Box 200901, Helena, MT 59620-0901.

Note:

For a table listing Region VIII's NSPS delegation status, see paragraph (c) of this section.

(29) State of Nebraska, Nebraska Department of Environmental Control, P.O. Box 94877, State House Station, Lincoln, NE 68509.

Lincoln-Lancaster County Health Department, Division of Environmental Health, 2200 St. Mary’s Avenue, Lincoln, NE 68502

(30) Nevada:

Nevada Division of Environmental Protection, 901 South Stewart Street, Suite 4001, Carson City, NV 89701-5249.

Clark County Division of Air Quality, 500 S Grand Central Parkway, 1st Floor, P.O. Box 555210, Las Vegas, NV 89155-5210.

Northern Nevada Public Health, Air Quality Management Division, 1001 E 9th Street, Building B, Reno, NV 89512.

Note 7 to paragraph (b)(30):

For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(31) State of New Hampshire, New Hampshire Department of Environmental Services, Air Resources Division, 29 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095.

(32) State of New Jersey: New Jersey Department of Environmental Protection, Division of Environmental Quality, Enforcement Element, John Fitch Plaza, CN-027, Trenton, NJ 08625.

(1) The following table lists the specific source and pollutant categories that have been delegated to the states in Region II. The (X) symbol is used to indicate each category that has been delegated.

	Subpart	State			
		New Jersey	New York	Puerto Rico	Virgin Islands
D	Fossil-Fuel Fired Steam Generators for Which Construction Commenced After August 17, 1971 (Steam Generators and Lignite Fired Steam Generators)	X	X	X	X
Da	Electric Utility Steam Generating Units for Which Construction Commenced After September 18, 1978	X		X	
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
E	Incinerators	X	X	X	X
F	Portland Cement Plants	X	X	X	X
G	Nitric Acid Plants	X	X	X	X
H	Sulfuric Acid Plants	X	X	X	X
I	Asphalt Concrete Plants	X	X	X	X
J	Petroleum Refineries—(All Categories)	X	X	X	X
K	Storage Vessels for Petroleum Liquids Constructed After June 11, 1973, and prior to May 19, 1978	X	X	X	X
Ka	Storage Vessels for Petroleum Liquids Constructed After May 18, 1978	X	X	X	
L	Secondary Lead Smelters	X	X	X	X
M	Secondary Brass and Bronze Ingot Production Plants	X	X	X	X
N	Iron and Steel Plants	X	X	X	X
O	Sewage Treatment Plants	X	X	X	X
P	Primary Copper Smelters	X	X	X	X
Q	Primary Zinc Smelters	X	X	X	X
R	Primary Lead Smelters	X	X	X	X
S	Primary Aluminum Reduction Plants	X	X	X	X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X	X	X	X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X	X	X	X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	X	X

	Subpart	State			
		New Jersey	New York	Puerto Rico	Virgin Islands
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X	X	X	X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate	X	X	X	X
Y	Coal Preparation Plants	X	X	X	X
Z	Ferroalloy Production Facilities	X	X	X	X
AA	Steel Plants: Electric Arc Furnaces	X	X	X	X
AAa	Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels in Steel Plants	X	X	X	
BB	Kraft Pulp Mills	X	X	X	
CC	Glass Manufacturing Plants	X	X	X	
DD	Grain Elevators	X	X	X	
EE	Surface Coating of Metal Furniture	X	X	X	
GG	Stationary Gas Turbines	X	X	X	
HH	Lime Plants	X	X	X	
KK	Lead Acid Battery Manufacturing Plants	X	X		
LL	Metallic Mineral Processing Plants	X	X	X	
MM	Automobile and Light-Duty Truck Surface Coating Operations	X	X		
NN	Phosphate Rock Plants	X	X		
PP	Ammonium Sulfate Manufacturing Plants	X	X		
QQ	Graphic Art Industry Publication Rotogravure Printing	X	X	X	X
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X	X	X	
SS	Industrial Surface Coating: Large Appliances	X	X	X	
TT	Metal Coil Surface Coating	X	X	X	
UU	Asphalt Processing and Asphalt Roofing Manufacture	X	X	X	
VV	Equipment Leaks of Volatile Organic Compounds in Synthetic Organic Chemical Manufacturing Industry	X		X	
WW	Beverage Can Surface Coating Industry	X	X	X	
XX	Bulk Gasoline Terminals	X	X	X	

	Subpart	State			
		New Jersey	New York	Puerto Rico	Virgin Islands
FFF	Flexible Vinyl and Urethane Coating and Printing	X	X	X	
GGG	Equipment Leaks of VOC in Petroleum Refineries	X		X	
HHH	Synthetic Fiber Production Facilities	X		X	
JJJ	Petroleum Dry Cleaners	X	X	X	
KKK	Equipment Leaks of VOC from Onshore Natural Gas Processing Plants				
LLL	Onshore Natural Gas Processing Plants; SO_2 Emissions		X		
OOO	Nonmetallic Mineral Processing Plants		X	X	
PPP	Wool Fiberglass Insulation Manufacturing Plants		X	X	

(33) State of New Mexico: New Mexico Environment Department, P.O. Box 5469, Santa Fe, New Mexico 87502-5469. Note: For a list of delegated standards for New Mexico (excluding Bernalillo County and Indian country), see paragraph (e)(1) of this section.

(34) New York: New York State Department of Environmental Conservation, 50 Wolf Road Albany, New York 12233, attention: Division of Air Resources.

(35) State of North Carolina: North Carolina Department of Environmental Quality, Division of Air Quality, 1641 Mail Service Center, Raleigh, North Carolina 27699-1641 or local agencies, Forsyth County Office of Environmental Assistance and Protection, 201 North Chestnut Street, Winston-Salem, North Carolina 27101-4120; Mecklenburg County Land Use and Environmental Services Agency, Air Quality, 2145 Suttle Avenue, Charlotte, North Carolina 28208; Western North Carolina Regional Air Quality Agency, 125 S. Lexington Ave., Suite 101, Asheville, North Carolina 28801-3661.

(36) State of North Dakota, North Dakota Department of Environmental Quality, 918 East Divide Avenue, Bismarck, ND 58501-1947.

Note:

For a table listing Region VIII's NSPS delegation status, see paragraph (c) of this section.

(37) State of Ohio:

(i) Medina, Summit and Portage Counties; Director, Akron Regional Air Quality Management District, 146 South High Street, Room 904, Akron, OH 44308.

(ii) Stark County; Director, Canton City Health Department, Air Pollution Control Division, 420 Market Avenue North, Canton, Ohio 44702-1544.

(iii) Butler, Clermont, Hamilton, and Warren Counties; Director, Hamilton County Department of Environmental Services, 250 William Howard Taft Road, Cincinnati, Ohio 45219-2660.

(iv) Cuyahoga County; Commissioner, Cleveland Department of Public Health, Division of Air Quality, 75 Erieview Plaza 2nd Floor, Cleveland, Ohio 44114.

(v) Clark, Darke, Greene, Miami, Montgomery, and Preble Counties; Director, Regional Air Pollution Control Agency, 117 South Main Street, Dayton, Ohio 45422-1280.

(vi) Lucas County and the City of Rossford (in Wood County); Director, City of Toledo, Division of Environmental Services, 348 South Erie Street, Toledo, OH 43604.

(vii) Adams, Brown, Lawrence, and Scioto Counties; Portsmouth Local Air Agency, 605 Washington Street, Third Floor, Portsmouth, OH 45662.

(viii) Allen, Ashland, Auglaize, Crawford, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Marion, Mercer, Ottawa, Paulding, Putnam, Richland, Sandusky, Seneca, Van Wert Williams, Wood (Except City of Rossford), and Wyandot Counties; Ohio Environmental Protection Agency, Northwest District Office, Air Pollution Control, 347 North Dunbridge Road, Bowling Green, Ohio 43402.

(ix) Ashtabula, Caroll, Colombiana, Holmes, Lorain, and Wayne Counties; Ohio Environmental Protection Agency, Northeast District Office, Air Pollution Unit, 2110 East Aurora Road, Twinsburg, OH 44087.

(x) Athens, Belmont, Coshocton, Gallia, Guemsey, Harrison, Hocking, Jackson, Jefferson, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Tuscarawas, Vinton, and Washington Counties; Ohio Environmental Protection Agency, Southeast District Office, Air Pollution Unit, 2195 Front Street, Logan, OH 43138.

(xi) Champaign, Clinton, Highland, Logan, and Shelby Counties; Ohio Environmental Protection Agency, Southwest District Office, Air Pollution Unit, 401 East Fifth Street, Dayton, Ohio 45402-2911.

(xii) Delaware, Fairfield, Fayette, Franklin, Knox, Licking, Madison, Morrow, Pickaway, and Union Counties; Ohio Environmental Protection Agency, Central District Office, Air Pollution control, 50 West Town Street, Suite 700, Columbus, Ohio 43215.

(xiii) Geauga and Lake Counties; Lake County General Health District, Air Pollution Control, 33 Mill Street, Painesville, OH 44077.

(xiv) Mahoning and Trumbull Counties; Mahoning-Trumbull Air Pollution Control Agency, 345 Oak Hill Avenue, Suite 200, Youngstown, OH 44502.

(38) State of Oklahoma, State of Oklahoma Department of Environmental Quality, Air Quality Division, P.O. Box 1677, Oklahoma City, OK 73101-1677.

(39) State of Oregon.

(i) Oregon Department of Environmental Quality (ODEQ), 811 SW Sixth Avenue, Portland, OR 97204-1390, *http://www.deq.state.or.us.*

(ii) Lane Regional Air Pollution Authority (LRAPA), 1010 Main Street, Springfield, Oregon 97477, *http://www.lrapa.org.*

(40)

(i) City of Philadelphia, Department of Public Health, Air Management Services, 321 University Avenue, Philadelphia, Pennsylvania 19104.

(ii) Commonwealth of Pennsylvania, Department of Environmental Protection, Bureau of Air Quality Control, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

(iii) Allegheny County Health Department, Bureau of Environmental Quality, Division of Air Quality, 301 39th Street, Pittsburgh, Pennsylvania 15201.

(41) State of Rhode Island, Rhode Island Department of Environmental Management, Office of Air Resources, 235 Promenade Street, Providence, RI 02908.

(42) State of South Carolina: South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201.

(43) State of South Dakota, Air Quality Program, Department of Agriculture and Natural Resources, Joe Foss Building, 523 East Capitol, Pierre, SD 57501-3181.

(44) State of Tennessee: Tennessee Department of Environment and Conservation, Division of Air Pollution Control, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 15th Floor, Nashville, Tennessee 37243, or local agencies, Knox County Air Quality Management—Department of Public Health, 140 Dameron Avenue, Knoxville, Tennessee 37917; Metro Public Health Department, Pollution Control Division, 2500 Charlotte Ave., Nashville, Tennessee 37209; Chattanooga-Hamilton County Air Pollution Control Bureau, 6125 Preservation Drive, Chattanooga, Tennessee 37416; Shelby County Health Department, Pollution Control Section, 814 Jefferson Avenue, Memphis, Tennessee 38105.

(45) State of Texas, Texas Air Control Board, 6330 Highway 290 East, Austin, TX 78723.

(46) State of Utah, Division of Air Quality, Department of Environmental Quality, P.O. Box 144820, Salt Lake City, UT 84114-4820.

Note:

For a table listing Region VIII's NSPS delegation status, see paragraph (c) of this section.

(47) State of Vermont, Agency of Natural Resources, Department of Environmental Conservation, Air Quality and Climate Division, Davis 2, One National Life Drive, Montpelier, VT 05620-3802.

(48) Commonwealth of Virginia, Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.

(49) *State of Washington.*

(i) Washington State Department of Ecology (Ecology), P.O. Box 47600, Olympia, WA 98504-7600, *http://www.ecy.wa.gov/*

(ii) Benton Clean Air Authority (BCAA), 650 George Washington Way, Richland, WA 99352-4289, *http://www.bcaa.net/*

(iii) Northwest Air Pollution Control Authority (NWAPA), 1600 South Second St., Mount Vernon, WA 98273-5202, *http://www.nwair.org/*

(iv) Olympic Regional Clean Air Agency (ORCAA), 909 Sleater-Kinney Road S.E., Suite 1, Lacey, WA 98503-1128, *http://www.orcaa.org/*

(v) Puget Sound Clean Air Agency (PSCAA), 110 Union Street, Suite 500, Seattle, WA 98101-2038, *http://www.pscleanair.org/*

(vi) Spokane County Air Pollution Control Authority (SCAPCA), West 1101 College, Suite 403, Spokane, WA 99201, *http://www.scapca.org/*

(vii) Southwest Clean Air Agency (SWCAA), 1308 NE. 134th St., Vancouver, WA 98685-2747, *http://www.swcleanair.org/*

(viii) Yakima Regional Clean Air Authority (YRCAA), 6 South 2nd Street, Suite 1016, Yakima, WA 98901, *http://co.yakima.wa.us/cleanair/default.htm*

(ix) The following table lists the delegation status of the New Source Performance Standards for the State of Washington. An "X" indicates the subpart has been delegated, subject to all the conditions and limitations set forth in Federal law and the letters granting delegation. Some authorities cannot be delegated and are retained by EPA. Refer to the letters granting delegation for a discussion of these retained authorities. The dates noted at the end of the table indicate the effective dates of Federal rules that have been delegated. Authority for implementing and enforcing any amendments made to these rules after these effective dates are not delegated.

NSPS Subparts Delegated to Washington Air Agencies								
Subpart[1]	**Washington**							
	Ecology[2]	**BCAA[3]**	**NWAPA[4]**	**ORCAA[5]**	**PSCAA[6]**	**SCAPCA[7]**	**SWCAA[8]**	**YRCAA[9]**
A General Provisions	X	X	X	X	X	X	X	X
B Adoption and Submittal of State Plans for Designated Facilities								
C Emission Guidelines and Compliance Times								
Cb Large Municipal Waste Combustors that are Constructed on or before September 20, 1994 (Emission Guidelines and Compliance Times)								
Cc Municipal Solid Waste Landfills (Emission Guidelines and Compliance Times)								
Cd Sulfuric Acid Production Units (Emission Guidelines and Compliance Times)								
Ce Hospital/Medical/Infectious Waste Incinerators (Emission Guidelines and Compliance Times)								
D Fossil-Fuel-Fired Steam Generators for which Construction is Commenced after August 17, 1971	X	X	X	X	X	X	X	X
Da Electric Utility Steam Generating Units for which Construction is Commenced after September 18, 1978	X	X	X	X	X	X	X	X
Db Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X	X	X	X	X
Dc Small Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X	X	X	X	X
E Incinerators	X	X	X	X	X	X	X	X
Ea Municipal Waste Combustors for which Construction is Commenced after December 20, 1989 and on or before September 20, 1994	X	X	X	X	X	X	X	X

NSPS Subparts Delegated to Washington Air Agencies								
Subpart[1]	**Washington**							
	Ecology[2]	**BCAA[3]**	**NWAPA[4]**	**ORCAA[5]**	**PSCAA[6]**	**SCAPCA[7]**	**SWCAA[8]**	**YRCAA[9]**
Eb—Large Municipal Waste Combustors		X		X	X	X		
Ec—Hospital/Medical/Infectious Waste Incinerators	X	X	X	X	X	X		
F Portland Cement Plants	X	X	X	X	X	X	X	X
G Nitric Acid Plants	X	X	X	X	X	X	X	X
H Sulfuric Acid Plants	X	X	X	X	X	X	X	X
I Hot Mix Asphalt Facilities	X	X	X	X	X	X	X	X
J Petroleum Refineries	X	X	X	X	X	X	X	X
K Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after June 11, 1973 and prior to May 19, 1978	X	X	X	X	X	X	X	X
Ka Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after May 18, 1978 and prior to July 23, 1984	X	X	X	X	X	X	X	X
Kb VOC Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984	X	X	X	X	X	X	X	X
L Secondary Lead Smelters	X	X	X	X	X	X	X	X
M Secondary Brass and Bronze Production Plants	X	X	X	X	X	X	X	X
N Primary Emissions from Basic Oxygen Process Furnaces for which Construction is Commenced after June 11, 1973	X	X	X	X	X	X	X	X
Na Secondary Emissions from Basic Oxygen Process Steel-making Facilities for which Construction is Commenced after January 20, 1983	X	X	X	X	X	X	X	X
O Sewage Treatment Plants	X	X	X	X	X	X	X	X
P Primary Copper Smelters	X	X	X	X	X	X	X	X

NSPS Subparts Delegated to Washington Air Agencies								
Subpart[1]	**Washington**							
	Ecology[2]	**BCAA[3]**	**NWAPA[4]**	**ORCAA[5]**	**PSCAA[6]**	**SCAPCA[7]**	**SWCAA[8]**	**YRCAA[9]**
Q Primary Zinc Smelters	X	X	X	X	X	X	X	X
R Primary Lead Smelters	X	X	X	X	X	X	X	X
S Primary Aluminum Reduction Plants[10]	X							
T Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X	X	X	X	X	X	X	X
U Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X	X	X	X	X	X	X	X
V Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	X	X	X	X	X	X
W Phosphate Fertilizer Industry: Triple Superphosphate Plants	X	X	X	X	X	X	X	X
X Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X	X	X	X	X	X	X	X
Y Coal Preparation Plants	X	X	X	X	X	X	X	X
Z Ferroalloy Production Facilities	X	X	X	X	X	X	X	X
AA Steel Plants: Electric Arc Furnaces Constructed after October 21, 1974 and on or before August 17, 1983	X	X	X	X	X	X	X	X
AAa Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed after August 7, 1983	X	X	X	X	X	X	X	X
BB Kraft Pulp Mills[11]	X							
CC Glass Manufacturing Plants	X	X	X	X	X	X	X	X
DD Grain Elevators	X	X	X	X	X	X	X	X
EE Surface Coating of Metal Furniture	X	X	X	X	X	X	X	X
GG Stationary Gas Turbines	X	X	X	X	X	X	X	X
HH Lime Manufacturing Plants	X	X	X	X	X	X	X	X
KK Lead-Acid Battery Manufacturing Plants	X	X	X	X	X	X	X	X
LL Metallic Mineral Processing Plants	X	X	X	X	X	X	X	X

NSPS Subparts Delegated to Washington Air Agencies								
Subpart[1]	**Washington**							
	Ecology[2]	**BCAA[3]**	**NWAPA[4]**	**ORCAA[5]**	**PSCAA[6]**	**SCAPCA[7]**	**SWCAA[8]**	**YRCAA[9]**
MM Automobile and Light Duty Truck Surface Coating Operations	X	X	X	X	X	X	X	X
NN Phosphate Rock Plants	X	X	X	X	X	X	X	X
PP Ammonium Sulfate Manufacture	X	X	X	X	X	X	X	X
QQ Graphic Arts Industry: Publication Rotogravure Printing	X	X	X	X	X	X	X	X
RR Pressure Sensitive Tape and Label Surface Coating Standards	X	X	X	X	X	X	X	X
SS Industrial Surface Coating: Large Appliances	X	X	X	X	X	X	X	X
TT Metal Coil Surface Coating	X	X	X	X	X	X	X	X
UU Asphalt Processing and Asphalt Roof Manufacture	X	X	X	X	X	X	X	X
VV Equipment Leaks of VOC in Synthetic Organic Chemical Manufacturing Industry	X	X	X	X	X	X	X	X
WW Beverage Can Surface Coating Industry	X	X	X	X	X	X	X	X
XX Bulk Gasoline Terminals	X	X	X	X	X	X	X	X
AAA New Residential Wood Heaters								
BBB Rubber Tire Manufacturing Industry	X	X	X	X	X	X	X	X
DDD VOC Emissions from Polymer Manufacturing Industry	X	X	X	X	X	X	X	X
FFF Flexible Vinyl and Urethane Coating and Printing	X	X	X	X	X	X	X	X
GGG Equipment Leaks of VOC in Petroleum Refineries	X	X	X	X	X	X	X	X
HHH Synthetic Fiber Production Facilities	X	X	X	X	X	X	X	X
III VOC Emissions from Synthetic Organic Chemical Manufacturing Industry Air Oxidation Unit Processes	X	X	X	X	X	X	X	X
JJJ Petroleum Dry Cleaners	X	X	X	X	X	X	X	X

NSPS Subparts Delegated to Washington Air Agencies								
Subpart[1]	**Washington**							
	Ecology[2]	**BCAA[3]**	**NWAPA[4]**	**ORCAA[5]**	**PSCAA[6]**	**SCAPCA[7]**	**SWCAA[8]**	**YRCAA[9]**
KKK Equipment Leaks of VOC from Onshore Natural Gas Processing Plants	X	X	X	X	X	X	X	X
LLL Onshore Natural Gas Processing: SO_2 Emissions	X	X	X	X	X	X	X	X
NNN VOC Emissions from Synthetic Organic Chemical Manufacturing Industry Distillation Operations	X	X	X	X	X	X	X	X
OOO Nonmetallic Mineral Processing Plants			X		X		X	
PPP Wool Fiberglass Insulation Manufacturing Plants	X	X	X	X	X	X	X	X
QQQ VOC Emissions from Petroleum Refinery Wastewater Systems	X	X	X	X	X	X	X	X
RRR VOCs from Synthetic Organic Chemical Manufacturing Industry Reactor Processes	X	X	X	X	X	X	X	X
SSS Magnetic Tape Coating Facilities	X	X	X	X	X	X	X	X
TTT Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	X	X	X	X	X	X	X	X
UUU Calciners and Dryers in Mineral Industries	X	X	X	X	X	X	X	X
VVV Polymeric Coating of Supporting Substrates Facilities	X	X	X	X	X	X	X	X
WWW Municipal Solid Waste Landfills	X	X	X	X	X	X	X	X
AAAA Small Municipal Waste Combustion Units for which Construction is Commenced after August 30, 1999 or for which Modification or Reconstruction is Commenced after June 6, 2001	X	X		X	X	X		X
BBBB Small Municipal Waste Combustion Units Constructed on or before August 30, 1999 (Emission Guidelines and Compliance Times)								
CCCC Commercial and Industrial Solid Waste Incineration Units for which Construction is Commenced after November, 30, 1999 or for which Modification or Reconstruction is	X	X		X	X	X		X

NSPS Subparts Delegated to Washington Air Agencies								
Subpart[1]	**Washington**							
	Ecology[2]	**BCAA[3]**	**NWAPA[4]**	**ORCAA[5]**	**PSCAA[6]**	**SCAPCA[7]**	**SWCAA[8]**	**YRCAA[9]**
Commenced on or after June 1, 2001								
DDDD Commercial and Industrial Solid Waste Incineration Units that Commenced Construction on or before November 30, 1999 (Emission Guidelines and Compliance Times)								

[1] Any authority within any subpart of this part that is not delegable, is not delegated. Please refer to Attachment B to the delegation letters for a listing of the NSPS authorities excluded from delegation.

[2] Washington State Department of Ecology, for 40 CFR 60.17(h)(1), (h)(2), (h)(3) and 40 CFR part 60, subpart AAAA, as in effect on June 6, 2001; for 40 CFR part 60, subpart CCCC, as in effect on June 1, 2001; and for all other NSPS delegated, as in effect February 20, 2001.

[3] Benton Clean Air Authority, for 40 CFR 60.17(h)(1), (h)(2), (h)(3) and 40 CFR part 60, subpart AAAA, as in effect on June 6, 2001; for 40 CFR part 60, subpart CCCC, as in effect on June 1, 2001; and for all other NSPS delegated, as in effect February 20, 2001.

[4] Northwest Air Pollution Authority, for all NSPS delegated, as in effect on July 1, 2000.

[5] Olympic Regional Clean Air Authority, for 40 CFR 60.17(h)(1), (h)(2), (h)(3) and 40 CFR part 60, subpart AAAA, as in effect on June 6, 2001; for 40 CFR part 60, subpart CCCC, as in effect on June 1, 2001; and for all other NSPS delegated, as in effect February 20, 2001.

[6] Puget Sound Clean Air Authority, for all NSPS delegated, as in effect on July 1, 2002.

[7] Spokane County Air Pollution Control Authority, for 40 CFR 60.17(h)(1), (h)(2), (h)(3) and 40 CFR part 60, subpart AAAA, as in effect on June 6, 2001; for 40 CFR part 60, subpart CCCC, as in effect on June 1, 2001; and for all other NSPS delegated, as in effect February 20, 2001.

[8] Southwest Clean Air Agency, for all NSPS delegated, as in effect on July 1, 2000.

[9] Yakima Regional Clean Air Authority, for 40 CFR 60.17(h)(1), (h)(2), (h)(3) and 40 CFR part 60, subpart AAAA, as in effect on June 6, 2001; for 40 CFR part 60, subpart CCCC, as in effect on June 1, 2001; and for all other NSPS delegated, as in effect February 20, 2001.

[10] Subpart S of this part is not delegated to local agencies in Washington because the Washington State Department of Ecology retains sole authority to regulate Primary Aluminum Plants, pursuant to Washington Administrative Code 173-415-010.

[11] Subpart BB of this part is not delegated to local agencies in Washington because the Washington State Department of Ecology retains sole authority to regulate Kraft and Sulfite Pulping Mills, pursuant to Washington State Administrative Code 173-405-012 and 173-410-012.

(50) State of West Virginia, Department of Environmental Protection, Division of Air Quality, 601 57th Street, SE., Charleston, West Virginia 25304.

(51) State of Wisconsin: Wisconsin Department of Natural Resources, 101 South Webster St., P.O. Box 7921, Madison, Wisconsin 53707-7921.

(52) State of Wyoming, Department of Environmental Quality, Air Quality Division, Herschler Building, 122 West 25th Street, Cheyenne, WY 82002.

Note:

For a table listing Region VIII's NSPS delegation status, see paragraph (c) of this section.

(53) Territory of Guam: Guam Environmental Protection Agency, P.O. Box 22439 GMF, Barrigada, Guam 96921.

Note:

For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(54) Commonwealth of Puerto Rico: Commonwealth of Puerto Rico Environmental Quality Board, P.O. Box 11488, Santurce, PR 00910, Attention: Air Quality Area Director (see table under § 60.4(b)(FF)(1)).

(55) U.S. Virgin Islands: U.S. Virgin Islands Department of Conservation and Cultural Affairs, P.O. Box 578, Charlotte Amalie, St. Thomas, VI 00801.

(56) American Samoa: American Samoa Environmental Protection Agency, P.O. Box PPA, Pago Pago, American Samoa 96799.

Note:

For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(57) Commonwealth of the Northern Mariana Islands: CNMI Division of Environmental Quality, P.O. Box 501304, Saipan, MP 96950.

Note:

For tables listing the delegation status of agencies in Region IX, see paragraph (d) of this section.

(c) The delegation status table for New Source Performance Standards for Region VIII can be found online at *http://www2.epa.gov/region8/air-program.*

(d) The following tables list the specific part 60 standards that have been delegated unchanged to the air pollution control agencies in Region IX. The (X) symbol is used to indicate each standard that has been delegated. The following provisions of this subpart are not delegated: §§ 60.4(b), 60.8(b), 60.9, 60.11(b), 60.11(e), 60.13(a), 60.13(d)(2), 60.13(g), 60.13(i).

(1) *Arizona.* The following table identifies delegations for Arizona:

Table 3 to Paragraph (d)(1)—Delegation Status for New Source Performance Standards for Arizona

	Subpart	Air pollution control agency			
		Arizona DEQ	Maricopa County	Pima County	Pinal County
A	General Provisions	X	X	X	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X	X	X	X
Da	Electric Utility Steam Generating Units Constructed After September 18,	X	X	X	X

Table 3 to Paragraph (d)(1)—Delegation Status for New Source Performance Standards for Arizona					
	Subpart	**Air pollution control agency**			
		Arizona DEQ	**Maricopa County**	**Pima County**	**Pinal County**
	1978				
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
E	Incinerators	X	X	X	X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994	X	X	X	X
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994	X	X	X	
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996	X	X	X	
F	Portland Cement Plants	X		X	X
G	Nitric Acid Plants	X	X	X	X
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011		X	X	
H	Sulfuric Acid Plant	X	X	X	X
I	Hot Mix Asphalt Facilities	X	X	X	X
J	Petroleum Refineries	X		X	X
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007			X	
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X	X	X	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X	X	X	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	X	X	X	X
L	Secondary Lead Smelters	X		X	X

Table 3 to Paragraph (d)(1)—Delegation Status for New Source Performance Standards for Arizona					
	Subpart	**Air pollution control agency**			
		Arizona DEQ	**Maricopa County**	**Pima County**	**Pinal County**
M	Secondary Brass and Bronze Production Plants	X	X	X	X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	X	X	X	X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	X	X	X	X
O	Sewage Treatment Plants	X	X	X	X
P	Primary Copper Smelters	X		X	X
Q	Primary Zinc Smelters	X		X	X
R	Primary Lead Smelters	X		X	X
S	Primary Aluminum Reduction Plants	X	X	X	X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X	X	X	X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X	X	X	X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	X	X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X	X	X	X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X	X	X	X
Y	Coal Preparation and Processing Plants	X	X	X	X
Z	Ferroalloy Production Facilities	X	X	X	X
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X	X	X	X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	X	X	X	X
BB	Kraft Pulp Mills	X	X	X	X
BBa	Kraft Pulp Mill Sources for which Construction, Reconstruction or Modification Commenced after May 23, 2013		X	X	
CC	Glass Manufacturing Plants	X	X	X	X
DD	Grain Elevators	X	X	X	X

Table 3 to Paragraph (d)(1)—Delegation Status for New Source Performance Standards for Arizona					
	Subpart	**Air pollution control agency**			
		Arizona DEQ	**Maricopa County**	**Pima County**	**Pinal County**
EE	Surface Coating of Metal Furniture	X	X	X	X
FF	(Reserved)				
GG	Stationary Gas Turbines	X	X	X	X
HH	Lime Manufacturing Plants	X	X	X	X
KK	Lead-Acid Battery Manufacturing Plants	X	X	X	X
LL	Metallic Mineral Processing Plants	X	X	X	X
MM	Automobile and Light Duty Trucks Surface Coating Operations	X	X	X	X
NN	Phosphate Rock Plants	X	X	X	X
PP	Ammonium Sulfate Manufacture	X	X	X	X
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X	X	X	X
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X	X	X	X
SS	Industrial Surface Coating: Large Appliances	X	X	X	X
TT	Metal Coil Surface Coating	X	X	X	X
UU	Asphalt Processing and Asphalt Roofing Manufacture	X	X	X	X
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing	X	X	X	X
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006	X	X	X	
WW	Beverage Can Surface Coating Industry	X	X	X	X
XX	Bulk Gasoline Terminals	X	X	X	X
AAA	New Residential Wood Heaters	X	X	X	X
BBB	Rubber Tire Manufacturing Industry	X	X	X	X
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry	X	X	X	X

Table 3 to Paragraph (d)(1)—Delegation Status for New Source Performance Standards for Arizona					
	Subpart	**Air pollution control agency**			
		Arizona DEQ	**Maricopa County**	**Pima County**	**Pinal County**
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing	X	X	X	X
GGG	Equipment Leaks of VOC in Petroleum Refineries	X		X	X
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006	X		X	
HHH	Synthetic Fiber Production Facilities	X	X	X	X
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	X	X	X	X
JJJ	Petroleum Dry Cleaners	X	X	X	X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	X	X	X	X
LLL	Onshore Natural Gas Processing: SO_2 Emissions	X	X	X	X
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	X	X	X	X
OOO	Nonmetallic Mineral Processing Plants	X	X	X	X
PPP	Wool Fiberglass Insulation Manufacturing Plants	X	X	X	X
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	X		X	X
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes	X	X	X	
SSS	Magnetic Tape Coating Facilities	X	X	X	X
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	X	X	X	X
UUU	Calciners and Dryers in Mineral Industries	X	X	X	
VVV	Polymeric Coating of Supporting Substrates Facilities	X	X	X	X
WWW	Municipal Solid Waste Landfills	X	X	X	
XXX	Municipal Solid Waste Landfills that Commenced Construction, Reconstruction, or Modification After July 17, 2014		X	X	

Table 3 to Paragraph (d)(1)—Delegation Status for New Source Performance Standards for Arizona					
	Subpart	**Air pollution control agency**			
		Arizona DEQ	**Maricopa County**	**Pima County**	**Pinal County**
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commended After June 6, 2001	X	X	X	
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001	X	X	X	
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006	X	X	X	
GGGG	(Reserved)				
HHHH	(Reserved)				
IIII	Stationary Compression Ignition Internal Combustion Engines	X	X	X	
JJJJ	Stationary Spark Ignition Internal Combustion Engines		X	X	
KKKK	Stationary Combustion Turbines	X	X	X	
LLLL	New Sewage Sludge Incineration Units			X	
MMMM	Emissions Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units	X			
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution		X	X	
OOOOa	Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After September 18, 2015		X	X	
QQQQ	Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces		X	X	
TTTT	Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units		X	X	

(2) *California.* The following tables identify delegations for each of the local air pollution control agencies of California.

(i) Delegations for Amador County Air Pollution Control District, Antelope Valley Air Quality Management District, Bay Area Air Quality Management District, and Butte County Air Quality Management District are shown in the following table:

Table 4 to Paragraph (d)(2)(i)—Delegation Status for New Source Performance Standards for Amador County APCD, Antelope Valley AQMD, Bay Area AQMD, and Butte County AQMD

	Subpart	Air pollution control agency			
		Amador County APCD	Antelope Valley AQMD	Bay Area AQMD	Butte County AQMD
A	General Provisions		X		
Ba	Adoption and Submittal of State Plans for Designated Facilities		X		
Cf	Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills		X		
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971		X	X	
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978		X	X	
Db	Industrial-Commercial-Institutional Steam Generating Units		X	X	
Dc	Small Industrial-Commercial-Institutional Steam Generating Units		X	X	
E	Incinerators		X	X	
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994		X	X	
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994		X		
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996		X		
F	Portland Cement Plants		X	X	
G	Nitric Acid Plants		X	X	
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011		X		
H	Sulfuric Acid Plant		X	X	
I	Hot Mix Asphalt Facilities		X	X	
J	Petroleum Refineries		X	X	
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007		X		
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978		X	X	

Table 4 to Paragraph (d)(2)(i)—Delegation Status for New Source Performance Standards for Amador County APCD, Antelope Valley AQMD, Bay Area AQMD, and Butte County AQMD

	Subpart	Air pollution control agency			
		Amador County APCD	Antelope Valley AQMD	Bay Area AQMD	Butte County AQMD
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984		X	X	
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984		X	X	
L	Secondary Lead Smelters		X	X	
M	Secondary Brass and Bronze Production Plants		X	X	
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973		X	X	
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983		X	X	
O	Sewage Treatment Plants		X	X	
P	Primary Copper Smelters		X	X	
Q	Primary Zinc Smelters		X	X	
R	Primary Lead Smelters		X	X	
S	Primary Aluminum Reduction Plants		X	X	
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants		X		
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants		X	X	
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants		X	X	
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants		X	X	
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities		X	X	
Y	Coal Preparation and Processing Plants		X	X	
Z	Ferroalloy Production Facilities		X	X	
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983		X	X	

Table 4 to Paragraph (d)(2)(i)—Delegation Status for New Source Performance Standards for Amador County APCD, Antelope Valley AQMD, Bay Area AQMD, and Butte County AQMD

	Subpart	Air pollution control agency			
		Amador County APCD	Antelope Valley AQMD	Bay Area AQMD	Butte County AQMD
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983		X	X	
BB	Kraft Pulp Mills		X	X	
BBa	Kraft Pulp Mill Sources for which Construction, Reconstruction or Modification Commenced after May 23, 2013		X		
CC	Glass Manufacturing Plants		X	X	
DD	Grain Elevators		X	X	
EE	Surface Coating of Metal Furniture		X	X	
FF	(Reserved)				
GG	Stationary Gas Turbines		X	X	
HH	Lime Manufacturing Plants		X	X	
KK	Lead-Acid Battery Manufacturing Plants		X	X	
LL	Metallic Mineral Processing Plants		X	X	
MM	Automobile and Light Duty Trucks Surface Coating Operations		X	X	
NN	Phosphate Rock Plants		X	X	
PP	Ammonium Sulfate Manufacture		X	X	
QQ	Graphic Arts Industry: Publication Rotogravure Printing		X	X	
RR	Pressure Sensitive Tape and Label Surface Coating Operations		X	X	
SS	Industrial Surface Coating: Large Appliances		X	X	
TT	Metal Coil Surface Coating		X	X	
UU	Asphalt Processing and Asphalt Roofing Manufacture		X	X	
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing		X	X	
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification		X		

Table 4 to Paragraph (d)(2)(i)—Delegation Status for New Source Performance Standards for Amador County APCD, Antelope Valley AQMD, Bay Area AQMD, and Butte County AQMD

	Subpart	Air pollution control agency			
		Amador County APCD	Antelope Valley AQMD	Bay Area AQMD	Butte County AQMD
	Commenced After November 7, 2006				
WW	Beverage Can Surface Coating Industry		X	X	
XX	Bulk Gasoline Terminals				
AAA	New Residential Wood Heaters		X	X	
BBB	Rubber Tire Manufacturing Industry		X	X	
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry		X	X	
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing		X	X	
GGG	Equipment Leaks of VOC in Petroleum Refineries		X	X	
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006		X		
HHH	Synthetic Fiber Production Facilities		X	X	
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes		X		
JJJ	Petroleum Dry Cleaners		X	X	
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants		X	X	
LLL	Onshore Natural Gas Processing: SO_2 Emissions		X		
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations		X	X	
OOO	Nonmetallic Mineral Processing Plants		X	X	
PPP	Wool Fiberglass Insulation Manufacturing Plants		X	X	
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems		X		

Table 4 to Paragraph (d)(2)(i)—Delegation Status for New Source Performance Standards for Amador County APCD, Antelope Valley AQMD, Bay Area AQMD, and Butte County AQMD

	Subpart	Air pollution control agency			
		Amador County APCD	Antelope Valley AQMD	Bay Area AQMD	Butte County AQMD
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes		X		
SSS	Magnetic Tape Coating Facilities		X	X	
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines		X	X	
UUU	Calciners and Dryers in Mineral Industries		X	X	
VVV	Polymeric Coating of Supporting Substrates Facilities		X	X	
WWW	Municipal Solid Waste Landfills		X		
XXX	Municipal Solid Waste Landfills that Commenced Construction, Reconstruction, or Modification After July 17, 2014		X		
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commended After June 6, 2001		X		
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001		X		
DDDD	Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units		X		
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006		X		
GGGG	(Reserved)				
HHHH	(Reserved)				
IIII	Stationary Compression Ignition Internal Combustion Engines		X		
JJJJ	Stationary Spark Ignition Internal Combustion Engines		X		
KKKK	Stationary Combustion Turbines		X		
LLLL	New Sewage Sludge Incineration Units		X		

Table 4 to Paragraph (d)(2)(i)—Delegation Status for New Source Performance Standards for Amador County APCD, Antelope Valley AQMD, Bay Area AQMD, and Butte County AQMD					
	Subpart	**Air pollution control agency**			
		Amador County APCD	**Antelope Valley AQMD**	**Bay Area AQMD**	**Butte County AQMD**
MMMM	Emissions Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units		X		
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution		X		
OOOOa	Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After September 18, 2015		X		
TTTT	Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units		X		
UUUUa	Emission Guidelines for Greenhouse Gas Emissions From Existing Electric Utility Generating Units		X		

(ii) [Reserved]

(iii) Delegations for Glenn County Air Pollution Control District, Great Basin Unified Air Pollution Control District, Imperial County Air Pollution Control District, and Kern County Air Pollution Control District are shown in the following table:

Delegation Status for New Source Performance Standards for Glenn County APCD, Great Basin Unified APCD, Imperial County APCD, and Kern County APCD					
	Subpart	**Air pollution control agency**			
		Glenn County APCD	**Great Basin Unified APCD**	**Imperial County APCD**	**Kern County APCD**
A	General Provisions		X		X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971		X		X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978		X		X
Db	Industrial-Commercial-Institutional Steam Generating Units		X		X
Dc	Small Industrial Steam Generating Units		X		X
E	Incinerators		X		X

Delegation Status for New Source Performance Standards for Glenn County APCD, Great Basin Unified APCD, Imperial County APCD, and Kern County APCD					
	Subpart	**Air pollution control agency**			
		Glenn County APCD	**Great Basin Unified APCD**	**Imperial County APCD**	**Kern County APCD**
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994		X		
Eb	Municipal Waste Combustors Constructed After September 20, 1994				
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996				
F	Portland Cement Plants		X		X
G	Nitric Acid Plants		X		X
H	Sulfuric Acid Plants		X		
I	Hot Mix Asphalt Facilities		X		X
J	Petroleum Refineries		X		X
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978		X		X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984		X		X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984		X		X
L	Secondary Lead Smelters		X		X
M	Secondary Brass and Bronze Production Plants		X		X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973		X		X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983		X		X
O	Sewage Treatment Plants		X		X

Delegation Status for New Source Performance Standards for Glenn County APCD, Great Basin Unified APCD, Imperial County APCD, and Kern County APCD					
	Subpart	**Air pollution control agency**			
		Glenn County APCD	**Great Basin Unified APCD**	**Imperial County APCD**	**Kern County APCD**
P	Primary Copper Smelters		X		X
Q	Primary Zinc Smelters		X		X
R	Primary Lead Smelters		X		X
S	Primary Aluminum Reduction Plants		X		X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants		X		X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants		X		X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants		X		X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants		X		X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities		X		X
Y	Coal Preparation Plants		X		X
Z	Ferroalloy Production Facilities		X		X
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983		X		X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983		X		X
BB	Kraft pulp Mills		X		X
CC	Glass Manufacturing Plants		X		X
DD	Grain Elevators		X		X
EE	Surface Coating of Metal Furniture		X		X
FF	(Reserved)				
GG	Stationary Gas Turbines		X		X
HH	Lime Manufacturing Plants		X		X
KK	Lead-Acid Battery Manufacturing Plants		X		X
LL	Metallic Mineral Processing Plants		X		X

Delegation Status for New Source Performance Standards for Glenn County APCD, Great Basin Unified APCD, Imperial County APCD, and Kern County APCD					
	Subpart	**Air pollution control agency**			
		Glenn County APCD	**Great Basin Unified APCD**	**Imperial County APCD**	**Kern County APCD**
MM	Automobile and Light Duty Trucks Surface Coating Operations		X		X
NN	Phosphate Rock Plants		X		X
PP	Ammonium Sulfate Manufacture		X		X
QQ	Graphic Arts Industry: Publication Rotogravure Printing		X		X
RR	Pressure Sensitive Tape and Label Surface Coating Operations		X		X
SS	Industrial Surface Coating: Large Appliances		X		X
TT	Metal Coil Surface Coating		X		X
UU	Asphalt Processing and Asphalt Roofing Manufacture		X		X
VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry		X		X
WW	Beverage Can Surface Coating Industry		X		X
XX	Bulk Gasoline Terminals				
AAA	New Residential Wool Heaters		X		X
BBB	Rubber Tire Manufacturing Industry		X		X
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry		X		X
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing		X		X
GGG	Equipment Leaks of VOC in Petroleum Refineries		X		X
HHH	Synthetic Fiber Production Facilities		X		X
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes		X		X
JJJ	Petroleum Dry Cleaners		X		X

Delegation Status for New Source Performance Standards for Glenn County APCD, Great Basin Unified APCD, Imperial County APCD, and Kern County APCD					
	Subpart	**Air pollution control agency**			
		Glenn County APCD	**Great Basin Unified APCD**	**Imperial County APCD**	**Kern County APCD**
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants		X		X
LLL	Onshore Natural Gas Processing: SO2 Emissions				X
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations		X		X
OOO	Nonmetallic Mineral Processing Plants		X		X
PPP	Wool Fiberglass Insulation Manufacturing Plants		X		X
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems		X		X
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes				X
SSS	Magnetic Tape Coating Facilities		X		X
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines		X	X	
UUU	Calciners and Dryers in Mineral Industries		X		X
VVV	Polymeric Coating of Supporting Substrates Facilities		X		X
WWW	Municipal Solid Waste Landfills				X

(iv) Delegations for Lake County Air Quality Management District, Lassen County Air Pollution Control District, Mariposa County Air Pollution Control District, and Mendocino County Air Pollution Control District are shown in the following table:

Delegation Status for New Source Performance Standards for Lake County Air Quality Management District, Lassen County Air Pollution Control District, Mariposa County Air Pollution Control District, and Mendocino County Air Pollution Control District					
	Subpart	**Air pollution control agency**			
		Lake County AQMD	**Lassen County APCD**	**Mariposa County AQMD**	**Mendocino County AQMD**

Delegation Status for New Source Performance Standards for Lake County Air Quality Management District, Lassen County Air Pollution Control District, Mariposa County Air Pollution Control District, and Mendocino County Air Pollution Control District					
	Subpart	**Air pollution control agency**			
		Lake County AQMD	**Lassen County APCD**	**Mariposa County AQMD**	**Mendocino County AQMD**
A	General Provisions	X			X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X			X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	X			X
Db	Industrial-Commercial-Institutional Steam Generating Units	X			
Dc	Small Industrial Steam Generating Units	X			X
E	Incinerators	X			X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994	X			X
Eb	Municipal Waste Combustors Constructed After September 20, 1994				
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996				
F	Portland Cement Plants	X			X
G	Nitric Acid Plants	X			X
H	Sulfuric Acid Plants	X			X
I	Hot Mix Asphalt Facilities	X			X
J	Petroleum Refineries	X			X
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X			X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X			X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction,	X			X

Delegation Status for New Source Performance Standards for Lake County Air Quality Management District, Lassen County Air Pollution Control District, Mariposa County Air Pollution Control District, and Mendocino County Air Pollution Control District					
	Subpart	**Air pollution control agency**			
		Lake County AQMD	**Lassen County APCD**	**Mariposa County AQMD**	**Mendocino County AQMD**
	Reconstruction, or Modification Commenced After July 23, 1984				
L	Secondary Lead Smelters	X			X
M	Secondary Brass and Bronze Production Plants	X			X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	X			X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	X			X
O	Sewage Treatment Plants	X			X
P	Primary Copper Smelters	X			X
Q	Primary Zinc Smelters	X			X
R	Primary Lead Smelters	X			X
S	Primary Aluminum Reduction Plants	X			X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X			X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X			X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X			X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X			X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X			X
Y	Coal Preparation Plants	X			X
Z	Ferroalloy Production Facilities	X			X
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X			X

Delegation Status for New Source Performance Standards for Lake County Air Quality Management District, Lassen County Air Pollution Control District, Mariposa County Air Pollution Control District, and Mendocino County Air Pollution Control District

	Subpart	Air pollution control agency			
		Lake County AQMD	Lassen County APCD	Mariposa County AQMD	Mendocino County AQMD
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	X			X
BB	Kraft Pulp Mills	X			X
CC	Glass Manufacturing Plants	X			X
DD	Grain Elevators	X			X
EE	Surface Coating of Metal Furniture	X			X
FF	(Reserved)				
GG	Stationary Gas Turbines	X			X
HH	Lime Manufacturing Plants	X			X
KK	Lead-Acid Battery Manufacturing Plants	X			X
LL	Metallic Mineral Processing Plants	X			X
MM	Automobile and Light Duty Trucks Surface Coating Operations	X			X
NN	Phosphate Rock Plants	X			X
PP	Ammonium Sulfate Manufacture	X			X
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X			X
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X			X
SS	Industrial Surface Coating: Large Appliances	X			X
TT	Metal Coil Surface Coating	X			X
UU	Asphalt Processing and Asphalt Roofing Manufacture	X			X
VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry	X			X
WW	Beverage Can Surface Coating Industry	X			X

Delegation Status for New Source Performance Standards for Lake County Air Quality Management District, Lassen County Air Pollution Control District, Mariposa County Air Pollution Control District, and Mendocino County Air Pollution Control District

	Subpart	Air pollution control agency			
		Lake County AQMD	Lassen County APCD	Mariposa County AQMD	Mendocino County AQMD
XX	Bulk Gasoline Terminals				
AAA	New Residential Wool Heaters	X			X
BBB	Rubber Tire Manufacturing Industry	X			X
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry	X			X
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing	X			X
GGG	Equipment Leaks of VOC in Petroleum Refineries	X			X
HHH	Synthetic Fiber Production Facilities	X			X
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	X			X
JJJ	Petroleum Dry Cleaners	X			X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	X			X
LLL	Onshore Natural Gas Processing: SO2 Emissions	X			X
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	X			X
OOO	Nonmetallic Mineral Processing Plants	X			X
PPP	Wool Fiberglass Insulation Manufacturing Plants	X			X
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	X			X
RRR	Volatile Organic Compound Emissions from Synthetic Organic	X			

Delegation Status for New Source Performance Standards for Lake County Air Quality Management District, Lassen County Air Pollution Control District, Mariposa County Air Pollution Control District, and Mendocino County Air Pollution Control District					
	Subpart	**Air pollution control agency**			
		Lake County AQMD	**Lassen County APCD**	**Mariposa County AQMD**	**Mendocino County AQMD**
	Chemical Manufacturing Industry (SOCMI) Reactor Processes				
SSS	Magnetic Tape Coating Facilities	X			X
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines				
UUU	Calciners and Dryers in Mineral Industries	X			X
VVV	Polymeric Coating of Supporting Substrates Facilities	X			X
WWW	Municipal Solid Waste Landfills	X			

(v) Delegations for Modoc Air Pollution Control District, Mojave Desert Air Quality Management District, Monterey Bay Unified Air Pollution Control District and North Coast Unified Air Quality Management District are shown in the following table:

Table 7 to Paragraph (d)(2)(v)—Delegation Status for New Source Performance Standards for Modoc County APCD, Mojave Desert AQMD, Monterey Bay Unified APCD, and North Coast Unified AQMD					
	Subpart	**Air pollution control agency**			
		Modoc County APCD	**Mojave Desert AQMD**	**Monterey Bay Unified APCD**	**North Coast Unified AQMD**
A	General Provisions	X	X	X	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X	X	X	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	X	X	X	X
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
Dc	Small Industrial-Commercial-Institutional Steam Generating Units		X	X	
E	Incinerators	X	X	X	X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994		X		
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994		X		

Table 7 to Paragraph (d)(2)(v)—Delegation Status for New Source Performance Standards for Modoc County APCD, Mojave Desert AQMD, Monterey Bay Unified APCD, and North Coast Unified AQMD

	Subpart	Air pollution control agency			
		Modoc County APCD	Mojave Desert AQMD	Monterey Bay Unified APCD	North Coast Unified AQMD
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996		X		
F	Portland Cement Plants	X	X	X	X
G	Nitric Acid Plants	X	X	X	X
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011				
H	Sulfuric Acid Plant	X	X	X	X
I	Hot Mix Asphalt Facilities	X	X	X	X
J	Petroleum Refineries	X	X	X	X
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007		X		
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X	X	X	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X	X	X	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	X	X	X	X
L	Secondary Lead Smelters	X	X	X	X
M	Secondary Brass and Bronze Production Plants	X	X	X	X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	X	X	X	X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	X	X	X	X
O	Sewage Treatment Plants	X	X	X	X

Table 7 to Paragraph (d)(2)(v)—Delegation Status for New Source Performance Standards for Modoc County APCD, Mojave Desert AQMD, Monterey Bay Unified APCD, and North Coast Unified AQMD					
	Subpart	**Air pollution control agency**			
		Modoc County APCD	**Mojave Desert AQMD**	**Monterey Bay Unified APCD**	**North Coast Unified AQMD**
P	Primary Copper Smelters	X	X	X	X
Q	Primary Zinc Smelters	X	X	X	X
R	Primary Lead Smelters	X	X	X	X
S	Primary Aluminum Reduction Plants	X	X	X	X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X	X	X	X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X	X	X	X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	X	X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X	X	X	X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X	X	X	X
Y	Coal Preparation and Processing Plants	X	X	X	X
Z	Ferroalloy Production Facilities	X	X	X	X
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X	X	X	X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	X	X	X	X
BB	Kraft Pulp Mills	X	X	X	X
CC	Glass Manufacturing Plants	X	X	X	X
DD	Grain Elevators	X	X	X	X
EE	Surface Coating of Metal Furniture	X	X	X	X
FF	(Reserved)				
GG	Stationary Gas Turbines	X	X	X	X
HH	Lime Manufacturing Plants	X	X	X	X
KK	Lead-Acid Battery Manufacturing Plants	X	X	X	X

Table 7 to Paragraph (d)(2)(v)—Delegation Status for New Source Performance Standards for Modoc County APCD, Mojave Desert AQMD, Monterey Bay Unified APCD, and North Coast Unified AQMD					
	Subpart	**Air pollution control agency**			
		Modoc County APCD	**Mojave Desert AQMD**	**Monterey Bay Unified APCD**	**North Coast Unified AQMD**
LL	Metallic Mineral Processing Plants	X	X	X	X
MM	Automobile and Light Duty Trucks Surface Coating Operations	X	X	X	X
NN	Phosphate Rock Plants	X	X	X	X
PP	Ammonium Sulfate Manufacture	X	X	X	X
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X	X	X	X
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X	X	X	X
SS	Industrial Surface Coating: Large Appliances	X	X	X	X
TT	Metal Coil Surface Coating	X	X	X	X
UU	Asphalt Processing and Asphalt Roofing Manufacture	X	X	X	X
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing	X	X	X	X
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006		X		
WW	Beverage Can Surface Coating Industry	X	X	X	X
XX	Bulk Gasoline Terminals				
AAA	New Residential Wood Heaters	X	X	X	X
BBB	Rubber Tire Manufacturing Industry	X	X	X	X
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry	X	X	X	
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing	X	X	X	X
GGG	Equipment Leaks of VOC in Petroleum Refineries	X	X	X	X

Table 7 to Paragraph (d)(2)(v)—Delegation Status for New Source Performance Standards for Modoc County APCD, Mojave Desert AQMD, Monterey Bay Unified APCD, and North Coast Unified AQMD					
	Subpart	**Air pollution control agency**			
		Modoc County APCD	**Mojave Desert AQMD**	**Monterey Bay Unified APCD**	**North Coast Unified AQMD**
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006		X		
HHH	Synthetic Fiber Production Facilities	X	X	X	X
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes		X		
JJJ	Petroleum Dry Cleaners	X	X	X	X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	X	X	X	X
LLL	Onshore Natural Gas Processing: SO_2 Emissions	X	X	X	X
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	X	X	X	
OOO	Nonmetallic Mineral Processing Plants	X	X	X	X
PPP	Wool Fiberglass Insulation Manufacturing Plants	X	X	X	X
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	X	X	X	X
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes		X		
SSS	Magnetic Tape Coating Facilities	X	X	X	X
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	X	X	X	X
UUU	Calciners and Dryers in Mineral Industries		X	X	
VVV	Polymeric Coating of Supporting Substrates Facilities		X	X	X
WWW	Municipal Solid Waste Landfills		X	X	
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commended After June 6, 2001		X		
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which		X		

Table 7 to Paragraph (d)(2)(v)—Delegation Status for New Source Performance Standards for Modoc County APCD, Mojave Desert AQMD, Monterey Bay Unified APCD, and North Coast Unified AQMD

	Subpart	Air pollution control agency			
		Modoc County APCD	Mojave Desert AQMD	Monterey Bay Unified APCD	North Coast Unified AQMD
	Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001				
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006		X		
GGGG	(Reserved)				
HHHH	(Reserved)				
IIII	Stationary Compression Ignition Internal Combustion Engines		X	X	
JJJJ	Stationary Spark Ignition Internal Combustion Engines		X	X	
KKKK	Stationary Combustion Turbines		X	X	
LLLL	New Sewage Sludge Incineration Units				
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution				

(vi) Delegations for Northern Sierra Air Quality Management District, Northern Sonoma County Air Pollution Control District, Placer County Air Pollution Control District, and Sacramento Metropolitan Air Quality Management District are shown in the following table:

Delegation Status for New Source Performance Standards for Northern Sierra Air Quality Management District, Northern Sonoma County Air Pollution Control District, Placer County Air Pollution Control District, and Sacramento Metropolitan Air Quality Management District

	Subpart	Air pollution control agency			
		Northern Sierra AQMD	Northern Sonoma County APCD	Placer County APCD	Sacramento Metropolitan AQMD
A	General Provisions		X		X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971		X		X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978		X		X

Delegation Status for New Source Performance Standards for Northern Sierra Air Quality Management District, Northern Sonoma County Air Pollution Control District, Placer County Air Pollution Control District, and Sacramento Metropolitan Air Quality Management District

	Subpart	Air pollution control agency			
		Northern Sierra AQMD	Northern Sonoma County APCD	Placer County APCD	Sacramento Metropolitan AQMD
Db	Industrial-Commercial-Institutional Steam Generating Units				X
Dc	Small Industrial Steam Generating Units				X
E	Incinerators		X		X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994				X
Eb	Municipal Waste Combustors Constructed After September 20, 1994				X
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996				X
F	Portland Cement Plants		X		X
G	Nitric Acid Plants		X		X
H	Sulfuric Acid Plants		X		X
I	Hot Mix Asphalt Facilities		X		X
J	Petroleum Refineries		X		X
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978		X		X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984		X		X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984				X

Delegation Status for New Source Performance Standards for Northern Sierra Air Quality Management District, Northern Sonoma County Air Pollution Control District, Placer County Air Pollution Control District, and Sacramento Metropolitan Air Quality Management District

	Subpart	Air pollution control agency			
		Northern Sierra AQMD	Northern Sonoma County APCD	Placer County APCD	Sacramento Metropolitan AQMD
L	Secondary Lead Smelters		X		X
M	Secondary Brass and Bronze Production Plants		X		X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973		X		X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983				X
O	Sewage Treatment Plants		X		X
P	Primary Copper Smelters		X		X
Q	Primary Zinc Smelters		X		X
R	Primary Lead Smelters		X		X
S	Primary Aluminum Reduction Plants		X		X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants		X		X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants		X		X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants		X		X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants		X		X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities		X		X
Y	Coal Preparation Plants		X		X
Z	Ferroalloy Production Facilities		X		X
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983		X		X

Delegation Status for New Source Performance Standards for Northern Sierra Air Quality Management District, Northern Sonoma County Air Pollution Control District, Placer County Air Pollution Control District, and Sacramento Metropolitan Air Quality Management District

	Subpart	Air pollution control agency			
		Northern Sierra AQMD	Northern Sonoma County APCD	Placer County APCD	Sacramento Metropolitan AQMD
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983				X
BB	Kraft pulp Mills		X		X
CC	Glass Manufacturing Plants		X		X
DD	Grain Elevators		X		X
EE	Surface Coating of Metal Furniture				X
FF	(Reserved)				
GG	Stationary Gas Turbines		X		X
HH	Lime Manufacturing Plants		X		X
KK	Lead-Acid Battery Manufacturing Plants				X
LL	Metallic Mineral Processing Plants				X
MM	Automobile and Light Duty Trucks Surface Coating Operations		X		X
NN	Phosphate Rock Plants				X
PP	Ammonium Sulfate Manufacture		X		X
QQ	Graphic Arts Industry: Publication Rotogravure Printing				X
RR	Pressure Sensitive Tape and Label Surface Coating Operations				X
SS	Industrial Surface Coating: Large Appliances				X
TT	Metal Coil Surface Coating				X
UU	Asphalt Processing and Asphalt Roofing Manufacture				X
VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry				X
WW	Beverage Can Surface Coating Industry				X

Delegation Status for New Source Performance Standards for Northern Sierra Air Quality Management District, Northern Sonoma County Air Pollution Control District, Placer County Air Pollution Control District, and Sacramento Metropolitan Air Quality Management District

	Subpart	Air pollution control agency			
		Northern Sierra AQMD	Northern Sonoma County APCD	Placer County APCD	Sacramento Metropolitan AQMD
XX	Bulk Gasoline Terminals				
AAA	New Residential Wool Heaters				X
BBB	Rubber Tire Manufacturing Industry				X
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry				X
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing				X
GGG	Equipment Leaks of VOC in Petroleum Refineries				X
HHH	Synthetic Fiber Production Facilities				X
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes				X
JJJ	Petroleum Dry Cleaners				X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants				X
LLL	Onshore Natural Gas Processing: SO2 Emissions				X
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations				X
OOO	Nonmetallic Mineral Processing Plants				X
PPP	Wool Fiberglass Insulation Manufacturing Plants				X
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems				X
RRR	Volatile Organic Compound Emissions from Synthetic				X

Delegation Status for New Source Performance Standards for Northern Sierra Air Quality Management District, Northern Sonoma County Air Pollution Control District, Placer County Air Pollution Control District, and Sacramento Metropolitan Air Quality Management District					
	Subpart	**Air pollution control agency**			
		Northern Sierra AQMD	**Northern Sonoma County APCD**	**Placer County APCD**	**Sacramento Metropolitan AQMD**
	Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes				
SSS	Magnetic Tape Coating Facilities				X
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines				X
UUU	Calciners and Dryers in Mineral Industries				X
VVV	Polymeric Coating of Supporting Substrates Facilities				X
WWW	Municipal Solid Waste Landfills				X

(vii) Delegations for San Diego County Air Pollution Control District, San Joaquin Valley Unified Air Pollution Control District, San Luis Obispo County Air Pollution Control District, and Santa Barbara County Air Pollution Control District are shown in the following table:

Table 9 to Paragraph (d)(2)(vii)—Delegation Status for New Source Performance Standards for San Diego County APCD, San Joaquin Valley Unified APCD, San Luis Obispo County APCD, and Santa Barbara County APCD					
	Subpart	**Air pollution control agency**			
		San Diego County APCD	**San Joaquin Valley Unified APCD**	**San Luis Obispo County APCD**	**Santa Barbara County APCD**
A	General Provisions	X	X	X	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X	X	X	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	X	X	X	X
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
E	Incinerators	X	X	X	X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994	X	X	X	

Table 9 to Paragraph (d)(2)(vii)—Delegation Status for New Source Performance Standards for San Diego County APCD, San Joaquin Valley Unified APCD, San Luis Obispo County APCD, and Santa Barbara County APCD

	Subpart	Air pollution control agency			
		San Diego County APCD	San Joaquin Valley Unified APCD	San Luis Obispo County APCD	Santa Barbara County APCD
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994	X	X		X
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996	X			X
F	Portland Cement Plants	X	X	X	
G	Nitric Acid Plants	X	X	X	
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011				
H	Sulfuric Acid Plant	X	X	X	
I	Hot Mix Asphalt Facilities	X	X	X	X
J	Petroleum Refineries	X	X	X	X
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007				X
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X	X	X	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X	X	X	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	X	X	X	X
L	Secondary Lead Smelters	X	X	X	X
M	Secondary Brass and Bronze Production Plants	X	X	X	X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	X	X	X	
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	X	X	X	
O	Sewage Treatment Plants	X	X	X	X

Table 9 to Paragraph (d)(2)(vii)—Delegation Status for New Source Performance Standards for San Diego County APCD, San Joaquin Valley Unified APCD, San Luis Obispo County APCD, and Santa Barbara County APCD

	Subpart	Air pollution control agency			
		San Diego County APCD	San Joaquin Valley Unified APCD	San Luis Obispo County APCD	Santa Barbara County APCD
P	Primary Copper Smelters	X	X	X	
Q	Primary Zinc Smelters	X	X	X	
R	Primary Lead Smelters	X	X	X	
S	Primary Aluminum Reduction Plants	X	X	X	
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X	X	X	
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X	X	X	
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	X	
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X	X	X	
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X	X	X	
Y	Coal Preparation and Processing Plants	X	X	X	
Z	Ferroalloy Production Facilities	X	X	X	
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X	X	X	
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	X	X	X	
BB	Kraft Pulp Mills	X	X	X	
CC	Glass Manufacturing Plants	X	X	X	X
DD	Grain Elevators	X	X	X	X
EE	Surface Coating of Metal Furniture	X	X	X	
FF	(Reserved)				
GG	Stationary Gas Turbines	X	X	X	X
HH	Lime Manufacturing Plants	X	X	X	
KK	Lead-Acid Battery Manufacturing Plants	X	X	X	

Table 9 to Paragraph (d)(2)(vii)—Delegation Status for New Source Performance Standards for San Diego County APCD, San Joaquin Valley Unified APCD, San Luis Obispo County APCD, and Santa Barbara County APCD

	Subpart	Air pollution control agency			
		San Diego County APCD	San Joaquin Valley Unified APCD	San Luis Obispo County APCD	Santa Barbara County APCD
LL	Metallic Mineral Processing Plants	X	X	X	
MM	Automobile and Light Duty Trucks Surface Coating Operations	X	X	X	
NN	Phosphate Rock Plants	X	X	X	
PP	Ammonium Sulfate Manufacture	X	X	X	
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X	X	X	
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X	X	X	
SS	Industrial Surface Coating: Large Appliances	X	X	X	
TT	Metal Coil Surface Coating	X	X	X	
UU	Asphalt Processing and Asphalt Roofing Manufacture	X	X	X	
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing	X	X	X	
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006				X
WW	Beverage Can Surface Coating Industry	X	X	X	
XX	Bulk Gasoline Terminals				
AAA	New Residential Wood Heaters	X	X	X	X
BBB	Rubber Tire Manufacturing Industry	X	X	X	
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry	X	X		
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing	X	X	X	
GGG	Equipment Leaks of VOC in Petroleum Refineries	X	X	X	

Table 9 to Paragraph (d)(2)(vii)—Delegation Status for New Source Performance Standards for San Diego County APCD, San Joaquin Valley Unified APCD, San Luis Obispo County APCD, and Santa Barbara County APCD

	Subpart	Air pollution control agency			
		San Diego County APCD	San Joaquin Valley Unified APCD	San Luis Obispo County APCD	Santa Barbara County APCD
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006				X
HHH	Synthetic Fiber Production Facilities	X	X	X	
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	X	X		
JJJ	Petroleum Dry Cleaners	X	X	X	
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	X	X	X	
LLL	Onshore Natural Gas Processing: SO_2 Emissions	X	X	X	
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	X	X		
OOO	Nonmetallic Mineral Processing Plants	X	X	X	X
PPP	Wool Fiberglass Insulation Manufacturing Plants	X	X	X	
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	X	X	X	
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes	X	X	X	
SSS	Magnetic Tape Coating Facilities	X	X	X	
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	X	X	X	
UUU	Calciners and Dryers in Mineral Industries	X	X	X	X
VVV	Polymeric Coating of Supporting Substrates Facilities	X	X	X	X
WWW	Municipal Solid Waste Landfills	X	X	X	X
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commended After June 6, 2001	X			X

Table 9 to Paragraph (d)(2)(vii)—Delegation Status for New Source Performance Standards for San Diego County APCD, San Joaquin Valley Unified APCD, San Luis Obispo County APCD, and Santa Barbara County APCD

	Subpart	Air pollution control agency			
		San Diego County APCD	San Joaquin Valley Unified APCD	San Luis Obispo County APCD	Santa Barbara County APCD
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001	X			X
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006	X			X
GGGG	(Reserved)				
HHHH	(Reserved)				
IIII	Stationary Compression Ignition Internal Combustion Engines	X			X
JJJJ	Stationary Spark Ignition Internal Combustion Engines	X			X
KKKK	Stationary Combustion Turbines	X			X
LLLL	New Sewage Sludge Incineration Units				
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution				
QQQQ	Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces	X			
TTTT	Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units	X			

(viii) Delegations for Shasta County Air Quality Management District, Siskiyou County Air Pollution Control District, South Coast Air Quality Management District, and Tehama County Air Pollution Control District are shown in the following table:

Delegation Status for New Source Performance Standards for Shasta County AQMD, Siskiyou County APCD, South Coast AQMD, and Tehama County APCD

	Subpart	Air pollution control agency			
		Shasta County AQMD	Siskiyou County APCD	South Coast AQMD	Tehama County APCD
A	General Provisions	X	X	X	

Delegation Status for New Source Performance Standards for Shasta County AQMD, Siskiyou County APCD, South Coast AQMD, and Tehama County APCD					
	Subpart	**Air pollution control agency**			
		Shasta County AQMD	**Siskiyou County APCD**	**South Coast AQMD**	**Tehama County APCD**
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X		X	
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978			X	
Db	Industrial-Commercial-Institutional Steam Generating Units			X	
Dc	Small Industrial-Commercial-Institutional Steam Generating Units			X	
E	Incinerators	X		X	
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994			X	
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994			X	
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996			X	
F	Portland Cement Plants	X		X	
G	Nitric Acid Plants	X		X	
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011				
H	Sulfuric Acid Plant	X		X	
I	Hot Mix Asphalt Facilities	X		X	
J	Petroleum Refineries	X		X	
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007			X	
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X		X	
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984			X	

Delegation Status for New Source Performance Standards for Shasta County AQMD, Siskiyou County APCD, South Coast AQMD, and Tehama County APCD					
	Subpart	**Air pollution control agency**			
		Shasta County AQMD	**Siskiyou County APCD**	**South Coast AQMD**	**Tehama County APCD**
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984			X	
L	Secondary Lead Smelters	X		X	
M	Secondary Brass and Bronze Production Plants	X		X	
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	X		X	
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983			X	
O	Sewage Treatment Plants	X		X	
P	Primary Copper Smelters	X		X	
Q	Primary Zinc Smelters	X		X	
R	Primary Lead Smelters	X		X	
S	Primary Aluminum Reduction Plants	X		X	
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X		X	
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X		X	
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X		X	
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X		X	
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X		X	
Y	Coal Preparation and Processing Plants	X		X	
Z	Ferroalloy Production Facilities	X		X	
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X		X	
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983			X	

Delegation Status for New Source Performance Standards for Shasta County AQMD, Siskiyou County APCD, South Coast AQMD, and Tehama County APCD					
	Subpart	**Air pollution control agency**			
		Shasta County AQMD	**Siskiyou County APCD**	**South Coast AQMD**	**Tehama County APCD**
BB	Kraft Pulp Mills	X		X	
CC	Glass Manufacturing Plants			X	
DD	Grain Elevators	X		X	
EE	Surface Coating of Metal Furniture			X	
FF	(Reserved)				
GG	Stationary Gas Turbines			X	
HH	Lime Manufacturing Plants	X		X	
KK	Lead-Acid Battery Manufacturing Plants			X	
LL	Metallic Mineral Processing Plants			X	
MM	Automobile and Light Duty Trucks Surface Coating Operations			X	
NN	Phosphate Rock Plants			X	
PP	Ammonium Sulfate Manufacture			X	
QQ	Graphic Arts Industry: Publication Rotogravure Printing			X	
RR	Pressure Sensitive Tape and Label Surface Coating Operations			X	
SS	Industrial Surface Coating: Large Appliances			X	
TT	Metal Coil Surface Coating			X	
UU	Asphalt Processing and Asphalt Roofing Manufacture			X	
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing			X	
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006			X	
WW	Beverage Can Surface Coating Industry			X	
XX	Bulk Gasoline Terminals				
AAA	New Residential Wood Heaters		X	X	

Delegation Status for New Source Performance Standards for Shasta County AQMD, Siskiyou County APCD, South Coast AQMD, and Tehama County APCD					
	Subpart	**Air pollution control agency**			
		Shasta County AQMD	**Siskiyou County APCD**	**South Coast AQMD**	**Tehama County APCD**
BBB	Rubber Tire Manufacturing Industry		X	X	
CCC	(Reserved)				
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry			X	
EEE	(Reserved)				
FFF	Flexible Vinyl and Urethane Coating and Printing			X	
GGG	Equipment Leaks of VOC in Petroleum Refineries			X	
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006			X	
HHH	Synthetic Fiber Production Facilities			X	
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes			X	
JJJ	Petroleum Dry Cleaners			X	
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants			X	
LLL	Onshore Natural Gas Processing: SO_2 Emissions			X	
MMM	(Reserved)				
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations			X	
OOO	Nonmetallic Mineral Processing Plants			X	
PPP	Wool Fiberglass Insulation Manufacturing Plants			X	
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems		X	X	
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes			X	
SSS	Magnetic Tape Coating Facilities		X	X	

Delegation Status for New Source Performance Standards for Shasta County AQMD, Siskiyou County APCD, South Coast AQMD, and Tehama County APCD					
	Subpart	**Air pollution control agency**			
		Shasta County AQMD	**Siskiyou County APCD**	**South Coast AQMD**	**Tehama County APCD**
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines		X	X	
UUU	Calciners and Dryers in Mineral Industries			X	
VVV	Polymeric Coating of Supporting Substrates Facilities			X	
WWW	Municipal Solid Waste Landfills			X	
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commended After June 6, 2001	X	X	X	
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001			X	
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006			X	
GGGG	(Reserved)				
HHHH	(Reserved)				
IIII	Stationary Compression Ignition Internal Combustion Engines			X	
JJJJ	Stationary Spark Ignition Internal Combustion Engines			X	
KKKK	Stationary Combustion Turbines			X	
LLLL	New Sewage Sludge Incineration Units				
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution				

(ix) Delegations for Tuolumne County Air Pollution Control District, Ventura County Air Pollution Control District, and Yolo-Solano Air Quality Management District are shown in the following table:

Table 11 to Paragraph (d)(2)(ix)—Delegation Status for New Source Performance Standards for Tuolumne County APCD, Ventura County APCD, and Yolo-Solano AQMD		
	Subpart	**Air pollution control agency**

		Tuolumne County APCD	Ventura County APCD	Yolo-Solano AQMD
A	General Provisions		X	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971		X	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978		X	
Db	Industrial-Commercial-Institutional Steam Generating Units		X	X
Dc	Small Industrial-Commercial-Institutional Steam Generating Units		X	
E	Incinerators		X	
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994		X	
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994			
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996			
F	Portland Cement Plants		X	
G	Nitric Acid Plants		X	
H	Sulfuric Acid Plant		X	
I	Hot Mix Asphalt Facilities		X	X
J	Petroleum Refineries		X	X
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978		X	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984		X	
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984		X	
L	Secondary Lead Smelters		X	
M	Secondary Brass and Bronze Production Plants		X	
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973		X	
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983		X	

Table 11 to Paragraph (d)(2)(ix)—Delegation Status for New Source Performance Standards for Tuolumne County APCD, Ventura County APCD, and Yolo-Solano AQMD

	Subpart	Air pollution control agency		
		Tuolumne County APCD	Ventura County APCD	Yolo-Solano AQMD
O	Sewage Treatment Plants		X	
P	Primary Copper Smelters		X	
Q	Primary Zinc Smelters		X	
R	Primary Lead Smelters		X	
S	Primary Aluminum Reduction Plants		X	
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants		X	
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants		X	
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants		X	
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants		X	
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities		X	
Y	Coal Preparation and Processing Plants		X	
Z	Ferroalloy Production Facilities		X	
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983		X	X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983		X	
BB	Kraft Pulp Mills		X	
CC	Glass Manufacturing Plants		X	
DD	Grain Elevators		X	
EE	Surface Coating of Metal Furniture		X	
FF	(Reserved)			
GG	Stationary Gas Turbines		X	
HH	Lime Manufacturing Plants		X	
KK	Lead-Acid Battery Manufacturing Plants		X	

Table 11 to Paragraph (d)(2)(ix)—Delegation Status for New Source Performance Standards for Tuolumne County APCD, Ventura County APCD, and Yolo-Solano AQMD

	Subpart	Air pollution control agency		
		Tuolumne County APCD	Ventura County APCD	Yolo-Solano AQMD
LL	Metallic Mineral Processing Plants		X	
MM	Automobile and Light Duty Trucks Surface Coating Operations		X	
NN	Phosphate Rock Plants		X	
PP	Ammonium Sulfate Manufacture		X	
QQ	Graphic Arts Industry: Publication Rotogravure Printing		X	
RR	Pressure Sensitive Tape and Label Surface Coating Operations		X	
SS	Industrial Surface Coating: Large Appliances		X	
TT	Metal Coil Surface Coating		X	
UU	Asphalt Processing and Asphalt Roofing Manufacture		X	
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing		X	
WW	Beverage Can Surface Coating Industry		X	
XX	Bulk Gasoline Terminals			
AAA	New Residential Wood Heaters		X	
BBB	Rubber Tire Manufacturing Industry		X	
CCC	(Reserved)			
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry		X	
EEE	(Reserved)			
FFF	Flexible Vinyl and Urethane Coating and Printing		X	
GGG	Equipment Leaks of VOC in Petroleum Refineries		X	
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006			
HHH	Synthetic Fiber Production Facilities		X	
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical		X	

Table 11 to Paragraph (d)(2)(ix)—Delegation Status for New Source Performance Standards for Tuolumne County APCD, Ventura County APCD, and Yolo-Solano AQMD				
	Subpart	**Air pollution control agency**		
		Tuolumne County APCD	**Ventura County APCD**	**Yolo-Solano AQMD**
	Manufacturing Industry (SOCMI) Air Oxidation Unit Processes			
JJJ	Petroleum Dry Cleaners		X	
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants		X	
LLL	Onshore Natural Gas Processing: SO_2 Emissions		X	
MMM	(Reserved)			
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations		X	
OOO	Nonmetallic Mineral Processing Plants		X	X
PPP	Wool Fiberglass Insulation Manufacturing Plants		X	
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems		X	
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes		X	
SSS	Magnetic Tape Coating Facilities		X	
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines		X	
UUU	Calciners and Dryers in Mineral Industries		X	
VVV	Polymeric Coating of Supporting Substrates Facilities		X	
WWW	Municipal Solid Waste Landfills	X	X	

(3) *Hawaii.* The following table identifies delegations for Hawaii:

Delegation Status for New Source Performance Standards for Hawaii:

Delegation Status for New Source Performance Standards for Hawaii		
	Subpart	**Hawaii**
A	General Provisions	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	X

Delegation Status for New Source Performance Standards for Hawaii		
	Subpart	**Hawaii**
Db	Industrial-Commercial-Institutional Steam Generating Units	X
Dc	Small Industrial Steam Generating Units	X
E	Incinerators	X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994	X
Eb	Municipal Waste Combustors Constructed After September 20, 1994	X
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996	X
F	Portland Cement Plants	X
G	Nitric Acid Plants	
H	Sulfuric Acid Plants	
I	Hot Mix Asphalt Facilities	X
J	Petroleum Refineries	X
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007	
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	X
L	Secondary Lead Smelters	
M	Secondary Brass and Bronze Production Plants	
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	
O	Sewage Treatment Plants	X
P	Primary Copper Smelters	

Delegation Status for New Source Performance Standards for Hawaii		
	Subpart	**Hawaii**
Q	Primary Zinc Smelters	
R	Primary Lead Smelters	
S	Primary Aluminum Reduction Plants	
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	
Y	Coal Preparation Plants	X
Z	Ferroalloy Production Facilities	
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	X
BB	Kraft pulp Mills	
CC	Glass Manufacturing Plants	
DD	Grain Elevators	
EE	Surface Coating of Metal Furniture	
FF	(Reserved)	
GG	Stationary Gas Turbines	X
HH	Lime Manufacturing Plants	
KK	Lead-Acid Battery Manufacturing Plants	
LL	Metallic Mineral Processing Plants	
MM	Automobile and Light Duty Trucks Surface Coating Operations	
NN	Phosphate Rock Plants	
PP	Ammonium Sulfate Manufacture	
QQ	Graphic Arts Industry: Publication Rotogravure Printing	

Delegation Status for New Source Performance Standards for Hawaii		
	Subpart	**Hawaii**
RR	Pressure Sensitive Tape and Label Surface Coating Operations	
SS	Industrial Surface Coating: Large Appliances	
TT	Metal Coil Surface Coating	
UU	Asphalt Processing and Asphalt Roofing Manufacture	
VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry	X
VVa	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006	
WW	Beverage Can Surface Coating Industry	X
XX	Bulk Gasoline Terminals	X
AAA	New Residential Wool Heaters	
BBB	Rubber Tire Manufacturing Industry	
CCC	(Reserved)	
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry	
EEE	(Reserved)	
FFF	Flexible Vinyl and Urethane Coating and Printing	
GGG	Equipment Leaks of VOC in Petroleum Refineries	X
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006	
HHH	Synthetic Fiber Production Facilities	
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	
JJJ	Petroleum Dry Cleaners	X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	
LLL	Onshore Natural Gas Processing: SO2 Emissions	
MMM	(Reserved)	
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	X
OOO	Nonmetallic Mineral Processing Plants	X

Delegation Status for New Source Performance Standards for Hawaii		
	Subpart	**Hawaii**
PPP	Wool Fiberglass Insulation Manufacturing Plants	
QQQ	VOC Emissions From Petroleum Refinery Wastewater	X
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes	
SSS	Magnetic Tape Coating Facilities	
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	
UUU	Calciners and Dryers in Mineral Industries	X
VVV	Polymeric Coating of Supporting Substrates Facilities	X
WWW	Municipal Solid Waste Landfills	X
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001	X
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001	X
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006	
GGGG	(Reserved)	
IIII	Stationary Compression Ignition Internal Combustion Engines	
JJJJ	Stationary Spark Ignition Internal Combustion Engines	
KKKK	Stationary Combustion Turbines	

(4) *Nevada.* The following table identifies delegations for Nevada:

Table 12 to Paragraph (d)(4)—Delegation Status for New Source Performance Standards for Nevada				
	Subpart	**Air pollution control agency**		
		Nevada DEP	**Clark County**	**Washoe County**
A	General Provisions	X	X	X
Cf	Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills	X		
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X	X	X

Table 12 to Paragraph (d)(4)—Delegation Status for New Source Performance Standards for Nevada				
	Subpart	**Air pollution control agency**		
		Nevada DEP	**Clark County**	**Washoe County**
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	X	X	
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	X	X	
E	Incinerators	X	X	X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994	X	X	
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994	X	X	
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996	X	X	
F	Portland Cement Plants	X	X	X
G	Nitric Acid Plants	X	X	
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011	X		
H	Sulfuric Acid Plant	X	X	
I	Hot Mix Asphalt Facilities	X	X	X
J	Petroleum Refineries	X	X	
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007	X		
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X	X	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X	X	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	X	X	
L	Secondary Lead Smelters	X	X	X
M	Secondary Brass and Bronze Production Plants	X	X	
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is	X	X	

Table 12 to Paragraph (d)(4)—Delegation Status for New Source Performance Standards for Nevada				
	Subpart	**Air pollution control agency**		
		Nevada DEP	**Clark County**	**Washoe County**
	Commenced After June 11, 1973			
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	X	X	
O	Sewage Treatment Plants	X	X	X
P	Primary Copper Smelters	X	X	X
Q	Primary Zinc Smelters	X	X	X
R	Primary Lead Smelters	X	X	X
S	Primary Aluminum Reduction Plants	X	X	
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants		X	
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants		X	
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants		X	
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants		X	
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities		X	
Y	Coal Preparation and Processing Plants	X	X	X
Z	Ferroalloy Production Facilities	X	X	
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	X	X	
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983	X	X	
BB	Kraft Pulp Mills		X	
CC	Glass Manufacturing Plants	X	X	
DD	Grain Elevators	X	X	X
EE	Surface Coating of Metal Furniture	X	X	X
FF	(Reserved)			
GG	Stationary Gas Turbines	X	X	X

Table 12 to Paragraph (d)(4)—Delegation Status for New Source Performance Standards for Nevada				
	Subpart	**Air pollution control agency**		
		Nevada DEP	**Clark County**	**Washoe County**
HH	Lime Manufacturing Plants	X	X	X
KK	Lead-Acid Battery Manufacturing Plants	X	X	X
LL	Metallic Mineral Processing Plants	X	X	X
MM	Automobile and Light Duty Trucks Surface Coating Operations	X	X	X
NN	Phosphate Rock Plants	X	X	X
PP	Ammonium Sulfate Manufacture	X	X	
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X	X	X
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X	X	
SS	Industrial Surface Coating: Large Appliances	X	X	X
TT	Metal Coil Surface Coating	X	X	X
UU	Asphalt Processing and Asphalt Roofing Manufacture	X	X	X
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing	X	X	X
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006	X	X	
WW	Beverage Can Surface Coating Industry	X	X	
XX	Bulk Gasoline Terminals	X	X	
AAA	New Residential Wood Heaters		X	
BBB	Rubber Tire Manufacturing Industry	X	X	
CCC	(Reserved)			
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry	X	X	
EEE	(Reserved)			
FFF	Flexible Vinyl and Urethane Coating and Printing	X	X	
GGG	Equipment Leaks of VOC in Petroleum Refineries	X	X	

Table 12 to Paragraph (d)(4)—Delegation Status for New Source Performance Standards for Nevada				
	Subpart	**Air pollution control agency**		
		Nevada DEP	**Clark County**	**Washoe County**
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006	X	X	
HHH	Synthetic Fiber Production Facilities	X	X	
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	X	X	
JJJ	Petroleum Dry Cleaners	X	X	X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	X	X	
LLL	Onshore Natural Gas Processing: SO_2 Emissions	X	X	
MMM	(Reserved)			
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	X	X	
OOO	Nonmetallic Mineral Processing Plants	X	X	
PPP	Wool Fiberglass Insulation Manufacturing Plants	X	X	
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	X	X	
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes	X	X	
SSS	Magnetic Tape Coating Facilities	X	X	
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	X	X	X
UUU	Calciners and Dryers in Mineral Industries	X	X	X
VVV	Polymeric Coating of Supporting Substrates Facilities	X	X	X
WWW	Municipal Solid Waste Landfills	X	X	X
XXX	Municipal Solid Waste Landfills that Commenced Construction, Reconstruction, or Modification after July 17, 2014	X		
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commended After June 6, 2001	X	X	X
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is	X	X	X

Table 12 to Paragraph (d)(4)—Delegation Status for New Source Performance Standards for Nevada				
	Subpart	**Air pollution control agency**		
		Nevada DEP	**Clark County**	**Washoe County**
	Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001			
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006	X	X	X
GGGG	(Reserved)			
HHHH	(Reserved)			
IIII	Stationary Compression Ignition Internal Combustion Engines	X	X	X
JJJJ	Stationary Spark Ignition Internal Combustion Engines	X	X	X
KKKK	Stationary Combustion Turbines	X	X	X
LLLL	New Sewage Sludge Incineration Units		X	
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution	X		

(5) *Guam.* The following table identifies delegations as of June 15, 2001:

Delegation Status for New Source Performance Standards for Guam		
	Subpart	**Guam**
A	General Provisions	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	
Db	Industrial-Commercial-Institutional Steam Generating Units	
Dc	Small Industrial Steam Generating Units	
E	Incinerators	
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994	
Eb	Municipal Waste Combustors Constructed After September 20, 1994	
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996	
F	Portland Cement Plants	X

Delegation Status for New Source Performance Standards for Guam		
	Subpart	**Guam**
G	Nitric Acid Plants	
H	Sulfuric Acid Plants	
I	Hot Mix Asphalt Facilities	X
J	Petroleum Refineries	X
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X

(e) The following lists the specific part 60 standards that have been delegated unchanged to the air pollution control agencies in Region 6.

(1) *New Mexico.* The New Mexico Environment Department has been delegated all part 60 standards promulgated by the EPA, except subpart AAA—Standards of Performance for New Residential Wood Heaters; and subpart QQQQ—Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces, as amended in the Federal Register through January 15, 2017.

(2) *Louisiana.* The Louisiana Department of Environmental Quality has been delegated the following part 60 standards promulgated by EPA, as amended in the Federal Register through July 1, 2021. The (X) symbol is used to indicate each subpart that has been delegated.

Delegation Status for Part 60 Standards—State of Louisiana **[Excluding Indian Country]**		
Subpart	**Source category**	**LDEQ**
A	General Provisions	X
Cb	Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors That are Constructed on or Before September 20, 1994	X
Cc	Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills	X
Cd	Emissions Guidelines and Compliance Times for Sulfuric Acid Production Units	X
Ce	Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators	X
Cf	Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills	X
D	Fossil Fueled Steam Generators	X
Da	Electric Utility Steam Generating Units	X
Db	Industrial-Commercial-Institutional Steam Generating Units	X
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	X

Delegation Status for Part 60 Standards—State of Louisiana [Excluding Indian Country]		
Subpart	**Source category**	**LDEQ**
E	Incinerators	X
Ea	Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989, and On or Before September 20, 1994	X
Eb	Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996	X
Ec	Hospital/Medical/Infectious Waste Incinerators	X
F	Portland Cement Plants	X
G	Nitric Acid Plants	X
Ga	Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011	X
H	Sulfuric Acid Plants	X
I	Hot Mix Asphalt Facilities	X
J	Petroleum Refineries	X
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007	X
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	X
Kb	VOC Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, and On or Before October 4, 2023	X
Kc	VOC Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, October 4, 2023	No
L	Secondary Lead Smelters for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and On or Before December 1, 2022	X
La	Secondary Lead Smelters for Which Construction, Reconstruction, or Modification Commenced After December 1, 2022	No
M	Secondary Brass and Bronze Production Plants	X

Delegation Status for Part 60 Standards—State of Louisiana [Excluding Indian Country]		
Subpart	**Source category**	**LDEQ**
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction Commenced After June 11, 1973	X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	X
O	Sewage Treatment Plants	X
P	Primary Copper Smelters	X
Q	Primary Zinc Smelters	X
R	Primary Lead Smelters	X
S	Primary Aluminum Reduction Plants	X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Plants	X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X
Y	Coal Preparation and Processing Plants	X
Z	Ferroalloy Production Facilities	X
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983	X
AAa	Steel Plants: Electric Arc Furnaces & Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983, and On or Before May 16, 2022	X
AAb	Steel Plants: Electric Arc Furnaces & Argon-Oxygen Decarburization Vessels Constructed After May 16, 2022	No
BB	Kraft Pulp Mills	X
BBa	Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013	X
CC	Glass Manufacturing Plants	X
DD	Grain Elevators	X
EE	Surface Coating of Metal Furniture	X

Delegation Status for Part 60 Standards—State of Louisiana [Excluding Indian Country]		
Subpart	**Source category**	**LDEQ**
GG	Stationary Gas Turbines	X
HH	Lime Manufacturing Plants	X
KK	Lead-Acid Battery Manufacturing Plants for Which Construction, Reconstruction, or Modification Commenced After January 14, 1980, and On or Before February 23, 2022	X
KKa	Lead-Acid Battery Manufacturing Plants for Which Construction, Reconstruction, or Modification Commenced After February 23, 2022	No
LL	Metallic Mineral Processing Plants	X
MM	Automobile & Light Duty Truck Surface Coating Operations for which Construction, Modification or Reconstruction Commenced After October 5, 1979, and On or Before May 18, 2022	X
MMa	Automobile & Light Duty Truck Surface Coating Operations for which Construction, Modification or Reconstruction Commenced After May 18, 2022	No
NN	Phosphate Manufacturing Plants	X
PP	Ammonium Sulfate Manufacture	X
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X
SS	Industrial Surface Coating: Large Appliances	X
TT	Metal Coil Surface Coating	X
UU	Asphalt Processing and Asphalt Roofing Manufacture	X
VV	Equipment Leaks of VOC in the SOCMI Industry for Which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006	X
VVa	Equipment Leaks of VOC in the SOCMI Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006, and on or Before April 25, 2023	X
VVb	Equipment Leaks of VOC in the SOCMI Industry for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023	No
WW	Beverage Can Surface Coating Industry	X
XX	Bulk Gasoline Terminals That Commenced Construction, Modification, or	X

Delegation Status for Part 60 Standards—State of Louisiana [Excluding Indian Country]		
Subpart	**Source category**	**LDEQ**
	Reconstruction After December 17, 1980, and On or Before June 10, 2022	
XXa	Bulk Gasoline Terminals That Commenced Construction, Modification, or Reconstruction After June 10, 2022	No
AAA	New Residential Wood Heaters	No
BBB	Rubber Tire Manufacturing Industry	X
CCC	*[Reserved]*	
DDD	Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry	X
EEE	*[Reserved]*	
FFF	Flexible Vinyl and Urethane Coating and Printing	X
GGG	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and On or Before November 7, 2006	X
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006	X
HHH	Synthetic Fiber Production	X
III	VOC Emissions from the SOCMI Air Oxidation Unit Processes	X
IIIa	VOC Emissions from the SOCMI Air Oxidation Unit Processes for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023	No
JJJ	Petroleum Dry Cleaners	X
KKK	VOC Equipment Leaks From Onshore Natural Gas Processing Plants	X
LLL	Onshore Natural Gas Processing: SO_2 Emissions	X
MMM	*[Reserved]*	
NNN	VOC Emissions from SOCMI Distillation Operations	X
NNNa	VOC Emissions from SOCMI Distillation Operations for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023	No
OOO	Nonmetallic Mineral Processing Plants	X
PPP	Wool Fiberglass Insulation Manufacturing Plants	X

Delegation Status for Part 60 Standards—State of Louisiana [Excluding Indian Country]		
Subpart	**Source category**	**LDEQ**
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	X
RRR	VOC Emissions from SOCMI Reactor Processes	X
RRRa	VOC Emissions from SOCMI Reactor Processes for Which Construction, Reconstruction, or Modification Commenced After April 25, 2023	No
SSS	Magnetic Tape Coating Operations	X
TTT	Industrial Surface Coating: Plastic Parts for Business Machines	X
TTTa	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines for Which Construction, Reconstruction, or Modification Commenced After June 21, 2022	No
UUU	Calciners and Dryers in Mineral Industries	X
VVV	Polymeric Coating of Supporting Substrates Facilities	X
WWW	Municipal Solid Waste Landfills	X
XXX	Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014	X
YYY-ZZZ	*[Reserved]*	
AAAA	Small Municipal Waste Combustion Units (Construction is Commenced After 8/30/99 or Modification/Reconstruction is Commenced After 6/06/2001)	X
BBBB	Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999	X
CCCC	Commercial & Industrial Solid Waste Incineration Units (Construction is Commenced After 11/30/1999 or Modification/Reconstruction is Commenced on or After 6/01/2001)	X
DDDD	Emission Guidelines & Compliance Times for Commercial & Industrial Solid Waste Incineration Units (Commenced Construction On or Before 11/30/1999)	X
EEEE	Other Solid Waste Incineration Units (Constructed after 12/09/2004 or Modification/Reconstruction is commenced on or after 06/16/2004)	X
FFFF	Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units that Commenced Construction On or Before December 9, 2004	X
GGG-HHH	*[Reserved]*	

Delegation Status for Part 60 Standards—State of Louisiana [Excluding Indian Country]		
Subpart	**Source category**	**LDEQ**
IIII	Stationary Compression Ignition Internal Combustion Engines	X
JJJJ	Stationary Spark Ignition Internal Combustion Engines	X
KKKK	Stationary Combustion Turbines (Construction Commenced After 02/18/2005)	X
LLLL	New Sewage Sludge Incineration Units	X
MMMM	Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units	X
NNNN	*[Reserved]*	
OOOO	Crude Oil and Natural Gas Production, Transmission and Distribution	X
OOOOa	Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After September 18, 2015 and On or Before December 6, 2022	X
OOOOb	Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After December 6, 2022	No
OOOOc	Emissions Guidelines for Greenhouse Gas Emissions from Existing Crude Oil and Natural Gas Facilities	No
PPPP	*[Reserved]*	
QQQQ	New Residential Hydronic Heaters and Forced-Air Furnaces	X
TTTT	Greenhouse Gas Emissions for Electric Generating Units	X
TTTTa	Greenhouse Gas Emissions for Modified Coal-Fired Steam Electric Generating Units and New Construction and Reconstruction Stationary Combustion Turbine Electric Generating Units	No
UUUUa	*[Reserved]*	
UUUUb	Greenhouse Gas Emissions for Electric Utility Generating Units	No

(3) *Albuquerque-Bernalillo County Air Quality Control Board.* The Albuquerque-Bernalillo County Air Quality Control Board has been delegated all part 60 standards promulgated by the EPA, except subpart AAA of this part and subpart QQQQ of this part as amended through January 23, 2017.

Editorial Note: For Federal Register citations affecting § 60.4, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.govinfo.gov.*

§ 60.5 Determination of construction or modification.

(a) When requested to do so by an owner or operator, the Administrator will make a determination of whether action taken or intended to be taken by such owner or operator constitutes construction (including reconstruction) or modification or the commencement thereof within the meaning of this part.

(b) The Administrator will respond to any request for a determination under paragraph (a) of this section within 30 days of receipt of such request.

§ 60.6 Review of plans.

(a) When requested to do so by an owner or operator, the Administrator will review plans for construction or modification for the purpose of providing technical advice to the owner or operator.

(b)

(1) A separate request shall be submitted for each construction or modification project.

(2) Each request shall identify the location of such project, and be accompanied by technical information describing the proposed nature, size, design, and method of operation of each affected facility involved in such project, including information on any equipment to be used for measurement or control of emissions.

(c) Neither a request for plans review nor advice furnished by the Administrator in response to such request shall

(1) relieve an owner or operator of legal responsibility for compliance with any provision of this part or of any applicable State or local requirement, or

(2) prevent the Administrator from implementing or enforcing any provision of this part or taking any other action authorized by the Act.

§ 60.7 Notification and record keeping.

(a) Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

(1) A notification of the date construction (or reconstruction as defined under § 60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.

(2) [Reserved]

(3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

(4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in § 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

(5) A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with § 60.13(c). Notification shall be postmarked not less than 30 days prior to such date.

(6) A notification of the anticipated date for conducting the opacity observations required by § 60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for the Administrator to provide a visible

emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.

(7) A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by § 60.8 in lieu of Method 9 observation data as allowed by § 60.11(e)(5) of this part. This notification shall be postmarked not less than 30 days prior to the date of the performance test.

(b) Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

(c) Each owner or operator required to install a continuous monitoring device shall submit excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and-or summary report form (see paragraph (d) of this section) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each six-month period. Written reports of excess emissions shall include the following information:

(1) The magnitude of excess emissions computed in accordance with § 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.

(3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.

(4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

(d) The summary report form shall contain the information and be in the format shown in figure 1 unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

(1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in § 60.7(c) need not be submitted unless requested by the Administrator.

(2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in § 60.7(c) shall both be submitted.

Figure 1—Summary Report—Gaseous and Opacity Excess Emission and Monitoring System Performance

Pollutant (Circle One—SO_2/NO_X/TRS/H_2S/CO/Opacity)

Reporting period dates: From _____ to _____

Company:

Emission Limitation

Address:

Monitor Manufacturer and Model No.

Date of Latest CMS Certification or Audit

Process Unit(s) Description:

Total source operating time in reporting period[1]

Emission data summary[1]		**CMS performance summary[1]**	
1. Duration of excess emissions in reporting period due to:		1. CMS downtime in reporting period due to:	
a. Startup/shutdown		a. Monitor equipment malfunctions	
b. Control equipment problems		b. Non-Monitor equipment malfunctions	
c. Process problems		c. Quality assurance calibration	
d. Other known causes		d. Other known causes	
e. Unknown causes		e. Unknown causes	
2. Total duration of excess emission		2. Total CMS Downtime	
3. Total duration of excess emissions × (100) [Total source operating time]	%[2]	3. [Total CMS Downtime] × (100) [Total source operating time]	%[2]
[1] For opacity, record all times in minutes. For gases, record all times in hours.			
[2] For the reporting period: If the total duration of excess emissions is 1 percent or greater of the total operating time or the total CMS downtime is 5 percent or greater of the total operating time, both the summary report form and the excess emission report described in § 60.7(c) shall be submitted.			

On a separate page, describe any changes since last quarter in CMS, process or controls. I certify that the information contained in this report is true, accurate, and complete.

Name

Signature

Title

Date

(e)

(1) Notwithstanding the frequency of reporting requirements specified in paragraph (c) of this section, an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

(i) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under this part continually demonstrate that the facility is in compliance with the applicable standard;

(ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the applicable standard; and

(iii) The Administrator does not object to a reduced frequency of reporting for the affected facility, as provided in paragraph (e)(2) of this section.

(2) The frequency of reporting of excess emissions and monitoring systems performance (and summary) reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the required recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(3) As soon as monitoring data indicate that the affected facility is not in compliance with any emission limitation or operating parameter specified in the applicable standard, the frequency of reporting shall revert to the frequency specified in the applicable standard, and the owner or operator shall submit an excess emissions and monitoring systems performance report (and summary report, if required) at the next appropriate reporting period following the noncomplying event. After demonstrating compliance with the applicable standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard as provided for in paragraphs (e)(1) and (e)(2) of this section.

(f) Any owner or operator subject to the provisions of this part shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records, except as follows:

(1) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.

(2) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.

(3) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (f) of this section, if the Administrator or the delegated

authority determines these records are required to more accurately assess the compliance status of the affected source.

(g) If notification substantially similar to that in paragraph (a) of this section is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of paragraph (a) of this section.

(h) Individual subparts of this part may include specific provisions which clarify or make inapplicable the provisions set forth in this section.

§ 60.8 Performance tests.

(a) Except as specified in paragraphs (a)(1),(a)(2), (a)(3), and (a)(4) of this section, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part, and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).

(1) If a force majeure is about to occur, occurs, or has occurred for which the affected owner or operator intends to assert a claim of force majeure, the owner or operator shall notify the Administrator, in writing as soon as practicable following the date the owner or operator first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall occur as soon as practicable.

(2) The owner or operator shall provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the owner or operator proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure occurs.

(3) The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Administrator. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an extension as soon as practicable.

(4) Until an extension of the performance test deadline has been approved by the Administrator under paragraphs (a)(1), (2), and (3) of this section, the owner or operator of the affected facility remains strictly subject to the requirements of this part.

(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator

(1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology,

(2) approves the use of an equivalent method,

(3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance,

(4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or

(5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

(c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

(d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present. If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting the scheduled performance test, the owner or operator of an affected facility shall notify the Administrator (or delegated State or local agency) as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Administrator (or delegated State or local agency) by mutual agreement.

(e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

(1) Sampling ports adequate for test methods applicable to such facility. This includes

(i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and

(ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.

(2) Safe sampling platform(s).

(3) Safe access to sampling platform(s).

(4) Utilities for sampling and testing equipment.

(f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method.

(1) Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

(2) Contents of report (electronic or paper submitted copy). Unless otherwise specified in a relevant standard or test method, or as otherwise approved by the Administrator in writing, the report for a performance test shall include the elements identified in paragraphs (f)(2)(i) through (vi) of this section.

(i) General identification information for the facility including a mailing address, the physical address, the owner or operator or responsible official (where applicable) and his/her email address, and the appropriate Federal Registry System (FRS) number for the facility.

(ii) Purpose of the test including the applicable regulation(s) requiring the test, the pollutant(s) and other parameters being measured, the applicable emission standard and any process parameter component, and a brief process description.

(iii) Description of the emission unit tested including fuel burned, control devices, and vent characteristics; the appropriate source classification code (SCC); the permitted maximum process rate (where applicable); and the sampling location.

(iv) Description of sampling and analysis procedures used and any modifications to standard procedures, quality assurance procedures and results, record of process operating conditions that demonstrate the applicable test conditions are met, and values for any operating parameters for which limits were being set during the test.

(v) Where a test method requires you record or report, the following shall be included: Record of preparation of standards, record of calibrations, raw data sheets for field sampling, raw data sheets for field and laboratory analyses, chain-of-custody documentation, and example calculations for reported results.

(vi) Identification of the company conducting the performance test including the primary office address, telephone number, and the contact for this test program including his/her email address.

(g) The performance testing shall include a test method performance audit (PA) during the performance test. The PAs consist of blind audit samples supplied by an accredited audit sample provider and analyzed during the performance test in order to provide a measure of test data bias. Gaseous audit samples are designed to audit the performance of the sampling system as well as the analytical system and must be collected by the sampling system during the compliance test just as the compliance samples are collected. If a liquid or solid audit sample is designed to audit the sampling system, it must also be collected by the sampling system during the compliance test. If multiple sampling systems or sampling trains are used during the compliance test for any of the test methods, the tester is only required to use one of the sampling systems per method to collect the audit sample. The audit sample must be analyzed by the same analyst using the same analytical reagents and analytical system and at the same time as the compliance samples. Retests are required when there is a failure to produce acceptable results for an audit sample. However, if the audit results do not affect the compliance or noncompliance status of the affected facility, the compliance authority may waive the reanalysis requirement, further audits, or retests and accept the results of the compliance test. Acceptance of the test results shall constitute a waiver of the reanalysis requirement, further audits, or retests. The compliance authority may also use the audit sample failure and the compliance test results as evidence to determine the compliance or noncompliance status of the affected facility. A blind audit sample is a sample whose value is known only to the sample provider and is not revealed to the tested facility until after they report the measured value of the audit sample. For pollutants that exist in the gas phase at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in air or nitrogen that can be introduced into the sampling system of the test method at or near the same entry point as a sample from the emission source. If no gas phase audit samples are available, an acceptable alternative is a sample of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. For samples that exist only in a liquid or solid form at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. An accredited audit sample provider (AASP) is an organization that has been accredited to prepare audit samples by an independent, third party accrediting body.

(1) The source owner, operator, or representative of the tested facility shall obtain an audit sample, if commercially available, from an AASP for each test method used for regulatory compliance purposes. No audit samples are required for the following test methods: Methods 3A and 3C of appendix A-3 of part 60, Methods 6C, 7E, 9, and 10 of appendix A-4 of part 60, Methods 18 and 19 of appendix A-6 of part 60, Methods 20, 22, and 25A of appendix A-7 of part 60, Methods 30A and 30B of appendix A-8 of part 60, and Methods 303, 318, 320, and 321 of appendix A of part 63 of this chapter. If multiple sources at a single facility are tested during a compliance test event, only one audit sample is required for each method used during a compliance test. The

compliance authority responsible for the compliance test may waive the requirement to include an audit sample if they believe that an audit sample is not necessary. “Commercially available” means that two or more independent AASPs have blind audit samples available for purchase. If the source owner, operator, or representative cannot find an audit sample for a specific method, the owner, operator, or representative shall consult the EPA Web site at the following URL, *www.epa.gov/ttn/emc,* to confirm whether there is a source that can supply an audit sample for that method. If the EPA Web site does not list an available audit sample at least 60 days prior to the beginning of the compliance test, the source owner, operator, or representative shall not be required to include an audit sample as part of the quality assurance program for the compliance test. When ordering an audit sample, the source owner, operator, or representative shall give the sample provider an estimate for the concentration of each pollutant that is emitted by the source or the estimated concentration of each pollutant based on the permitted level and the name, address, and phone number of the compliance authority. The source owner, operator, or representative shall report the results for the audit sample along with a summary of the emission test results for the audited pollutant to the compliance authority and shall report the results of the audit sample to the AASP. The source owner, operator, or representative shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the AASP. If the method being audited is a method that allows the samples to be analyzed in the field and the tester plans to analyze the samples in the field, the tester may analyze the audit samples prior to collecting the emission samples provided a representative of the compliance authority is present at the testing site. The tester may request and the compliance authority may grant a waiver to the requirement that a representative of the compliance authority must be present at the testing site during the field analysis of an audit sample. The source owner, operator, or representative may report the results of the audit sample to the compliance authority and report the results of the audit sample to the AASP prior to collecting any emission samples. The test protocol and final test report shall document whether an audit sample was ordered and utilized and the pass/fail results as applicable.

(2) An AASP shall have and shall prepare, analyze, and report the true value of audit samples in accordance with a written technical criteria document that describes how audit samples will be prepared and distributed in a manner that will ensure the integrity of the audit sample program. An acceptable technical criteria document shall contain standard operating procedures for all of the following operations:

(i) Preparing the sample;

(ii) Confirming the true concentration of the sample;

(iii) Defining the acceptance limits for the results from a well-qualified tester. This procedure must use well established statistical methods to analyze historical results from well qualified testers. The acceptance limits shall be set so that there is 95 percent confidence that 90 percent of well qualified labs will produce future results that are within the acceptance limit range.

(iv) Providing the opportunity for the compliance authority to comment on the selected concentration level for an audit sample;

(v) Distributing the sample to the user in a manner that guarantees that the true value of the sample is unknown to the user;

(vi) Recording the measured concentration reported by the user and determining if the measured value is within acceptable limits;

(vii) The AASP shall report the results from each audit sample in a timely manner to the compliance authority and then to the source owner, operator, or representative. The AASP shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the source owner, operator, or representative. The results shall include the name of the facility

tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, and whether the testing company passed or failed the audit. The AASP shall report the true value of the audit sample to the compliance authority. The AASP may report the true value to the source owner, operator, or representative if the AASP's operating plan ensures that no laboratory will receive the same audit sample twice.

(viii) Evaluating the acceptance limits of samples at least once every two years to determine in cooperation with the voluntary consensus standard body if they should be changed;

(ix) Maintaining a database, accessible to the compliance authorities, of results from the audit that shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, the true value of the audit sample, the acceptance range for the measured value, and whether the testing company passed or failed the audit.

(3) The accrediting body shall have a written technical criteria document that describes how it will ensure that the AASP is operating in accordance with the AASP technical criteria document that describes how audit samples are to be prepared and distributed. This document shall contain standard operating procedures for all of the following operations:

(i) Checking audit samples to confirm their true value as reported by the AASP;

(ii) Performing technical systems audits of the AASP's facilities and operating procedures at least once every two years;

(iii) Providing standards for use by the voluntary consensus standard body to approve the accrediting body that will accredit the audit sample providers.

(4) The technical criteria documents for the accredited sample providers and the accrediting body shall be developed through a public process guided by a voluntary consensus standards body (VCSB). The VCSB shall operate in accordance with the procedures and requirements in the Office of Management and Budget Circular A-119. A copy of Circular A-119 is available upon request by writing the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, by calling (202) 395-6880 or downloading online at *http://standards.gov/standards__gov/a119.cfm.* The VCSB shall approve all accrediting bodies. The Administrator will review all technical criteria documents. If the technical criteria documents do not meet the minimum technical requirements in paragraphs (g)(2) through (4)of this section, the technical criteria documents are not acceptable and the proposed audit sample program is not capable of producing audit samples of sufficient quality to be used in a compliance test. All acceptable technical criteria documents shall be posted on the EPA Web site at the following URL, *http://www.epa.gov/ttn/emc.*

(h) Unless otherwise specified in the applicable subpart, each test location must be verified to be free of cyclonic flow and evaluated for the existence of emission gas stratification and the required number of sampling traverse points. If other procedures are not specified in the applicable subpart to the regulations, use the appropriate procedures in Method 1 to check for cyclonic flow and Method 7E to evaluate emission gas stratification and selection of sampling points.

(i) Whenever the use of multiple calibration gases is required by a test method, performance specification, or quality assurance procedure in a part 60 standard or appendix, Method 205 of 40 CFR part 51, appendix M of this chapter, “Verification of Gas Dilution Systems for Field Instrument Calibrations,” may be used.

§ 60.9 Availability of information.

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter. (Information submitted voluntarily to the Administrator for the purposes of §§ 60.5 and 60.6 is governed by §§ 2.201 through 2.213 of this chapter and not by § 2.301 of this chapter.)

§ 60.10 State authority.

The provisions of this part shall not be construed in any manner to preclude any State or political subdivision thereof from:

(a) Adopting and enforcing any emission standard or limitation applicable to an affected facility, provided that such emission standard or limitation is not less stringent than the standard applicable to such facility.

(b) Requiring the owner or operator of an affected facility to obtain permits, licenses, or approvals prior to initiating construction, modification, or operation of such facility.

§ 60.11 Compliance with standards and maintenance requirements.

(a) Compliance with standards in this part, other than opacity standards, shall be determined in accordance with performance tests established by § 60.8, unless otherwise specified in the applicable standard.

(b) Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Method 9 in appendix A of this part, any alternative method that is approved by the Administrator, or as provided in paragraph (e)(5) of this section. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).

(c) The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

(d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(e)

(1) For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in § 60.8 unless one of the following conditions apply. If no performance test under § 60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under § 60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in § 60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under § 60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Method 9 of appendix B of this part. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the

conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in paragraph (e)(5) of this section, the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in appendix B of this part, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.

(2) Except as provided in paragraph (e)(3) of this section, the owner or operator of an affected facility to which an opacity standard in this part applies shall conduct opacity observations in accordance with paragraph (b) of this section, shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under § 60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test.

(3) The owner or operator of an affected facility to which an opacity standard in this part applies may request the Administrator to determine and to record the opacity of emissions from the affected facility during the initial performance test and at such times as may be required. The owner or operator of the affected facility shall report the opacity results. Any request to the Administrator to determine and to record the opacity of emissions from an affected facility shall be included in the notification required in § 60.7(a)(6). If, for some reason, the Administrator cannot determine and record the opacity of emissions from the affected facility during the performance test, then the provisions of paragraph (e)(1) of this section shall apply.

(4) An owner or operator of an affected facility using a continuous opacity monitor (transmissometer) shall record the monitoring data produced during the initial performance test required by § 60.8 and shall furnish the Administrator a written report of the monitoring results along with Method 9 and § 60.8 performance test results.

(5) An owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under § 60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under § 60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under § 60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under § 60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under § 60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in § 60.13(c) of this part, that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates noncompliance, the Method 9 data will be used to determine compliance with the opacity standard.

(6) Upon receipt from an owner or operator of the written reports of the results of the performance tests required by § 60.8, the opacity observation results and observer certification required by § 60.11(e)(1), and the COMS results, if applicable, the Administrator will make a finding concerning compliance with opacity and other applicable standards. If COMS data results are used to comply with an opacity standard, only those results are required to be submitted along with the performance test results required by § 60.8. If the Administrator finds

that an affected facility is in compliance with all applicable standards for which performance tests are conducted in accordance with § 60.8 of this part but during the time such performance tests are being conducted fails to meet any applicable opacity standard, he shall notify the owner or operator and advise him that he may petition the Administrator within 10 days of receipt of notification to make appropriate adjustment to the opacity standard for the affected facility.

(7) The Administrator will grant such a petition upon a demonstration by the owner or operator that the affected facility and associated air pollution control equipment was operated and maintained in a manner to minimize the opacity of emissions during the performance tests; that the performance tests were performed under the conditions established by the Administrator; and that the affected facility and associated air pollution control equipment were incapable of being adjusted or operated to meet the applicable opacity standard.

(8) The Administrator will establish an opacity standard for the affected facility meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity standard in the Federal Register.

(f) Special provisions set forth under an applicable subpart shall supersede any conflicting provisions in paragraphs (a) through (e) of this section.

(g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

§ 60.12 Circumvention.

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

§ 60.13 Monitoring requirements.

(a) For the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under appendix B to this part and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to this part, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.

(b) All continuous monitoring systems and monitoring devices shall be installed and operational prior to conducting performance tests under § 60.8. Verification of operational status shall, as a minimum, include completion of the manufacturer's written requirements or recommendations for installation, operation, and calibration of the device.

(c) If the owner or operator of an affected facility elects to submit continuous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under § 60.11(e)(5), he shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, appendix B, of this part before the performance test required under § 60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under § 60.8 or within 30 days thereafter in accordance with the applicable performance specification in appendix B of this part, The owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.

(1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under § 60.8 and as described in § 60.11(e)(5) shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in paragraph (c) of this section at least 10 days before the performance test required under § 60.8 is conducted.

(2) Except as provided in paragraph (c)(1) of this section, the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.

(d)

(1) Owners and operators of a CEMS installed in accordance with the provisions of this part, must check the zero (or low level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once each operating day in accordance with a written procedure. The zero and span must, at a minimum, be adjusted whenever either the 24-hour zero drift or the 24-hour span drift exceeds two times the limit of the applicable performance specification in appendix B of this part. The system must allow the amount of the excess zero and span drift to be recorded and quantified whenever specified. Owners and operators of a COMS installed in accordance with the provisions of this part must check the zero and upscale (span) calibration drifts at least once daily. For a particular COMS, the acceptable range of zero and upscale calibration materials is defined in the applicable version of PS-1 in appendix B of this part. For a COMS, the optical surfaces, exposed to the effluent gases, must be cleaned before performing the zero and upscale drift adjustments, except for systems using automatic zero adjustments. The optical surfaces must be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.

(2) Unless otherwise approved by the Administrator, the following procedures must be followed for a COMS. Minimum procedures must include an automated method for producing a simulated zero opacity condition and an upscale opacity condition using a certified neutral density filter or other related technique to produce a known obstruction of the light beam. Such procedures must provide a system check of all active analyzer internal optics with power or curvature, all active electronic circuitry including the light source and photodetector assembly, and electronic or electro-mechanical systems and hardware and or software used during normal measurement operation.

(e) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under paragraph (d) of this section, all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(1) All continuous monitoring systems referenced by paragraph (c) of this section for measuring opacity of emissions shall 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.

(2) All continuous monitoring systems referenced by paragraph (c) of this section for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(f) All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of appendix B of this part shall be used.

(g) When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems shall be installed on each effluent.

When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless the installation of fewer systems is approved by the Administrator. When more than one continuous monitoring system is used to measure the emissions from one affected facility (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system.

(h)

(1) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in § 60.2. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period.

(2) For continuous monitoring systems other than opacity, 1-hour averages shall be computed as follows, except that the provisions pertaining to the validation of partial operating hours are only applicable for affected facilities that are required by the applicable subpart to include partial hours in the emission calculations:

(i) Except as provided under paragraph (h)(2)(iii) of this section, for a full operating hour (any clock hour with 60 minutes of unit operation), at least four valid data points are required to calculate the hourly average, *i.e.*, one data point in each of the 15-minute quadrants of the hour.

(ii) Except as provided under paragraph (h)(2)(iii) of this section, for a partial operating hour (any clock hour with less than 60 minutes of unit operation), at least one valid data point in each 15-minute quadrant of the hour in which the unit operates is required to calculate the hourly average.

(iii) For any operating hour in which required maintenance or quality-assurance activities are performed:

(A) If the unit operates in two or more quadrants of the hour, a minimum of two valid data points, separated by at least 15 minutes, is required to calculate the hourly average; or

(B) If the unit operates in only one quadrant of the hour, at least one valid data point is required to calculate the hourly average.

(iv) If a daily calibration error check is failed during any operating hour, all data for that hour shall be invalidated, unless a subsequent calibration error test is passed in the same hour and the requirements of paragraph (h)(2)(iii) of this section are met, based solely on valid data recorded after the successful calibration.

(v) For each full or partial operating hour, all valid data points shall be used to calculate the hourly average.

(vi) Except as provided under paragraph (h)(2)(vii) of this section, data recorded during periods of continuous monitoring system breakdown, repair, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph.

(vii) Owners and operators complying with the requirements of § 60.7(f)(1) or (2) must include any data recorded during periods of monitor breakdown or malfunction in the data averages.

(viii) When specified in an applicable subpart, hourly averages for certain partial operating hours shall not be computed or included in the emission averages (e.g., hours with < 30 minutes of unit operation under § 60.47b(d)).

(ix) Either arithmetic or integrated averaging of all data may be used to calculate the hourly averages. The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O_2 or ng/J of pollutant).

(3) All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in the applicable subpart. After conversion into units of the standard, the data may be rounded to the same number of significant digits used in the applicable subpart to specify the emission limit.

(i) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring procedures or requirements of this part including, but not limited to the following:

(1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by this part would not provide accurate measurements due to liquid water or other interferences caused by substances in the effluent gases.

(2) Alternative monitoring requirements when the affected facility is infrequently operated.

(3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.

(4) Alternative locations for installing continuous monitoring systems or monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.

(5) Alternative methods of converting pollutant concentration measurements to units of the standards.

(6) Alternative procedures for performing daily checks of zero and span drift that do not involve use of span gases or test cells.

(7) Alternatives to the A.S.T.M. test methods or sampling procedures specified by any subpart.

(8) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, appendix B, but adequately demonstrate a definite and consistent relationship between its measurements and the measurements of opacity by a system complying with the requirements in Performance Specification 1. The Administrator may require that such demonstration be performed for each affected facility.

(9) Alternative monitoring requirements when the effluent from a single affected facility or the combined effluent from two or more affected facilities is released to the atmosphere through more than one point.

(j) An alternative to the relative accuracy (RA) test specified in Performance Specification 2 of appendix B may be requested as follows:

(1) An alternative to the reference method tests for determining RA is available for sources with emission rates demonstrated to be less than 50 percent of the applicable standard. A source owner or operator may petition the Administrator to waive the RA test in Section 8.4 of Performance Specification 2 and substitute the procedures in Section 16.0 if the results of a performance test conducted according to the requirements in § 60.8 of this subpart or other tests performed following the criteria in § 60.8 demonstrate that the emission rate of the pollutant of interest in the units of the applicable standard is less than 50 percent of the applicable standard. For sources subject to standards expressed as control efficiency levels, a source owner or operator may petition the Administrator to waive the RA test and substitute the procedures in Section 16.0 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the continuous emission monitoring system is used to determine compliance continuously with the applicable standard. The petition to waive the RA test shall include a detailed description of the procedures to be applied. Included shall be location and procedure for conducting the alternative, the concentration or response levels of the alternative RA materials, and the other equipment checks included in the alternative procedure. The Administrator will review the petition for completeness and applicability. The determination to grant a waiver will depend on the intended use of the

CEMS data (e.g., data collection purposes other than NSPS) and may require specifications more stringent than in Performance Specification 2 (e.g., the applicable emission limit is more stringent than NSPS).

(2) The waiver of a CEMS RA test will be reviewed and may be rescinded at such time, following successful completion of the alternative RA procedure, that the CEMS data indicate that the source emissions are approaching the level. The criterion for reviewing the waiver is the collection of CEMS data showing that emissions have exceeded 70 percent of the applicable standard for seven, consecutive, averaging periods as specified by the applicable regulation(s). For sources subject to standards expressed as control efficiency levels, the criterion for reviewing the waiver is the collection of CEMS data showing that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for seven, consecutive, averaging periods as specified by the applicable regulation(s) [e.g., §§ 60.45(g) (2) and (3), 60.73(e), and 60.84(e)]. It is the responsibility of the source operator to maintain records and determine the level of emissions relative to the criterion on the waiver of RA testing. If this criterion is exceeded, the owner or operator must notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increasing emissions. The Administrator will review the notification and may rescind the waiver and require the owner or operator to conduct a RA test of the CEMS as specified in Section 8.4 of Performance Specification 2.

Editorial Note: For Federal Register citations affecting § 60.13, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.govinfo.gov.*

§ 60.14 Modification.

(a) Except as provided under paragraphs (e) and (f) of this section, any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere.

(b) Emission rate shall be expressed as kg/hr of any pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine emission rate:

(1) Emission factors as specified in the latest issue of "Compilation of Air Pollutant Emission Factors," EPA Publication No. AP-42, or other emission factors determined by the Administrator to be superior to AP-42 emission factors, in cases where utilization of emission factors demonstrates that the emission level resulting from the physical or operational change will either clearly increase or clearly not increase.

(2) Material balances, continuous monitor data, or manual emission tests in cases where utilization of emission factors as referenced in paragraph (b)(1) of this section does not demonstrate to the Administrator's satisfaction whether the emission level resulting from the physical or operational change will either clearly increase or clearly not increase, or where an owner or operator demonstrates to the Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator utilizing emission factors as referenced in paragraph (b)(1) of this section. When the emission rate is based on results from manual emission tests or continuous monitoring systems, the procedures specified in appendix C of this part shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator based on representative performance of the facility. At least three valid test runs must be conducted before and at least three after the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.

(c) The addition of an affected facility to a stationary source as an expansion to that source or as a replacement for an existing facility shall not by itself bring within the applicability of this part any other facility within that source.

(d) [Reserved]

(e) The following shall not, by themselves, be considered modifications under this part:

(1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of paragraph (c) of this section and § 60.15.

(2) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.

(3) An increase in the hours of operation.

(4) Use of an alternative fuel or raw material if, prior to the date any standard under this part becomes applicable to that source type, as provided by § 60.1, the existing facility was designed to accommodate that alternative use. A facility shall be considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in section 111(a)(8) of the Act, shall not be considered a modification.

(5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Administrator determines to be less environmentally beneficial.

(6) The relocation or change in ownership of an existing facility.

(f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.

(g) Within 180 days of the completion of any physical or operational change subject to the control measures specified in paragraph (a) of this section, compliance with all applicable standards must be achieved.

(h) No physical change, or change in the method of operation, at an existing electric utility steam generating unit shall be treated as a modification for the purposes of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the 5 years prior to the change.

(i) Repowering projects that are awarded funding from the Department of Energy as permanent clean coal technology demonstration projects (or similar projects funded by EPA) are exempt from the requirements of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the five years prior to the change.

(j)

(1) Repowering projects that qualify for an extension under section 409(b) of the Clean Air Act are exempt from the requirements of this section, provided that such change does not increase the actual hourly emissions of any pollutant regulated under this section above the actual hourly emissions achievable at that unit during the 5 years prior to the change.

(2) This exemption shall not apply to any new unit that:

(i) Is designated as a replacement for an existing unit;

(ii) Qualifies under section 409(b) of the Clean Air Act for an extension of an emission limitation compliance date under section 405 of the Clean Air Act; and

(iii) Is located at a different site than the existing unit.

(k) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project is exempt from the requirements of this section. A *temporary clean coal control technology demonstration project,* for the purposes of this section is a clean coal technology demonstration project that is operated for a period of 5 years or less, and which complies with the State implementation plan for the State in which the project is located and other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.

(l) The reactivation of a very clean coal-fired electric utility steam generating unit is exempt from the requirements of this section.

§ 60.15 Reconstruction.

(a) An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate.

(b) "Reconstruction" means the replacement of components of an existing facility to such an extent that:

(1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, and

(2) It is technologically and economically feasible to meet the applicable standards set forth in this part.

(c) "Fixed capital cost" means the capital needed to provide all the depreciable components.

(d) If an owner or operator of an existing facility proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information:

(1) Name and address of the owner or operator.

(2) The location of the existing facility.

(3) A brief description of the existing facility and the components which are to be replaced.

(4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.

(5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility.

(6) The estimated life of the existing facility after the replacements.

(7) A discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

(e) The Administrator will determine within 30 days of the receipt of the notice required by paragraph (d) of this section and any additional information he may reasonably require, whether the proposed replacement constitutes reconstruction.

(f) The Administrator's determination under paragraph (e) shall be based on:

(1) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new facility;

(2) The estimated life of the facility after the replacements compared to the life of a comparable entirely new facility;

(3) The extent to which the components being replaced cause or contribute to the emissions from the facility; and

(4) Any economic or technical limitations on compliance with applicable standards of performance which are inherent in the proposed replacements.

(g) Individual subparts of this part may include specific provisions which refine and delimit the concept of reconstruction set forth in this section.

§ 60.16 Priority list.

Prioritized Major Source Categories	
Priority Number[1]	***Source Category***
1.	Synthetic Organic Chemical Manufacturing Industry (SOCMI) and Volatile Organic Liquid Storage Vessels and Handling Equipment
	(a) SOCMI unit processes
	(b) Volatile organic liquid (VOL) storage vessels and handling equipment
	(c) SOCMI fugitive sources
	(d) SOCMI secondary sources
2.	Industrial Surface Coating: Cans
3.	Petroleum Refineries: Fugitive Sources
4.	Industrial Surface Coating: Paper
5.	Dry Cleaning
	(a) Perchloroethylene
	(b) Petroleum solvent
6.	Graphic Arts
7.	Polymers and Resins: Acrylic Resins
8.	Mineral Wool (Deleted)
9.	Stationary Internal Combustion Engines
10.	Industrial Surface Coating: Fabric
11.	Industrial-Commercial-Institutional Steam Generating Units.
12.	Incineration: Non-Municipal (Deleted)
13.	Non-Metallic Mineral Processing
14.	Metallic Mineral Processing

Prioritized Major Source Categories	
Priority Number[1]	***Source Category***
15.	Secondary Copper (Deleted)
16.	Phosphate Rock Preparation
17.	Foundries: Steel and Gray Iron
18.	Polymers and Resins: Polyethylene
19.	Charcoal Production
20.	Synthetic Rubber
	(a) Tire manufacture
	(b) SBR production
21.	Vegetable Oil
22.	Industrial Surface Coating: Metal Coil
23.	Petroleum Transportation and Marketing
24.	By-Product Coke Ovens
25.	Synthetic Fibers
26.	Plywood Manufacture
27.	Industrial Surface Coating: Automobiles
28.	Industrial Surface Coating: Large Appliances
29.	Crude Oil and Natural Gas Production
30.	Secondary Aluminum
31.	Potash (Deleted)
32.	Lightweight Aggregate Industry: Clay, Shale, and Slate[2]
33.	Glass
34.	Gypsum
35.	Sodium Carbonate
36.	Secondary Zinc (Deleted)
37.	Polymers and Resins: Phenolic

Prioritized Major Source Categories	
Priority Number[1]	***Source Category***
38.	Polymers and Resins: Urea-Melamine
39.	Ammonia (Deleted)
40.	Polymers and Resins: Polystyrene
41.	Polymers and Resins: ABS-SAN Resins
42.	Fiberglass
43.	Polymers and Resins: Polypropylene
44.	Textile Processing
45.	Asphalt Processing and Asphalt Roofing Manufacture
46.	Brick and Related Clay Products
47.	Ceramic Clay Manufacturing (Deleted)
48.	Ammonium Nitrate Fertilizer
49.	Castable Refractories (Deleted)
50.	Borax and Boric Acid (Deleted)
51.	Polymers and Resins: Polyester Resins
52.	Ammonium Sulfate
53.	Starch
54.	Perlite
55.	Phosphoric Acid: Thermal Process (Deleted)
56.	Uranium Refining
57.	Animal Feed Defluorination (Deleted)
58.	Urea (for fertilizer and polymers)
59.	Detergent (Deleted)
Other Source Categories	
Lead acid battery manufacture[3]	
Organic solvent cleaning[3]	

Prioritized Major Source Categories	
Priority Number[1]	***Source Category***
Industrial surface coating: metal furniture[3]	
Stationary gas turbines[4]	
Municipal solid waste landfills[4]	

[1] Low numbers have highest priority, e.g., No. 1 is high priority, No. 59 is low priority.

[2] Formerly titled "Sintering: Clay and Fly Ash".

[3] Minor source category, but included on list since an NSPS is being developed for that source category.

[4] Not prioritized, since an NSPS for this major source category has already been promulgated.

§ 60.17 Incorporations by reference.

(a)

(1) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the U.S. Environmental Protection Agency (EPA) must publish a document in the Federal Register and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at the EPA and at the National Archives and Records Administration (NARA). Contact the EPA at: EPA Docket Center, Public Reading Room, EPA WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC; phone: (202) 566-1744. For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations* or email *fr.inspection@nara.gov*.

(2) The IBR material may be obtained from the sources in the following paragraphs of this section or from one or more private resellers listed in this paragraph (a)(2). For material that is no longer commercially available, contact: the EPA (see paragraph (a)(1) of this section).

(i) Accuris Standards Store, 321 Inverness Drive, South Englewood, CO 80112; phone: (800) 332-6077; website: *https://store.accuristech.com*.

(ii) American National Standards Institute (ANSI), see paragraph (d) of this section.

(iii) GlobalSpec, 257 Fuller Road, Suite NFE 1100, Albany, NY 12203-3621; phone: (800) 261-2052; website: *https://standards.globalspec.com*.

(iv) Nimonik Document Center, 401 Roland Way, Suite 224, Oakland, CA 94624; phone (650) 591-7600; email: *info@document-center.com*; website: *www.document-center.com*.

(v) Techstreet, phone: (855) 999-9870; email: *store@techstreet.com*; website: *www.techstreet.com*.

(b) American Gas Association, available through ILI Infodisk, 610 Winters Avenue, Paramus, New Jersey 07652:

(1) American Gas Association Report No. 3: Orifice Metering for Natural Gas and Other Related Hydrocarbon Fluids, Part 1: General Equations and Uncertainty Guidelines (1990), IBR approved for § 60.107a(d).

(2) American Gas Association Report No. 3: Orifice Metering for Natural Gas and Other Related Hydrocarbon Fluids, Part 2: Specification and Installation Requirements (2000), IBR approved for § 60.107a(d).

(3) American Gas Association Report No. 11: Measurement of Natural Gas by Coriolis Meter (2003), IBR approved for § 60.107a(d).

(4) American Gas Association Transmission Measurement Committee Report No. 7: Measurement of Gas by Turbine Meters (Revised February 2006), IBR approved for § 60.107a(d).

(c) American Hospital Association (AHA) Service, Inc., Post Office Box 92683, Chicago, Illinois 60675-2683.

(1) An Ounce of Prevention: Waste Reduction Strategies for Health Care Facilities. American Society for Health Care Environmental Services of the American Hospital Association. Chicago, Illinois. 1993. AHA Catalog No. 057007. ISBN 0-87258-673-5. IBR approved for §§ 60.35e and 60.55c.

(2) [Reserved]

(d) American National Standards Institute (ANSI), 25 West 43rd Street, Fourth Floor, New York, NY 10036-7417; phone: (212) 642-4980; email: *info@ansi.org*; website: *www.ansi.org*.

(1) ANSI No. C12.20-2010 American National Standard for Electricity Meters—0.2 and 0.5 Accuracy Classes (Approved August 31, 2010); IBR approved for §§ 60.5535(d); 60.5535a(d); 60.5860b(a).

(2) [Reserved]

(e) American Petroleum Institute (API), 200 Massachusetts Ave. NW, Suite 1100, Washington, DC 20001; phone: (202) 682-8000; website: *www.api.org*.

(1) API Publication 2517, Evaporation Loss from External Floating Roof Tanks, Second Edition, February 1980, IBR approved for §§ 60.111(i), 60.111a(f), and 60.116b(e).

(2) API Manual of Petroleum Measurement Standards, Chapter 14—Natural Gas Fluids Measurement, Section 1—Collecting and Handling of Natural Gas Samples for Custody Transfer, 7th Edition, May 2016, IBR approved for § 60.4415(a).

(3) API Manual of Petroleum Measurement Standards, Chapter 22—Testing Protocol, Section 2—Differential Pressure Flow Measurement Devices, First Edition, August 2005, IBR approved for § 60.107a(d).

(f) American Public Health Association, 1015 18th Street NW., Washington, DC 20036.

(1) "Standard Methods for the Examination of Water and Wastewater," 16th edition, 1985. Method 303F: "Determination of Mercury by the Cold Vapor Technique." Incorporated by reference for appendix A-8 to part 60, Method 29, §§ 9.2.3, 10.3, and 11.1.3.

(2) 2540 G. Total, Fixed, and Volatile Solids in Solid and Semisolid Samples, in Standard Methods for the Examination of Water and Wastewater, 20th Edition, 1998, IBR approved for § 60.154(b).

(g) American Society of Mechanical Engineers (ASME), Two Park Avenue, New York, NY 10016-5990; phone: (800) 843-2763; email: *CustomerCare@asme.org;* website: *www.asme.org.*

(1) ASME Interim Supplement 19.5 on Instruments and Apparatus: Application, Part II of Fluid Meters, 6th Edition (1971), IBR approved for §§ 60.58a(h), 60.58b(i), 60.1320(a), and 60.1810(a).

(2) ASME MFC-3M-2004, Measurement of Fluid Flow in Pipes Using Orifice, Nozzle, and Venturi, IBR approved for § 60.107a(d).

(3) ASME/ANSI MFC-4M-1986 (Reaffirmed 2008), Measurement of Gas Flow by Turbine Meters, IBR approved for § 60.107a(d).

(4) ASME/ANSI MFC-5M-1985 (Reaffirmed 2006), Measurement of Liquid Flow in Closed Conduits Using Transit-Time Ultrasonic Flowmeters, IBR approved for § 60.107a(d).

(5) ASME MFC-6M-1998 (Reaffirmed 2005), Measurement of Fluid Flow in Pipes Using Vortex Flowmeters, IBR approved for § 60.107a(d).

(6) ASME/ANSI MFC-7M-1987 (Reaffirmed 2006), Measurement of Gas Flow by Means of Critical Flow Venturi Nozzles, IBR approved for § 60.107a(d).

(7) ASME/ANSI MFC-9M-1988 (Reaffirmed 2006), Measurement of Liquid Flow in Closed Conduits by Weighing Method, IBR approved for § 60.107a(d).

(8) ASME MFC-11M-2006, Measurement of Fluid Flow by Means of Coriolis Mass Flowmeters, IBR approved for § 60.107a(d).

(9) ASME MFC-14M-2003, Measurement of Fluid Flow Using Small Bore Precision Orifice Meters, IBR approved for § 60.107a(d).

(10) ASME MFC-16-2007, Measurement of Liquid Flow in Closed Conduits with Electromagnetic Flowmeters, IBR approved for § 60.107a(d).

(11) ASME MFC-18M-2001, Measurement of Fluid Flow Using Variable Area Meters, IBR approved for § 60.107a(d).

(12) ASME MFC-22-2007, Measurement of Liquid by Turbine Flowmeters, IBR approved for § 60.107a(d).

(13) ASME PTC 4.1-1964 (Reaffirmed 1991), Power Test Codes: Test Code for Steam Generating Units (with 1968 and 1969 Addenda), IBR approved for §§ 60.46b, 60.58a(h), 60.58b(i), 60.1320(a), and 60.1810(a).

(14) ASME/ANSI PTC 19.10-1981, Flue and Exhaust Gas Analyses [Part 10, Instruments and Apparatus], Issued August 31, 1981; IBR approved for §§ 60.56c(b); 60.63(f); 60.106(e); 60.104a(d), (h), (i), and (j); 60.105a(b), (d), (f), and (g); 60.106a(a); 60.107a(a), (c), and (d); 60.275(e); 60.275a(e); 60.275b(e); tables 1 and 3 to subpart EEEE; tables 2 and 4 to subpart FFFF; table 2 to subpart JJJJ; §§ 60.285a(f); 60.396(a); 60.614a(b); 60.664a(b); 60.704(b); 60.704a(b); 60.2145(s) and (t); 60.2710(s) and (t); 60.2730(q); 60.4415(a); 60.4900(b); 60.5220(b); tables 1 and 2 to subpart LLLL; tables 2 and 3 to subpart MMMM; §§ 60.5406(c); 60.5406a(c); 60.5406b(c); 60.5407a(g); 60.5407b(g); 60.5413(b); 60.5413a(b) and (d); 60.5413b(d) and (d); 60.5413c(b) and (d).

(15) ASME PTC 22-2014, Gas Turbines: Performance Test Codes, (Issued December 31, 2014); IBR approved for §§ 60.5580; 60.5580a.

(16) ASME PTC 46-1996, Performance Test Code on Overall Plant Performance, (Issued October 15,1997); IBR approved for §§ 60.5580; 60.5580a.

(17) ASME QRO-1-1994, Standard for the Qualification and Certification of Resource Recovery Facility Operators, IBR approved for §§ 60.54b(a) and (b), 60.56a, 60.1185(a) and (c), and 60.1675(a) and (c).

(h) ASTM International, 100 Barr Harbor Drive, P.O. Box CB700, West Conshohocken, Pennsylvania 19428-2959; phone: (800) 262-1373; website: *www.astm.org.*

(1) ASTM A99-76, Standard Specification for Ferromanganese, IBR approved for § 60.261.

(2) ASTM A99-82 (Reapproved 1987), Standard Specification for Ferromanganese, IBR approved for § 60.261.

(3) ASTM A100-69, Standard Specification for Ferrosilicon, IBR approved for § 60.261.

(4) ASTM A100-74, Standard Specification for Ferrosilicon, IBR approved for § 60.261.

(5) ASTM A100-93, Standard Specification for Ferrosilicon, IBR approved for § 60.261.

(6) ASTM A101-73, Standard Specification for Ferrochromium, IBR approved for § 60.261.

(7) ASTM A101-93, Standard Specification for Ferrochromium, IBR approved for § 60.261.

(8) ASTM A482-76, Standard Specification for Ferrochromesilicon, IBR approved for § 60.261.

(9) ASTM A482-93, Standard Specification for Ferrochromesilicon, IBR approved for § 60.261.

(10) ASTM A483-64, Standard Specification for Silicomanganese, IBR approved for § 60.261.

(11) ASTM A483-74 (Reapproved 1988), Standard Specification for Silicomanganese, IBR approved for § 60.261.

(12) ASTM A495-76, Standard Specification for Calcium-Silicon and Calcium Manganese-Silicon, IBR approved for § 60.261.

(13) ASTM A495-94, Standard Specification for Calcium-Silicon and Calcium Manganese-Silicon, IBR approved for § 60.261.

(14) ASTM D86-78, Distillation of Petroleum Products, IBR approved for §§ 60.562-2(d), 60.593(d), 60.593a(d), 60.633(h).

(15) ASTM D86-82, Distillation of Petroleum Products, IBR approved for §§ 60.562-2(d), 60.593(d), 60.593a(d), 60.633(h).

(16) ASTM D86-90, Distillation of Petroleum Products, IBR approved for §§ 60.562-2(d), 60.593(d), 60.593a(d), 60.633(h).

(17) ASTM D86-93, Distillation of Petroleum Products, IBR approved for §§ 60.562-2(d), 60.593(d), 60.593a(d), 60.633(h).

(18) ASTM D86-95, Distillation of Petroleum Products, IBR approved for §§ 60.562-2(d), 60.593(d), 60.593a(d), 60.633(h).

(19) ASTM D86-96, Distillation of Petroleum Products, approved April 10, 1996; IBR approved for §§ 60.562-2(d). 60.593(d). 60.593a(d); 60.633(h); 60.5401(f); 60.5401a(f); 60.5402b(d); 60.5402c(d).

(20) ASTM D129-64, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), IBR approved for §§ 60.106(j) and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

(21) ASTM D129-78, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), IBR approved for §§ 60.106(j) and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

(22) ASTM D129-95, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), IBR approved for §§ 60.106(j) and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

(23) ASTM D129-00, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), IBR approved for § 60.335(b).

(24) ASTM D129-00 (Reapproved 2005), Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), IBR approved for § 60.4415(a).

(25) ASTM D240-76, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter, IBR approved for §§ 60.46(c), 60.296(b), and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

(26) ASTM D240-92, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter, IBR approved for §§ 60.46(c), 60.296(b), and appendix A-7: Method 19, Section 12.5.2.2.3.

(27) ASTM D240-02 (Reapproved 2007), Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter, (Approved May 1, 2007), IBR approved for § 60.107a(d).

(28) ASTM D240-19, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter, approved November 1, 2019; IBR approved for § 60.485b(g).

(29) ASTM D270-65, Standard Method of Sampling Petroleum and Petroleum Products, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.2.1.

(30) ASTM D270-75, Standard Method of Sampling Petroleum and Petroleum Products, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.2.1.

(31) ASTM D323-82, Test Method for Vapor Pressure of Petroleum Products (Reid Method), IBR approved for §§ 60.111(l), 60.111a(g), 60.111b, and 60.116b(f).

(32) ASTM D323-94, Test Method for Vapor Pressure of Petroleum Products (Reid Method), IBR approved for §§ 60.111(l), 60.111a(g), 60.111b, and 60.116b(f).

(33) ASTM D388-77, Standard Specification for Classification of Coals by Rank, IBR approved for §§ 60.41, 60.45(f), 60.41Da, 60.41b, 60.41c, and 60.251.

(34) ASTM D388-90, Standard Specification for Classification of Coals by Rank, IBR approved for §§ 60.41, 60.45(f), 60.41Da, 60.41b, 60.41c, and 60.251.

(35) ASTM D388-91, Standard Specification for Classification of Coals by Rank, IBR approved for §§ 60.41, 60.45(f), 60.41Da, 60.41b, 60.41c, and 60.251.

(36) ASTM D388-95, Standard Specification for Classification of Coals by Rank, IBR approved for §§ 60.41, 60.45(f), 60.41Da, 60.41b, 60.41c, and 60.251.

(37) ASTM D388-98a, Standard Specification for Classification of Coals by Rank, IBR approved for §§ 60.41, 60.45(f), 60.41Da, 60.41b, 60.41c, and 60.251.

(38) ASTM D388-99 (Reapproved 2004)$^{\varepsilon 1}$(ASTM D388-99R04), Standard Classification of Coals by Rank, (Approved June 1, 2004); IBR approved for §§ 60.41; 60.45(f); 60.41Da; 60.41b; 60.41c; 60.251; 60.5580; 60.5580a.

(39) ASTM D396-78, Standard Specification for Fuel Oils, IBR approved for §§ 60.41b, 60.41c, 60.111(b), and 60.111a(b).

(40) ASTM D396-89, Standard Specification for Fuel Oils, IBR approved for §§ 60.41b, 60.41c, 60.111(b), and 60.111a(b).

(41) ASTM D396-90, Standard Specification for Fuel Oils, IBR approved for §§ 60.41b, 60.41c, 60.111(b), and 60.111a(b).

(42) ASTM D396-92, Standard Specification for Fuel Oils, IBR approved for §§ 60.41b, 60.41c, 60.111(b), and 60.111a(b).

(43) ASTM D396-98, Standard Specification for Fuel Oils, (Approved April 10, 1998); IBR approved for §§ 60.41b; 60.41c; 60.111(b); 60.111a(b); 60.5580; 60.5580a.

(44) ASTM D975-78, Standard Specification for Diesel Fuel Oils, IBR approved for §§ 60.111(b) and 60.111a(b).

(45) ASTM D975-96, Standard Specification for Diesel Fuel Oils, IBR approved for §§ 60.111(b) and 60.111a(b).

(46) ASTM D975-98a, Standard Specification for Diesel Fuel Oils, IBR approved for §§ 60.111(b) and 60.111a(b).

(47) ASTM D975-08a, Standard Specification for Diesel Fuel Oils, (Approved October 1, 2008); IBR approved for §§ 60.41b; 60.41c; 60.5580; 60.5580a.

(48) ASTM D1072-80, Standard Test Method for Total Sulfur in Fuel Gases, IBR approved for § 60.335(b).

(49) ASTM D1072-90 (Reapproved 1994), Standard Test Method for Total Sulfur in Fuel Gases, IBR approved for § 60.335(b).

(50) ASTM D1072-90 (Reapproved 1999), Standard Test Method for Total Sulfur in Fuel Gases, IBR approved for § 60.4415(a).

(51) ASTM D1137-53, Standard Method for Analysis of Natural Gases and Related Types of Gaseous Mixtures by the Mass Spectrometer, IBR approved for § 60.45(f).

(52) ASTM D1137-75, Standard Method for Analysis of Natural Gases and Related Types of Gaseous Mixtures by the Mass Spectrometer, IBR approved for § 60.45(f).

(53) ASTM D1193-77, Standard Specification for Reagent Water, IBR approved for appendix A-3 to part 60: Method 5, Section 7.1.3; Method 5E, Section 7.2.1; Method 5F, Section 7.2.1; appendix A-4 to part 60: Method 6, Section 7.1.1; Method 7, Section 7.1.1; Method 7C, Section 7.1.1; Method 7D, Section 7.1.1; Method 10A, Section 7.1.1; appendix A-5 to part 60: Method 11, Section 7.1.3; Method 12, Section 7.1.3; Method 13A, Section 7.1.2; appendix A-8 to part 60: Method 26, Section 7.1.2; Method 26A, Section 7.1.2; and Method 29, Section 7.2.2.

(54) ASTM D1193-91, Standard Specification for Reagent Water, IBR approved for appendix A-3 to part 60: Method 5, Section 7.1.3; Method 5E, Section 7.2.1; Method 5F, Section 7.2.1; appendix A-4 to part 60: Method 6, Section 7.1.1; Method 7, Section 7.1.1; Method 7C, Section 7.1.1; Method 7D, Section 7.1.1; Method 10A, Section 7.1.1; appendix A-5 to part 60: Method 11, Section 7.1.3; Method 12, Section 7.1.3; Method 13A, Section 7.1.2; appendix A-8 to part 60: Method 26, Section 7.1.2; Method 26A, Section 7.1.2; and Method 29, Section 7.2.2.

(55) ASTM D1266-87, Standard Test Method for Sulfur in Petroleum Products (Lamp Method), IBR approved for §§ 60.106(j) and 60.335(b).

(56) ASTM D1266-91, Standard Test Method for Sulfur in Petroleum Products (Lamp Method), IBR approved for §§ 60.106(j) and 60.335(b).

(57) ASTM D1266-98, Standard Test Method for Sulfur in Petroleum Products (Lamp Method), IBR approved for §§ 60.106(j) and 60.335(b).

(58) ASTM D1266-98 (Reapproved 2003)$^{\varepsilon,1}$ Standard Test Method for Sulfur in Petroleum Products (Lamp Method), IBR approved for § 60.4415(a).

(59) ASTM D1475-60 (Reapproved 1980), Standard Test Method for Density of Paint, Varnish Lacquer, and Related Products, IBR approved for § 60.435(d), appendix A-7 to part 60: Method 24, Section 6.1; and Method 24A, Sections 6.5 and 7.1.

(60) ASTM D1475-90, Standard Test Method for Density of Paint, Varnish Lacquer, and Related Products, IBR approved for § 60.435(d), appendix A-7 to part 60: Method 24, Section 6.1; and Method 24A, §§ 6.5 and 7.1.

(61) ASTM D1475-13, Standard Test Method for Density of Liquid Coatings, Inks, and Related Products, Approved November 1, 2013; IBR approved for § 60.393a(f).

(62) ASTM D1552-83, Standard Test Method for Sulfur in Petroleum Products (High-Temperature Method), IBR approved for §§ 60.106(j), 60.335(b), and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

(63) ASTM D1552-95, Standard Test Method for Sulfur in Petroleum Products (High-Temperature Method), IBR approved for §§ 60.106(j), 60.335(b), and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

(64) ASTM D1552-01, Standard Test Method for Sulfur in Petroleum Products (High-Temperature Method), IBR approved for §§ 60.106(j), 60.335(b), and appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

(65) ASTM D1552-03, Standard Test Method for Sulfur in Petroleum Products (High-Temperature Method), IBR approved for § 60.4415(a).

(66) ASTM D1826-77, Standard Test Method for Calorific Value of Gases in Natural Gas Range by Continuous Recording Calorimeter, IBR approved for §§ 60.45(f), 60.46(c), 60.296(b), and appendix A-7 to part 60: Method 19, Section 12.3.2.4.

(67) ASTM D1826-94, Standard Test Method for Calorific Value of Gases in Natural Gas Range by Continuous Recording Calorimeter, IBR approved for §§ 60.45(f), 60.46(c), 60.296(b), and appendix A-7 to part 60: Method 19, Section 12.3.2.4.

(68) ASTM D1826-94 (Reapproved 2003), Standard Test Method for Calorific (Heating) Value of Gases in Natural Gas Range by Continuous Recording Calorimeter, (Approved May 10, 2003), IBR approved for § 60.107a(d).

(69) ASTM D1835-87, Standard Specification for Liquefied Petroleum (LP) Gases, IBR approved for §§ 60.41Da, 60.41b, and 60.41c.

(70) ASTM D1835-91, Standard Specification for Liquefied Petroleum (LP) Gases, IBR approved for §§ 60.41Da, 60.41b, and 60.41c.

(71) ASTM D1835-97, Standard Specification for Liquefied Petroleum (LP) Gases, IBR approved for §§ 60.41Da, 60.41b, and 60.41c.

(72) ASTM D1835-03a, Standard Specification for Liquefied Petroleum (LP) Gases, IBR approved for §§ 60.41Da, 60.41b, and 60.41c.

(73) ASTM D1945-64, Standard Method for Analysis of Natural Gas by Gas Chromatography, IBR approved for § 60.45(f).

(74) ASTM D1945-76, Standard Method for Analysis of Natural Gas by Gas Chromatography, IBR approved for § 60.45(f).

(75) ASTM D1945-91, Standard Method for Analysis of Natural Gas by Gas Chromatography, IBR approved for § 60.45(f).

(76) ASTM D1945-96, Standard Method for Analysis of Natural Gas by Gas Chromatography, IBR approved for § 60.45(f).

(77) ASTM D1945-03 (Reapproved 2010), Standard Method for Analysis of Natural Gas by Gas Chromatography, approved January 1, 2010; IBR approved for §§ 60.107a(d); 60.5413(d); 60.5413a(d); 60.5413b(d); 60.5413c(d).

(78) ASTM D1945-14 (Reapproved 2019), Standard Test Method for Analysis of Natural Gas by Gas Chromatography, approved December 1, 2019; IBR approved for § 60.485b(g).

(79) ASTM D1946-77, Standard Method for Analysis of Reformed Gas by Gas Chromatography, IBR approved for §§ 60.18(f), 60.45(f), 60.564(f), 60.614(e), 60.664(e), and 60.704(d).

(80) ASTM D1946-90 (Reapproved 1994), Standard Method for Analysis of Reformed Gas by Gas Chromatography, IBR approved for §§ 60.18(f), 60.45(f), 60.564(f), 60.614(e), 60.664(e), and 60.704(d).

(81) ASTM D1946-90 (Reapproved 2006), Standard Method for Analysis of Reformed Gas by Gas Chromatography, (Approved June 1, 2006), IBR approved for § 60.107a(d).

(82) ASTM D2013-72, Standard Method of Preparing Coal Samples for Analysis, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(83) ASTM D2013-86, Standard Method of Preparing Coal Samples for Analysis, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(84) ASTM D2015-77 (Reapproved 1978), Standard Test Method for Gross Calorific Value of Solid Fuel by the Adiabatic Bomb Calorimeter, IBR approved for §§ 60.45(f), 60.46(c), and appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(85) ASTM D2015-96, Standard Test Method for Gross Calorific Value of Solid Fuel by the Adiabatic Bomb Calorimeter, IBR approved for §§ 60.45(f), 60.46(c), and appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(86) ASTM D2016-74, Standard Test Methods for Moisture Content of Wood, IBR approved for appendix A-8 to part 60: Method 28, Section 16.1.1.

(87) ASTM D2016-83, Standard Test Methods for Moisture Content of Wood, IBR approved for appendix A-8 to part 60: Method 28, Section 16.1.1.

(88) ASTM D2234-76, Standard Methods for Collection of a Gross Sample of Coal, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.1.

(89) ASTM D2234-96, Standard Methods for Collection of a Gross Sample of Coal, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.1.

(90) ASTM D2234-97b, Standard Methods for Collection of a Gross Sample of Coal, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.1.

(91) ASTM D2234-98, Standard Methods for Collection of a Gross Sample of Coal, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.1.

(92) ASTM D2369-81, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A-7 to part 60: Method 24, Section 6.2.

(93) ASTM D2369-87, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A-7 to part 60: Method 24, Section 6.2.

(94) ASTM D2369-90, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A-7 to part 60: Method 24, Section 6.2.

(95) ASTM D2369-92, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A-7 to part 60: Method 24, Section 6.2.

(96) ASTM D2369-93, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A-7 to part 60: Method 24, Section 6.2.

(97) ASTM D2369-95, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A-7 to part 60: Method 24, Section 6.2.

(98) ASTM D2369-10 (Reapproved 2015)e1, Standard Test Method for Volatile Content of Coatings, (Approved June 1, 2015); IBR approved for appendix A-7 to part 60: Method 24, Section 6.2.

(99) ASTM D2369-20, Standard Test Method for Volatile Content of Coatings, Approved June 1, 2020; IBR approved for §§ 60.393a(f); 60.723(b); 60.724(a); 60.725(b); 60.723a(b); 60.724a(a); 60.725a(b).

(100) ASTM D2382-76, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for §§ 60.18(f), 60.485(g), 60.485a(g), 60.564(f), 60.614(e), 60.664(e), and 60.704(d).

(101) ASTM D2382-88, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for §§ 60.18(f), 60.485(g), 60.485a(g), 60.564(f), 60.614(e), 60.664(e), and 60.704(d).

(102) ASTM D2504-67, Noncondensable Gases in C3 and Lighter Hydrocarbon Products by Gas Chromatography, IBR approved for §§ 60.485(g) and 60.485a(g).

(103) ASTM D2504-77, Noncondensable Gases in C3 and Lighter Hydrocarbon Products by Gas Chromatography, IBR approved for §§ 60.485(g) and 60.485a(g).

(104) ASTM D2504-88 (Reapproved 1993), Noncondensable Gases in C3 and Lighter Hydrocarbon Products by Gas Chromatography, IBR approved for §§ 60.485(g) and 60.485a(g).

(105) ASTM D2584-68(Reapproved 1985), Standard Test Method for Ignition Loss of Cured Reinforced Resins, IBR approved for § 60.685(c).

(106) ASTM D2584-94, Standard Test Method for Ignition Loss of Cured Reinforced Resins, IBR approved for § 60.685(c).

(107) ASTM D2597-94 (Reapproved 1999), Standard Test Method for Analysis of Demethanized Hydrocarbon Liquid Mixtures Containing Nitrogen and Carbon Dioxide by Gas Chromatography, IBR approved for § 60.335(b).

(108) ASTM D2622-87, Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry, IBR approved for §§ 60.106(j) and 60.335(b).

(109) ASTM D2622-94, Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry, IBR approved for §§ 60.106(j) and 60.335(b).

(110) ASTM D2622-98, Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry, IBR approved for §§ 60.106(j) and 60.335(b).

(111) ASTM D2622-05, Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry, IBR approved for § 60.4415(a).

(112) ASTM D2697-22, Standard Test Method for Volume Nonvolatile Matter in Clear or Pigmented Coatings, Approved July 1, 2022; IBR approved for §§ 60.393a(g); 60.723(b); 60.724(a); 60.725(b); 60.723a(b); 60.724a(a); 60.725a(b).

(113) ASTM D2879-83, Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved 1983; IBR approved for §§ 60.111b(f); 60.116b(e) and (f); 60.485(e); 60.485a(e); 60.5403b(d); 60.5406c(d).

(114) ASTM D2879-96, Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved 1996; IBR approved for §§ 60.111b(f); 60.116b(e) and (f); 60.485(e); 60.485a(e); 60.5403b(d); 60.5406c(d).

(115) ASTM D2879-97, Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved 1997; IBR approved for §§ 60.111b(f); 60.116b(e) and (f); 60.485(e); 60.485a(e); 60.5403b(d); 60.5406c(d).

(116) ASTM D2879-23, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved December 1, 2019; IBR approved for § 60.485b(e).

(117) ASTM D2880-78, Standard Specification for Gas Turbine Fuel Oils, IBR approved for §§ 60.111(b), 60.111a(b), and 60.335(d).

(118) ASTM D2880-96, Standard Specification for Gas Turbine Fuel Oils, IBR approved for §§ 60.111(b), 60.111a(b), and 60.335(d).

(119) ASTM D2908-74, Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, IBR approved for § 60.564(j).

(120) ASTM D2908-91, Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, IBR approved for § 60.564(j).

(121) ASTM D2986-71, Standard Method for Evaluation of Air, Assay Media by the Monodisperse DOP (Dioctyl Phthalate) Smoke Test, IBR approved for appendix A-3 to part 60: Method 5, Section 7.1.1; appendix A-5 to part 60: Method 12, Section 7.1.1; and Method 13A, Section 7.1.1.2.

(122) ASTM D2986-78, Standard Method for Evaluation of Air, Assay Media by the Monodisperse DOP (Dioctyl Phthalate) Smoke Test, IBR approved for appendix A-3 to part 60: Method 5, Section 7.1.1; appendix A-5 to part 60: Method 12, Section 7.1.1; and Method 13A, Section 7.1.1.2.

(123) ASTM D2986-95a, Standard Method for Evaluation of Air, AssaMedia by the Monodisperse DOP (Dioctyl Phthalate) Smoke Test, IBR approved for appendix A-3 to part 60: Method 5, Section 7.1.1; appendix A-5 to part 60: Method 12, Section 7.1.1; and Method 13A, Section 7.1.1.2.

(124) ASTM D3173-73, Standard Test Method for Moisture in the Analysis Sample of Coal and Coke, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(125) ASTM D3173-87, Standard Test Method for Moisture in the Analysis Sample of Coal and Coke, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(126) ASTM D3176-74, Standard Method for Ultimate Analysis of Coal and Coke, IBR approved for § 60.45(f)(5)(i) and appendix A-7 to part 60: Method 19, Section 12.3.2.3.

(127) ASTM D3176-89, Standard Method for Ultimate Analysis of Coal and Coke, IBR approved for § 60.45(f)(5)(i) and appendix A-7 to part 60: Method 19, Section 12.3.2.3.

(128) ASTM D3177-75, Standard Test Method for Total Sulfur in the Analysis Sample of Coal and Coke, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(129) ASTM D3177-89, Standard Test Method for Total Sulfur in the Analysis Sample of Coal and Coke, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(130) ASTM D3178-73 (Reapproved 1979), Standard Test Methods for Carbon and Hydrogen in the Analysis Sample of Coal and Coke, IBR approved for § 60.45(f).

(131) ASTM D3178-89, Standard Test Methods for Carbon and Hydrogen in the Analysis Sample of Coal and Coke, IBR approved for § 60.45(f).

(132) ASTM D3246-81, Standard Test Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry, IBR approved for § 60.335(b).

(133) ASTM D3246-92, Standard Test Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry, IBR approved for § 60.335(b).

(134) ASTM D3246-96, Standard Test Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry, IBR approved for § 60.335(b).

(135) ASTM D3246-05, Standard Test Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry, IBR approved for § 60.4415(a)(1).

(136) ASTM D3270-73T, Standard Test Methods for Analysis for Fluoride Content of the Atmosphere and Plant Tissues (Semiautomated Method), IBR approved for appendix A-5 to part 60: Method 13A, Section 16.1.

(137) ASTM D3270-80, Standard Test Methods for Analysis for Fluoride Content of the Atmosphere and Plant Tissues (Semiautomated Method), IBR approved for appendix A-5 to part 60: Method 13A, Section 16.1.

(138) ASTM D3270-91, Standard Test Methods for Analysis for Fluoride Content of the Atmosphere and Plant Tissues (Semiautomated Method), IBR approved for appendix A-5 to part 60: Method 13A, Section 16.1.

(139) ASTM D3270-95, Standard Test Methods for Analysis for Fluoride Content of the Atmosphere and Plant Tissues (Semiautomated Method), IBR approved for appendix A-5 to part 60: Method 13A, Section 16.1.

(140) ASTM D3286-85, Standard Test Method for Gross Calorific Value of Coal and Coke by the Isoperibol Bomb Calorimeter, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(141) ASTM D3286-96, Standard Test Method for Gross Calorific Value of Coal and Coke by the Isoperibol Bomb Calorimeter, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(142) ASTM D3370-76, Standard Practices for Sampling Water, IBR approved for § 60.564(j).

(143) ASTM D3370-95a, Standard Practices for Sampling Water, IBR approved for § 60.564(j).

(144) ASTM D3588-98 (Reapproved 2003), Standard Practice for Calculating Heat Value, Compressibility Factor, and Relative Density of Gaseous Fuels, approved May 10, 2003; IBR approved for §§ 60.107a(d); 60.5413(d); 60.5413a(d); 60.5413b(d); 60.5413c(d).

(145) ASTM D3699-08, Standard Specification for Kerosine, including Appendix X1, (Approved September 1, 2008); IBR approved for §§ 60.41b; 60.41c; 60.5580; 60.5580a.

(146) ASTM D3792-79, Standard Test Method for Water Content of Water-Reducible Paints by Direct Injection into a Gas Chromatograph, IBR approved for appendix A-7 to part 60: Method 24, Section 6.3.

(147) ASTM D3792-91, Standard Test Method for Water Content of Water-Reducible Paints by Direct Injection into a Gas Chromatograph, IBR approved for appendix A-7 to part 60: Method 24, Section 6.3.

(148) ASTM D4017-81, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A-7 to part 60: Method 24, Section 6.4.

(149) ASTM D4017-90, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A-7 to part 60: Method 24, Section 6.4.

(150) ASTM D4017-96a, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A-7 to part 60: Method 24, Section 6.4.

(151) ASTM D4057-81, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

(152) ASTM D4057-95, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.2.3.

(153) ASTM D4057-95 (Reapproved 2000), Standard Practice for Manual Sampling of Petroleum and Petroleum Products, IBR approved for § 60.4415(a).

(154) ASTM D4084-82, Standard Test Method for Analysis of Hydrogen Sulfide in Gaseous Fuels (Lead Acetate Reaction Rate Method), IBR approved for § 60.334(h).

(155) ASTM D4084-94, Standard Test Method for Analysis of Hydrogen Sulfide in Gaseous Fuels (Lead Acetate Reaction Rate Method), IBR approved for § 60.334(h).

(156) ASTM D4084-05, Standard Test Method for Analysis of Hydrogen Sulfide in Gaseous Fuels (Lead Acetate Reaction Rate Method), IBR approved for §§ 60.4360 and 60.4415(a).

(157) ASTM D4177-95, Standard Practice for Automatic Sampling of Petroleum and Petroleum Products, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.2.1.

(158) ASTM D4177-95 (Reapproved 2000), Standard Practice for Automatic Sampling of Petroleum and Petroleum Products, IBR approved for § 60.4415(a).

(159) ASTM D4239-85, Standard Test Methods for Sulfur in the Analysis Sample of Coal and Coke Using High Temperature Tube Furnace Combustion Methods, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(160) ASTM D4239-94, Standard Test Methods for Sulfur in the Analysis Sample of Coal and Coke Using High Temperature Tube Furnace Combustion Methods, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(161) ASTM D4239-97, Standard Test Methods for Sulfur in the Analysis Sample of Coal and Coke Using High Temperature Tube Furnace Combustion Methods, IBR approved for appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(162) ASTM D4294-02, Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectrometry, IBR approved for § 60.335(b).

(163) ASTM D4294-03, Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectrometry, IBR approved for § 60.4415(a).

(164) ASTM D4442-84, Standard Test Methods for Direct Moisture Content Measurement in Wood and Wood-base Materials, IBR approved for appendix A-8 to part 60: Method 28, Section 16.1.1.

(165) ASTM D4442-92, Standard Test Methods for Direct Moisture Content Measurement in Wood and Wood-base Materials, IBR approved for appendix A-8 to part 60: Method 28, Section 16.1.1.

(166) ASTM D4444-92, Standard Test Methods for Use and Calibration of Hand-Held Moisture Meters, IBR approved for appendix A-8 to part 60: Method 28, Section 16.1.1.

(167) ASTM D4457-85 (Reapproved 1991), Test Method for Determination of Dichloromethane and 1,1,1-Trichloroethane in Paints and Coatings by Direct Injection into a Gas Chromatograph, IBR approved for appendix A-7 to part 60: Method 24, Section 6.5.

(168) ASTM D4468-85 (Reapproved 2000), Standard Test Method for Total Sulfur in Gaseous Fuels by Hydrogenolysis and Rateometric Colorimetry, IBR approved for §§ 60.335(b) and 60.4415(a).

(169) ASTM D4468-85 (Reapproved 2006), Standard Test Method for Total Sulfur in Gaseous Fuels by Hydrogenolysis and Rateometric Colorimetry, (Approved June 1, 2006), IBR approved for § 60.107a(e).

(170) ASTM D4629-02, Standard Test Method for Trace Nitrogen in Liquid Petroleum Hydrocarbons by Syringe/Inlet Oxidative Combustion and Chemiluminescence Detection, IBR approved for §§ 60.49b(e) and 60.335(b).

(171) ASTM D4809-95, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method), IBR approved for §§ 60.18(f), 60.485(g), 60.485a(g), 60.564(f), 60.614(d), 60.664(e), and 60.704(d).

(172) ASTM D4809-06, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method), (Approved December 1, 2006), IBR approved for § 60.107a(d).

(173) ASTM D4809-18, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method), approved July 1, 2018; IBR approved for § 60.485b(g).

(174) ASTM D4810-88 (Reapproved 1999), Standard Test Method for Hydrogen Sulfide in Natural Gas Using Length of Stain Detector Tubes, IBR approved for §§ 60.4360 and 60.4415(a).

(175) ASTM D4840-99(2018)e1 Standard Guide for Sample Chain-of-Custody Procedures, approved August 2018; IBR approved for Appendix A-7: Method 23.

(176) ASTM D4891-89 (Reapproved 2006), Standard Test Method for Heating Value of Gases in Natural Gas Range by Stoichiometric Combustion, approved June 1, 2006; IBR approved for §§ 60.107a(d); 60.5413(d); 60.5413a(d); 60.5413b(d); 60.5413c(d).

(177) ASTM D5066-91, Standard Test Method for Determination of the Transfer Efficiency Under Production Conditions for Spray Application of Automotive Paints—Weight Basis, Approved June 1, 2017; IBR approved for § 60.393a(h).

(178) ASTM D5087-02 (Reapproved 2021), Standard Test Method for Determining Amount of Volatile Organic Compound (VOC) Released from Solventborne Automotive Coatings and Available for Removal in a VOC Control Device (Abatement), Approved February 1, 2021; IBR approved for § 60.397a(e); appendix A to subpart MMa.

(179) ASTM D5287-97 (Reapproved 2002), Standard Practice for Automatic Sampling of Gaseous Fuels, IBR approved for § 60.4415(a).

(180) ASTM D5403-93, Standard Test Methods for Volatile Content of Radiation Curable Materials, IBR approved for appendix A-7 to part 60: Method 24, Section 6.6.

(181) ASTM D5453-00, Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Motor Fuels and Oils by Ultraviolet Fluorescence, IBR approved for § 60.335(b).

(182) ASTM D5453-05, Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Motor Fuels and Oils by Ultraviolet Fluorescence, IBR approved for § 60.4415(a).

(183) ASTM D5504-01, Standard Test Method for Determination of Sulfur Compounds in Natural Gas and Gaseous Fuels by Gas Chromatography and Chemiluminescence, IBR approved for §§ 60.334(h) and 60.4360.

(184) ASTM D5504-08, Standard Test Method for Determination of Sulfur Compounds in Natural Gas and Gaseous Fuels by Gas Chromatography and Chemiluminescence, (Approved June 15, 2008), IBR approved for §§ 60.107a(e) and 60.5413(d).

(185) ASTM D5623-19, Standard Test Method for Sulfur Compounds in Light Petroleum Liquids by Gas Chromatography and Sulfur Selective Detection, (Approved July 1, 2019); IBR approved for § 60.4415(a).

(186) ASTM D5762-02, Standard Test Method for Nitrogen in Petroleum and Petroleum Products by Boat-Inlet Chemiluminescence, IBR approved for § 60.335(b).

(187) ASTM D5865-98, Standard Test Method for Gross Calorific Value of Coal and Coke, IBR approved for §§ 60.45(f) and 60.46(c), and appendix A-7 to part 60: Method 19, Section 12.5.2.1.3.

(188) ASTM D5865-10, Standard Test Method for Gross Calorific Value of Coal and Coke, (Approved January 1, 2010), IBR approved for §§ 60.45(f), 60.46(c), and appendix A-7 to part 60: Method 19, section 12.5.2.1.3.

(189) ASTM D5965-02 (Reapproved 2013), Standard Test Methods for Specific Gravity of Coating Powders, Approved June 1, 2013; IBR approved for § 60.393a(f).

(190) ASTM D6093-97 (Reapproved 2016), Standard Test Method for Percent Volume Nonvolatile Matter in Clear or Pigmented Coatings Using a Helium Gas Pycnometer, Approved December 1, 2016; IBR approved for §§ 60.393a(g); 60.723(b); 60.724(a); 60.725(b); 60.723a(b); 60.724a(a); 60.725a(b).

(191) ASTM D6216-20, Standard Practice for Opacity Monitor Manufacturers to Certify Conformance with Design and Performance Specifications, approved September 1, 2020; IBR approved for appendix B to part 60.

(192) ASTM D6228-98, Standard Test Method for Determination of Sulfur Compounds in Natural Gas and Gaseous Fuels by Gas Chromatography and Flame Photometric Detection, IBR approved for § 60.334(h).

(193) ASTM D6228-98 (Reapproved 2003), Standard Test Method for Determination of Sulfur Compounds in Natural Gas and Gaseous Fuels by Gas Chromatography and Flame Photometric Detection, IBR approved for §§ 60.4360 and 60.4415.

(194) ASTM D6266-00a (Reapproved 2017), Standard Test Method for Determining the Amount of Volatile Organic Compound (VOC) Released From Waterborne Automotive Coatings and Available for Removal in a VOC Control Device (Abatement), Approved July 1, 2017; IBR approved for § 60.397a(e).

(195) ASTM D6348-03, Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, (Approved October 1, 2003), IBR approved for § 60.73a(b), table 7 to subpart IIII, table 2 to subpart JJJJ, and § 60.4245(d).

(196) ASTM D6348-12e1, Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, approved February 1, 2012; IBR approved for § 60.5413c(b).

(197) ASTM D6366-99, Standard Test Method for Total Trace Nitrogen and Its Derivatives in Liquid Aromatic Hydrocarbons by Oxidative Combustion and Electrochemical Detection, IBR approved for § 60.335(b)(9).

(198) ASTM D6377-20, Standard Test Method for Determination of Vapor Pressure of Crude Oil: $VPCR_X$ (Expansion Method), (Approved June 1, 2020); IBR approved for § 60.113c.

(199) ASTM-D6378-22, Standard Test Method for Determination of Vapor Pressure (VPX) of Petroleum Products, Hydrocarbons, and Hydrocarbon-Oxygenate Mixtures (Triple Expansion Method), (Approved July 1, 2022); IBR approved for § 60.113c.

(200) ASTM D6420-99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, (Approved October 1, 2004), IBR approved for § 60.107a(d) and table 2 to subpart JJJJ.

(201) ASTM D6420-18, Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, approved November 1, 2018, IBR approved for §§ 60.485(g); 60.485a(g); 60.485b(g); 60.611a; 60.614(b) and (e); 60.614a(b) and (e), 60.664(b) and (e); 60.664a(b) and (f); 60.700(c); 60.704(b) (d), and (h); 60.705(l); 60.704a(b) and (f).

(202) ASTM D6522-00, Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, IBR approved for § 60.335(a).

(203) ASTM D6522-00 (Reapproved 2005), Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, (Approved October 1, 2005), IBR approved for table 2 to subpart JJJJ, §§ 60.5413(b) and (d), and 60.5413a(b).

(204) ASTM D6522-11 Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers (Approved December 1, 2011), IBR approved for § 60.37f(a), 60.766(a).

(205) ASTM D6522-20, Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers,

and Process Heaters Using Portable Analyzers, approved June 1, 2020; IBR approved for §§ 60.5413b(b); 60.5413c(b).

(206) ASTM D6667-01, Standard Test Method for Determination of Total Volatile Sulfur in Gaseous Hydrocarbons and Liquefied Petroleum Gases by Ultraviolet Fluorescence, IBR approved for § 60.335(b).

(207) ASTM D6667-04, Standard Test Method for Determination of Total Volatile Sulfur in Gaseous Hydrocarbons and Liquefied Petroleum Gases by Ultraviolet Fluorescence, IBR approved for § 60.4415(a).

(208) ASTM D6751-11b, Standard Specification for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels, including Appendices X1 through X3, (Approved July 15, 2011), IBR approved for §§ 60.41b, 60.41c, 60.5580, and 60.5580a.

(209) ASTM D6784-02, Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method), IBR approved for § 60.56c(b) and appendix B to part 60: Performance Specification 12A, Section 8.6.2.

(210) ASTM D6784-02 (Reapproved 2008), Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method), approved April 1, 2008; IBR approved for § 60.56c(b).

(211) ASTM D6784-16, Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method), approved March 1, 2016; IBR approved for appendix B to part 60.

(212) ASTM D6911-15 Standard Guide for Packaging and Shipping Environmental Samples for Laboratory Analysis, approved January 15, 2015; IBR approved for Appendix A-7: Method 23; Appendix A-8: Method 30B.

(213) ASTM D7039-15a, Standard Test Method for Sulfur in Gasoline, Diesel Fuel, Jet Fuel, Kerosine, Biodiesel, Biodiesel Blends, and Gasoline-Ethanol Blends by Monochromatic Wavelength Dispersive X-ray Fluorescence Spectrometry, (Approved July 1, 2015); IBR approved for § 60.4415(a).

(214) ASTM D7467-10, Standard Specification for Diesel Fuel Oil, Biodiesel Blend (B6 to B20), including Appendices X1 through X3, (Approved August 1, 2010), IBR approved for §§ 60.41b, 60.41c, 60.5580, and 60.5580a.

(215) ASTM D7520-16, Standard Test Method for Determining the Opacity of a Plume in the Outdoor Ambient Atmosphere, approved April 1, 2016; IBR approved for §§ 60.123(c)(6); 60.123(c)(6)(i); 60.123(c)(6)(ii); 60.123(c)(6)(v); 60.123a(c)(6)(ii); 60.123a(c)(6)(ii)(A); 60.123a(c)(6)(ii)(B); 60.123a(c)(6)(ii)(E); 60.271(k); 60.272(a) and (b); 60.273(c) and (d); 60.274(h); 60.275(e); 60.276(c); 60.271a; 60.272a(a) and (b); 60.273a(c) and (d); 60.274a(h); 60.275a(e); 60.276a(f); 60.271b; 60.272b(a) and (b); 60.273b(c) and (d); 60.274b(h); 60.275b(e); 60.276b(f); 60.374a(d).

(216) ASTM E168-67, General Techniques of Infrared Quantitative Analysis, IBR approved for §§ 60.485a(d), 60.593(b), 60.593a(b), and 60.632(f).

(217) ASTM E168-77, General Techniques of Infrared Quantitative Analysis, IBR approved for §§ 60.485a(d), 60.593(b), 60.593a(b), and 60.632(f).

(218) ASTM E168-92, General Techniques of Infrared Quantitative Analysis, IBR approved for §§ 60.485a(d), 60.593(b), 60.593a(b), 60.632(f), 60.5400, 60.5400a(f).

(219) ASTM E168-16 (Reapproved 2023), Standard Practices for General Techniques of Infrared Quantitative Analysis, approved January 1, 2023; IBR approved for § 60.485b(d).

(220) ASTM E169-63, General Techniques of Ultraviolet Quantitative Analysis, IBR approved for §§ 60.485a(d), 60.593(b), 60.593a(b), and 60.632(f) .

(221) ASTM E169-77, General Techniques of Ultraviolet Quantitative Analysis, IBR approved for §§ 60.485a(d), 60.593(b), and 60.593a(b), 60.632(f).

(222) ASTM E169-93, General Techniques of Ultraviolet Quantitative Analysis, (Approved May 15, 1993), IBR approved for §§ 60.485a(d), 60.593(b), 60.593a(b), 60.632(f), 60.5400(f), and 60.5400a(f).

(223) ASTM E169-16 (Reapproved 2022), Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis, approved November 1, 2022; IBR approved for § 60.485b(d).

(224) ASTM E260-73, General Gas Chromatography Procedures, IBR approved for §§ 60.485a(d), 60.593(b), 60.593a(b), and 60.632(f).

(225) ASTM E260-91, General Gas Chromatography Procedures, (IBR approved for §§ 60.485a(d), 60.593(b), 60.593a(b), and 60.632(f).

(226) ASTM E260-96, General Gas Chromatography Procedures, approved April 10, 1996; IBR approved for §§ 60.485a(d), 60.593(b), 60.593a(b), 60.632(f), 60.5400(f), 60.5400a(f), 60.5406(b), 60.5406a(b)(3), 60.5400b(a)(2), 60.5401b(a)(2), 60.5406b(b)(3), 60.5400c(a), and 60.5401c(a).

(227) ASTM E260-96 (Reapproved 2019), Standard Practice for Packed Column Gas Chromatography, approved September 1, 2029; IBR approved for § 60.485b(d).

(228) ASTM E617-13, Standard Specification for Laboratory Weights and Precision Mass Standards, approved May 1, 2013, IBR approved for appendix A-3: Methods 4, 5, 5H, 5I, and appendix A-8: Method 29.

(229) ASTM E871-82 (Reapproved 2013), Standard Test Method for Moisture Analysis of Particulate Wood Fuels, (Approved August 15, 2013), IBR approved for appendix A-8: method 28R.

(230) ASTM E1584-11, Standard Test Method for Assay of Nitric Acid, (Approved August 1, 2011), IBR approved for § 60.73a(c).

(231) ASTM E2515-11, Standard Test Method for Determination of Particulate Matter Emissions Collected by a Dilution Tunnel, (Approved November 1, 2011), IBR approved for § 60.534 and § 60.5476.

(232) ASTM E2618-13 Standard Test Method for Measurement of Particulate Matter Emissions and Heating Efficiency of Outdoor Solid Fuel-Fired Hydronic Heating Appliances, (Approved September 1, 2013), IBR approved for § 60.5476.

(233) ASTM E2779-10, Standard Test Method for Determining Particulate Matter Emissions from Pellet Heaters, (Approved October 1, 2010), IBR approved for § 60.534.

(234) ASTM E2780-10, Standard Test Method for Determining Particulate Matter Emissions from Wood Heaters, (Approved October 1, 2010), IBR approved for appendix A: method 28R.

(235) ASTM UOP539-97, Refinery Gas Analysis by Gas Chromatography, (Copyright 1997), IBR approved for § 60.107a(d).

(i) Association of Official Analytical Chemists, 1111 North 19th Street, Suite 210, Arlington, VA 22209; phone: (301) 927-7077; website: *https://www.aoac.org/*.

(1) AOAC Method 9, Official Methods of Analysis of the Association of Official Analytical Chemists (AOAC), 11th edition, 1970, pp. 11-12, IBR approved for §§ 60.204(b), 60.214(b), 60.224(b), and 60.234(b).

(2) [Reserved]

(j) CSA Group (CSA) (formerly Canadian Standards Association), 178 Rexdale Boulevard, Toronto, Ontario, Canada; phone: (800) 463-6727; website: *https://shop.csa.ca*.

(1) CSA B415.1-10, Performance Testing of Solid-fuel-burning Heating Appliances, (March 2010), IBR approved for §§ 60.534; 60.5476.

(2) [Reserved]

(k) U.S. Environmental Protection Agency (EPA), 1200 Pennsylvania Avenue NW, Washington, DC 20460; phone: (202) 272-0167; website: *www.epa.gov/aboutepa/forms/contact-epa*.

(1) EPA-453/R-08-002, Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Primer-Surfacer and Topcoat Operations, September 2008, Office of Air Quality Planning and Standards (OAQPS); IBR approved for §§ 60.393a(e) and (h); 60.395a(k); 60.397a(e); appendix A to subpart MMa.

(2) EPA-454/B-08-002, Quality Assurance Handbook for Air Pollution Measurement Systems; Volume IV: Meteorological Measurements, Version 2.0 (Final), March 2008; IBR approved for appendix K to this part.

(3) EPA-454/R-98-015, Office of Air Quality Planning and Standards (OAQPS), Fabric Filter Bag Leak Detection Guidance, September 1997; IBR approved for §§ 60.124(f); 60.124a(f); 60.273(e); 60.273a(e); 60.273b(e); 60.373a(b); 60.2145(r); 60.2710(r); 60.2944(c), 60.3043(c), 60.4880(b); 60.5200(b). (Available from: *https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=2000D5T6.pdf*).

(4) EPA-600/R-12/531, EPA Traceability Protocol for Assay and Certification of Gaseous Calibration Standards, May 2012; IBR approved for §§ 60.5413(d); 60.5413a(d); 60.5413b(d); 60.5413c(d).

(5) In EPA Publication No. SW-846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (Available from: *www.epa.gov/hw-sw846/sw-846-compendium*):

(i) SW-846-6010D, Inductively Coupled Plasma-Optical Emission Spectrometry, Revision 5, July 2018; IBR approved for appendix A-5 to this part.

(ii) SW-846-6020B, Inductively Coupled Plasma-Mass Spectrometry, Revision 2, July 2014; IBR approved for appendix A-5 to this part.

(l) European Standards (EN), European Committee for Standardization, Management Centre, Avenue Marnix 17, B-1000 Brussels, Belgium; phone: + 32 2 550 08 11; website: *https://www.en-standard.eu*.

(1) DIN EN 303-5:2012E (EN 303-5), Heating boilers—Part 5: Heating boilers for solid fuels, manually and automatically stoked, nominal heat output of up to 500 kW—Terminology, requirements, testing and marking, (October 2012), IBR approved for § 60.5476.

(2) [Reserved]

(m) GPA Midstream Association, 6060 American Plaza, Suite 700, Tulsa, OK 74135; phone: (918) 493-3872; website: *www.gpamidstream.org*.

(1) GPA Midstream Standard 2140-17 (GPA 2140-17), Liquefied Petroleum Gas Specifications and Test Methods, (Revised 2017), IBR approved for § 60.4415(a).

(2) GPA Midstream Standard 2166-17 (GPA 2166-17), Obtaining Natural Gas Samples for Analysis by Gas Chromatography, (Reaffirmed 2017), IBR approved for § 60.4415(a).

(3) Gas Processors Association Standard 2172-09, Calculation of Gross Heating Value, Relative Density, Compressibility and Theoretical Hydrocarbon Liquid Content for Natural Gas Mixtures for Custody Transfer (2009), IBR approved for § 60.107a(d).

(4) GPA Standard 2174-14 (GPA 2174-14), Obtaining Liquid Hydrocarbon Samples for Analysis by Gas Chromatography, (Revised 2014), IBR approved for § 60.4415(a).

(5) GPA Standard 2261-19 (GPA 2261-19), Analysis for Natural Gas and Similar Gaseous Mixtures by Gas Chromatography, (Revised 2019), IBR approved for § 60.4415(a).

(6) Gas Processors Association Standard 2377-86, Test for Hydrogen Sulfide and Carbon Dioxide in Natural Gas Using Length of Stain Tubes, 1986 Revision, IBR approved for §§ 60.105(b), 60.107a(b), 60.334(h), 60.4360, and 60.4415(a).

(n) International Organization for Standardization (ISO), 1, ch. de la Voie-Creuse, Case postale 56, CH-1211 Geneva 20, Switzerland; phone: + 41 22 749 01 11; website: *www.iso.org*.

(1) ISO 8178-4: 1996(E), Reciprocating Internal Combustion Engines—Exhaust Emission Measurement—part 4: Test Cycles for Different Engine Applications, IBR approved for § 60.4241(b).

(2) ISO 2314:2009(E), Gas turbines-Acceptance tests, Third edition (December 15, 2009), IBR approved for §§ 60.5580; 60.5580a.

(3) ISO 8316: Measurement of Liquid Flow in Closed Conduits—Method by Collection of the Liquid in a Volumetric Tank (1987-10-01)—First Edition, IBR approved for § 60.107a(d).

(4) ISO 10715:1997(E), Natural gas—Sampling guidelines, (First Edition, June 1, 1997), IBR approved for § 60.4415(a).

(o) National Technical Information Services (NTIS), 5285 Port Royal Road, Springfield, Virginia 22161.

(1) OMB Bulletin No. 93-17: Revised Statistical Definitions for Metropolitan Areas. Office of Management and Budget, June 30, 1993. NTIS No. PB 93-192-664. IBR approved for § 60.31e.

(2) [Reserved]

(p) North American Electric Reliability Corporation, 1325 G Street NW., Suite 600, Washington, DC 20005-3801, *http://www.nerc.com.*

(1) North American Electric Reliability Corporation Reliability Standard EOP-002-3, Capacity and Energy Emergencies, updated November 19, 2012, IBR approved for §§ 60.4211(f) and 60.4243(d). Also available online: *http://www.nerc.com/files/EOP-002-3__1.pdf.*

(2) [Reserved]

(q) Pacific Lumber Inspection Bureau (formerly West Coast Lumber Inspection Bureau), 1010 South 336th Street #210, Federal Way, WA 98003; phone: (253) 835.3344; website: *www.plib.org*.

(1) West Coast Lumber Standard Grading Rules No. 16, pages 5-21, 90 and 91, September 3, 1970, revised 1984, IBR approved for appendix A-8 to part 60.

(2) [Reserved]

(r) Technical Association of the Pulp and Paper Industry (TAPPI), 15 Technology Parkway South, Suite 115, Peachtree Corners, GA 30092; phone (800) 332-8686; website: *www.tappi.org.*

(1) TAPPI Method T 624 cm-11, (Copyright 2011), IBR approved, for §§ 60.285(d) and 60.285a(d).

(2) [Reserved]

(s) Underwriter's Laboratories, Inc. (UL), 333 Pfingsten Road, Northbrook, IL 60062.

(1) UL 103, Sixth Edition revised as of September 3, 1986, Standard for Chimneys, Factory-built, Residential Type and Building Heating Appliance, IBR approved for appendix A-8 to part 60.

(2) [Reserved]

(t) Water Pollution Control Federation (WPCF), 2626 Pennsylvania Avenue NW., Washington, DC 20037.

(1) Method 209A, Total Residue Dried at 103-105 °C, in Standard Methods for the Examination of Water and Wastewater, 15th Edition, 1980, IBR approved for § 60.683(b).

(2) [Reserved]

Editorial Note: For Federal Register citations affecting § 60.17, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 60.18 General control device and work practice requirements.

(a) *Introduction.*

(1) This section contains requirements for control devices used to comply with applicable subparts of 40 CFR parts 60 and 61. The requirements are placed here for administrative convenience and apply only to facilities covered by subparts referring to this section.

(2) This section also contains requirements for an alternative work practice used to identify leaking equipment. This alternative work practice is placed here for administrative convenience and is available to all subparts in 40 CFR parts 60, 61, 63, and 65 that require monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(b) *Flares.* Paragraphs (c) through (f) apply to flares.

(c)

(1) Flares shall be designed for and operated with no visible emissions as determined by the methods specified in paragraph (f), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

(2) Flares shall be operated with a flame present at all times, as determined by the methods specified in paragraph (f).

(3) An owner/operator has the choice of adhering to either the heat content specifications in paragraph (c)(3)(ii) of this section and the maximum tip velocity specifications in paragraph (c)(4) of this section, or adhering to the requirements in paragraph (c)(3)(i) of this section.

(i)

(A) Flares shall be used that have a diameter of 3 inches or greater, are nonassisted, have a hydrogen content of 8.0 percent (by volume), or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity, V_{max}, as determined by the following equation:

$$V_{max} = (X_{H2} - K_1) * K_2$$

Where:

V_{max} = Maximum permitted velocity, m/sec.

K_1 = Constant, 6.0 volume-percent hydrogen.

K_2 = Constant, 3.9(m/sec)/volume-percent hydrogen.

X_{H2} = The volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946-77. (Incorporated by reference as specified in § 60.17).

(B) The actual exit velocity of a flare shall be determined by the method specified in paragraph (f)(4) of this section.

(ii) Flares shall be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm (200 Btu/scf) or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined by the methods specified in paragraph (f)(3) of this section.

(4)

(i) Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4) of this section, less than 18.3 m/sec (60 ft/sec), except as provided in paragraphs (c)(4) (ii) and (iii) of this section.

(ii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec) are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

(iii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), less than the velocity, V_{max}, as determined by the method specified in paragraph (f)(5), and less than 122 m/sec (400 ft/sec) are allowed.

(5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity, V_{max}, as determined by the method specified in paragraph (f)(6).

(6) Flares used to comply with this section shall be steam-assisted, air-assisted, or nonassisted.

(d) Owners or operators of flares used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators of flares shall monitor these control devices.

(e) Flares used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.

(f)

(1) Method 22 of appendix A to this part shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.

(2) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

(3) The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^{n} C_i H_i$$

where:

H_T = Net heating value of the sample, MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C;

$$K = \text{Constant}, 1.740 \times 10^{-7} \left(\frac{1}{ppm}\right) \left(\frac{g\ mole}{scm}\right) \left(\frac{MJ}{kcal}\right)$$

where the standard temperature for $\left(\frac{g\ mole}{scm}\right)$ is 20°C;

C_i = Concentration of sample component i in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946-77 or 90 (Reapproved 1994) (Incorporated by reference as specified in § 60.17); and

H_i = Net heat of combustion of sample component i, kcal/g mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 or 88 or D4809-95 (incorporated by reference as specified in § 60.17) if published values are not available or cannot be calculated.

(4) The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.

(5) The maximum permitted velocity, V_{max}, for flares complying with paragraph (c)(4)(iii) shall be determined by the following equation.

$$\text{Log}_{10}(V_{max}) = (H_T + 28.8)/31.7$$

V_{max} = Maximum permitted velocity, M/sec

28.8 = Constant

31.7 = Constant

H_T = The net heating value as determined in paragraph (f)(3).

(6) The maximum permitted velocity, V_{max}, for air-assisted flares shall be determined by the following equation.

$$V_{max} = 8.706 + 0.7084\ (H_T)$$

V_{max} = Maximum permitted velocity, m/sec

8.706 = Constant

0.7084 = Constant

H_T = The net heating value as determined in paragraph (f)(3).

(g) *Alternative work practice for monitoring equipment for leaks.* Paragraphs (g), (h), and (i) of this section apply to all equipment for which the applicable subpart requires monitoring with a 40 CFR part 60, appendix A-7, Method 21 monitor, except for closed vent systems, equipment designated as leakless, and equipment identified in the applicable subpart as having no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background. An owner or operator may use an optical gas imaging instrument instead of a 40 CFR part 60, appendix A-7, Method 21 monitor. Requirements in the existing subparts that are specific to the Method 21 instrument do not apply under this section. All other requirements in the applicable subpart that are not addressed in paragraphs (g), (h), and (i) of this section apply to this standard. For example, equipment specification requirements, and non-Method 21 instrument recordkeeping and reporting requirements in the applicable subpart continue to apply. The terms defined in paragraphs (g)(1) through (5) of this section have meanings that are specific to the alternative work practice standard in paragraphs (g), (h), and (i) of this section.

(1) *Applicable subpart* means the subpart in 40 CFR parts 60, 61, 63, or 65 that requires monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(2) *Equipment* means pumps, valves, pressure relief valves, compressors, open-ended lines, flanges, connectors, and other equipment covered by the applicable subpart that require monitoring with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(3) *Imaging* means making visible emissions that may otherwise be invisible to the naked eye.

(4) *Optical gas imaging instrument* means an instrument that makes visible emissions that may otherwise be invisible to the naked eye.

(5) *Repair* means that equipment is adjusted, or otherwise altered, in order to eliminate a leak.

(6) *Leak* means:

(i) Any emissions imaged by the optical gas instrument;

(ii) Indications of liquids dripping;

(iii) Indications by a sensor that a seal or barrier fluid system has failed; or

(iv) Screening results using a 40 CFR part 60, appendix A-7, Method 21 monitor that exceed the leak definition in the applicable subpart to which the equipment is subject.

(h) The alternative work practice standard for monitoring equipment for leaks is available to all subparts in 40 CFR parts 60, 61, 63, and 65 that require monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(1) An owner or operator of an affected source subject to CFR parts 60, 61, 63, or 65 can choose to comply with the alternative work practice requirements in paragraph (i) of this section instead of using the 40 CFR part 60, appendix A-7, Method 21 monitor to identify leaking equipment. The owner or operator must document the equipment, process units, and facilities for which the alternative work practice will be used to identify leaks.

(2) Any leak detected when following the leak survey procedure in paragraph (i)(3) of this section must be identified for repair as required in the applicable subpart.

(3) If the alternative work practice is used to identify leaks, re-screening after an attempted repair of leaking equipment must be conducted using either the alternative work practice or the 40 CFR part 60, appendix A-7, Method 21 monitor at the leak definition required in the applicable subpart to which the equipment is subject.

(4) The schedule for repair is as required in the applicable subpart.

(5) When this alternative work practice is used for detecting leaking equipment, choose one of the monitoring frequencies listed in Table 1 to subpart A of this part in lieu of the monitoring frequency specified for regulated equipment in the applicable subpart. Reduced monitoring frequencies for good performance are not applicable when using the alternative work practice.

(6) When this alternative work practice is used for detecting leaking equipment the following are not applicable for the equipment being monitored:

(i) Skip period leak detection and repair;

(ii) Quality improvement plans; or

(iii) Complying with standards for allowable percentage of valves and pumps to leak.

(7) When the alternative work practice is used to detect leaking equipment, the regulated equipment in paragraph (h)(1)(i) of this section must also be monitored annually using a 40 CFR part 60, appendix A-7, Method 21 monitor at the leak definition required in the applicable subpart. The owner or operator may choose the specific monitoring period (for example, first quarter) to conduct the annual monitoring. Subsequent monitoring must be conducted every 12 months from the initial period. Owners or operators must keep records of the annual Method 21 screening results, as specified in paragraph (i)(4)(vii) of this section.

(i) An owner or operator of an affected source who chooses to use the alternative work practice must comply with the requirements of paragraphs (i)(1) through (i)(5) of this section.

(1) Instrument Specifications. The optical gas imaging instrument must comply with the requirements in (i)(1)(i) and (i)(1)(ii) of this section.

(i) Provide the operator with an image of the potential leak points for each piece of equipment at both the detection sensitivity level and within the distance used in the daily instrument check described in paragraph (i)(2) of this section. The detection sensitivity level depends upon the frequency at which leak monitoring is to be performed.

(ii) Provide a date and time stamp for video records of every monitoring event.

(2) Daily Instrument Check. On a daily basis, and prior to beginning any leak monitoring work, test the optical gas imaging instrument at the mass flow rate determined in paragraph (i)(2)(i) of this section in accordance with the procedure specified in paragraphs (i)(2)(ii) through (i)(2)(iv) of this section for each camera configuration used during monitoring (for example, different lenses used), unless an alternative method to demonstrate daily instrument checks has been approved in accordance with paragraph (i)(2)(v) of this section.

(i) Calculate the mass flow rate to be used in the daily instrument check by following the procedures in paragraphs (i)(2)(i)(A) and (i)(2)(i)(B) of this section.

(A) For a specified population of equipment to be imaged by the instrument, determine the piece of equipment in contact with the lowest mass fraction of chemicals that are detectable, within the distance to be used in paragraph (i)(2)(iv)(B) of this section, at or below the standard detection sensitivity level.

(B) Multiply the standard detection sensitivity level, corresponding to the selected monitoring frequency in Table 1 of subpart A of this part, by the mass fraction of detectable chemicals from the stream identified in paragraph (i)(2)(i)(A) of this section to determine the mass flow rate to be used in the daily instrument check, using the following equation.

$$E_{dic} = (E_{sds}) \sum_{i=1}^{k} x_i$$

Where:

E_{dic} = Mass flow rate for the daily instrument check, grams per hour

x_i = Mass fraction of detectable chemical(s) i seen by the optical gas imaging instrument, within the distance to be used in paragraph (i)(2)(iv)(B) of this section, at or below the standard detection sensitivity level, E_{sds}.

E_{sds} = Standard detection sensitivity level from Table 1 to subpart A, grams per hour

k = Total number of detectable chemicals emitted from the leaking equipment and seen by the optical gas imaging instrument.

(ii) Start the optical gas imaging instrument according to the manufacturer's instructions, ensuring that all appropriate settings conform to the manufacturer's instructions.

(iii) Use any gas chosen by the user that can be viewed by the optical gas imaging instrument and that has a purity of no less than 98 percent.

(iv) Establish a mass flow rate by using the following procedures:

(A) Provide a source of gas where it will be in the field of view of the optical gas imaging instrument.

(B) Set up the optical gas imaging instrument at a recorded distance from the outlet or leak orifice of the flow meter that will not be exceeded in the actual performance of the leak survey. Do not exceed the operating parameters of the flow meter.

(C) Open the valve on the flow meter to set a flow rate that will create a mass emission rate equal to the mass rate specified in paragraph (i)(2)(i) of this section while observing the gas flow through the optical gas imaging instrument viewfinder. When an image of the gas emission is seen through the viewfinder at the required emission rate, make a record of the reading on the flow meter.

(v) Repeat the procedures specified in paragraphs (i)(2)(ii) through (i)(2)(iv) of this section for each configuration of the optical gas imaging instrument used during the leak survey.

(vi) To use an alternative method to demonstrate daily instrument checks, apply to the Administrator for approval of the alternative under § 60.13(i).

(3) Leak Survey Procedure. Operate the optical gas imaging instrument to image every regulated piece of equipment selected for this work practice in accordance with the instrument manufacturer's operating parameters. All emissions imaged by the optical gas imaging instrument are considered to be leaks and are subject to repair. All emissions visible to the naked eye are also considered to be leaks and are subject to repair.

(4) Recordkeeping. You must keep the records described in paragraphs (i)(4)(i) through (i)(4)(vii) of this section:

(i) The equipment, processes, and facilities for which the owner or operator chooses to use the alternative work practice.

(ii) The detection sensitivity level selected from Table 1 to subpart A of this part for the optical gas imaging instrument.

(iii) The analysis to determine the piece of equipment in contact with the lowest mass fraction of chemicals that are detectable, as specified in paragraph (i)(2)(i)(A) of this section.

(iv) The technical basis for the mass fraction of detectable chemicals used in the equation in paragraph (i)(2)(i)(B) of this section.

(v) The daily instrument check. Record the distance, per paragraph (i)(2)(iv)(B) of this section, and the flow meter reading, per paragraph (i)(2)(iv)(C) of this section, at which the leak was imaged. Keep a video record of the daily instrument check for each configuration of the optical gas imaging instrument used during the leak survey (for example, the daily instrument check must be conducted for each lens used). The video record must include a time and date stamp for each daily instrument check. The video record must be kept for 5 years.

(vi) Recordkeeping requirements in the applicable subpart. A video record must be used to document the leak survey results. The video record must include a time and date stamp for each monitoring event. A video record can be used to meet the recordkeeping requirements of the applicable subparts if each piece of regulated equipment selected for this work practice can be identified in the video record. The video record must be kept for 5 years.

(vii) The results of the annual Method 21 screening required in paragraph (h)(7) of this section. Records must be kept for all regulated equipment specified in paragraph (h)(1) of this section. Records must identify the equipment screened, the screening value measured by Method 21, the time and date of the screening, and calibration information required in the existing applicable subpart.

(5) Reporting. Submit the reports required in the applicable subpart. Submit the records of the annual Method 21 screening required in paragraph (h)(7) of this section to the Administrator via e-mail to *CCG-AWP@EPA.GOV.*

§ 60.19 General notification and reporting requirements.

(a) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word “calendar” is absent, unless otherwise specified in an applicable requirement.

(b) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery, including the use of electronic media, agreed to by the permitting authority, is acceptable.

(c) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(d) If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or

operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(e) If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 61, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which periodic reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the applicable subpart in this part, or 1 year after the stationary source is required to be in compliance with the applicable 40 CFR part 61 or part 63 of this chapter standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(f)

(1)

(i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

Table 1 to Subpart A of Part 60—Detection Sensitivity Levels (grams per hour)

Monitoring frequency per subpart[a]	**Detection sensitivity level**
Bi-Monthly	60
Semi-Quarterly	85
Monthly	100

[a] When this alternative work practice is used to identify leaking equipment, the owner or operator must choose one of the monitoring frequencies listed in this table in lieu of the monitoring frequency specified in the applicable subpart. Bi-monthly means every other month. Semi-quarterly means twice per quarter. Monthly means once per month.

Appendix C. 40 CFR Part 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

§ 60.4200 Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) and other persons as specified in paragraphs (a)(1) through (4) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Manufacturers of stationary CI ICE with a displacement of less than 30 liters per cylinder where the model year is:

(i) 2007 or later, for engines that are not fire pump engines;

(ii) The model year listed in Table 3 to this subpart or later model year, for fire pump engines.

(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005, where the stationary CI ICE are:

(i) Manufactured after April 1, 2006, and are not fire pump engines, or

(ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.

(3) Owners and operators of any stationary CI ICE that are modified or reconstructed after July 11, 2005 and any person that modifies or reconstructs any stationary CI ICE after July 11, 2005.

(4) The provisions of § 60.4208 of this subpart are applicable to all owners and operators of stationary CI ICE that commence construction after July 11, 2005.

(b) The provisions of this subpart are not applicable to stationary CI ICE being tested at a stationary CI ICE test cell/stand.

(c) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

(d) Stationary CI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C, except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

(e) Owners and operators of facilities with CI ICE that are acting as temporary replacement units and that are located at a stationary source for less than 1 year and that have been properly certified as meeting the standards that would be applicable to such engine under the appropriate nonroad engine provisions, are not required to meet any other provisions under this subpart with regard to such engines.

Emission Standards for Manufacturers

§ 60.4201 What emission standards must I meet for non-emergency engines if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later non-emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 kilowatt (KW) (3,000

horsepower (HP)) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 1039.102, 1039.104, 1039.105, 1039.107, and 1039.115 and 40 CFR part 1039, appendix I, as applicable, for all pollutants, for the same model year and maximum engine power.

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 through 2010 model year non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.

(c) Stationary CI internal combustion engine manufacturers must certify their 2011 model year and later non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 40 CFR 1039.102, 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, and 40 CFR 1039.115, as applicable, for all pollutants, for the same maximum engine power.

(d) Stationary CI internal combustion engine manufacturers must certify the following non-emergency stationary CI ICE to the appropriate Tier 2 emission standards for new marine CI engines as described in 40 CFR part 1042, appendix I, for all pollutants, for the same displacement and rated power:

(1) Their 2007 model year through 2012 non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder;

(2) Their 2013 model year non-emergency stationary CI ICE with a maximum engine power greater than or equal to 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and

(3) Their 2013 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.

(e) Stationary CI internal combustion engine manufacturers must certify the following non-emergency stationary CI ICE to the certification emission standards and other requirements for new marine CI engines in 40 CFR 1042.101, 40 CFR 1042.107, 40 CFR 1042.110, 40 CFR 1042.115, 40 CFR 1042.120, and 40 CFR 1042.145, as applicable, for all pollutants, for the same displacement and maximum engine power:

(1) Their 2013 model year non-emergency stationary CI ICE with a maximum engine power less than 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and

(2) Their 2014 model year and later non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder.

(f) Notwithstanding the requirements in paragraphs (a) through (c) of this section, stationary non-emergency CI ICE identified in paragraphs (a) and (c) of this section may be certified to the provisions of 40 CFR part 1042 for commercial engines that are applicable for the engine's model year, displacement, power density, and maximum engine power if the engines will be used solely in either or both of the following locations:

(1) Remote areas of Alaska; and

(2) Marine offshore installations.

(g) Notwithstanding the requirements in paragraphs (a) through (f) of this section, stationary CI internal combustion engine manufacturers are not required to certify reconstructed engines; however manufacturers may elect to do so. The reconstructed engine must be certified to the emission standards specified in paragraphs (a) through (e) of this section that are applicable to the model year, maximum engine power, and displacement of the reconstructed stationary CI ICE.

(h) Stationary CI ICE certified to the standards in 40 CFR part 1039 and equipped with auxiliary emission control devices (AECDs) as specified in 40 CFR 1039.665 must meet the Tier 1 certification emission standards for new nonroad CI engines in 40 CFR part 1039, appendix I, while the AECD is activated during a qualified emergency situation. A qualified emergency situation is defined in 40 CFR 1039.665. When the qualified emergency situation has ended and the AECD is deactivated, the engine must resume meeting the otherwise applicable emission standard specified in this section.

§ 60.4202 What emission standards must I meet for emergency engines if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (a)(1) through (2) of this section.

(1) For engines with a maximum engine power less than 37 KW (50 HP):

(i) The Tier 2 emission standards for new nonroad CI engines for the appropriate rated power as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105 for model year 2007 engines; and

(ii) The certification emission standards for new nonroad CI engines in 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, 40 CFR 1039.115, and table 2 to this subpart, for 2008 model year and later engines.

(2) For engines with a rated power greater than or equal to 37 KW (50 HP), the Tier 2 or Tier 3 emission standards for new nonroad CI engines for the same rated power as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105 beginning in model year 2007.

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (b)(1) through (2) of this section.

(1) For 2007 through 2010 model years, the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.

(2) For 2011 model year and later, the Tier 2 emission standards as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105.

(c) [Reserved]

(d) Beginning with the model years in table 3 to this subpart, stationary CI internal combustion engine manufacturers must certify their fire pump stationary CI ICE to the emission standards in table 4 to this subpart, for all pollutants, for the same model year and NFPA nameplate power.

(e) Stationary CI internal combustion engine manufacturers must certify the following emergency stationary CI ICE that are not fire pump engines to the appropriate Tier 2 emission standards for new marine CI engines as described in 40 CFR part 1042, appendix I, for all pollutants, for the same displacement and rated power:

(1) Their 2007 model year through 2012 emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder;

(2) Their 2013 model year and later emergency stationary CI ICE with a maximum engine power greater than or equal to 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder;

(3) Their 2013 model year emergency stationary CI ICE with a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder; and

(4) Their 2014 model year and later emergency stationary CI ICE with a maximum engine power greater than or equal to 2,000 KW (2,682 HP) and a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.

(f) Stationary CI internal combustion engine manufacturers must certify the following emergency stationary CI ICE to the certification emission standards and other requirements applicable to Tier 3 new marine CI engines in 40 CFR 1042.101, 40 CFR 1042.107, 40 CFR 1042.115, 40 CFR 1042.120, and 40 CFR 1042.145, for all pollutants, for the same displacement and maximum engine power:

(1) Their 2013 model year and later emergency stationary CI ICE with a maximum engine power less than 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and

(2) Their 2014 model year and later emergency stationary CI ICE with a maximum engine power less than 2,000 KW (2,682 HP) and a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.

(g) Notwithstanding the requirements in paragraphs (a) through (d) of this section, stationary emergency CI ICE identified in paragraphs (a) and (c) of this section may be certified to the provisions of 40 CFR part 1042 for commercial engines that are applicable for the engine's model year, displacement, power density, and maximum engine power if the engines will be used solely in either or both of the locations identified in paragraphs (g)(1) and (2) of this section. Engines that would be subject to the Tier 4 standards in 40 CFR part 1042 that are used solely in either or both of the locations identified in paragraphs (g)(1) and (2) of this section may instead continue to be certified to the appropriate Tier 3 standards in 40 CFR part 1042.

(1) Remote areas of Alaska; and

(2) Marine offshore installations.

(h) Notwithstanding the requirements in paragraphs (a) through (f) of this section, stationary CI internal combustion engine manufacturers are not required to certify reconstructed engines; however manufacturers may elect to do so. The reconstructed engine must be certified to the emission standards specified in paragraphs (a) through (f) of this section that are applicable to the model year, maximum engine power and displacement of the reconstructed emergency stationary CI ICE.

§ 60.4203 How long must my engines meet the emission standards if I am a manufacturer of stationary CI internal combustion engines?

Engines manufactured by stationary CI internal combustion engine manufacturers must meet the emission standards as required in §§ 60.4201 and 60.4202 during the certified emissions life of the engines.

Emission Standards for Owners and Operators

§ 60.4204 What emission standards must I meet for non-emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of less than 10 liters per cylinder must comply with the emission standards in table 1 to this subpart. Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder must comply with the Tier 1 emission standards in 40 CFR part 1042, appendix I.

(b) Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in § 60.4201 for their 2007 model year and later stationary CI ICE, as applicable.

(c) Owners and operators of non-emergency stationary CI engines with a displacement of greater than or equal to 30 liters per cylinder must meet the following requirements:

(1) For engines installed prior to January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 grams per kilowatt-hour (g/KW-hr) (12.7 grams per horsepower-hr (g/HP-hr)) when maximum engine speed is less than 130 revolutions per minute (rpm);

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/KW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012 and before January 1, 2016, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) For engines installed on or after January 1, 2016, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 3.4 g/KW-hr (2.5 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $9.0 \cdot n^{-0.20}$ g/KW-hr ($6.7 \cdot n^{-0.20}$ g/HP-hr) where n (maximum engine speed) is 130 or more but less than 2,000 rpm; and

(iii) 2.0 g/KW-hr (1.5 g/HP-hr) where maximum engine speed is greater than or equal to 2,000 rpm.

(4) Reduce particulate matter (PM) emissions by 60 percent or more, or limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.15 g/KW-hr (0.11 g/HP-hr).

(d) Owners and operators of non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the not-to-exceed (NTE) standards as indicated in § 60.4212.

(e) Owners and operators of any modified or reconstructed non-emergency stationary CI ICE subject to this subpart must meet the emission standards applicable to the model year, maximum engine power, and displacement of the modified or reconstructed non-emergency stationary CI ICE that are specified in paragraphs (a) through (d) of this section.

(f) Owners and operators of stationary CI ICE certified to the standards in 40 CFR part 1039 and equipped with AECDs as specified in 40 CFR 1039.665 must meet the Tier 1 certification emission standards for new nonroad CI engines in 40 CFR part 1039, appendix I, while the AECD is activated during a qualified emergency situation. A qualified emergency situation is defined in 40 CFR 1039.665. When the qualified emergency situation has ended and the AECD is deactivated, the engine must resume meeting the otherwise applicable emission standard specified in this section.

§ 60.4205 What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of less than 10 liters per cylinder that are not fire pump engines must comply with the emission standards in Table 1 to this subpart. Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that are not fire pump engines must comply with the Tier 1 emission standards in 40 CFR part 1042, appendix I.

(b) Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in § 60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.

(c) Owners and operators of fire pump engines with a displacement of less than 30 liters per cylinder must comply with the emission standards in table 4 to this subpart, for all pollutants.

(d) Owners and operators of emergency stationary CI engines with a displacement of greater than or equal to 30 liters per cylinder must meet the requirements in this section.

(1) For engines installed prior to January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 g/KW-hr (12.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/kW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) Limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.40 g/KW-hr (0.30 g/HP-hr).

(e) Owners and operators of emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the NTE standards as indicated in § 60.4212.

(f) Owners and operators of any modified or reconstructed emergency stationary CI ICE subject to this subpart must meet the emission standards applicable to the model year, maximum engine power, and displacement of the modified or reconstructed CI ICE that are specified in paragraphs (a) through (e) of this section.

§ 60.4206 How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§ 60.4204 and 60.4205 over the entire life of the engine.

Fuel Requirements for Owners and Operators

§ 60.4207 What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?

(a) [Reserved]

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

(c) [Reserved]

(d) Beginning June 1, 2012, owners and operators of stationary CI ICE subject to this subpart with a displacement of greater than or equal to 30 liters per cylinder must use diesel fuel that meets a maximum per-gallon sulfur content of 1,000 parts per million (ppm).

(e) Stationary CI ICE that have a national security exemption under § 60.4200(d) are also exempt from the fuel requirements in this section.

Other Requirements for Owners and Operators

§ 60.4208 What is the deadline for importing or installing stationary CI ICE produced in previous model years?

(a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.

(b) After December 31, 2009, owners and operators may not install stationary CI ICE with a maximum engine power of less than 19 KW (25 HP) (excluding fire pump engines) that do not meet the applicable requirements for 2008 model year engines.

(c) After December 31, 2014, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 KW (25 HP) and less than 56 KW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.

(d) After December 31, 2013, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 56 KW (75 HP) and less than 130 KW (175 HP) that do not meet the applicable requirements for 2012 model year non-emergency engines.

(e) After December 31, 2012, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 130 KW (175 HP), including those above 560 KW (750 HP), that do not meet the applicable requirements for 2011 model year non-emergency engines.

(f) After December 31, 2016, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 560 KW (750 HP) that do not meet the applicable requirements for 2015 model year non-emergency engines.

(g) After December 31, 2018, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power greater than or equal to 600 KW (804 HP) and less than 2,000 KW (2,680 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that do not meet the applicable requirements for 2017 model year non-emergency engines.

(h) In addition to the requirements specified in §§ 60.4201, 60.4202, 60.4204, and 60.4205, it is prohibited to import stationary CI ICE with a displacement of less than 30 liters per cylinder that do not meet the applicable requirements specified in paragraphs (a) through (g) of this section after the dates specified in paragraphs (a) through (g) of this section.

(i) The requirements of this section do not apply to owners or operators of stationary CI ICE that have been modified, reconstructed, and do not apply to engines that were removed from one existing location and reinstalled at a new location.

§ 60.4209 What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in § 60.4211.

(a) If you are an owner or operator of an emergency stationary CI internal combustion engine that does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter prior to startup of the engine.

(b) If you are an owner or operator of a stationary CI internal combustion engine equipped with a diesel particulate filter to comply with the emission standards in § 60.4204, the diesel particulate filter must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached.

Compliance Requirements

§ 60.4210 What are my compliance requirements if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their stationary CI ICE with a displacement of less than 10 liters per cylinder to the emission standards specified in §§ 60.4201(a) through (c) and 60.4202(a), (b), and (d) using the certification procedures required in 40 CFR part 1039, subpart C, and must test their engines as specified in 40 CFR part 1039. For the purposes of this subpart, engines certified to the standards in Table 1 to this subpart shall be subject to the same certification procedures required for engines certified to the Tier 1 standards in 40 CFR part 1039, appendix I. For the purposes of this subpart, engines certified to the standards in Table 4 to this subpart shall be subject to the same certification procedures required for engines certified to the Tier 1 standards in 40 CFR part 1039, appendix I, except that engines with NFPA nameplate power of less than 37 KW (50 HP) certified to model year 2011 or later standards shall be subject to the same requirements as engines certified to the standards in 40 CFR part 1039.

(b) Stationary CI internal combustion engine manufacturers must certify their stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder to the emission standards specified in §§ 60.4201(d) and (e) and 60.4202(e) and (f) using the certification procedures required in 40 CFR part 1042, subpart C, and must test their engines as specified in 40 CFR part 1042.

(c) Stationary CI internal combustion engine manufacturers must meet the requirements of 40 CFR 1039.120, 1039.125, 1039.130, and 1039.135 and 40 CFR part 1068 for engines that are certified to the emission standards in 40 CFR part 1039. Stationary CI internal combustion engine manufacturers must meet the corresponding provisions of 40 CFR part 1042 for engines that would be covered by that part if they were nonroad (including marine) engines. Labels on such engines must refer to stationary engines, rather than or in addition to nonroad or marine engines, as appropriate. Stationary CI internal combustion engine manufacturers must label their engines according to paragraphs (c)(1) through (3) of this section.

(1) Stationary CI internal combustion engines manufactured from January 1, 2006 to March 31, 2006 (January 1, 2006 to June 30, 2006 for fire pump engines), other than those that are part of certified engine families under the nonroad CI engine regulations, must be labeled according to 40 CFR 1039.20.

(2) Stationary CI internal combustion engines manufactured from April 1, 2006 to December 31, 2006 (or, for fire pump engines, July 1, 2006 to December 31 of the year preceding the year listed in table 3 to this subpart) must be labeled according to paragraphs (c)(2)(i) through (iii) of this section:

(i) Stationary CI internal combustion engines that are part of certified engine families under the nonroad regulations must meet the labeling requirements for nonroad CI engines, but do not have to meet the labeling requirements in 40 CFR 1039.20.

(ii) Stationary CI internal combustion engines that meet Tier 1 requirements (or requirements for fire pumps) under this subpart, but do not meet the requirements applicable to nonroad CI engines must be labeled according to 40 CFR 1039.20. The engine manufacturer may add language to the label clarifying that the engine meets Tier 1 requirements (or requirements for fire pumps) of this subpart.

(iii) Stationary CI internal combustion engines manufactured after April 1, 2006 that do not meet Tier 1 requirements of this subpart, or fire pumps engines manufactured after July 1, 2006 that do not meet the requirements for fire pumps under this subpart, may not be used in the U.S. If any such engines are manufactured in the U.S. after April 1, 2006 (July 1, 2006 for fire pump engines), they must be exported or must be brought into compliance with the appropriate standards prior to initial operation. The export provisions of 40 CFR 1068.230 would apply to engines for export and the manufacturers must label such engines according to 40 CFR 1068.230.

(3) Stationary CI internal combustion engines manufactured after January 1, 2007 (for fire pump engines, after January 1 of the year listed in table 3 to this subpart, as applicable) must be labeled according to paragraphs (c)(3)(i) through (iii) of this section.

(i) Stationary CI internal combustion engines that meet the requirements of this subpart and the corresponding requirements for nonroad (including marine) engines of the same model year and HP must be labeled according to the provisions in 40 CFR part 1039 or 1042, as appropriate.

(ii) Stationary CI internal combustion engines that meet the requirements of this subpart, but are not certified to the standards applicable to nonroad (including marine) engines of the same model year and HP must be labeled according to the provisions in 40 CFR part 1039 or 1042, as appropriate, but the words “stationary” must be included instead of “nonroad” or “marine” on the label. In addition, such engines must be labeled according to 40 CFR 1039.20.

(iii) Stationary CI internal combustion engines that do not meet the requirements of this subpart must be labeled according to 40 CFR 1068.230 and must be exported under the provisions of 40 CFR 1068.230.

(d) An engine manufacturer certifying an engine family or families to standards under this subpart that are identical to standards applicable under 40 CFR part 1039 or 1042 for that model year may certify any such family that contains both nonroad (including marine) and stationary engines as a single engine family and/or may include any such family containing stationary engines in the averaging, banking, and trading provisions applicable for such engines under those parts.

(e) Manufacturers of engine families discussed in paragraph (d) of this section may meet the labeling requirements referred to in paragraph (c) of this section for stationary CI ICE by either adding a separate label containing the information required in paragraph (c) of this section or by adding the words “and stationary” after the word “nonroad” or “marine,” as appropriate, to the label.

(f) Starting with the model years shown in table 5 to this subpart, stationary CI internal combustion engine manufacturers must add a permanent label stating that the engine is for stationary emergency use only to each new emergency stationary CI internal combustion engine greater than or equal to 19 KW (25 HP) that meets all the

emission standards for emergency engines in § 60.4202 but does not meet all the emission standards for non-emergency engines in § 60.4201. The label must be added according to the labeling requirements specified in 40 CFR 1039.135(b). Engine manufacturers must specify in the owner's manual that operation of emergency engines is limited to emergency operations and required maintenance and testing.

(g) Manufacturers of fire pump engines may use the test cycle in table 6 to this subpart for testing fire pump engines and may test at the NFPA certified nameplate HP, provided that the engine is labeled as "Fire Pump Applications Only".

(h) Engine manufacturers, including importers, may introduce into commerce uncertified engines or engines certified to earlier standards that were manufactured before the new or changed standards took effect until inventories are depleted, as long as such engines are part of normal inventory. For example, if the engine manufacturers' normal industry practice is to keep on hand a one-month supply of engines based on its projected sales, and a new tier of standards starts to apply for the 2009 model year, the engine manufacturer may manufacture engines based on the normal inventory requirements late in the 2008 model year, and sell those engines for installation. The engine manufacturer may not circumvent the provisions of § 60.4201 or § 60.4202 by stockpiling engines that are built before new or changed standards take effect. Stockpiling of such engines beyond normal industry practice is a violation of this subpart.

(i) The replacement engine provisions of 40 CFR 1068.240 are applicable to stationary CI engines replacing existing equipment that is less than 15 years old.

(j) Stationary CI ICE manufacturers may equip their stationary CI internal combustion engines certified to the emission standards in 40 CFR part 1039 with AECDs for qualified emergency situations according to the requirements of 40 CFR 1039.665. Manufacturers of stationary CI ICE equipped with AECDs as allowed by 40 CFR 1039.665 must meet all the requirements in 40 CFR 1039.665 that apply to manufacturers. Manufacturers must document that the engine complies with the Tier 1 standard in 40 CFR part 1039, appendix I, when the AECD is activated. Manufacturers must provide any relevant testing, engineering analysis, or other information in sufficient detail to support such statement when applying for certification (including amending an existing certificate) of an engine equipped with an AECD as allowed by 40 CFR 1039.665.

(k) Manufacturers of any size may certify their emergency stationary CI internal combustion engines under this section using assigned deterioration factors established by EPA, consistent with 40 CFR 1039.240 and 1042.240.

§ 60.4211 What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must do all of the following, except as permitted under paragraph (g) of this section:

(1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

(2) Change only those emission-related settings that are permitted by the manufacturer; and

(3) Meet the requirements of 40 CFR part 1068, as they apply to you.

(b) If you are an owner or operator of a pre-2007 model year stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(a) or § 60.4205(a), or if you are an owner or operator of a CI fire pump engine that is manufactured prior to the model years in table 3 to this subpart and must comply with the emission standards specified in § 60.4205(c), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) through (5) of this section.

(1) Purchasing an engine certified to emission standards for the same model year and maximum engine power as described in 40 CFR parts 1039 and 1042, as applicable. The engine must be installed and configured according to the manufacturer's specifications.

(2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.

(3) Keeping records of engine manufacturer data indicating compliance with the standards.

(4) Keeping records of control device vendor data indicating compliance with the standards.

(5) Conducting an initial performance test to demonstrate compliance with the emission standards according to the requirements specified in § 60.4212, as applicable.

(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(b) or § 60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in § 60.4205(c), you must comply by purchasing an engine certified to the emission standards in § 60.4204(b), or § 60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in paragraph (g) of this section.

(d) If you are an owner or operator and must comply with the emission standards specified in § 60.4204(c) or § 60.4205(d), you must demonstrate compliance according to the requirements specified in paragraphs (d)(1) through (3) of this section.

(1) Conducting an initial performance test to demonstrate initial compliance with the emission standards as specified in § 60.4213.

(2) Establishing operating parameters to be monitored continuously to ensure the stationary internal combustion engine continues to meet the emission standards. The owner or operator must petition the Administrator for approval of operating parameters to be monitored continuously. The petition must include the information described in paragraphs (d)(2)(i) through (v) of this section.

(i) Identification of the specific parameters you propose to monitor continuously;

(ii) A discussion of the relationship between these parameters and NO_X and PM emissions, identifying how the emissions of these pollutants change with changes in these parameters, and how limitations on these parameters will serve to limit NO_X and PM emissions;

(iii) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;

(iv) A discussion identifying the methods and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and

(v) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

(3) For non-emergency engines with a displacement of greater than or equal to 30 liters per cylinder, conducting annual performance tests to demonstrate continuous compliance with the emission standards as specified in § 60.4213.

(e) If you are an owner or operator of a modified or reconstructed stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(e) or § 60.4205(f), you must demonstrate compliance according to one of the methods specified in paragraphs (e)(1) or (2) of this section.

(1) Purchasing, or otherwise owning or operating, an engine certified to the emission standards in § 60.4204(e) or § 60.4205(f), as applicable.

(2) Conducting a performance test to demonstrate initial compliance with the emission standards according to the requirements specified in § 60.4212 or § 60.4213, as appropriate. The test must be conducted within 60 days after the engine commences operation after the modification or reconstruction.

(f) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

(1) There is no time limit on the use of emergency stationary ICE in emergency situations.

(2) You may operate your emergency stationary ICE for the purpose specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (f)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

(ii) [reserved]

(iii) [reserved]

(3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. Except as provided in paragraph (f)(3)(i) of this section, the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

(ii) [Reserved]

(g) If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as follows:

(1) If you are an owner or operator of a stationary CI internal combustion engine with maximum engine power less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, if you do not install and configure the engine and control device according to the manufacturer's emission-related written instructions, or you change the emission-related settings in a way that is not permitted by the manufacturer, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of such action.

(2) If you are an owner or operator of a stationary CI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer.

(3) If you are an owner or operator of a stationary CI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer. You must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

(h) The requirements for operators and prohibited acts specified in 40 CFR 1039.665 apply to owners or operators of stationary CI ICE equipped with AECDs for qualified emergency situations as allowed by 40 CFR 1039.665.

Testing Requirements for Owners and Operators

§ 60.4212 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (e) of this section.

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F, for stationary CI ICE with a displacement of less than 10 liters per cylinder, and according to 40 CFR part 1042, subpart F, for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. Alternatively, stationary CI ICE that are complying with Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or with Tier 2 emission standards as described in 40 CFR part 1042, appendix I, may follow the testing procedures specified in § 60.4213, as appropriate.

(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

(c) Exhaust emissions from stationary CI ICE subject to Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or Tier 2 emission standards as described in 40 CFR part 1042, appendix I, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard, determined from the following equation:

$$\text{NTE requirement for each pollutant} = (1.25) \times (\text{STD}) \quad \text{(Eq. 1)}$$

Where:

STD = The standard specified for that pollutant in 40 CFR part 1039 or 1042, as applicable.

(d) Exhaust emissions from stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in § 60.4204(a), § 60.4205(a), or § 60.4205(c) must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in § 60.4204(a), § 60.4205(a), or § 60.4205(c), determined from the equation in paragraph (c) of this section.

Where:

STD = The standard specified for that pollutant in § 60.4204(a), § 60.4205(a), or § 60.4205(c).

Alternatively, stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in § 60.4204(a), § 60.4205(a), or § 60.4205(c) may follow the testing procedures specified in § 60.4213, as appropriate.

(e) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1042 must not exceed the NTE standards for the same model year and maximum engine power as required in 40 CFR 1042.101(c).

§ 60.4213 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of greater than or equal to 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder must conduct performance tests according to paragraphs (a) through (f) of this section.

(a) Each performance test must be conducted according to the requirements in § 60.8 and under the specific conditions that this subpart specifies in table 7. The test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c).

(c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must last at least 1 hour.

(d) To determine compliance with the percent reduction requirement, you must follow the requirements as specified in paragraphs (d)(1) through (3) of this section.

(1) You must use Equation 2 of this section to determine compliance with the percent reduction requirement:

$$\frac{C_i - C_o}{C_i} \times 100 = R \qquad \text{(Eq. 2)}$$

Where:

C_i = concentration of NO_X or PM at the control device inlet,

C_o = concentration of NO_X or PM at the control device outlet, and

R = percent reduction of NO_X or PM emissions.

(2) You must normalize the NO_X or PM concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen (O_2) using Equation 3 of this section, or an equivalent percent carbon dioxide (CO_2) using the procedures described in paragraph (d)(3) of this section.

$$C_{adj} = C_d \frac{5.9}{20.9 - \%\ O_2} \qquad \text{(Eq. 3)}$$

Where:

C_{adj} = Calculated NO_X or PM concentration adjusted to 15 percent O_2.

C_d = Measured concentration of NO_X or PM, uncorrected.

5.9 = 20.9 percent O_2−15 percent O_2, the defined O_2 correction value, percent.

$\%O_2$ = Measured O_2 concentration, dry basis, percent.

(3) If pollutant concentrations are to be corrected to 15 percent O_2 and CO_2 concentration is measured in lieu of O_2 concentration measurement, a CO_2 correction factor is needed. Calculate the CO_2 correction factor as described in paragraphs (d)(3)(i) through (iii) of this section.

(i) Calculate the fuel-specific F_o value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

$$F_o = \frac{0.209_{F_d}}{F_c} \qquad \text{(Eq. 4)}$$

Where:

F_o = Fuel factor based on the ratio of O_2 volume to the ultimate CO_2 volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is O_2, percent/100.

F_d = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm^3/J ($dscf/10^6$ Btu).

F_c = Ratio of the volume of CO_2 produced to the gross calorific value of the fuel from Method 19, dsm^3/J (dscf/10^6 Btu).

(ii) Calculate the CO_2 correction factor for correcting measurement data to 15 percent O_2, as follows:

$$X_{CO_2} = \frac{5.9}{F_o} \qquad \text{(Eq. 5)}$$

Where:

X_{CO2} = CO_2 correction factor, percent.

5.9 = 20.9 percent O_2−15 percent O_2, the defined O_2 correction value, percent.

(iii) Calculate the NO_X and PM gas concentrations adjusted to 15 percent O_2 using CO_2 as follows:

$$C_{adj} = C_d \frac{X_{CO_2}}{\%CO_2} \qquad \text{(Eq. 6)}$$

Where:

C_{adj} = Calculated NO_X or PM concentration adjusted to 15 percent O_2.

C_d = Measured concentration of NO_X or PM, uncorrected.

$\%CO_2$ = Measured CO_2 concentration, dry basis, percent.

(e) To determine compliance with the NO_X mass per unit output emission limitation, convert the concentration of NO_X in the engine exhaust using Equation 7 of this section:

$$ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{\text{KW-hour}} \qquad \text{(Eq. 7)}$$

Where:

ER = Emission rate in grams per KW-hour.

C_d = Measured NO_X concentration in ppm.

$1.912x10^{-3}$ = Conversion constant for ppm NO_X to grams per standard cubic meter at 25 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour.

T = Time of test run, in hours.

KW-hour = Brake work of the engine, in KW-hour.

(f) To determine compliance with the PM mass per unit output emission limitation, convert the concentration of PM in the engine exhaust using Equation 8 of this section:

$$ER = \frac{C_{adj} \times Q \times T}{\text{KW-hour}} \qquad \text{(Eq. 8)}$$

Where:

ER = Emission rate in grams per KW-hour.

C_{adj} = Calculated PM concentration in grams per standard cubic meter.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour.

T = Time of test run, in hours.

KW-hour = Energy output of the engine, in KW.

Notification, Reports, and Records for Owners and Operators

§ 60.4214 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of non-emergency stationary CI ICE that are greater than 2,237 KW (3,000 HP), or have a displacement of greater than or equal to 10 liters per cylinder, or are pre-2007 model year engines that are greater than 130 KW (175 HP) and not certified, must meet the requirements of paragraphs (a)(1) and (2) of this section.

(1) Submit an initial notification as required in § 60.7(a)(1). The notification must include the information in paragraphs (a)(1)(i) through (v) of this section.

(i) Name and address of the owner or operator;

(ii) The address of the affected source;

(iii) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(iv) Emission control equipment; and

(v) Fuel used.

(2) Keep records of the information in paragraphs (a)(2)(i) through (iv) of this section.

(i) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(ii) Maintenance conducted on the engine.

(iii) If the stationary CI internal combustion is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards.

(iv) If the stationary CI internal combustion is not a certified engine, documentation that the engine meets the emission standards.

(b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

(c) If the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached.

(d) If you own or operate an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates for the purpose specified in § 60.4211(f)(3)(i), you must submit an annual report according to the requirements in paragraphs (d)(1) through (3) of this section.

(1) The report must contain the following information:

(i) Company name and address where the engine is located.

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

(iii) Engine site rating and model year.

(iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(v) [reserved]

(vi) [reserved]

(vii) Hours spent for operation for the purposes specified in § 60.4211(f)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in § 60.4211(f)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

(3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (*www.epa.gov/cdx*). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 60.4.

(e) Owners or operators of stationary CI ICE equipped with AECDs pursuant to the requirements of 40 CFR 1039.665 must report the use of AECDs as required by 40 CFR 1039.665(e).

(f) Beginning on February 26, 2025, within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test required under this section following the procedures specified in paragraphs (f)(1) and (2) of this section.

(1) *Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert) at the time of the test.* Submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), according to paragraph (g) of this section. The data must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website.

(2) *Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test.* The results of the performance test must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the ERT generated package or alternative file to the EPA via CEDRI according to paragraph (g) of this section.

(g) If you are required to submit notifications or reports following the procedure specified in this paragraph (g), you must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (g)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be

asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (g).

(1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqpscbi@epa.gov,* and as described in paragraph (g) of this section, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqpscbi@epa.gov* to request a file transfer link.

(2) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711. ERT files should be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should be sent to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(h) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (h)(1) through (7) of this section.

(1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

(2) The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due.

(3) The outage may be planned or unplanned.

(4) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(5) You must provide to the Administrator a written description identifying:

(i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

(i) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (i)(1) through (5) of this section.

(1) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (*e.g.,* hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (*e.g.,* large scale power outage).

(2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(3) You must provide to the Administrator:

(i) A written description of the force majeure event;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

(j) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

Special Requirements

§ 60.4215 What requirements must I meet for engines used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands?

(a) Stationary CI ICE with a displacement of less than 30 liters per cylinder that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are required to meet the applicable emission standards in §§ 60.4202 and 60.4205.

(b) Stationary CI ICE that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are not required to meet the fuel requirements in § 60.4207.

(c) Stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are required to meet the following emission standards:

(1) For engines installed prior to January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 g/KW-hr (12.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/KW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) Limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.40 g/KW-hr (0.30 g/HP-hr).

§ 60.4216 What requirements must I meet for engines used in Alaska?

(a) Prior to December 1, 2010, owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder located in areas of Alaska not accessible by the FAHS should refer to 40 CFR part 69 to determine the diesel fuel requirements applicable to such engines.

(b) Except as indicated in paragraph (c) of this section, manufacturers, owners and operators of stationary CI ICE with a displacement of less than 10 liters per cylinder located in remote areas of Alaska may meet the requirements of this subpart by manufacturing and installing engines meeting the Tier 2 or Tier 3 emission standards described in 40 CFR part 1042 for the same model year, displacement, and maximum engine power, as appropriate, rather than the otherwise applicable requirements of 40 CFR part 1039, as indicated in §§ 60.4201(f) and 60.4202(g).

(c) Manufacturers, owners, and operators of stationary CI ICE that are located in remote areas of Alaska may choose to meet the applicable emission standards for emergency engines in §§ 60.4202 and 60.4205, and not those for non-emergency engines in §§ 60.4201 and 60.4204, except that for 2014 model year and later nonemergency CI ICE, the owner or operator of any such engine must have that engine certified as meeting at least the Tier 3 PM standards identified in appendix I of 40 CFR part 1039 or in 40 CFR 1042.101.

(d) The provisions of § 60.4207 do not apply to owners and operators of pre-2014 model year stationary CI ICE subject to this subpart that are located in remote areas of Alaska.

(e) The provisions of § 60.4208(a) do not apply to owners and operators of stationary CI ICE subject to this subpart that are located in areas of Alaska not accessible by the FAHS until after December 31, 2009.

(f) The provisions of this section and § 60.4207 do not prevent owners and operators of stationary CI ICE subject to this subpart that are located in remote areas of Alaska from using fuels mixed with used lubricating oil, in volumes of up to 1.75 percent of the total fuel. The sulfur content of the used lubricating oil must be less than 200 parts per million. The used lubricating oil must meet the on-specification levels and properties for used oil in 40 CFR 279.11.

§ 60.4217 What emission standards must I meet if I am an owner or operator of a stationary internal combustion engine using special fuels?

Owners and operators of stationary CI ICE that do not use diesel fuel may petition the Administrator for approval of alternative emission standards, if they can demonstrate that they use a fuel that is not the fuel on which the

manufacturer of the engine certified the engine and that the engine cannot meet the applicable standards required in § 60.4204 or § 60.4205 using such fuels and that use of such fuel is appropriate and reasonably necessary, considering cost, energy, technical feasibility, human health and environmental, and other factors, for the operation of the engine.

General Provisions

§ 60.4218 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.

Definitions

§ 60.4219 What definitions apply to this subpart?

As used in this subpart, all terms not defined herein shall have the meaning given them in the CAA and in subpart A of this part.

Alaska Railbelt Grid means the service areas of the six regulated public utilities that extend from Fairbanks to Anchorage and the Kenai Peninsula. These utilities are Golden Valley Electric Association; Chugach Electric Association; Matanuska Electric Association; Homer Electric Association; Anchorage Municipal Light & Power; and the City of Seward Electric System.

Certified emissions life means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or calendar years, whichever comes first. The values for certified emissions life for stationary CI ICE with a displacement of less than 10 liters per cylinder are given in 40 CFR 1039.101(g). The values for certified emissions life for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder are given in 40 CFR 1042.101(e).

Combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle combustion turbine, any regenerative/recuperative cycle combustion turbine, the combustion turbine portion of any cogeneration cycle combustion system, or the combustion turbine portion of any combined cycle steam/electric generating system.

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Date of manufacture means one of the following things:

(1) For freshly manufactured engines and modified engines, date of manufacture means the date the engine is originally produced.

(2) For reconstructed engines, date of manufacture means the date the engine was originally produced, except as specified in paragraph (3) of this definition.

(3) Reconstructed engines are assigned a new date of manufacture if the fixed capital cost of the new and refurbished components exceeds 75 percent of the fixed capital cost of a comparable entirely new facility. An engine that is produced from a previously used engine block does not retain the date of manufacture of the engine in which the engine block was previously used if the engine is produced using all new components except for the engine block. In these cases, the date of manufacture is the date of reconstruction or the date the new engine is produced.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is number 2 distillate oil.

Diesel particulate filter means an emission control technology that reduces PM emissions by trapping the particles in a flow filter substrate and periodically removes the collected particles by either physical action or by oxidizing (burning off) the particles in a process called regeneration.

Emergency stationary internal combustion engine means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary ICE must comply with the requirements specified in § 60.4211(f) in order to be considered emergency stationary ICE. If the engine does not comply with the requirements specified in § 60.4211(f), then it is not considered to be an emergency stationary ICE under this subpart.

(1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc.

(2) The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 60.4211(f).

(3) The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 60.4211(f)(3)(i).

Engine manufacturer means the manufacturer of the engine. See the definition of "manufacturer" in this section.

Fire pump engine means an emergency stationary internal combustion engine certified to NFPA requirements that is used to provide power to pump water for fire suppression or protection.

Freshly manufactured engine means an engine that has not been placed into service. An engine becomes freshly manufactured when it is originally produced.

Installed means the engine is placed and secured at the location where it is intended to be operated.

Manufacturer has the meaning given in section 216(1) of the Act. In general, this term includes any person who manufactures a stationary engine for sale in the United States or otherwise introduces a new stationary engine into commerce in the United States. This includes importers who import stationary engines for sale or resale.

Maximum engine power means maximum engine power as defined in 40 CFR 1039.801.

Model year means the calendar year in which an engine is manufactured (see "date of manufacture"), except as follows:

(1) Model year means the annual new model production period of the engine manufacturer in which an engine is manufactured (see "date of manufacture"), if the annual new model production period is different than the calendar year and includes January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year.

(2) For an engine that is converted to a stationary engine after being placed into service as a nonroad or other non-stationary engine, model year means the calendar year or new model production period in which the engine was manufactured (see "date of manufacture").

Other internal combustion engine means any internal combustion engine, except combustion turbines, which is not a reciprocating internal combustion engine or rotary internal combustion engine.

Reciprocating internal combustion engine means any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work.

Remote areas of Alaska means areas of Alaska that meet either paragraph (1) or (2) of this definition.

(1) Areas of Alaska that are not accessible by the Federal Aid Highway System (FAHS).

(2) Areas of Alaska that meet all of the following criteria:

(i) The only connection to the FAHS is through the Alaska Marine Highway System, or the stationary CI ICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.

(ii) At least 10 percent of the power generated by the stationary CI ICE on an annual basis is used for residential purposes.

(iii) The generating capacity of the source is less than 12 megawatts, or the stationary CI ICE is used exclusively for backup power for renewable energy.

Rotary internal combustion engine means any internal combustion engine which uses rotary motion to convert heat energy into mechanical work.

Spark ignition means relating to a gasoline, natural gas, or liquefied petroleum gas fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary internal combustion engine means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle, aircraft, or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.

Subpart means 40 CFR part 60, subpart IIII.

Table 1 to Subpart IIII of Part 60 - Emission Standards for Stationary Pre-2007 Model Year Engines With a Displacement of <10 Liters per Cylinder and 2007-2010 Model Year Engines >2,237 KW (3,000 HP) and With a Displacement of <10 Liters per Cylinder

[As stated in §§ 60.4201(b), 60.4202(b), 60.4204(a), and 60.4205(a), you must comply with the following emission standards]

Maximum engine power	**Emission standards for stationary pre-2007 model year engines with a displacement of <10 liters per cylinder and 2007-2010 model year engines >2,237 KW (3,000 HP) and with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)**				
	NMHC + NO_X	**HC**	**NO_X**	**CO**	**PM**
KW<8 (HP<11)	10.5 (7.8)			8.0 (6.0)	1.0 (0.75)
8≤KW<19	9.5 (7.1)			6.6 (4.9)	0.80 (0.60)

Maximum engine power	Emission standards for stationary pre-2007 model year engines with a displacement of <10 liters per cylinder and 2007-2010 model year engines >2,237 KW (3,000 HP) and with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)				
	NMHC + NO_X	HC	NO_X	CO	PM
(11≤HP<25)					
19≤KW<37 (25≤HP<50)	9.5 (7.1)			5.5 (4.1)	0.80 (0.60)
37≤KW<56 (50≤HP<75)			9.2 (6.9)		
56≤KW<75 (75≤HP<100)			9.2 (6.9)		
75≤KW<130 (100≤HP<175)			9.2 (6.9)		
130≤KW<225 (175≤HP<300)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
225≤KW<450 (300≤HP<600)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
450≤KW≤560 (600≤HP≤750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
KW>560 (HP>750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)

Table 2 to Subpart IIII of Part 60 - Emission Standards for 2008 Model Year and Later Emergency Stationary CI ICE <37 KW (50 HP) With a Displacement of <10 Liters per Cylinder

[As stated in § 60.4202(a)(1), you must comply with the following emission standards]

Engine power	Emission standards for 2008 model year and later emergency stationary CI ICE <37 KW (50 HP) with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)			
	Model year(s)	NO_X + NMHC	CO	PM
KW<8 (HP<11)	2008 +	7.5 (5.6)	8.0 (6.0)	0.40 (0.30)
8≤KW<19 (11≤HP<25)	2008 +	7.5 (5.6)	6.6 (4.9)	0.40 (0.30)
19≤KW<37 (25≤HP<50)	2008 +	7.5 (5.6)	5.5 (4.1)	0.30 (0.22)

Table 3 to Subpart IIII of Part 60 - Certification Requirements for Stationary Fire Pump Engines

As stated in § 60.4202(d), you must certify new stationary fire pump engines beginning with the following model years:

Engine power	Starting model year engine manufacturers must certify new stationary fire pump engines according to § 60.4202(d)[1]
KW<75 (HP<100)	2011
75≤KW<130 (100≤HP<175)	2010
130≤KW≤560 (175≤HP≤750)	2009
KW>560 (HP>750)	2008

[1]Manufacturers of fire pump stationary CI ICE with a maximum engine power greater than or equal to 37 kW (50 HP) and less than 450 KW (600 HP) and a rated speed of greater than 2,650 revolutions per minute (rpm) are not required to certify such engines until three model years following the model year indicated in this Table 3 for engines in the applicable engine power category.

Table 4 to Subpart IIII of Part 60 - Emission Standards for Stationary Fire Pump Engines

[As stated in §§ 60.4202(d) and 60.4205(c), you must comply with the following emission standards for stationary fire pump engines]

Maximum engine power	Model year(s)	NMHC + NO_x	CO	PM
KW<8 (HP<11)	2010 and earlier	10.5 (7.8)	8.0 (6.0)	1.0 (0.75)
	2011 +	7.5 (5.6)		0.40 (0.30)
8≤KW<19 (11≤HP<25)	2010 and earlier	9.5 (7.1)	6.6 (4.9)	0.80 (0.60)
	2011 +	7.5 (5.6)		0.40 (0.30)
19≤KW<37 (25≤HP<50)	2010 and earlier	9.5 (7.1)	5.5 (4.1)	0.80 (0.60)
	2011 +	7.5 (5.6)		0.30 (0.22)
37≤KW<56 (50≤HP<75)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2011 +[1]	4.7 (3.5)		0.40 (0.30)
56≤KW<75 (75≤HP<100)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2011 +[1]	4.7 (3.5)		0.40 (0.30)

Maximum engine power	Model year(s)	NMHC + NO_X	CO	PM
75≤KW<130 (100≤HP<175)	2009 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2010 +[2]	4.0 (3.0)		0.30 (0.22)
130≤KW<225 (175≤HP<300)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009 +[3]	4.0 (3.0)		0.20 (0.15)
225≤KW<450 (300≤HP<600)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009 +[3]	4.0 (3.0)		0.20 (0.15)
450≤KW≤560 (600≤HP≤750)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009 +	4.0 (3.0)		0.20 (0.15)
KW>560 (HP>750)	2007 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2008 +	6.4 (4.8)		0.20 (0.15)

[1] For model years 2011-2013, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 revolutions per minute (rpm) may comply with the emission limitations for 2010 model year engines.

[2] For model years 2010-2012, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2009 model year engines.

[3] In model years 2009-2011, manufacturers of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2008 model year engines.

Table 5 to Subpart IIII of Part 60 - Labeling and Recordkeeping Requirements for New Stationary Emergency Engines

[You must comply with the labeling requirements in § 60.4210(f) and the recordkeeping requirements in § 60.4214(b) for new emergency stationary CI ICE beginning in the following model years:]

Engine power	Starting model year
19≤KW<56 (25≤HP<75)	2013
56≤KW<130 (75≤HP<175)	2012
KW≥130 (HP≥175)	2011

Table 6 to Subpart IIII of Part 60 - Optional 3-Mode Test Cycle for Stationary Fire Pump Engines

[As stated in § 60.4210(g), manufacturers of fire pump engines may use the following test cycle for testing fire pump engines:]

Mode No.	Engine speed[1]	Torque (percent)[2]	Weighting factors
1	Rated	100	0.30
2	Rated	75	0.50
3	Rated	50	0.20

[1] Engine speed: ±2 percent of point.

[2] Torque: NFPA certified nameplate HP for 100 percent point. All points should be ±2 percent of engine percent load value.

Table 7 to Subpart IIII of Part 60 - Requirements for Performance Tests for Stationary CI ICE With a Displacement of ≥30 Liters per Cylinder

As stated in § 60.4213, you must comply with the following requirements for performance tests for stationary CI ICE with a displacement of ≥30 liters per cylinder:

Each	Complying with the requirement to	You must	Using	According to the following requirements
1. Stationary CI internal combustion engine with a displacement of ≥ 30 liters per cylinder	a. Reduce NO_X emissions by 90 percent or more;	i. Select the sampling port location and number/location of traverse points at the inlet and outlet of the control device;		(a) For NO_X, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A-4.
		ii. Measure O_2 at the inlet and outlet of the control device;	(1) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for NO_X

Each	Complying with the requirement to	You must	Using	According to the following requirements
				concentration.
		iii. If necessary, measure moisture content at the inlet and outlet of the control device; and	(2) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see § 60.17)	(c) Measurements to determine moisture content must be made at the same time as the measurements for NO_X concentration.
		iv. Measure NO_X at the inlet and outlet of the control device.	(3) Method 7E of 40 CFR part 60, appendix A-4, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see § 60.17)	(d) NO_X concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	b. Limit the concentration of NO_X in the stationary CI internal combustion engine exhaust.	i. Select the sampling port location and number/location of traverse points at the exhaust of the stationary internal combustion engine;		(a) For NO_X, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40

Each	Complying with the requirement to	You must	Using	According to the following requirements
				CFR part 60, appendix A-4.
		ii. Determine the O_2 concentration of the stationary internal combustion engine exhaust at the sampling port location;	(1) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurement for NO_X concentration.
		iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(2) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see § 60.17)	(c) Measurements to determine moisture content must be made at the same time as the measurement for NO_X concentration.
		iv. Measure NO_X at the exhaust of the stationary internal combustion engine; if using a control device, the sampling site must be located at the outlet of the control device.	(3) Method 7E of 40 CFR part 60, appendix A-4, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see § 60.17)	(d) NO_X concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	c. Reduce PM emissions by 60 percent or more	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A-1	(a) Sampling sites must be located at the inlet and outlet of the control device.
		ii. Measure O_2 at the inlet and outlet of the control device;	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for PM concentration.
		iii. If necessary, measure moisture content at the inlet and outlet of the	(3) Method 4 of 40 CFR part 60, appendix A-3	(c) Measurements to determine and moisture content must be made at the same time as the

Each	Complying with the requirement to	You must	Using	According to the following requirements
		control device; and		measurements for PM concentration.
		iv. Measure PM at the inlet and outlet of the control device.	(4) Method 5 of 40 CFR part 60, appendix A-3	(d) PM concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	d. Limit the concentration of PM in the stationary CI internal combustion engine exhaust	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A-1	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O_2 concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for PM concentration.
		iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(3) Method 4 of 40 CFR part 60, appendix A-3	(c) Measurements to determine moisture content must be made at the same time as the measurements for PM concentration.
		iv. Measure PM at the exhaust of the stationary internal combustion engine.	(4) Method 5 of 40 CFR part 60, appendix A-3	(d) PM concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

Table 8 to Subpart IIII of Part 60 - Applicability of General Provisions to Subpart IIII

[As stated in § 60.4218, you must comply with the following applicable General Provisions:]

General Provisions citation	Subject of citation	Applies to subpart	Explanation

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§ 60.1	General applicability of the General Provisions	Yes	
§ 60.2	Definitions	Yes	Additional terms defined in § 60.4219.
§ 60.3	Units and abbreviations	Yes	
§ 60.4	Address	Yes	
§ 60.5	Determination of construction or modification	Yes	
§ 60.6	Review of plans	Yes	
§ 60.7	Notification and Recordkeeping	Yes	Except that § 60.7 only applies as specified in § 60.4214(a).
§ 60.8	Performance tests	Yes	Except that § 60.8 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder and engines that are not certified.
§ 60.9	Availability of information	Yes	
§ 60.10	State Authority	Yes	
§ 60.11	Compliance with standards and maintenance requirements	No	Requirements are specified in subpart IIII.
§ 60.12	Circumvention	Yes	
§ 60.13	Monitoring requirements	Yes	Except that § 60.13 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder.
§ 60.14	Modification	Yes	
§ 60.15	Reconstruction	Yes	
§ 60.16	Priority list	Yes	
§ 60.17	Incorporations by reference	Yes	
§ 60.18	General control device requirements	No	
§ 60.19	General notification and reporting requirements	Yes	

Appendix D. 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

§ 60.4230 Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (6) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Manufacturers of stationary SI ICE with a maximum engine power less than or equal to 19 kilowatt (KW) (25 horsepower (HP)) that are manufactured on or after July 1, 2008.

(2) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are gasoline fueled or that are rich burn engines fueled by liquefied petroleum gas (LPG), where the date of manufacture is:

(i) On or after July 1, 2008; or

(ii) On or after January 1, 2009, for emergency engines.

(3) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are not gasoline fueled and are not rich burn engines fueled by LPG, where the manufacturer participates in the voluntary manufacturer certification program described in this subpart and where the date of manufacture is:

(i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

(ii) On or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;

(iii) On or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or

(iv) On or after January 1, 2009, for emergency engines.

(4) Owners and operators of stationary SI ICE that commence construction after June 12, 2006, where the stationary SI ICE are manufactured:

(i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

(ii) on or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;

(iii) on or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or

(iv) on or after January 1, 2009, for emergency engines with a maximum engine power greater than 19 KW (25 HP).

(5) Owners and operators of stationary SI ICE that are modified or reconstructed after June 12, 2006, and any person that modifies or reconstructs any stationary SI ICE after June 12, 2006.

(6) The provisions of § 60.4236 of this subpart are applicable to all owners and operators of stationary SI ICE that commence construction after June 12, 2006.

(b) The provisions of this subpart are not applicable to stationary SI ICE being tested at an engine test cell/stand.

(c) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.

(d) For the purposes of this subpart, stationary SI ICE using alcohol-based fuels are considered gasoline engines.

(e) Stationary SI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C (or the exemptions described in 40 CFR parts 1048 and 1054, for engines that would need to be certified to standards in those parts), except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

(f) Owners and operators of facilities with internal combustion engines that are acting as temporary replacement units and that are located at a stationary source for less than 1 year and that have been properly certified as meeting the standards that would be applicable to such engine under the appropriate nonroad engine provisions, are not required to meet any other provisions under this subpart with regard to such engines.

Emission Standards for Manufacturers

§ 60.4231 What emission standards must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing such engines?

(a) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) manufactured on or after July 1, 2008 to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1054, as follows:

If engine displacement is . . .	and manufacturing dates are . . .	the engine must meet the following non-handheld emission standards identified in 40 CFR part 1054 and related requirements:
(1) Below 225 cc	July 1, 2008 to December 31, 2011	Phase 2.
(2) Below 225 cc	January 1, 2012 or later	Phase 3.
(3) At or above 225 cc	July 1, 2008 to December 31, 2010	Phase 2.
(4) At or above 225 cc	January 1, 2011 or later	Phase 3.

(b) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) (except emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that use gasoline and that are manufactured on or after the applicable date in § 60.4230(a)(2), or manufactured on or after the applicable date in § 60.4230(a)(4) for emergency stationary ICE with a maximum engine power greater than or equal to 130 HP, to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers must certify their emergency stationary SI ICE with a maximum engine power greater than 25 HP and less than 130 HP that use gasoline and that are manufactured on or after the applicable date in § 60.4230(a)(4) to the Phase 1 emission standards in 40 CFR part 1054, appendix I, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 1054. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP)

with a total displacement less than or equal to 1,000 cubic centimeters (cc) that use gasoline to the certification emission standards and other requirements as appropriate for new nonroad SI engines in 40 CFR part 1054.

(c) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) (except emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that are rich burn engines that use LPG and that are manufactured on or after the applicable date in § 60.4230(a)(2), or manufactured on or after the applicable date in § 60.4230(a)(4) for emergency stationary ICE with a maximum engine power greater than or equal to 130 HP, to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers must certify their emergency stationary SI ICE greater than 25 HP and less than 130 HP that are rich burn engines that use LPG and that are manufactured on or after the applicable date in § 60.4230(a)(4) to the Phase 1 emission standards in 40 CFR part 1054, appendix I, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 1054. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc that are rich burn engines that use LPG to the certification emission standards and other requirements as appropriate for new nonroad SI engines in 40 CFR part 1054.

(d) Stationary SI internal combustion engine manufacturers who choose to certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) under the voluntary manufacturer certification program described in this subpart must certify those engines to the certification emission standards for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers who choose to certify their emergency stationary SI ICE greater than 25 HP and less than 130 HP (except gasoline and rich burn engines that use LPG), must certify those engines to the Phase 1 emission standards in 40 CFR part 1054, appendix I, applicable to class II engines, for new nonroad SI engines in 40 CFR part 1054. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc (except gasoline and rich burn engines that use LPG) to the certification emission standards and other requirements as appropriate for new nonroad SI engines in 40 CFR part 1054. For stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) manufactured prior to January 1, 2011, manufacturers may choose to certify these engines to the standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP.

(e) Stationary SI internal combustion engine manufacturers who choose to certify their stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) under the voluntary manufacturer certification program described in this subpart must certify those engines to the emission standards in Table 1 to this subpart. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) that are lean burn engines that use LPG to the certification emission standards for new nonroad SI engines in 40 CFR part 1048. For stationary SI ICE with a maximum engine power greater than or equal to 100 HP (75 KW) and less than 500 HP (373 KW) manufactured prior to January 1, 2011, and for stationary SI ICE with a maximum engine power greater than or equal to 500 HP (373 KW) manufactured prior to July 1, 2010, manufacturers may choose to certify these engines to the certification emission standards for new nonroad SI engines in 40 CFR part 1048 applicable to engines that are not severe duty engines.

(f) Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, to the extent they apply to equipment manufacturers.

(g) Notwithstanding the requirements in paragraphs (a) through (c) of this section, stationary SI internal combustion engine manufacturers are not required to certify reconstructed engines; however manufacturers may elect to do so. The reconstructed engine must be certified to the emission standards specified in paragraphs (a) through (e) of this section that are applicable to the model year, maximum engine power and displacement of the reconstructed stationary SI ICE.

§ 60.4232 How long must my engines meet the emission standards if I am a manufacturer of stationary SI internal combustion engines?

Engines manufactured by stationary SI internal combustion engine manufacturers must meet the emission standards as required in § 60.4231 during the certified emissions life of the engines.

Emission Standards for Owners and Operators

§ 60.4233 What emission standards must I meet if I am an owner or operator of a stationary SI internal combustion engine?

(a) Owners and operators of stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) manufactured on or after July 1, 2008, must comply with the emission standards in § 60.4231(a) for their stationary SI ICE.

(b) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) manufactured on or after the applicable date in § 60.4230(a)(4) that use gasoline must comply with the emission standards in § 60.4231(b) for their stationary SI ICE.

(c) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) manufactured on or after the applicable date in § 60.4230(a)(4) that are rich burn engines that use LPG must comply with the emission standards in § 60.4231(c) for their stationary SI ICE.

(d) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards for field testing in 40 CFR 1048.101(c) for their non-emergency stationary SI ICE and with the emission standards in Table 1 to this subpart for their emergency stationary SI ICE. Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) manufactured prior to January 1, 2011, that were certified to the standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP, may optionally choose to meet those standards.

(e) Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE. For owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 100 HP (except gasoline and rich burn engines that use LPG) manufactured prior to January 1, 2011 that were certified to the certification emission standards in 40 CFR part 1048 applicable to engines that are not severe duty engines, if such stationary SI ICE was certified to a carbon monoxide (CO) standard above the standard in Table 1 to this subpart, then the owners and operators may meet the CO certification (not field testing) standard for which the engine was certified.

(f) Owners and operators of any modified or reconstructed stationary SI ICE subject to this subpart must meet the requirements as specified in paragraphs (f)(1) through (5) of this section.

(1) Owners and operators of stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with emission standards in § 60.4231(a) for their stationary SI ICE. Engines with a date of manufacture prior to July 1, 2008 must comply with the emission standards specified in § 60.4231(a) applicable to engines manufactured on July 1, 2008.

(2) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are gasoline engines and are modified or reconstructed after June 12, 2006, must comply with the emission standards in § 60.4231(b) for their stationary SI ICE. Engines with a date of manufacture prior to July 1, 2008 (or January 1, 2009 for emergency engines) must comply with the emission standards specified in § 60.4231(b) applicable to engines manufactured on July 1, 2008 (or January 1, 2009 for emergency engines).

(3) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are rich burn engines that use LPG, that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in § 60.4231(c). Engines with a date of manufacture prior to July 1, 2008 (or January 1, 2009 for emergency engines) must comply with the emission standards specified in § 60.4231(c) applicable to engines manufactured on July 1, 2008 (or January 1, 2009 for emergency engines).

(4) Owners and operators of stationary SI natural gas and lean burn LPG engines with a maximum engine power greater than 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (d) or (e) of this section, except that such owners and operators of non-emergency engines and emergency engines greater than or equal to 130 HP must meet a nitrogen oxides (NO_X) emission standard of 3.0 grams per HP-hour (g/HP-hr), a CO emission standard of 4.0 g/HP-hr (5.0 g/HP-hr for non-emergency engines less than 100 HP), and a volatile organic compounds (VOC) emission standard of 1.0 g/HP-hr, or a NO_X emission standard of 250 ppmvd at 15 percent oxygen (O_2), a CO emission standard 540 ppmvd at 15 percent O_2 (675 ppmvd at 15 percent O_2 for non-emergency engines less than 100 HP), and a VOC emission standard of 86 ppmvd at 15 percent O_2, where the date of manufacture of the engine is:

(i) Prior to July 1, 2007, for non-emergency engines with a maximum engine power greater than or equal to 500 HP (except lean burn natural gas engines and LPG engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

(ii) Prior to July 1, 2008, for non-emergency engines with a maximum engine power less than 500 HP;

(iii) Prior to January 1, 2009, for emergency engines;

(iv) Prior to January 1, 2008, for non-emergency lean burn natural gas engines and LPG engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP.

(5) Owners and operators of stationary SI landfill/digester gas ICE engines with a maximum engine power greater than 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (e) of this section for stationary landfill/digester gas engines. Engines with maximum engine power less than 500 HP and a date of manufacture prior to July 1, 2008 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE with a maximum engine power less than 500 HP manufactured on July 1, 2008. Engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines greater than or equal to 500 HP and less than 1,350 HP) and a date of manufacture prior to July 1, 2007 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE with a maximum engine power greater than or equal to 500 HP (except lean burn engines greater than or equal to 500 HP and less than 1,350 HP) manufactured on July 1, 2007. Lean burn engines greater than or equal to 500 HP and less than 1,350 HP with a date of manufacture prior to January 1, 2008 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE that are lean burn engines greater than or equal to 500 HP and less than 1,350 HP and manufactured on January 1, 2008.

(g) Owners and operators of stationary SI wellhead gas ICE engines may petition the Administrator for approval on a case-by-case basis to meet emission standards no less stringent than the emission standards that apply to stationary emergency SI engines greater than 25 HP and less than 130 HP due to the presence of high sulfur levels in the fuel,

as specified in Table 1 to this subpart. The request must, at a minimum, demonstrate that the fuel has high sulfur levels that prevent the use of aftertreatment controls and also that the owner has reasonably made all attempts possible to obtain an engine that will meet the standards without the use of aftertreatment controls. The petition must request the most stringent standards reasonably applicable to the engine using the fuel.

(h) Owners and operators of stationary SI ICE that are required to meet standards that reference 40 CFR 1048.101 must, if testing their engines in use, meet the standards in that section applicable to field testing, except as indicated in paragraph (e) of this section.

§ 60.4234 How long must I meet the emission standards if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in § 60.4233 over the entire life of the engine.

Other Requirements for Owners and Operators

§ 60.4235 What fuel requirements must I meet if I am an owner or operator of a stationary SI gasoline fired internal combustion engine subject to this subpart?

Owners and operators of stationary SI ICE subject to this subpart that use gasoline must use gasoline that meets the per gallon sulfur limit in 40 CFR 1090.205.

§ 60.4236 What is the deadline for importing or installing stationary SI ICE produced in previous model years?

(a) After July 1, 2010, owners and operators may not install stationary SI ICE with a maximum engine power of less than 500 HP that do not meet the applicable requirements in § 60.4233.

(b) After July 1, 2009, owners and operators may not install stationary SI ICE with a maximum engine power of greater than or equal to 500 HP that do not meet the applicable requirements in § 60.4233, except that lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP that do not meet the applicable requirements in § 60.4233 may not be installed after January 1, 2010.

(c) For emergency stationary SI ICE with a maximum engine power of greater than 19 KW (25 HP), owners and operators may not install engines that do not meet the applicable requirements in § 60.4233 after January 1, 2011.

(d) In addition to the requirements specified in §§ 60.4231 and 60.4233, it is prohibited to import stationary SI ICE less than or equal to 19 KW (25 HP), stationary rich burn LPG SI ICE, and stationary gasoline SI ICE that do not meet the applicable requirements specified in paragraphs (a), (b), and (c) of this section, after the date specified in paragraph (a), (b), and (c) of this section.

(e) The requirements of this section do not apply to owners and operators of stationary SI ICE that have been modified or reconstructed, and they do not apply to engines that were removed from one existing location and reinstalled at a new location.

§ 60.4237 What are the monitoring requirements if I am an owner or operator of an emergency stationary SI internal combustion engine?

(a) Starting on July 1, 2010, if the emergency stationary SI internal combustion engine that is greater than or equal to 500 HP that was built on or after July 1, 2010, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.

(b) Starting on January 1, 2011, if the emergency stationary SI internal combustion engine that is greater than or equal to 130 HP and less than 500 HP that was built on or after January 1, 2011, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.

(c) If you are an owner or operator of an emergency stationary SI internal combustion engine that is less than 130 HP, was built on or after July 1, 2008, and does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter upon startup of your emergency engine.

Compliance Requirements for Manufacturers

§ 60.4238 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines ≤19 KW (25 HP) or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in § 60.4231(a) must certify their stationary SI ICE using the certification and testing procedures required in 40 CFR part 1054, subparts C and F. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

§ 60.4239 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that use gasoline or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in § 60.4231(b) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must test their engines as specified in that part. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1054, and manufacturers of stationary SI emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 emission standards in 40 CFR part 1054, appendix I, applicable to class II engines, must certify their stationary SI ICE using the certification and testing procedures required in 40 CFR part 1054, subparts C and F. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

§ 60.4240 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that are rich burn engines that use LPG or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in § 60.4231(c) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must test their engines as specified in that part. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1054, and manufacturers of stationary SI emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 emission standards in 40 CFR part 1054, appendix I, applicable to class II engines, must certify their stationary SI ICE using the certification and testing procedures required in 40 CFR part 1054, subparts C and F. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

§ 60.4241 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines participating in the voluntary certification program or a manufacturer of equipment containing such engines?

(a) Manufacturers of stationary SI internal combustion engines with a maximum engine power greater than 19 KW (25 HP) that do not use gasoline and are not rich burn engines that use LPG can choose to certify their engines to the emission standards in § 60.4231(d) or (e), as applicable, under the voluntary certification program described in this subpart. Manufacturers who certify their engines under the voluntary certification program must meet the requirements as specified in paragraphs (b) through (g) of this section. In addition, manufacturers of stationary SI internal combustion engines who choose to certify their engines under the voluntary certification program, must also meet the requirements as specified in § 60.4247. Manufacturers of stationary SI internal combustion engines

who choose not to certify their engines under this section must notify the ultimate purchaser that testing requirements apply as described in § 60.4243(b)(2); manufacturers must keep a copy of this notification for five years after shipping each engine and make those documents available to EPA upon request.

(b) Manufacturers of engines other than those certified to standards in 40 CFR part 1054 must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must follow the same test procedures that apply to Large SI nonroad engines under 40 CFR part 1048, but must use the D-1 cycle of International Organization for Standardization 8178-4: 1996(E) (incorporated by reference, see § 60.17) or the test cycle requirements specified in Table 3 to 40 CFR 1048.505, except that Table 3 of 40 CFR 1048.505 applies to high load engines only. Manufacturers of any size may certify their stationary emergency engines at or above 130 hp using assigned deterioration factors established by EPA, consistent with 40 CFR 1048.240. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1054, and manufacturers of emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 standards in 40 CFR part 1054, appendix I, applicable to class II engines, must certify their stationary SI ICE using the certification and testing procedures required in 40 CFR part 1054, subparts C and F. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

(c) Certification of stationary SI ICE to the emission standards specified in § 60.4231(d) or (e), as applicable, is voluntary, but manufacturers who decide to certify are subject to all of the requirements indicated in this subpart with regard to the engines included in their certification. Manufacturers must clearly label their stationary SI engines as certified or non-certified engines.

(d) Manufacturers of natural gas fired stationary SI ICE who conduct voluntary certification of stationary SI ICE to the emission standards specified in § 60.4231(d) or (e), as applicable, must certify their engines for operation using fuel that meets the definition of pipeline-quality natural gas. The fuel used for certifying stationary SI natural gas engines must meet the definition of pipeline-quality natural gas as described in § 60.4248. In addition, the manufacturer must provide information to the owner and operator of the certified stationary SI engine including the specifications of the pipeline-quality natural gas to which the engine is certified and what adjustments the owner or operator must make to the engine when installed in the field to ensure compliance with the emission standards.

(e) Manufacturers of stationary SI ICE that are lean burn engines fueled by LPG who conduct voluntary certification of stationary SI ICE to the emission standards specified in § 60.4231(d) or (e), as applicable, must certify their engines for operation using fuel that meets the specifications in 40 CFR 1065.720.

(f) Manufacturers may certify their engines for operation using gaseous fuels in addition to pipeline-quality natural gas; however, the manufacturer must specify the properties of that fuel and provide testing information showing that the engine will meet the emission standards specified in § 60.4231(d) or (e), as applicable, when operating on that fuel. The manufacturer must also provide instructions for configuring the stationary engine to meet the emission standards on fuels that do not meet the pipeline-quality natural gas definition. The manufacturer must also provide information to the owner and operator of the certified stationary SI engine regarding the configuration that is most conducive to reduced emissions where the engine will be operated on gaseous fuels with different quality than the fuel that it was certified to.

(g) A stationary SI engine manufacturer may certify an engine family solely to the standards applicable to landfill/digester gas engines as specified in § 60.4231(d) or (e), as applicable, but must certify their engines for operation using landfill/digester gas and must add a permanent label stating that the engine is for use only in

landfill/digester gas applications. The label must be added according to the labeling requirements specified in 40 CFR 1048.135(b).

(h) For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

(i) For engines being certified to the voluntary certification standards in Table 1 of this subpart, the VOC measurement shall be made by following the procedures in 40 CFR part 1065, subpart C, to determine the total NMHC emissions. As an alternative, manufacturers may measure ethane, as well as methane, for excluding such levels from the total VOC measurement.

§ 60.4242 What other requirements must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

(a) Stationary SI internal combustion engine manufacturers must meet the provisions of 40 CFR parts 1048, 1054, and 1068, as applicable, except that engines certified pursuant to the voluntary certification procedures in § 60.4241 are subject only to the provisions indicated in § 60.4247 and are permitted to provide instructions to owners and operators allowing for deviations from certified configurations, if such deviations are consistent with the provisions of § 60.4241(c) through (f). Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, as applicable. Labels on engines certified to 40 CFR part 1048 must refer to stationary engines, rather than or in addition to nonroad engines, as appropriate.

(b) An engine manufacturer certifying an engine family or families to standards under this subpart that are identical to standards identified in 40 CFR part 1048 or 1054 for that model year may certify any such family that contains both nonroad and stationary engines as a single engine family and/or may include any such family containing stationary engines in the averaging, banking and trading provisions applicable for such engines under those parts. This paragraph (b) also applies to equipment or component manufacturers certifying to standards under 40 CFR part 1060.

(c) Manufacturers of engine families certified to 40 CFR part 1048 may meet the labeling requirements referred to in paragraph (a) of this section for stationary SI ICE by either adding a separate label containing the information required in paragraph (a) of this section or by adding the words “and stationary” after the word “nonroad” to the label.

(d) For all engines manufactured on or after January 1, 2011, and for all engines with a maximum engine power greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, a stationary SI engine manufacturer that certifies an engine family solely to the standards applicable to emergency engines must add a permanent label stating that the engines in that family are for emergency use only. The label must be added according to the labeling requirements specified in 40 CFR 1048.135(b).

(e) All stationary SI engines subject to mandatory certification that do not meet the requirements of this subpart must be labeled and exported according to 40 CFR 1068.230. Manufacturers of stationary engines with a maximum engine power greater than 25 HP that are not certified to standards and other requirements under 40 CFR part 1048 are subject to the labeling provisions of 40 CFR 1048.20 pertaining to excluded stationary engines.

(f) For manufacturers of gaseous-fueled stationary engines required to meet the warranty provisions in 40 CFR 1054.120, we may establish an hour-based warranty period equal to at least the certified emissions life of the engines (in engine operating hours) if we determine that these engines are likely to operate for a number of hours greater than the applicable useful life within 24 months. We will not approve an alternate warranty under this paragraph (f) for nonroad engines. An alternate warranty period approved under this paragraph (f) will be the specified number of engine operating hours or two years, whichever comes first. The engine manufacturer shall

request this alternate warranty period in its application for certification or in an earlier submission. We may approve an alternate warranty period for an engine family subject to the following conditions:

(1) The engines must be equipped with non-resettable hour meters.

(2) The engines must be designed to operate for a number of hours substantially greater than the applicable certified emissions life.

(3) The emission-related warranty for the engines may not be shorter than any published warranty offered by the manufacturer without charge for the engines. Similarly, the emission-related warranty for any component shall not be shorter than any published warranty offered by the manufacturer without charge for that component.

Compliance Requirements for Owners and Operators

§ 60.4243 What are my compliance requirements if I am an owner or operator of a stationary SI internal combustion engine?

(a) If you are an owner or operator of a stationary SI internal combustion engine that is manufactured after July 1, 2008, and must comply with the emission standards specified in § 60.4233(a) through (c), you must comply by purchasing an engine certified to the emission standards in § 60.4231(a) through (c), as applicable, for the same engine class and maximum engine power. In addition, you must meet one of the requirements specified in (a)(1) and (2) of this section.

(1) If you operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, you must keep records of conducted maintenance to demonstrate compliance, but no performance testing is required if you are an owner or operator. You must also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply to you. If you adjust engine settings according to and consistent with the manufacturer's instructions, your stationary SI internal combustion engine will not be considered out of compliance.

(2) If you do not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, your engine will be considered a non-certified engine, and you must demonstrate compliance according to (a)(2)(i) through (iii) of this section, as appropriate.

(i) If you are an owner or operator of a stationary SI internal combustion engine less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions, but no performance testing is required if you are an owner or operator.

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup to demonstrate compliance.

(iii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

(b) If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in § 60.4233(d) or (e), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) and (2) of this section.

(1) Purchasing an engine certified according to procedures specified in this subpart, for the same model year and demonstrating compliance according to one of the methods specified in paragraph (a) of this section.

(2) Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in § 60.4233(d) or (e) and according to the requirements specified in § 60.4244, as applicable, and according to paragraphs (b)(2)(i) and (ii) of this section.

(i) If you are an owner or operator of a stationary SI internal combustion engine greater than 25 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance.

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

(c) If you are an owner or operator of a stationary SI internal combustion engine that must comply with the emission standards specified in § 60.4233(f), you must demonstrate compliance according paragraph (b)(2)(i) or (ii) of this section, except that if you comply according to paragraph (b)(2)(i) of this section, you demonstrate that your non-certified engine complies with the emission standards specified in § 60.4233(f).

(d) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (d)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (d)(1) through (3), is prohibited. If you do not operate the engine according to the requirements in paragraphs (d)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

(1) There is no time limit on the use of emergency stationary ICE in emergency situations.

(2) You may operate your emergency stationary ICE for the purpose specified in paragraph (d)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (d)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (d)(2).

(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

(ii) [Reserved]

(iii) [Reserved]

(3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (d)(2) of this section. Except as provided in paragraph (d)(3)(i) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

(ii) [Reserved]

(e) Owners and operators of stationary SI natural gas fired engines may operate their engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the owners and operators are required to conduct a performance test to demonstrate compliance with the emission standards of § 60.4233.

(f) If you are an owner or operator of a stationary SI internal combustion engine that is less than or equal to 500 HP and you purchase a non-certified engine or you do not operate and maintain your certified stationary SI internal combustion engine and control device according to the manufacturer's written emission-related instructions, you are required to perform initial performance testing as indicated in this section, but you are not required to conduct subsequent performance testing unless the stationary engine undergoes rebuild, major repair or maintenance. Engine rebuilding means to overhaul an engine or to otherwise perform extensive service on the engine (or on a portion of the engine or engine system). For the purpose of this paragraph (f), perform extensive service means to disassemble the engine (or portion of the engine or engine system), inspect and/or replace many of the parts, and reassemble the engine (or portion of the engine or engine system) in such a manner that significantly increases the service life of the resultant engine.

(g) It is expected that air-to-fuel ratio controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times.

(h) If you are an owner/operator of an stationary SI internal combustion engine with maximum engine power greater than or equal to 500 HP that is manufactured after July 1, 2007 and before July 1, 2008, and must comply with the emission standards specified in sections 60.4233(b) or (c), you must comply by one of the methods specified in paragraphs (h)(1) through (h)(4) of this section.

(1) Purchasing an engine certified according to 40 CFR part 1048. The engine must be installed and configured according to the manufacturer's specifications.

(2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.

(3) Keeping records of engine manufacturer data indicating compliance with the standards.

(4) Keeping records of control device vendor data indicating compliance with the standards.

(i) If you are an owner or operator of a modified or reconstructed stationary SI internal combustion engine and must comply with the emission standards specified in § 60.4233(f), you must demonstrate compliance according to one of the methods specified in paragraphs (i)(1) or (2) of this section.

(1) Purchasing, or otherwise owning or operating, an engine certified to the emission standards in § 60.4233(f), as applicable.

(2) Conducting a performance test to demonstrate initial compliance with the emission standards according to the requirements specified in § 60.4244. The test must be conducted within 60 days after the engine commences operation after the modification or reconstruction.

Testing Requirements for Owners and Operators

§ 60.4244 What test methods and other procedures must I use if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (f) of this section.

(a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in § 60.8 and under the specific conditions that are specified by Table 2 to this subpart.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.

(c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

(d) To determine compliance with the NO_X mass per unit output emission limitation, convert the concentration of NO_X in the engine exhaust using Equation 1 of this section:

$$ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{HP - hr} \qquad \text{(Eq. 1)}$$

Where:

ER = Emission rate of NO_X in g/HP-hr.

C_d = Measured NO_X concentration in parts per million by volume (ppmv).

1.912×10^{-3} = Conversion constant for ppm NO_X to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, horsepower-hour (HP-hr).

(e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of this section:

$$ER = \frac{C_d \times 1.164 \times 10^{-3} \times Q \times T}{HP-hr} \qquad \text{(Eq. 2)}$$

Where:

ER = Emission rate of CO in g/HP-hr.

C_d = Measured CO concentration in ppmv.

1.164×10^{-3} = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(f) For purposes of this subpart, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of this section:

$$ER = \frac{C_d \times 1.833 \times 10^{-3} \times Q \times T}{HP-hr} \qquad \text{(Eq. 3)}$$

Where:

ER = Emission rate of VOC in g/HP-hr.

C_d = VOC concentration measured as propane in ppmv.

1.833×10^{-3} = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(g) If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results

from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.

$$RF_i = \frac{C_{Mi}}{C_{Ai}} \qquad \text{(Eq. 4)}$$

Where:

RF_i = Response factor of compound i when measured with EPA Method 25A.

C_{Mi} = Measured concentration of compound i in ppmv as carbon.

C_{Ai} = True concentration of compound i in ppmv as carbon.

$$C_{icorr} = RF_i \times C_{imeas} \qquad \text{(Eq. 5)}$$

Where:

C_{icorr} = Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon.

C_{imeas} = Concentration of compound i measured by EPA Method 320, ppmv as carbon.

$$C_{Peq} = 0.6098 \times C_{icorr} \qquad \text{(Eq. 6)}$$

Where:

C_{Peq} = Concentration of compound i in mg of propane equivalent per DSCM.

Notification, Reports, and Records for Owners and Operators

§ 60.4245 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?

Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.

(a) Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of this section.

(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(2) Maintenance conducted on the engine.

(3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 1048, 1054, and 1060, as applicable.

(4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to § 60.4243(a)(2), documentation that the engine meets the emission standards.

(b) For all stationary SI emergency ICE greater than or equal to 500 HP manufactured on or after July 1, 2010, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than or equal to 130 HP and less than 500 HP manufactured on or after July 1, 2011 that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.

(c) Owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in § 60.4231 must submit an initial notification as required in § 60.7(a)(1). The notification must include the information in paragraphs (c)(1) through (5) of this section. Beginning on February 26, 2025 submit the notification electronically according to paragraph (g) of this section.

(1) Name and address of the owner or operator;

(2) The address of the affected source;

(3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(4) Emission control equipment; and

(5) Fuel used.

(d) Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in § 60.4244 within 60 days after the test has been completed. Performance test reports using EPA Method 18, EPA Method 320, or ASTM D6348-03 (incorporated by reference—see 40 CFR 60.17) to measure VOC require reporting of all QA/QC data. For Method 18, report results from sections 8.4 and 11.1.1.4; for Method 320, report results from sections 8.6.2, 9.0, and 13.0; and for ASTM D6348-03 report results of all QA/QC procedures in Annexes 1-7. Beginning on February 26, 2025, performance tests must be reported electronically according to paragraph (f) of this section.

(e) If you own or operate an emergency stationary SI ICE with a maximum engine power more than 100 HP that operates for the purpose specified in § 60.4243(d)(3)(i), you must submit an annual report according to the requirements in paragraphs (e)(1) through (3) of this section.

(1) The report must contain the following information:

(i) Company name and address where the engine is located.

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

(iii) Engine site rating and model year.

(iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(v)-(vi) [Reserved]

(vii) Hours spent for operation for the purposes specified in § 60.4243(d)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in § 60.4243(d)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

(3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 60.4. Beginning on February 26, 2025, submit annual report electronically according to paragraph (g) of this section.

(f) Beginning on February 26, 2025, within 60 days after the date of completing each performance test, you must submit the results following the procedures specified in paragraph (g) of this section. Data collected using test methods that are supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (*https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert*) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test must be included as an attachment in the ERT or an alternate electronic file.

(g) If you are required to submit notifications or reports following the procedure specified in this paragraph (g), you must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (g)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (g).

(1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqpscbi@epa.gov,* and as described in paragraph (g) of this section, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Stationary Spark Ignition Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqpscbi@epa.gov* to request a file transfer link.

(2) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711. ERT files should be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should be sent to the attention of the Stationary Spark Ignition Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(h) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (h)(1) through (7) of this section.

(1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

(2) The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due.

(3) The outage may be planned or unplanned.

(4) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(5) You must provide to the Administrator a written description identifying:

(i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

(i) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (i)(1) through (5) of this section.

(1) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (*e.g.,* hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (*e.g.,* large scale power outage).

(2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(3) You must provide to the Administrator:

(i) A written description of the force majeure event;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

(j) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

General Provisions

§ 60.4246 What General Provisions and confidential information provisions apply to me?

(a) Table 3 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.

(b) The provisions of 40 CFR 1068.10 and 1068.11 apply for engine manufacturers. For others, the general confidential business information (CBI) provisions apply as described in 40 CFR part 2.

Mobile Source Provisions

§ 60.4247 What parts of the mobile source provisions apply to me if I am a manufacturer of stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

(a) Manufacturers certifying to emission standards in 40 CFR part 1054 must meet the provisions of 40 CFR part 1054. Note that 40 CFR part 1054, appendix I, describes various provisions that do not apply for engines meeting Phase 1 standards in 40 CFR part 1054. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060 to the extent they apply to equipment manufacturers.

(b) Manufacturers required to certify to emission standards in 40 CFR part 1048 must meet the provisions of 40 CFR part 1048. Manufacturers certifying to emission standards in 40 CFR part 1048 pursuant to the voluntary certification program must meet the requirements in Table 4 to this subpart as well as the standards in 40 CFR 1048.101.

(c) For manufacturers of stationary SI internal combustion engines participating in the voluntary certification program and certifying engines to Table 1 to this subpart, Table 4 to this subpart shows which parts of the mobile source provisions in 40 CFR parts 1048, 1065, and 1068 apply to you. Compliance with the deterioration factor provisions under 40 CFR 1048.205(n) and 1048.240 will be required for engines built new on and after January 1, 2010. Prior to January 1, 2010, manufacturers of stationary internal combustion engines participating in the voluntary certification program have the option to develop their own deterioration factors based on an engineering analysis.

Definitions

§ 60.4248 What definitions apply to this subpart?

As used in this subpart, all terms not defined herein shall have the meaning given them in the CAA and in subpart A of this part.

Certified emissions life means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or calendar years, whichever comes first. The values for certified emissions life for stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) are given in 40 CFR 1054.107 and 1060.101, as appropriate. The values

for certified emissions life for stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) certified to 40 CFR part 1048 are given in 40 CFR 1048.101(g). The certified emissions life for stationary SI ICE with a maximum engine power greater than 75 KW (100 HP) certified under the voluntary manufacturer certification program of this subpart is 5,000 hours or 7 years, whichever comes first. You may request in your application for certification that we approve a shorter certified emissions life for an engine family. We may approve a shorter certified emissions life, in hours of engine operation but not in years, if we determine that these engines will rarely operate longer than the shorter certified emissions life. If engines identical to those in the engine family have already been produced and are in use, your demonstration must include documentation from such in-use engines. In other cases, your demonstration must include an engineering analysis of information equivalent to such in-use data, such as data from research engines or similar engine models that are already in production. Your demonstration must also include any overhaul interval that you recommend, any mechanical warranty that you offer for the engine or its components, and any relevant customer design specifications. Your demonstration may include any other relevant information. The certified emissions life value may not be shorter than any of the following:

(1) 1,000 hours of operation.

(2) Your recommended overhaul interval.

(3) Your mechanical warranty for the engine.

Certified stationary internal combustion engine means an engine that belongs to an engine family that has a certificate of conformity that complies with the emission standards and requirements in this part, or of 40 CFR part 1048 or 1054, as appropriate.

Combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle combustion turbine, any regenerative/recuperative cycle combustion turbine, the combustion turbine portion of any cogeneration cycle combustion system, or the combustion turbine portion of any combined cycle steam/electric generating system.

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Date of manufacture means one of the following things:

(1) For freshly manufactured engines and modified engines, date of manufacture means the date the engine is originally produced.

(2) For reconstructed engines, date of manufacture means the date the engine was originally produced, except as specified in paragraph (3) of this definition.

(3) Reconstructed engines are assigned a new date of manufacture if the fixed capital cost of the new and refurbished components exceeds 75 percent of the fixed capital cost of a comparable entirely new facility. An engine that is produced from a previously used engine block does not retain the date of manufacture of the engine in which the engine block was previously used if the engine is produced using all new components except for the engine block. In these cases, the date of manufacture is the date of reconstruction or the date the new engine is produced.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is number 2 distillate oil.

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and carbon dioxide (CO_2).

Emergency stationary internal combustion engine means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary ICE must comply with the requirements specified in § 60.4243(d) in order to be considered emergency stationary ICE. If the engine does not comply with the requirements specified in § 60.4243(d), then it is not considered to be an emergency stationary ICE under this subpart.

(1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc.

(2) The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 60.4243(d).

(3) The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 60.4243(d)(3)(i).

Engine manufacturer means the manufacturer of the engine. See the definition of "manufacturer" in this section.

Four-stroke engine means any type of engine which completes the power cycle in two crankshaft revolutions, with intake and compression strokes in the first revolution and power and exhaust strokes in the second revolution.

Freshly manufactured engine means an engine that has not been placed into service. An engine becomes freshly manufactured when it is originally produced.

Gasoline means any fuel sold in any State for use in motor vehicles and motor vehicle engines, or nonroad or stationary engines, and commonly or commercially known or sold as gasoline.

Installed means the engine is placed and secured at the location where it is intended to be operated.

Landfill gas means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO_2.

Lean burn engine means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

Liquefied petroleum gas means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining or natural gas production.

Manufacturer has the meaning given in section 216(1) of the Clean Air Act. In general, this term includes any person who manufactures a stationary engine for sale in the United States or otherwise introduces a new stationary engine into commerce in the United States. This includes importers who import stationary engines for resale.

Maximum engine power means maximum engine power as defined in 40 CFR 1048.801.

Model year means the calendar year in which an engine is manufactured (see "date of manufacture"), except as follows:

(1) Model year means the annual new model production period of the engine manufacturer in which an engine is manufactured (see "date of manufacture"), if the annual new model production period is different than the calendar year and includes January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year.

(2) For an engine that is converted to a stationary engine after being placed into service as a nonroad or other non-stationary engine, model year means the calendar year or new model production period in which the engine was manufactured (see "date of manufacture").

Natural gas means a naturally occurring mixture of hydrocarbon and non-hydrocarbon gases found in geologic formations beneath the Earth's surface, of which the principal constituent is methane. Natural gas may be field or pipeline quality.

Other internal combustion engine means any internal combustion engine, except combustion turbines, which is not a reciprocating internal combustion engine or rotary internal combustion engine.

Pipeline-quality natural gas means a naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions, and which is provided by a supplier through a pipeline. Pipeline-quality natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1,100 British thermal units per standard cubic foot.

Rich burn engine means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to June 12, 2006, with passive emission control technology for NO_X (such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

Rotary internal combustion engine means any internal combustion engine which uses rotary motion to convert heat energy into mechanical work.

Spark ignition means relating to either: a gasoline-fueled engine; or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for compression ignition and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary internal combustion engine means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle, aircraft, or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.

Stationary internal combustion engine test cell/stand means an engine test cell/stand, as defined in 40 CFR part 63, subpart PPPPP, that tests stationary ICE.

Stoichiometric means the theoretical air-to-fuel ratio required for complete combustion.

Subpart means 40 CFR part 60, subpart JJJJ.

Two-stroke engine means a type of engine which completes the power cycle in single crankshaft revolution by combining the intake and compression operations into one stroke and the power and exhaust operations into a second stroke. This system requires auxiliary scavenging and inherently runs lean of stoichiometric.

Volatile organic compounds means volatile organic compounds as defined in 40 CFR 51.100(s).

Voluntary certification program means an optional engine certification program that manufacturers of stationary SI internal combustion engines with a maximum engine power greater than 19 KW (25 HP) that do not use gasoline and are not rich burn engines that use LPG can choose to participate in to certify their engines to the emission standards in § 60.4231(d) or (e), as applicable.

Table 1 to Subpart JJJJ of Part 60—NO_X, CO, and VOC Emission Standards for Stationary Non-Emergency SI Engines ≥100 HP (Except Gasoline and Rich Burn LPG), Stationary SI Landfill/Digester Gas Engines, and Stationary Emergency Engines >25 HP

Engine type and fuel	Maximum engine power	Manufacture date	Emission standards [a]					
			g/HP-hr			ppmvd at 15% O_2		
			NO_X	CO	VOC [d]	NO_X	CO	VOC [d]
Non-Emergency SI Natural Gas [b] and Non-Emergency SI Lean Burn LPG [b]	100≤HP<500	7/1/2008	2.0	4.0	1.0	160	540	86
		1/1/2011	1.0	2.0	0.7	82	270	60
Non-Emergency SI Lean Burn Natural Gas and LPG	500≤HP<1,350	1/1/2008	2.0	4.0	1.0	160	540	86
		7/1/2010	1.0	2.0	0.7	82	270	60
Non-Emergency SI Natural Gas and Non-Emergency SI Lean Burn LPG (except lean burn 500≤HP<1,350)	HP≥500	7/1/2007	2.0	4.0	1.0	160	540	86
	HP≥500	7/1/2010	1.0	2.0	0.7	82	270	60
Landfill/Digester Gas (except lean burn 500≤HP<1,350)	HP<500	7/1/2008	3.0	5.0	1.0	220	610	80
		1/1/2011	2.0	5.0	1.0	150	610	80
	HP≥500	7/1/2007	3.0	5.0	1.0	220	610	80
		7/1/2010	2.0	5.0	1.0	150	610	80
Landfill/Digester Gas Lean Burn	500≤HP<1,350	1/1/2008	3.0	5.0	1.0	220	610	80
		7/1/2010	2.0	5.0	1.0	150	610	80
Emergency	25<HP<130	1/1/2009	[c] 10	387	N/A	N/A	N/A	N/A
	HP≥130		2.0	4.0	1.0	160	540	86

[a] Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent O_2.

[b] Owners and operators of new or reconstructed non-emergency lean burn SI stationary engines with a site rating of greater than or equal to 250 brake HP located at a major source that are meeting the requirements of 40 CFR part 63, subpart ZZZZ, Table 2a do not have to comply with the CO emission standards of Table 1 of this subpart.

[c] The emission standards applicable to emergency engines between 25 HP and 130 HP are in terms of NO_X + HC.

[d] For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

Table 2 to Subpart JJJJ of Part 60—Requirements for Performance Tests

[As stated in § 60.4244, you must comply with the following requirements for performance tests within 10 percent of 100 percent peak (or the highest achievable) load].				
For each	**Complying with the requirement to**	**You must**	**Using**	**According to the following requirements**
1. Stationary SI internal combustion engine demonstrating compliance according to § 60.4244	a. Limit the concentration of NO_X in the stationary SI internal combustion engine exhaust	i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary internal combustion engine;	(1) Method 1 or 1A of 40 CFR part 60, appendix A-1, if measuring flow rate	(a) Alternatively, for NO_X, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line (`3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, Appendix A, the duct may be sampled at `3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, Appendix A.
		ii. Determine the O_2 concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B [b] of 40 CFR part 60, appendix A-2 or ASTM Method D6522-00 (Reapproved 2005) [a d]	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for NO_X concentration.
		iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;	(3) Method 2 or 2C of 40 CFR part 60, appendix A-1 or Method 19 of 40 CFR part 60, appendix A-7	(c) Measurements to determine the exhaust flowrate must be made (1) at the same time as the measurement for NO_X concentration or, alternatively (2) according to the option in Section 11.1.2 of Method 1A of 40 CFR part 60, Appendix A-1, if

[As stated in § 60.4244, you must comply with the following requirements for performance tests within 10 percent of 100 percent peak (or the highest achievable) load].				
For each	**Complying with the requirement to**	**You must**	**Using**	**According to the following requirements**
				applicable.
		iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(4) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A,[e] or ASTM Method D6348-03 [d e]	(d) Measurements to determine moisture must be made at the same time as the measurement for NO_X concentration.
		v. Measure NO_X at the exhaust of the stationary internal combustion engine; if using a control device, the sampling site must be located at the outlet of the control device	(5) Method 7E of 40 CFR part 60, appendix A-4, ASTM Method D6522-00 (Reapproved 2005),[a d] Method 320 of 40 CFR part 63, appendix A,[e] or ASTM Method D6348-03 [d e]	(e) Results of this test consist of the average of the three 1-hour or longer runs.
	b. Limit the concentration of CO in the stationary SI internal combustion engine exhaust	i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary internal combustion engine;	(1) Method 1 or 1A of 40 CFR part 60, appendix A-1, if measuring flow rate	(a) Alternatively, for CO, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line (`3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, Appendix A, the duct may be sampled at `3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, Appendix A.

[As stated in § 60.4244, you must comply with the following requirements for performance tests within 10 percent of 100 percent peak (or the highest achievable) load].				
For each	**Complying with the requirement to**	**You must**	**Using**	**According to the following requirements**
		ii. Determine the O_2 concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B [b] of 40 CFR part 60, appendix A-2 or ASTM Method D6522-00 (Reapproved 2005) [a d]	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for CO concentration.
		iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;	(3) Method 2 or 2C of 40 CFR 60, appendix A-1 or Method 19 of 40 CFR part 60, appendix A-7	(c) Measurements to determine the exhaust flowrate must be made (1) at the same time as the measurement for CO concentration or, alternatively (2) according to the option in Section 11.1.2 of Method 1A of 40 CFR part 60, Appendix A-1, if applicable.
		iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(4) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A,[e] or ASTM Method D6348-03 [d e]	(d) Measurements to determine moisture must be made at the same time as the measurement for CO concentration.
		v. Measure CO at the exhaust of the stationary internal combustion engine; if using a control device, the sampling site must be located at the outlet of the control device	(5) Method 10 of 40 CFR part 60, appendix A4, ASTM Method D6522-00 (Reapproved 2005),[a d e] Method 320 of 40 CFR part 63, appendix A,[e] or ASTM Method D6348-03 [d e]	(e) Results of this test consist of the average of the three 1-hour or longer runs.
	c. Limit the concentration of VOC in the stationary SI internal combustion engine exhaust	i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary internal combustion engine;	(1) Method 1 or 1A of 40 CFR part 60, appendix A-1, if measuring flow rate	(a) Alternatively, for VOC, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and

[As stated in § 60.4244, you must comply with the following requirements for performance tests within 10 percent of 100 percent peak (or the highest achievable) load].				
For each	**Complying with the requirement to**	**You must**	**Using**	**According to the following requirements**
				83.3% of the measurement line (`3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, Appendix A, the duct may be sampled at `3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, Appendix A.
		ii. Determine the O_2 concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B [b] of 40 CFR part 60, appendix A-2 or ASTM Method D6522-00 (Reapproved 2005) [a d]	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for VOC concentration.
		iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;	(3) Method 2 or 2C of 40 CFR 60, appendix A-1 or Method 19 of 40 CFR part 60, appendix A-7	(c) Measurements to determine the exhaust flowrate must be made (1) at the same time as the measurement for VOC concentration or, alternatively (2) according to the option in Section 11.1.2 of Method 1A of 40 CFR part 60, Appendix A-1, if applicable.
		iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(4) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A,[e] or ASTM Method D6348-03 [d e]	(d) Measurements to determine moisture must be made at the same time as the measurement for VOC concentration.
		v. Measure VOC at the exhaust of the	(5) Methods 25A and 18 of 40 CFR part 60,	(e) Results of this test consist of the average of the three 1-hour

[As stated in § 60.4244, you must comply with the following requirements for performance tests within 10 percent of 100 percent peak (or the highest achievable) load].				
For each	**Complying with the requirement to**	**You must**	**Using**	**According to the following requirements**
		stationary internal combustion engine; if using a control device, the sampling site must be located at the outlet of the control device	appendices A-6 and A-7, Method 25A with the use of a hydrocarbon cutter as described in 40 CFR 1065.265, Method 18 of 40 CFR part 60, appendix A-6,[c e] Method 320 of 40 CFR part 63, appendix A,[e] or ASTM Method D6348-03 [d e]	or longer runs.
[a] Also, you may petition the Administrator for approval to use alternative methods for portable analyzer.				
[b] You may use ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses, for measuring the O_2 content of the exhaust gas as an alternative to EPA Method 3B. AMSE PTC 19.10-1981 incorporated by reference, see 40 CFR 60.17				
[c] You may use EPA Method 18 of 40 CFR part 60, appendix A-6, provided that you conduct an adequate pre-survey test prior to the emissions test, such as the one described in OTM 11 on EPA's website (*http://www.epa.gov/ttn/emc/prelim/otm11.pdf*).				
[d] Incorporated by reference; see 40 CFR 60.17.				
[e] You must meet the requirements in § 60.4245(d).				

Table 3 to Subpart JJJJ of Part 60—Applicability of General Provisions to Subpart JJJJ

[As stated in § 60.4246, you must comply with the following applicable General Provisions]			
General provisions citation	**Subject of citation**	**Applies to subpart**	**Explanation**
§ 60.1	General applicability of the General Provisions	Yes	
§ 60.2	Definitions	Yes	Additional terms defined in § 60.4248.
§ 60.3	Units and abbreviations	Yes	
§ 60.4	Address	Yes	
§ 60.5	Determination of construction or modification	Yes	

[As stated in § 60.4246, you must comply with the following applicable General Provisions]			
General provisions citation	**Subject of citation**	**Applies to subpart**	**Explanation**
§ 60.6	Review of plans	Yes	
§ 60.7	Notification and Recordkeeping	Yes	Except that § 60.7 only applies as specified in § 60.4245.
§ 60.8	Performance tests	Yes	Except that § 60.8 only applies to owners and operators who are subject to performance testing in subpart JJJJ.
§ 60.9	Availability of information	Yes	
§ 60.10	State Authority	Yes	
§ 60.11	Compliance with standards and maintenance requirements	Yes	Requirements are specified in subpart JJJJ.
§ 60.12	Circumvention	Yes	
§ 60.13	Monitoring requirements	No	
§ 60.14	Modification	Yes	
§ 60.15	Reconstruction	Yes	
§ 60.16	Priority list	Yes	
§ 60.17	Incorporations by reference	Yes	
§ 60.18	General control device requirements	No	
§ 60.19	General notification and reporting requirements	Yes	

Table 4 to Subpart JJJJ of Part 60—Applicability of Mobile Source Provisions for Manufacturers Participating in the Voluntary Certification Program and Certifying Stationary SI ICE to Emission Standards in Table 1 of Subpart JJJJ

[As stated in § 60.4247, you must comply with the following applicable mobile source provisions if you are a manufacturer participating in the voluntary certification program and certifying stationary SI ICE to emission standards in Table 1 of subpart JJJJ]			
Mobile source provisions citation	**Subject of citation**	**Applies to subpart**	**Explanation**
1048 subpart A	Overview and Applicability	Yes	

[As stated in § 60.4247, you must comply with the following applicable mobile source provisions if you are a manufacturer participating in the voluntary certification program and certifying stationary SI ICE to emission standards in Table 1 of subpart JJJJ]			
Mobile source provisions citation	**Subject of citation**	**Applies to subpart**	**Explanation**
1048 subpart B	Emission Standards and Related Requirements	Yes	Except for the specific sections below.
1048.101	Exhaust Emission Standards	No	
1048.105	Evaporative Emission Standards	No	
1048.110	Diagnosing Malfunctions	No	
1048.140	Certifying Blue Sky Series Engines	No	
1048.145	Interim Provisions	No	
1048 subpart C	Certifying Engine Families	Yes	Except for the specific sections below.
1048.205(b)	AECD reporting	Yes	
1048.205(c)	OBD Requirements	No	
1048.205(n)	Deterioration Factors	Yes	Except as indicated in 60.4247(c).
1048.205(p)(1)	Deterioration Factor Discussion	Yes	
1048.205(p)(2)	Liquid Fuels as they require	No	
1048.240(b)(c)(d)	Deterioration Factors	Yes	
1048 subpart D	Testing Production-Line Engines	Yes	
1048 subpart E	Testing In-Use Engines	No	
1048 subpart F	Test Procedures	Yes	
1065.5(a)(4)	Raw sampling (refers reader back to the specific emissions regulation for guidance)	Yes	
1048 subpart G	Compliance Provisions	Yes	
1048 subpart H	Reserved		
1048 subpart I	Definitions and Other Reference Information	Yes	
1048 appendix I and II	Yes		
1065 (all subparts)	Engine Testing Procedures	Yes	Except for the specific section below.

[As stated in § 60.4247, you must comply with the following applicable mobile source provisions if you are a manufacturer participating in the voluntary certification program and certifying stationary SI ICE to emission standards in Table 1 of subpart JJJJ]			
Mobile source provisions citation	**Subject of citation**	**Applies to subpart**	**Explanation**
1065.715	Test Fuel Specifications for Natural Gas	No	
1068 (all subparts)	General Compliance Provisions for Nonroad Programs	Yes	Except for the specific sections below.
1068.245	Hardship Provisions for Unusual Circumstances	No	
1068.250	Hardship Provisions for Small-Volume Manufacturers	No	
1068.255	Hardship Provisions for Equipment Manufacturers and Secondary Engine Manufacturers	No	

Appendix E. 40 CFR Part 60, Subpart XX—Standards of Performance for Bulk Gasoline Terminals That Commenced Construction, Modification, or Reconstruction After December 17, 1980, and On or Before June 10, 2022

§60.500 Applicability and designation of affected facility.

(a) The affected facility to which the provisions of this subpart apply is the total of all the loading racks at a bulk gasoline terminal which deliver liquid product into gasoline tank trucks.

(b) Each facility under paragraph (a) of this section, the construction or modification of which is commenced after December 17, 1980, and on or before June 10, 2022, is subject to the provisions of this subpart.

(c) For purposes of this subpart, any replacement of components of an existing facility, described in paragraph (a) of this section, commenced before August 18, 1983 in order to comply with any emission standard adopted by a State or political subdivision thereof will not be considered a reconstruction under the provisions of 40 CFR 60.15.

NOTE: The intent of these standards is to minimize the emissions of VOC through the application of best demonstrated technologies (BDT). The numerical emission limits in this standard are expressed in terms of total organic compounds. This emission limit reflects the performance of BDT.

§60.501 Definitions.

The terms used in this subpart are defined in the Clean Air Act, in §60.2 of this part, or in this section as follows:

Bulk gasoline terminal means any gasoline facility which receives gasoline by pipeline, ship or barge, and has a gasoline throughput greater than 75,700 liters per day. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal, State or local law and discoverable by the Administrator and any other person.

Continuous vapor processing system means a vapor processing system that treats total organic compounds vapors collected from gasoline tank trucks on a demand basis without intermediate accumulation in a vapor holder.

Existing vapor processing system means a vapor processing system [capable of achieving emissions to the atmosphere no greater than 80 milligrams of total organic compounds per liter of gasoline loaded], the construction or refurbishment of which was commenced before December 17, 1980, and which was not constructed or refurbished after that date.

Flare means a thermal oxidation system using an open (without enclosure) flame.

Gasoline means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals or greater which is used as a fuel for internal combustion engines.

Gasoline tank truck means a delivery tank truck used at bulk gasoline terminals which is loading gasoline or which has loaded gasoline on the immediately previous load.

Intermittent vapor processing system means a vapor processing system that employs an intermediate vapor holder to accumulate total organic compounds vapors collected from gasoline tank trucks, and treats the accumulated vapors only during automatically controlled cycles.

Loading rack means the loading arms, pumps, meters, shutoff valves, relief valves, and other piping and valves necessary to fill delivery tank trucks.

Refurbishment means, with reference to a vapor processing system, replacement of components of, or addition of components to, the system within any 2-year period such that the fixed capital cost of the new components required for such component replacement or addition exceeds 50 percent of the cost of a comparable entirely new system.

Thermal oxidation system means a combustion device used to mix and ignite fuel, air pollutants, and air to provide a flame to heat and oxidize hazardous air pollutants. Auxiliary fuel may be used to heat air pollutants to combustion temperatures.

Total organic compounds means those compounds measured according to the procedures in §60.503.

Vapor collection system means any equipment used for containing total organic compounds vapors displaced during the loading of gasoline tank trucks.

Vapor processing system means all equipment used for recovering or oxidizing total organic compounds vapors displaced from the affected facility.

Vapor-tight gasoline tank truck means a gasoline tank truck which has demonstrated within the 12 preceding months that its product delivery tank will sustain a pressure change of not more than 750 pascals (75 mm of water) within 5 minutes after it is pressurized to 4,500 pascals (450 mm of water). This capability is to be demonstrated using the pressure test procedure specified in Method 27.

§60.502 Standard for Volatile Organic Compound (VOC) emissions from bulk gasoline terminals.

On and after the date on which §60.8(a) requires a performance test to be completed, the owner or operator of each bulk gasoline terminal containing an affected facility shall comply with the requirements of this section.

(a) Each affected facility shall be equipped with a vapor collection system designed to collect the total organic compounds vapors displaced from tank trucks during product loading.

(b) The emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline tank trucks are not to exceed 35 milligrams of total organic compounds per liter of gasoline loaded, except as noted in paragraph (c) of this section.

(c) For each affected facility equipped with an existing vapor processing system, the emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline tank trucks are not to exceed 80 milligrams of total organic compounds per liter of gasoline loaded.

(d) Each vapor collection system shall be designed to prevent any total organic compounds vapors collected at one loading rack from passing to another loading rack.

(e) Loadings of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks using the following procedures:

(1) The owner or operator shall obtain the vapor tightness documentation described in §60.505(b) for each gasoline tank truck which is to be loaded at the affected facility.

(2) The owner or operator shall require the tank identification number to be recorded as each gasoline tank truck is loaded at the affected facility.

(3)(i) The owner or operator shall cross-check each tank identification number obtained in paragraph (e)(2) of this section with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded, unless either of the following conditions is maintained:

(A) If less than an average of one gasoline tank truck per month over the last 26 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed each quarter; or

(B) If less than an average of one gasoline tank truck per month over the last 52 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed semiannually.

(ii) If either the quarterly or semiannual cross-check provided in paragraphs (e)(3)(i) (A) through (B) of this section reveals that these conditions were not maintained, the source must return to biweekly monitoring until such time as these conditions are again met.

(4) The terminal owner or operator shall notify the owner or operator of each non-vapor-tight gasoline tank truck loaded at the affected facility within 1 week of the documentation cross-check in paragraph (e)(3) of this section.

(5) The terminal owner or operator shall take steps assuring that the nonvapor-tight gasoline tank truck will not be reloaded at the affected facility until vapor tightness documentation for that tank is obtained.

(6) Alternate procedures to those described in paragraphs (e)(1) through (5) of this section for limiting gasoline tank truck loadings may be used upon application to, and approval by, the Administrator.

(f) The owner or operator shall act to assure that loadings of gasoline tank trucks at the affected facility are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.

(g) The owner or operator shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck at the affected facility. Examples of actions to accomplish this include training drivers in the hookup procedures and posting visible reminder signs at the affected loading racks.

(h) The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water) during product loading. This level is not to be exceeded when measured by the procedures specified in §60.503(d).

(i) No pressure-vacuum vent in the bulk gasoline terminal's vapor collection system shall begin to open at a system pressure less than 4,500 pascals (450 mm of water).

(j) Each calendar month, the vapor collection system, the vapor processing system, and each loading rack handling gasoline shall be inspected during the loading of gasoline tank trucks for total organic compounds liquid or vapor leaks. For purposes of this paragraph, detection methods incorporating sight, sound, or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within 15 calendar days after it is detected.

§60.503 Test methods and procedures.

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). The three-run requirement of §60.8(f) does not apply to this subpart.

(b) Immediately before the performance test required to determine compliance with §60.502 (b), (c), and (h), the owner or operator shall use Method 21 to monitor for leakage of vapor all potential sources in the terminal's vapor collection system equipment while a gasoline tank truck is being loaded. The owner or operator shall repair all leaks with readings of 10,000 ppm (as methane) or greater before conducting the performance test.

(c) The owner or operator shall determine compliance with the standards in §60.502 (b) and (c) as follows:

(1) The performance test shall be 6 hours long during which at least 300,000 liters of gasoline is loaded. If this is not possible, the test may be continued the same day until 300,000 liters of gasoline is loaded or the test may be resumed the next day with another complete 6-hour period. In the latter case, the 300,000-liter criterion need not be met. However, as much as possible, testing should be conducted during the 6-hour period in which the highest throughput normally occurs.

(2) If the vapor processing system is intermittent in operation, the performance test shall begin at a reference vapor holder level and shall end at the same reference point. The test shall include at least two startups and shutdowns of the vapor processor. If this does not occur under automatically controlled operations, the system shall be manually controlled.

(3) The emission rate (E) of total organic compounds shall be computed using the following equation:

$$E = K\sum_{i=1}^{n}\left(V_{esi}C_{ei}\right) / \left(L\,10^{6}\right)$$

where:

E = emission rate of total organic compounds, mg/liter of gasoline loaded.

V_{esi} = volume of air-vapor mixture exhausted at each interval "i", scm.

C_{ei} = concentration of total organic compounds at each interval "i", ppm.

L = total volume of gasoline loaded, liters.

n = number of testing intervals.

i = emission testing interval of 5 minutes.

K = density of calibration gas, 1.83 × 106 for propane and 2.41 × 106 for butane, mg/scm.

(4) The performance test shall be conducted in intervals of 5 minutes. For each interval "i", readings from each measurement shall be recorded, and the volume exhausted (V_{esi}) and the corresponding average total organic compounds concentration (C_{ei}) shall be determined. The sampling system response time shall be considered in determining the average total organic compounds concentration corresponding to the volume exhausted.

(5) The following methods shall be used to determine the volume (V_{esi}) air-vapor mixture exhausted at each interval:

(i) Method 2B shall be used for combustion vapor processing systems.

(ii) Method 2A shall be used for all other vapor processing systems.

(6) Method 25A or 25B shall be used for determining the total organic compounds concentration (C_{ei}) at each interval. The calibration gas shall be either propane or butane. The owner or operator may exclude the methane and ethane content in the exhaust vent by any method (e.g., Method 18) approved by the Administrator.

(7) To determine the volume (L) of gasoline dispensed during the performance test period at all loading racks whose vapor emissions are controlled by the processing system being tested, terminal records or readings from gasoline dispensing meters at each loading rack shall be used.

(d) The owner or operator shall determine compliance with the standard in §60.502(h) as follows:

(1) A pressure measurement device (liquid manometer, magnehelic gauge, or equivalent instrument), capable of measuring up to 500 mm of water gauge pressure with ±2.5 mm of water precision, shall be calibrated and installed on the terminal's vapor collection system at a pressure tap located as close as possible to the connection with the gasoline tank truck.

(2) During the performance test, the pressure shall be recorded every 5 minutes while a gasoline truck is being loaded; the highest instantaneous pressure that occurs during each loading shall also be recorded. Every loading position must be tested at least once during the performance test.

(e) The performance test requirements of paragraph (c) of this section do not apply to flares defined in §60.501 and meeting the requirements in §60.18(b) through (f). The owner or operator shall demonstrate that the flare and

associated vapor collection system is in compliance with the requirements in §§60.18(b) through (f) and 60.503(a), (b), and (d).

(f) The owner or operator shall use alternative test methods and procedures in accordance with the alternative test method provisions in §60.8(b) for flares that do not meet the requirements in §60.18(b).

§60.504 [Reserved]

§60.505 Reporting and recordkeeping.

(a) The tank truck vapor tightness documentation required under §60.502(e)(1) shall be kept on file at the terminal in a permanent form available for inspection.

(b) The documentation file for each gasoline tank truck shall be updated at least once per year to reflect current test results as determined by Method 27. This documentation shall include, as a minimum, the following information:

(1) Test title: Gasoline Delivery Tank Pressure Test—EPA Reference Method 27.

(2) Tank owner and address.

(3) Tank identification number.

(4) Testing location.

(5) Date of test.

(6) Tester name and signature.

(7) Witnessing inspector, if any: Name, signature, and affiliation.

(8) Test results: Actual pressure change in 5 minutes, mm of water (average for 2 runs).

(c) A record of each monthly leak inspection required under §60.502(j) shall be kept on file at the terminal for at least 2 years. Inspection records shall include, as a minimum, the following information:

(1) Date of inspection.

(2) Findings (may indicate no leaks discovered; or location, nature, and severity of each leak).

(3) Leak determination method.

(4) Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days).

(5) Inspector name and signature.

(d) The terminal owner or operator shall keep documentation of all notifications required under §60.502(e)(4) on file at the terminal for at least 2 years.

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

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

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

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

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

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

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

(f) The owner or operator of an affected facility shall keep records of all replacements or additions of components performed on an existing vapor processing system for at least 3 years.

§60.506 Reconstruction.

For purposes of this subpart:

(a) The cost of the following frequently replaced components of the affected facility shall not be considered in calculating either the "fixed capital cost of the new components" or the "fixed capital costs that would be required to construct a comparable entirely new facility" under §60.15: pump seals, loading arm gaskets and swivels, coupler gaskets, overfill sensor couplers and cables, flexible vapor hoses, and grounding cables and connectors.

(b) Under §60.15, the "fixed capital cost of the new components" includes the fixed capital cost of all depreciable components (except components specified in §60.506(a)) which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 2-year period following December 17, 1980. For purposes of this paragraph, "commenced" means that an owner or operator has undertaken a continuous program of component replacement or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of component replacement.

Appendix F. 40 CFR Part 60, Subpart XXa—Standards of Performance for Bulk Gasoline Terminals that Commenced Construction, Modification, or Reconstruction After June 10, 2022

§ 60.500a Applicability and designation of affected facility.

(a) You are subject to the applicable provisions of this subpart if you are the owner or operator of one or more of the affected facilities listed in paragraphs (a)(1) and (2) of this section.

(1) Each gasoline loading rack affected facility, which is the total of all the loading racks at a bulk gasoline terminal that deliver liquid product into gasoline cargo tanks including the gasoline loading racks, the vapor collection systems, and the vapor processing system.

(2) Each collection of equipment at a bulk gasoline terminal affected facility, which is the total of all equipment associated with the loading of gasoline at a bulk gasoline terminal including the lines and pumps transferring gasoline from storage vessels, the gasoline loading racks, the vapor collection systems, and the vapor processing system.

(b) Each affected facility under paragraph (a) of this section for which construction, modification (as defined in § 60.2 and detailed in § 60.14), or reconstruction (as detailed in § 60.15 and paragraph (e) of this section) is commenced after June 10, 2022, is subject to the provisions of this subpart.

(c) All standards including emission limitations shall apply at all times, including periods of startup, shutdown, and malfunction. As provided in § 60.11(f), this paragraph (c) supersedes the exemptions for periods of startup, shutdown, and malfunction in subpart A of this part.

(d) A newly constructed gasoline loading rack affected facility that was subject to the standards in § 60.502a(b) will continue to be subject to the standards in § 60.502a(b) for newly constructed gasoline loading rack affected facilities if they are subsequently modified or reconstructed.

(e) For purposes of this subpart:

(1) The cost of the following frequently replaced components of the gasoline loading rack affected facility shall not be considered in calculating either the “fixed capital cost of the new components” or the “fixed capital cost that would be required to construct a comparable entirely new facility” under § 60.15: pump seals, loading arm gaskets and swivels, coupler gaskets, overfill sensor couplers and cables, flexible vapor hoses, and grounding cables and connectors.

(2) Under § 60.15, the “fixed capital cost of the new components” includes the fixed capital cost of all depreciable components, except components specified in paragraph (e)(1) of this section which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 2-year period following June 10, 2022. For purposes of this paragraph (e)(2), “commenced” means that an owner or operator has undertaken a continuous program of component replacement or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of component replacement.

§ 60.501a Definitions.

The terms used in this subpart are defined in the Clean Air Act, in § 60.2, or in this section as follows:

3-hour rolling average means the arithmetic mean of the previous thirty-six 5-minute periods of valid operating data collected, as specified, for the monitored parameter. Valid data excludes data collected during periods when the monitoring system is out of control, while conducting repairs associated with periods when the monitoring system is out of control, or while conducting required monitoring system quality assurance or quality control activities. The thirty-six 5-minute periods should be consecutive, but not necessarily continuous if operations or the collection of valid data were intermittent.

Bulk gasoline terminal means any gasoline facility which receives gasoline by pipeline, ship, barge, or cargo tank and subsequently loads all or a portion of the gasoline into gasoline cargo tanks for transport to bulk gasoline plants or gasoline dispensing facilities and has a gasoline throughput greater than 20,000 gallons per day (75,700 liters per day). Gasoline throughput shall be the maximum calculated design throughput for the facility as may be limited by compliance with an enforceable condition under Federal, State, or local law and discoverable by the Administrator and any other person.

Continuous monitoring system is a comprehensive term that may include, but is not limited to, continuous emission monitoring systems, continuous parameter monitoring systems, or other manual or automatic monitoring that is used for demonstrating compliance on a continuous basis.

Equipment means each valve, pump, pressure relief device, open-ended valve or line, sampling connection system, and flange or other connector in the gasoline liquid transfer and vapor collection systems. This definition also includes the entire vapor processing system except the exhaust port(s) or stack(s).

Flare means a thermal combustion device using an open or shrouded flame (without full enclosure) such that the pollutants are not emitted through a conveyance suitable to conduct a performance test.

Gasoline means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 4.0 pounds per square inch (27.6 kilopascals) or greater which is used as a fuel for internal combustion engines.

Gasoline cargo tank means a delivery tank truck or railcar which is loading gasoline or which has loaded gasoline on the immediately previous load.

In gasoline service means that a piece of equipment is used in a system that transfers gasoline or gasoline vapors.

Loading rack means the loading arms, pumps, meters, shutoff valves, relief valves, and other piping and valves necessary to fill gasoline cargo tanks.

Submerged filling means the filling of a gasoline cargo tank through a submerged fill pipe whose discharge is no more than the 6 inches from the bottom of the tank. Bottom filling of gasoline cargo tanks is included in this definition.

Thermal oxidation system means an enclosed combustion device used to mix and ignite fuel, air pollutants, and air to provide a flame to heat and oxidize air pollutants. Auxiliary fuel may be used to heat air pollutants to combustion temperatures. *Thermal oxidation systems* emit pollutants through a conveyance suitable to conduct a performance test.

Total organic compounds (TOC) means those compounds measured according to the procedures in Method 25, 25A, or 25B of appendix A-7 to this part. The methane content may be excluded from the TOC concentration as described in § 60.503a.

Vapor collection system means any equipment used for containing total organic compounds vapors displaced during the loading of gasoline cargo tanks.

Vapor processing system means all equipment used for recovering or oxidizing total organic compounds vapors displaced from the affected facility.

Vapor recovery system means processing equipment used to absorb and/or condense collected vapors and return the total organic compounds for blending with gasoline or other petroleum products or return to a petroleum refinery or transmix facility for further processing. Vapor recovery systems include but are not limited to carbon adsorption systems or refrigerated condensers.

Vapor-tight gasoline cargo tank means a gasoline cargo tank which has demonstrated within the 12 preceding months that it meets the annual certification test requirements in § 60.503a(f).

§ 60.502a Standard for volatile organic compound (VOC) emissions from bulk gasoline terminals.

(a) Each gasoline loading rack affected facility shall be equipped with a vapor collection system designed and operated to collect the total organic compounds vapors displaced from gasoline cargo tanks during product loading.

(b) For each newly constructed gasoline loading rack affected facility, the facility owner or operator must meet the applicable emission limitations in paragraph (b)(1) or (2) of this section no later than the date on which § 60.8(a) requires a performance test to be completed. A flare cannot be used to comply with the emission limitations in this paragraph (b).

(1) If a thermal oxidation system is used, maintain the emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline cargo tanks at or below 1.0 milligram of total organic compounds per liter of gasoline loaded (mg/L). Continual compliance with this requirement must be demonstrated as specified in paragraphs (b)(1)(i) and (ii) of this section.

(i) Conduct initial and periodic performance tests as specified in § 60.503a(a) through (c) and meet the emission limitation in this paragraph (b)(1).

(ii) Maintain combustion zone temperature of the thermal oxidation system at or above the 3-hour rolling average operating limit established during the performance test when loading liquid product into gasoline cargo tanks. Valid operating data must exclude periods when there is no liquid product being loaded. If previous contents of the cargo tanks are known, you may also exclude periods when liquid product is loaded but no gasoline cargo tanks are being loaded provided that you excluded these periods in the determination of the combustion zone temperature operating limit according to the provisions in § 60.503a(c)(8)(ii).

(2) If a vapor recovery system is used:

(i) Maintain the emissions to the atmosphere from the vapor collection system at or below 550 parts per million by volume (ppmv) of TOC as propane determined on a 3-hour rolling average when the vapor recovery system is operating;

(ii) Operate the vapor recovery system during all periods when the vapor recovery system is capable of processing gasoline vapors, including periods when liquid product is being loaded, during carbon bed regeneration, and when preparing the beds for reuse; and

(iii) Operate the vapor recovery system to minimize air or nitrogen intrusion except as needed for the system to operate as designed for the purpose of removing VOC from the adsorption media or to break vacuum in the system and bring the system back to atmospheric pressure. Consistent with § 60.12, the use of gaseous diluents to achieve compliance with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere is prohibited.

(c) For each modified or reconstructed gasoline loading rack affected facility, the facility owner or operator must meet the applicable emission limitations in paragraphs (c)(1) through (3) of this section no later than the date on which § 60.8(a) requires a performance test to be completed.

(1) If a thermal oxidation system is used, maintain the emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline cargo tanks at or below 10 mg/L. Continual compliance with this requirement must be demonstrated as specified in paragraphs (c)(1)(i) through (iii) of this section.

(i) Conduct initial and periodic performance tests as specified in § 60.503a(a) through (c) and meet the emission limitation in this paragraph (c)(1).

(ii) Maintain combustion zone temperature of the thermal oxidation system at or above the 3-hour rolling average operating limit established during the performance test when loading liquid product into gasoline cargo tanks. Valid operating data must exclude periods when there is no liquid product being

loaded. If previous contents of the cargo tanks are known, you may also exclude periods when liquid product is loaded but no gasoline cargo tanks are being loaded provided that you excluded these periods in the determination of the combustion zone temperature operating limit according to the provisions in § 60.503a(c)(8)(ii).

(iii) As an alternative to the combustion zone temperature operating limit, you may elect to use the monitoring provisions as specified in paragraph (c)(3) of this section.

(2) If a vapor recovery system is used:

(i) Maintain the emissions to the atmosphere from the vapor collection system at or below 5,500 ppmv of TOC as propane determined on a 3-hour rolling average when the vapor recovery system is operating;

(ii) Operate the vapor recovery system during all periods when the vapor recovery system is capable of processing gasoline vapors, including periods when liquid product is being loaded, during carbon bed regeneration, and when preparing the beds for reuse; and

(iii) Operate the vapor recovery system to minimize air or nitrogen intrusion except as needed for the system to operate as designed for the purpose of removing VOC from the adsorption media or to break vacuum in the system and bring the system back to atmospheric pressure. Consistent with § 60.12, the use of gaseous diluents to achieve compliance with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere is prohibited.

(3) If a flare is used or if a thermal oxidation system for which these provisions are specified as a monitoring alternative is used, meet all applicable requirements specified in § 63.670(b) through (g) and (i) through (n) of this chapter except as provided in paragraphs (c)(3)(i) through (ix) of this section.

(i) For the purpose of this subpart, “regulated materials” refers to “vapors displaced from gasoline cargo tanks during product loading”. If you do not know the previous contents of the cargo tank, you must assume that cargo tank is a gasoline cargo tank.

(ii) In § 63.670(c) of this chapter for visible emissions:

(A) The phrase “specify the smokeless design capacity of each flare and” does not apply.

(B) The phrase “and the flare vent gas flow rate is less than the smokeless design capacity of the flare” does not apply.

(C) Substitute “The owner or operator shall monitor for visible emissions from the flare as specified in § 60.504a(c)(4).” for the sentence “The owner or operator shall monitor for visible emissions from the flare as specified in paragraph (h) of this section.”

(iii) The phrase “and the flare vent gas flow rate is less than the smokeless design capacity of the flare” in § 63.670(d) of this chapter for flare tip velocity requirements does not apply.

(iv) Substitute “pilot flame or flare flame” for each occurrence of “pilot flame.”

(v) Substitute “gasoline distribution facility” for each occurrence of “petroleum refinery” or “refinery.”

(vi) As an alternative to the flow rate monitoring alternatives provided in § 63.670(i) of this chapter, you may elect to determine flare waste gas flow rate by monitoring the cumulative loading rates of all liquid products loaded into cargo tanks for which the displaced vapors are managed by the affected facility's vapor collection system and vapor processing system.

(vii) If using provision in § 63.670(j)(6) of this chapter for flare vent gas composition monitoring, you must comply with those provisions as specified in paragraphs (c)(3)(vii)(A) through (G) of this section.

(A) You must submit a separate written application to the Administrator for an exemption from monitoring, as described in § 63.670(j)(6)(i) of this chapter.

(B) You must determine the minimum ratio of gasoline loaded to total liquid product loaded for which the affected source must operate at or above at all times when liquid product is loaded into cargo tanks for which vapors collected are sent to the flare or, if applicable, thermal oxidation system and include that in the explanation of conditions expected to produce the flare gas with lowest net heating value as required in § 63.670(j)(6)(i)(C) of this chapter. For air assisted flares or thermal oxidation systems, you must also establish a minimum gasoline loading rate (*i.e.,* volume of gasoline loaded in a 15-minute period) for which the affected source must operate at or above at all times and include that in the explanation of conditions that ensure the flare gas net heating value is consistent and representative of the lowest net heating value as required in § 63.670(j)(6)(i)(C).

(C) As required in § 63.670(j)(6)(i)(D) of this chapter, samples must be collected at the conditions identified in § 63.670(j)(6)(i)(C) of this chapter, which includes the applicable conditions specified in paragraph (c)(3)(vii)(B) of this section.

(D) The first change from winter gasoline to summer gasoline or from summer gasoline to winter gasoline, whichever comes first, is considered a change in operating conditions under § 63.670(j)(6)(iii) of this chapter and must be evaluated according to the provisions in § 63.670(j)(6)(iii). If separate net heating values are determined for summer gasoline loading versus winter gasoline loading, you may use the summer net heating value for all subsequent summer gasoline loading operations and the winter net heating value for all subsequent winter gasoline loading operations provided there are no other changes in operations.

(E) You must monitor the volume of gasoline loaded and the total volume of liquid product loaded on a 5-minute block basis and maintain the ratio of gasoline loaded to total liquid product loaded at or above the value determined in paragraph (c)(3)(vii)(B) of this section and, for air assisted flares or thermal oxidation systems, maintain the gasoline loading rate at or above the value determined in paragraph (c)(3)(vii)(B) on a rolling 15-minute period basis, calculated based on liquid product loaded during 3 contiguous 5-minute blocks, considering only those periods when liquid product is loaded into gasoline cargo tanks for any portion of three contiguous 5-minute block periods.

(F) For unassisted or perimeter air assisted flares or thermal oxidation systems, if the net heating value determined in § 63.670(j)(6)(i)(F) of this chapter meets or exceeds 270 British thermal units per standard cubic feet (Btu/scf), compliance with the ratio of gasoline loaded to total liquid product loaded as specified in paragraph (c)(3)(vii)(E) of this section demonstrates compliance with the flare combustion zone net heating value (NHV_{cz}) operating limit in § 63.670(e) of this chapter.

(G) For perimeter air assisted flares or thermal oxidation systems, if the net heating value determined in § 63.670(j)(6)(i)(F) of this chapter meets or exceeds the net heating value dilution parameter (NHV_{dil}) operating limit of 22 British thermal units per square foot (Btu/ft^2) at the flow rate associated with the minimum gasoline loading rate determined in paragraph (c)(3)(vii)(B) of this section at any air assist rate used, compliance with the minimum gasoline loading rate as specified in paragraph (c)(3)(vii)(E) of this section demonstrates compliance with the NHV_{dil} operating limit in § 63.670(f) of this chapter.

(viii) You may elect to establish a minimum supplemental gas addition rate and monitor the supplemental gas addition rate, in addition to the operating limits in paragraph (c)(3)(vii)(E) of this

section, to demonstrate compliance with the flare combustion zone operating limit in § 63.670(e) of this chapter and, if applicable, flare dilution operating limit in § 63.670(f) of this chapter, as follows.

(A) Use the minimum flare vent gas net heating value prior to addition of supplemental gas as established in paragraph (c)(3)(vii) of this section.

(B) Determine the maximum flow rate based on the maximum cumulative loading rate for a 15-minute block period considering all loading racks at the affected facility and considering restrictions on maximum loading rates necessary for compliance with the maximum pressure limits for the vapor collection and liquid loading equipment specified in paragraph (h) of this section.

(C) Determine the supplemental gas addition rate needed to yield NHV_{cz} of 270 Btu/scf using equation in § 63.670(m)(1) of this chapter.

(D) For flares (or thermal oxidation systems) with perimeter assist air, determine the supplemental gas addition rate needed to yield NHV_{dil} of 22 Btu/ft^2 using equation in § 63.670(n)(1) of this chapter at the flare vent gas net heating value determined in paragraph (c)(3)(vii) of this section, the flare gas flow rate associated with the minimum gasoline loading rate as determined in paragraph (c)(3)(vii)(B) of this section, and the fixed air assist rate. If the air assist rate is varied based on total liquid product loading rates, you must use the air assist rate used at low flow rates and repeat the calculation using the minimum flow rate associated with each air assist rate setting and select the maximum supplemental gas addition rate across any of the air assist rate settings.

(E) Maintain the supplemental gas addition rate above the greater of the values determined in paragraphs (c)(3)(viii)(C) and, if applicable, (c)(3)(viii)(D) of this section on a 15-minute block period basis when liquid product is loaded into gasoline cargo tanks for at least 15-minutes.

(ix) As an alternative to determining the flare tip velocity rate for each 15-minute block to determine compliance with the flare tip velocity operating limit as specified in § 63.670(k)(2) of this chapter, you may elect to conduct a one-time flare tip velocity operating limit compliance assessment as provided in paragraphs (c)(3)(ix)(A) through (D) of this section. If the flare or loading rack configurations change (*e.g.,* flare tip modified or additional loading racks are added for which vapors are directed to the flare), you must repeat this one-time assessment based on the new configuration.

(A) Determine the unobstructed cross-sectional area of the flare tip, in units of square feet, as specified in § 63.670(k)(1) of this chapter.

(B) Determine the maximum flow rate, in units of cubic feet per second, based on the maximum cumulative loading rate for a 15-minute block period considering all loading racks at the gasoline loading racks affected facility and considering restrictions on maximum loading rates necessary for compliance with the maximum pressure limits for the vapor collection and liquid loading equipment specified in paragraph (h) of this section.

(C) Calculate the maximum flare tip velocity as the maximum flow rate from paragraph (c)(3)(ix)(B) of this section divided by the unobstructed cross-sectional area of the flare tip from paragraph (c)(3)(ix)(A) of this section.

(D) Demonstrate that the maximum flare tip velocity as calculated in paragraph (c)(3)(ix)(C) of this section is less than 60 feet per second.

(d) Each vapor collection system for the gasoline loading rack affected facility shall be designed to prevent any total organic compounds vapors collected at one loading rack from passing to another loading rack.

(e) Loadings of liquid product into gasoline cargo tanks at a gasoline loading rack affected facility shall be limited to vapor-tight gasoline cargo tanks according to the methods in § 60.503a(f) using the following procedures:

(1) The owner or operator shall obtain the vapor tightness annual certification test documentation described in § 60.505a(a)(3) for each gasoline cargo tank which is to be loaded at the affected facility. If you do not know the previous contents of a cargo tank, you must assume that cargo tank is a gasoline cargo tank.

(2) The owner or operator shall obtain and record the cargo tank identification number of each gasoline cargo tank which is to be loaded at the affected facility.

(3) The owner or operator shall cross-check each cargo tank identification number obtained in paragraph (e)(2) of this section with the file of gasoline cargo tank vapor tightness documentation specified in paragraph (e)(1) of this section prior to loading any liquid product into the gasoline cargo tank.

(f) Loading of liquid product into gasoline cargo tanks at a gasoline loading rack affected facility shall be conducted using submerged filling, as defined in § 60.501a, and only into gasoline cargo tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system. If you do not know the previous contents of a cargo tank, you must assume that cargo tank is a gasoline cargo tank.

(g) Loading of liquid product into gasoline cargo tanks at a gasoline loading rack affected facility shall only be conducted when the terminal's and the cargo tank's vapor collection systems are connected. If you do not know the previous contents of a cargo tank, you must assume that cargo tank is a gasoline cargo tank.

(h) The vapor collection and liquid loading equipment for a gasoline loading rack affected facility shall be designed and operated to prevent gauge pressure in the gasoline cargo tank from exceeding 18 inches of water (460 millimeters (mm) of water) during product loading. This level is not to be exceeded and must be continuously monitored according to the procedures specified in § 60.504a(d).

(i) No pressure-vacuum vent in the gasoline loading rack affected facility's vapor collection system shall begin to open at a system pressure less than 18 inches of water (460 mm of water) or at a vacuum of less than 6.0 inches of water (150 mm of water).

(j) Each owner or operator of a collection of equipment at a bulk gasoline terminal affected facility shall perform leak inspection and repair of all equipment in gasoline service, which includes all equipment in the vapor collection system, the vapor processing system, and each loading rack and loading arm handling gasoline, according to the requirements in paragraphs (j)(1) through (8) of this section. The owner or operator must keep a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.

(1) Conduct leak detection monitoring of all pumps, valves, and connectors in gasoline service using either of the methods specified in paragraph (j)(1)(i) or (ii) of this section.

(i) Use optical gas imaging (OGI) to quarterly monitor all pumps, valves, and connectors in gasoline service as specified in § 60.503a(e)(2).

(ii) Use Method 21 of appendix A-7 to this part as specified in § 60.503a(e)(1) and paragraphs (j)(1)(ii)(A) through (C) of this section.

(A) All pumps must be monitored quarterly, unless the pump meets one of the requirements in § 60.482-1a(d) or § 60.482-2a(d) through (g). An instrument reading of 10,000 ppm or greater is a leak.

(B) All valves must be monitored quarterly, unless the valve meets one of the requirements in § 60.482-1a(d) or § 60.482-7a(f) through (h). An instrument reading of 10,000 ppm or greater is a leak.

(C) All connectors must be monitored annually, unless the connector meets one of the requirements in § 60.482-1a(d) or § 60.482-11a(e) or (f). An instrument reading of 10,000 ppm or greater is a leak.

(2) During normal duties, record leaks identified by audio, visual, or olfactory methods.

(3) If evidence of a potential leak is found at any time by audio, visual, olfactory, or any other detection method for any equipment (as defined in § 60.501a), a leak is detected.

(4) For pressure relief devices, comply with the requirements in paragraphs (j)(4)(i) through (ii) of this section.

(i) Conduct instrument monitoring of each pressure relief device quarterly and within 5 calendar days after each pressure release to detect leaks by the methods specified in paragraph (j)(1) of this section, except as provided in § 60.482-4a(c).

(ii) If emissions are observed when using OGI, a leak is detected. If Method 21 is used, an instrument reading of 10,000 ppm or greater indicates a leak is detected.

(5) For sampling connection systems, comply with the requirements in § 60.482-5a.

(6) For open-ended valves or lines, comply with the requirements in § 60.482-6a.

(7) When a leak is detected for any equipment, comply with the requirements of paragraphs (j)(7)(i) through (iii) of this section.

(i) A weatherproof and readily visible identification, marked with the equipment identification number, must be attached to the leaking equipment. The identification on equipment may be removed after it has been repaired.

(ii) An initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. An initial attempt at repair is not required if the leak is detected using OGI and the equipment identified as leaking would require elevating the repair personnel more than 2 meters above a support surface.

(iii) Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in paragraph (j)(8) of this section.

(A) For leaks identified pursuant to instrument monitoring required under paragraph (j)(1) of this section, the leak is repaired when instrument re-monitoring of the equipment does not detect a leak.

(B) For leaks identified pursuant to paragraph (j)(2) of this section, the leak is repaired when the leak can no longer be identified using audio, visual, or olfactory methods.

(8) Delay of repair of leaking equipment will be allowed according to the provisions in paragraphs (j)(8)(i) though (iv) of this section. The owner or operator shall provide in the semiannual report specified in § 60.505a(c), the reason(s) why the repair was delayed and the date each repair was completed.

(i) Delay of repair of equipment will be allowed for equipment that is isolated from the affected facility and that does not remain in gasoline service.

(ii) Delay of repair for valves and connectors will be allowed if:

(A) The owner or operator demonstrates that emissions of purged material resulting from immediate repair are greater than the fugitive emissions likely to result from delay of repair, and

(B) When repair procedures are effected, the purged material is collected and destroyed or recovered in a control device complying with § 60.482-10a or the requirements in paragraph (b) or (c) of this section, as applicable.

(iii) Delay of repair will be allowed for a valve, but not later than 3 months after the leak was detected, if valve assembly replacement is necessary, valve assembly supplies have been depleted, and valve assembly supplies had been sufficiently stocked before the supplies were depleted.

(iv) Delay of repair for pumps will be allowed if:

(A) Repair requires the use of a dual mechanical seal system that includes a barrier fluid system; and

(B) Repair is completed as soon as practicable, but not later than 6 months after the leak was detected.

(k) You must not allow gasoline to be handled at a bulk gasoline terminal that contains an affected facility listed under § 60.500a(a) in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

(1) Minimize gasoline spills;

(2) Clean up spills as expeditiously as practicable;

(3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use; and

(4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

§ 60.503a Test methods and procedures.

(a) *General performance test and performance evaluation requirements.*

(1) In conducting the performance tests or evaluations required by this subpart (or as requested by the Administrator), the owner or operator shall use the test methods and procedures as specified in this section, except as provided in § 60.8(b). The three-run requirement of § 60.8(f) does not apply to this subpart.

(2) Immediately before the performance test, conduct leak detection monitoring following the methods in paragraph (e)(1) of this section to identify leakage of vapor from all equipment, including loading arms, in the gasoline loading rack affected facility while gasoline is being loaded into a gasoline cargo tank to ensure the terminal's vapor collection system equipment is operated with no detectable emissions. The owner or operator shall repair all leaks identified with readings of 500 ppmv (as methane) or greater above background before conducting the performance test and within the timeframe specified in § 60.502a(j)(7).

(b) *Performance test or performance evaluation timing.*

(1) For each gasoline loading rack affected facility subject to the mass emission limits in § 60.502a(b)(1) or (c)(1), conduct the initial performance test of the vapor collection and processing systems according to the timing specified in § 60.8(a). For each gasoline loading rack affected facility subject to the emission limits in § 60.502a(b)(2) or (c)(2), conduct the initial performance evaluation of the continuous emissions monitoring system (CEMS) according to the timing specified for performance tests in § 60.8(a).

(2) For each gasoline loading rack affected facility complying with the mass emission limits in § 60.502a(b)(1) or (c)(1), conduct subsequent performance test of the vapor collection and processing system no later than 60 calendar months after the previous performance test.

(3) For each gasoline loading rack affected facility complying with the concentration emission limits in § 60.502a(b)(2) or (c)(2), conduct subsequent performance evaluations of CEMS for the vapor collection and processing system no later than 12 calendar months after the previous performance evaluation.

(c) *Performance test requirements for mass loading emission limit.* The owner or operator of a gasoline loading rack affected facility shall conduct performance tests of the vapor collection and processing system subject to the emission limits in § 60.502a(b)(1) or (c)(1), as specified in paragraphs (c)(1) through (8) of this section.

(1) The performance test shall be 6 hours long during which at least 80,000 gallons (300,000 liters) of gasoline is loaded. If this is not possible, the test may be continued the same day until 80,000 gallons (300,000 liters) of gasoline is loaded. If 80,000 gallons (300,000 liters) cannot be loaded during the first day of testing, the test may be resumed the next day with another 6-hour period. During the second day of testing, the 80,000-gallon (300,000-liter) criterion need not be met. However, as much as possible, testing should be conducted during the 6-hour period in which the highest throughput of gasoline normally occurs.

(2) If the vapor processing system is intermittent in operation and employs an intermediate vapor holder to accumulate total organic compounds vapors collected from gasoline cargo tanks, the performance test shall begin at a reference vapor holder level and shall end at the same reference point. The test shall include at least two startups and shutdowns of the vapor processor. If this does not occur under automatically controlled operations, the system shall be manually controlled.

(3) The emission rate (E) of total organic compounds shall be computed using the following equation:

$$E = K\sum_{i=1}^{n}\left(V_{esi}C_{ei}\right) / \left(L\,10^{6}\right)$$

Equation 1 to paragraph (c)(3)

Where:

E = emission rate of total organic compounds, mg/liter of gasoline loaded.

V_{esi} = volume of air-vapor mixture exhausted at each interval “i”, scm.

C_{ei} = concentration of total organic compounds at each interval “i”, ppm.

L = total volume of gasoline loaded, liters.

n = number of testing intervals.

i = emission testing interval of 5 minutes.

K = density of calibration gas, 1.83×10^{6} for propane, mg/scm.

(4) The performance test shall be conducted in intervals of 5 minutes. For each interval “i”, readings from each measurement shall be recorded, and the volume exhausted (V_{esi}) and the corresponding average total organic compounds concentration (C_{ei}) shall be determined. The sampling system response time shall be accounted for when determining the average total organic compounds concentration corresponding to the volume exhausted.

(5) Method 2B of appendix A-1 to this part shall be used to determine the volume (V_{esi}) of air-vapor mixture exhausted at each interval.

(6) Method 25, 25A, or 25B of appendix A-7 to this part shall be used for determining the total organic compounds concentration (C_{ei}) at each interval. Method 25 must not be used if the outlet TOC concentration is less than 50 ppmv. The calibration gas shall be propane. If the owner or operator conducts the performance test using either Method 25A or Method 25B, the methane content in the exhaust vent may be excluded following

the procedures in paragraphs (c)(6)(i) through (v) of this section. Alternatively, an instrument that uses gas chromatography with a flame ionization detector may be used according to the procedures in paragraph (c)(6)(vi) of this section.

(i) Measure the methane concentration by Method 18 of appendix A-6 to this part or Method 320 of appendix A to part 63 of this chapter.

(ii) Calibrate the Method 25A or Method 25B analyzer using both propane and methane to develop response factors to both compounds.

(iii) Determine the TOC concentration with the Method 25A or Method 25B analyzer on an as methane basis.

(iv) Subtract the methane measured according to paragraph (c)(6)(i) of this section from the concentration determined in paragraph (c)(6)(iii) of this section.

(v) Convert the concentration difference determined in paragraph (c)(6)(iv) of this section to TOC (minus methane), as propane, by using the response factors determined in paragraph (c)(6)(ii) of this section. Multiply the concentration difference in paragraph (c)(6)(iv) of this section by the ratio of the response factor for propane to the response factor for methane.

(vi) Methane must be separated by the gas chromatograph and measured by the flame ionization detector, followed by a back-flush of the chromatographic column to directly measure TOC concentration minus methane. Use a direct interface and heated sampling line from the sampling point to the gas chromatographic injection valve. All sampling components leading to the analyzer must be heated to greater than 110 °C. Calibrate the instrument with propane. Calibration error and calibration drift must be demonstrated according to Method 25A, and the appropriate procedures in Method 25A must be followed to ensure the calibration error and calibration drift are within Method 25A limits. The TOC concentration minus methane must be recorded at least once every 15 minutes. The performance test report must include the calibration results and the results demonstrating proper separation of methane from the TOC concentration.

(7) To determine the volume (L) of gasoline dispensed during the performance test period at all loading racks whose vapor emissions are controlled by the processing system being tested, terminal records or readings from gasoline dispensing meters at each loading rack shall be used.

(8) Monitor the temperature in the combustion zone using the continuous parameter monitoring system (CPMS) required in § 60.504a(a) and determine the operating limit for the combustion device using the following procedures:

(i) Record the temperature or average temperature for each 5-minute period during the performance test.

(ii) Using only the 5-minute periods in which liquid product is loaded into gasoline cargo tanks, determine the 1-hour average temperature for each hour of the performance test. If you do not know the previous contents of the cargo tank, you must assume liquid product loading is performed in gasoline cargo tanks such that you use all 5-minute periods in which liquid product is loaded into gasoline cargo tanks when determining the 1-hour average temperature for each hour of the performance test.

(iii) Starting at the end of the third hour of the performance test and at the end of each successive hour, calculate the 3-hour rolling average temperature using the 1-hour average values in paragraph (c)(8)(ii) of this section. For a 6-hour test, this would result in four 3-hour averages (averages for hours 1 through 3, 2 through 4, 3 through 5, and 4 through 6).

(iv) Set the operating limit at the lowest 3-hour average temperature determined in paragraph (c)(8)(iii) of this section. New operating limits become effective on the date that the performance test report is submitted to the U.S. Environmental Protection Agency (EPA) Compliance and Emissions Data Reporting Interface (CEDRI), per the requirements of § 60.505a(b).

(d) *Performance evaluation requirements for concentration emission limit.* The owner or operator shall conduct performance evaluations of the CEMS for vapor collection and processing systems subject to the emission limits in § 60.502a(b)(2) or (c)(2) as specified in paragraph (d)(1) or (2) of this section, as applicable.

(1) If the CEMS uses a nondispersive infrared analyzer, the CEMS must be installed, evaluated, and operated according to the requirements of Performance Specification 8 of appendix B to this part. Method 25B in appendix A-7 to this part must be used as the reference method, and the calibration gas must be propane. The owner or operator may request an alternative test method under § 60.8(b) to use a CEMS that excludes the methane content in the exhaust vent.

(2) If the CEMS uses a flame ionization detector, the CEMS must be installed, evaluated, and operated according to the requirements of Performance Specification 8A of appendix B to this part. As part of the performance evaluation, conduct a relative accuracy test audit (RATA) following the procedures in Performance Specification 2, section 8.4, of appendix B to this part; the relative accuracy must meet the criteria of Performance Specification 8, section 13.2, of appendix B to this part. Method 25A in appendix A-7 to this part must be used as the reference method, and the calibration gas must be propane. The owner or operator may exclude the methane content in the exhaust following the procedures in paragraphs (d)(2)(i) through (iv) of this section.

(i) Methane must be separated using a chromatographic column and measured by the flame ionization detector, followed by a back-flush of the chromatographic column to directly measure TOC concentration minus methane.

(ii) The CEMS must be installed, evaluated, and operated according to the requirements of Performance Specification 8A of appendix B to this part, except the target compound is TOC minus methane. As part of the performance evaluation, conduct a RATA following the procedures in Performance Specification 2, section 8.4, of appendix B to this part; the relative accuracy must meet the criteria of Performance Specification 8, section 13.2, of appendix B to this part.

(iii) If the concentration of TOC minus methane in the exhaust stream is greater than 50 ppmv, Method 25 in appendix A-7 to this part must be used as the reference method, and the calibration gas must be propane. If the concentration of TOC minus methane in the exhaust stream is 50 ppmv or less, Method 25A in appendix A-7 to this part must be used as the reference method, and the calibration gas must be propane. If Method 25A is the reference method, the procedures in paragraph (c)(6) of this section may be used to subtract methane from the TOC concentration.

(iv) The TOC concentration minus methane must be recorded at least once every 15 minutes.

(e) *Leak detection monitoring.* Conduct the leak detection monitoring specified in § 60.502a(j)(1) for the collection of equipment at a bulk gasoline terminal affected facility using one of the procedures specified in paragraph (e)(1) or (2) of this section. Conduct the leak detection monitoring specified in paragraph (a)(2) of this section using the procedures specified in paragraph (e)(1) of this section, except that the instrument reading that defines a leak is specified in paragraph (a)(2) for all equipment, including loading arms, in the gasoline loading rack affected facility and the calibration gas in paragraph (e)(1)(ii) must be at a concentration of 500 ppm methane.

(1) Method 21 in appendix A-7 to this part. The instrument reading that defines a leak is 10,000 ppmv (as methane). The instrument shall be calibrated before use each day of its use by the procedures specified in Method 21 of appendix A-7. The calibration gases in paragraphs (e)(1)(i) and (ii) of this section must be used. The

drift assessment specified in paragraph (e)(1)(iii) of this section must be performed at the end of each monitoring day.

(i) Zero air (less than 10 ppm of hydrocarbon in air); and

(ii) Methane and air at a concentration of 10,000 ppm methane.

(iii) At the end of each monitoring day, check the instrument using the same calibration gas that was used to calibrate the instrument before use. Follow the procedures specified in Method 21 of appendix A-7 to this part, section 10.1, except do not adjust the meter readout to correspond to the calibration gas value. If multiple scales are used, record the instrument reading for each scale used. Divide the arithmetic difference of the initial and post-test calibration response by the corresponding calibration gas value for each scale and multiply by 100 to express the calibration drift as a percentage. If a calibration drift assessment shows a negative drift of more than 10 percent, then re-monitor all equipment monitored since the last calibration with instrument readings between the leak definition and the leak definition multiplied by (100 minus the percent of negative drift) divided by 100. If any calibration drift assessment shows a positive drift of more than 10 percent from the initial calibration value, then, at the owner/operator's discretion, all equipment with instrument readings above the leak definition and below the leak definition multiplied by (100 plus the percent of positive drift) divided by 100 monitored since the last calibration may be re-monitored.

(2) OGI according to all the requirements in appendix K to this part. A leak is defined as any emissions plume imaged by the camera from equipment regulated by this subpart.

(f) *Annual certification test.* The annual certification test for gasoline cargo tanks shall consist of the following test methods and procedures:

(1) Method 27 of appendix A-8 to this part. Conduct the test using a time period (t) for the pressure and vacuum tests of 5 minutes. The initial pressure (P_i) for the pressure test shall be 460 mm water (H_2O) (18 in. H_2O), gauge. The initial vacuum (V_i) for the vacuum test shall be 150 mm H_2O (6 in. H_2O), gauge. The maximum allowable pressure and vacuum changes (Δ p, Δ v) are as shown in table 1 to this paragraph (f)(1).

Table 1 to Paragraph (f)(1)—Allowable Gasoline Cargo Tank Test Pressure or Vacuum Change

Gasoline cargo tank or compartment capacity, gallons (liters)	Annual certification-allowable pressure or vacuum change (Δ p, Δ v) in 5 minutes, mm H_2O (in. H_2O)
2,500 or more (9,464 or more)	12.7 (0.50)
1,500 to 2,499 (5,678 to 9,463)	19.1 (0.75)
1,000 to 1,499 (3,785 to 5,677)	25.4 (1.00)
999 or less (3,784 or less)	31.8 (1.25)

(2) Pressure test of the gasoline cargo tank's internal vapor valve as follows:

(i) After completing the tests under paragraph (f)(1) of this section, use the procedures in Method 27 to repressurize the gasoline cargo tank to 460 mm H_2O (18 in. H_2O), gauge. Close the gasoline cargo tank's internal vapor valve(s), thereby isolating the vapor return line and manifold from the gasoline cargo tank.

(ii) Relieve the pressure in the vapor return line to atmospheric pressure, then reseal the line. After 5 minutes, record the gauge pressure in the vapor return line and manifold. The maximum allowable 5-minute pressure increase is 65 mm H_2O (2.5 in. H_2O).

(3) As an alternative to paragraph (f)(1) of this section, you may use the procedure in § 63.425(i) of this chapter.

§ 60.504a Monitoring requirements.

(a) *Monitoring requirements for thermal oxidation systems complying with the combustion zone temperature operating limit.* Install, operate, and maintain a CPMS for measuring the combustion zone temperature as specified in paragraphs (a)(1) through (5) of this section.

(1) Install the temperature CPMS in the combustion (flame) zone or in the exhaust gas stream as close as practical to the combustion burners in a position that provides a representative temperature of the combustion zone of the thermal oxidation system.

(2) The temperature CPMS must be capable of measuring temperature with an accuracy of ±1 percent over the normal range of temperatures measured.

(3) The temperature CPMS must be capable of recording the temperature at least once every 5 minutes and calculating hourly block averages that include only those 5-minute periods in which liquid product was loaded into gasoline cargo tanks.

(4) At least quarterly, inspect all components for integrity and all electrical connections for continuity, oxidation, and galvanic corrosion, unless the CPMS has a redundant temperature sensor.

(5) Conduct calibration checks at least annually and conduct calibration checks following any period of more than 24 hours throughout which the temperature exceeded the manufacturer's specified maximum rated temperature or install a new temperature sensor.

(b) *Monitoring requirements for vapor recovery systems.* Install, calibrate, operate, and maintain a CEMS for measuring the concentration of TOC in the atmospheric vent from the vapor recovery system as specified in paragraphs (b)(1) and (2) of this section. Locate the sampling probe or other interface at a measurement location such that you obtain representative measurements of emissions from the vapor recovery system.

(1) The requirements of Performance Specification 8 of appendix B to this part, or, if the CEMS uses a flame ionization detector, Performance Specification 8A of appendix B to this part, the quality assurance requirements in Procedure 1 of appendix F to this part, and the procedures under § 60.13 must be followed for installation, evaluation, and operation of the CEMS. For CEMS certified using Performance Specification 8A of appendix B, conduct the RATA required under Procedure 1 according to the requirements in § 60.503a(d). As required by § 60.503a(b)(3), conduct annual performance evaluations of each TOC CEMS according to the requirements in § 60.503a(d). Conduct accuracy determinations quarterly and calibration drift tests daily in accordance with Procedure 1 in appendix F.

(2) The span value of the TOC CEMS must be approximately 2 times the applicable emission limit.

(c) *Monitoring requirements for flares and thermal oxidation systems for which flare monitoring alternative is provided.* Install, operate, and maintain CPMS for flares used to comply with the emission limitations in § 60.502a(c)(3), including monitors used for gasoline and total liquid product loading rates, following the requirements specified in § 63.671 of this chapter as specified in paragraphs (c)(1) through (3) of this section and conduct visible emission observations as specified in paragraph (c)(4) of this section.

(1) Substitute “pilot flame or flare flame” for each occurrence of “pilot flame.”

(2) You may elect to determine compositional analysis for net heating value with a continuous process mass spectrometer without the use of a gas chromatograph. If you choose to determine compositional analysis for net

heating value with a continuous process mass spectrometer, then you must comply with the requirements specified in paragraphs (c)(2)(i) through (vii) of this section.

(i) You must meet the requirements in § 63.671(e)(2) of this chapter. You may augment the minimum list of calibration gas components found in § 63.671(e)(2) with compounds found during a pre-survey or known to be in the gas through process knowledge.

(ii) Calibration gas cylinders must be certified to an accuracy of 2 percent and traceable to National Institute of Standards and Technology (NIST) standards.

(iii) For unknown gas components that have similar analytical mass fragments to calibration compounds, you may report the unknowns as an increase in the overlapped calibration gas compound. For unknown compounds that produce mass fragments that do not overlap calibration compounds, you may use the response factor for the nearest molecular weight hydrocarbon in the calibration mix to quantify the unknown component's net heating value of flare vent gas (NHV_{vg}).

(iv) You may use the response factor for n-pentane to quantify any unknown components detected with a higher molecular weight than n-pentane.

(v) You must perform an initial calibration to identify mass fragment overlap and response factors for the target compounds.

(vi) You must meet applicable requirements in Performance Specification 9 of appendix B to this part for continuous monitoring system acceptance including, but not limited to, performing an initial multi-point calibration check at three concentrations following the procedure in section 10.1 of Performance Specification 9 and performing the periodic calibration requirements listed for gas chromatographs in table 13 to part 63, subpart CC, of this chapter, for the process mass spectrometer. You may use the alternative sampling line temperature allowed under Net Heating Value by Gas Chromatograph in table 13 to part 63, subpart CC.

(vii) The average instrument calibration error (CE) for each calibration compound at any calibration concentration must not differ by more than 10 percent from the certified cylinder gas value. The CE for each component in the calibration blend must be calculated using the following equation:

$$CE = \frac{C_m - C_a}{C_a} \times 100$$

Equation 1 to paragraph (c)(2)(vii)

Where:

C_m = Average instrument response (ppm).

C_a = Certified cylinder gas value (ppm).

(3) If you use a gas chromatograph or mass spectrometer for compositional analysis for net heating value, then you may choose to use the CE of net heating value (NHV) measured versus the cylinder tag value NHV as the measure of agreement for daily calibration and quarterly audits in lieu of determining the compound-specific CE. The CE for NHV at any calibration level must not differ by more than 10 percent from the certified cylinder gas value. The CE for NHV must be calculated using the following equation:

$$CE = \frac{NHV_{measured} - NHV_a}{NHV_a} \times 100$$

Equation 2 to paragraph (c)(3)

Where:

$NHV_{measured}$ = Average instrument response (Btu/scf)

NHV_a = Certified cylinder gas value (Btu/scf).

(4) If visible emissions are observed for more than one continuous minute during normal duties, visible emissions observation using Method 22 of appendix A-7 to this part must be conducted for 2 hours or until 5-minutes of visible emissions are observed.

(d) *Pressure CPMS requirements.* The owner or operator shall install, operate, and maintain a CPMS to measure the pressure of the vapor collection system to determine compliance with the standard in § 60.502a(h) as specified in paragraphs (d)(1) through (4) of this section.

(1) Install a pressure CPMS (liquid manometer, magnehelic gauge, or equivalent instrument), capable of measuring up to 500 mm of water gauge pressure with ±2.5 mm of water precision on the terminal's vapor collection system at a pressure tap located as close as possible to the connection with the gasoline cargo tank. If necessary to obtain representative loading pressures, install pressure CPMS for each loading rack.

(2) Check the calibration of the pressure CPMS at least annually. Check the calibration of the pressure CPMS following any period of more than 24 hours throughout which the pressure exceeded the manufacturer's specified maximum rated pressure or install a new pressure sensor.

(3) At least quarterly, visually inspect components of the pressure CPMS for integrity, oxidation and galvanic corrosion, unless the system has a redundant pressure sensor.

(4) The output of the pressure CPMS must be reviewed each operating day to ensure that the pressure readings fluctuate as expected during loading of gasoline cargo tanks to verify the pressure taps are not plugged. Plugged pressure taps must be unplugged or otherwise repaired within 24 hours or prior to the next gasoline cargo tank loading, whichever time period is longer.

(e) *Limited alternative requirements for vapor recovery systems.* If the CEMS used for measuring the concentration of TOC in the atmospheric vent from the vapor recovery system as specified in paragraph (b) of this section requires maintenance such that it is off-line for more than 15 minutes, you may follow the requirements in paragraphs (e)(1) and (2) of this section and monitor product loading quantities and regeneration cycle parameters as an alternative to the monitoring requirement in paragraph (b) for no more than 240 hours in a calendar year.

(1) Determine the quantity of liquid product loaded in gasoline cargo tanks for the past 10 adsorption cycles prior to the CEMS going off-line and select the smallest of these values as your product loading quantity operating limit.

(2) Determine the vacuum pressure, purge gas quantities, and duration of the vacuum/purge cycles used for the past 10 desorption cycles prior to the CEMS going off-line. You must operate vapor recovery system desorption cycles as specified in paragraphs (e)(2)(i) through (iii) of this section.

(i) The vacuum pressure for each desorption cycle must be at or above the average vacuum pressure from the past 10 desorption cycles. Note: a higher vacuum means a lower absolute pressure.

(ii) Purge gas quantity used for each desorption cycle must be at or above the average quantity of purge gas used from the past 10 desorption cycles.

(iii) Duration of the vacuum/purge cycle for each desorption cycle must be at or above the average duration of the vacuum/purge cycle used from the past 10 desorption cycles.

§ 60.505a Recordkeeping and reporting.

(a) *Recordkeeping requirements.* For each affected facility listed under § 60.500a(a), keep records as specified in paragraphs (a)(1) through (9) of this section, as applicable, for a minimum of five years unless otherwise specified in this section. These recordkeeping requirements supersede the requirements in § 60.7(b).

(1) For each thermal oxidation system used to comply with the emission limitations in § 60.502a(b)(1) or (c)(1) by monitoring the combustion zone temperature as specified in § 60.502a(b)(1)(ii) or (c)(1)(ii), for each pressure CPMS used to comply with the requirements in § 60.502a(h), and for each vapor recovery system used to comply with the emission limitations in § 60.502a(b)(2) or (c)(2), maintain records, as applicable, of:

(i) The applicable operating or emission limit for the continuous monitoring system (CMS). For combustion zone temperature operating limits, include the applicable date range the limit applies based on when the performance test was conducted.

(ii) Each 3-hour rolling average combustion zone temperature measured by the temperature CPMS, each 5-minute average reading from the pressure CPMS, and each 3-hour rolling average TOC concentration (as propane) measured by the TOC CEMS.

(iii) For each deviation of the 3-hour rolling average combustion zone temperature operating limit, maximum loading pressure specified in § 60.502a(h), or 3-hour rolling average TOC concentration (as propane), the start date and time, duration, cause, and the corrective action taken.

(iv) For each period when there was a CMS outage or the CMS was out of control, the start date and time, duration, cause, and the corrective action taken. For TOC CEMS outages where the limited alternative for vapor recovery systems in § 60.504a(e) is used, the corrective action taken shall include an indication of the use of the limited alternative for vapor recovery systems in § 60.504a(e).

(v) Each inspection or calibration of the CMS including a unique identifier, make, and model number of the CMS, and date of calibration check. For TOC CEMS, include the type of CEMS used (*i.e.,* flame ionization detector, nondispersive infrared analyzer) and an indication of whether methane is excluded from the TOC concentration reported in paragraph (a)(1)(ii) of this section.

(vi) For TOC CEMS outages where the limited alternative for vapor recovery systems in § 60.504a(e) is used, also keep records of:

(A) The quantity of liquid product loaded in gasoline cargo tanks for the past 10 adsorption cycles prior to the CEMS outage.

(B) The vacuum pressure, purge gas quantities, and duration of the vacuum/purge cycles used for the past 10 desorption cycles prior to the CEMS outage.

(C) The quantity of liquid product loaded in gasoline cargo tanks for each adsorption cycle while using the alternative.

(D) The vacuum pressure, purge gas quantities, and duration of the vacuum/purge cycles for each desorption cycle while using the alternative.

(2) For each flare used to comply with the emission limitations in § 60.502a(c)(3) and for each thermal oxidation system using the flare monitoring alternative as provided in § 60.502a(c)(1)(iii), maintain records of:

(i) The output of the monitoring device used to detect the presence of a pilot flame as required in § 63.670(b) of this chapter for a minimum of 2 years. Retain records of each 15-minute block during which there was at least one minute that no pilot flame was present when gasoline vapors were routed to the flare for a minimum of 5 years. The record must identify the start and end time and date of each 15-minute block.

(ii) Visible emissions observations as specified in paragraphs (a)(2)(ii)(A) and (B) of this section, as applicable, for a minimum of 3 years.

(A) If visible emissions observations are performed using Method 22 of appendix A-7 to this part, the record must identify the date, the start and end time of the visible emissions observation, and the number of minutes for which visible emissions were observed during the observation. If the owner or operator performs visible emissions observations more than one time during a day, include separate records for each visible emissions observation performed.

(B) For each 2-hour period for which visible emissions are observed for more than 5 minutes in 2 consecutive hours but visible emissions observations according to Method 22 of appendix A-7 to this part were not conducted for the full 2-hour period, the record must include the date, the start and end time of the visible emissions observation, and an estimate of the cumulative number of minutes in the 2-hour period for which emissions were visible based on best information available to the owner or operator.

(iii) Each 15-minute block period during which operating values are outside of the applicable operating limits specified in § 63.670(d) through (f) of this chapter when liquid product is being loaded into gasoline cargo tanks for at least 15-minutes identifying the specific operating limit that was not met.

(iv) The 15-minute block average cumulative flows for flare vent gas or the thermal oxidation system vent gas and, if applicable, total steam, perimeter assist air, and premix assist air specified to be monitored under § 63.670(i) of this chapter, along with the date and start and end time for the 15-minute block. If multiple monitoring locations are used to determine cumulative vent gas flow, total steam, perimeter assist air, and premix assist air, retain records of the 15-minute block average flows for each monitoring location for a minimum of 2 years, and retain the 15-minute block average cumulative flows that are used in subsequent calculations for a minimum of 5 years. If pressure and temperature monitoring is used, retain records of the 15-minute block average temperature, pressure and molecular weight of the flare vent gas, thermal oxidation system vent gas, or assist gas stream for each measurement location used to determine the 15-minute block average cumulative flows for a minimum of 2 years, and retain the 15-minute block average cumulative flows that are used in subsequent calculations for a minimum of 5 years. If you use the supplemental gas flow rate monitoring alternative in § 60.502a(c)(3)(viii), the required minimum supplemental gas flow rate (winter and summer, if applicable) and the actual monitored supplemental gas flow rate for the 15-minute block. Retain the supplemental gas flow rate records for a minimum of 5 years.

(v) The flare vent gas compositions or thermal oxidation system vent gas specified to be monitored under § 63.670(j) of this chapter. Retain records of individual component concentrations from each compositional analyses for a minimum of 2 years. If an NHV_{vg} analyzer is used, retain records of the 15-minute block average values for a minimum of 5 years. If you demonstrate your gas streams have consistent composition using the provisions in § 63.670(j)(6) of this chapter as specified in § 60.502a(c)(3)(vii), retain records of the required minimum ratio of gasoline loaded to total liquid product loaded and the actual ratio on a 5-minute block basis. If applicable, you must retain records of the required minimum gasoline loading rate as specified in § 60.502a(c)(3)(vii) and the actual gasoline loading rate on a 5-minute block basis for a minimum of 5 years.

(vi) Each 15-minute block average operating parameter calculated following the methods specified in § 63.670(k) through (n) of this chapter, as applicable.

(vii) All periods during which the owner or operator does not perform monitoring according to the procedures in § 63.670(g), (i), and (j) of this chapter or in § 60.502a(c)(3)(vii) and (viii) as applicable. Note the start date, start time, and duration in minutes for each period.

(viii) An indication of whether "vapors displaced from gasoline cargo tanks during product loading" excludes periods when liquid product is loaded but no gasoline cargo tanks are being loaded or if liquid product loading is assumed to be loaded into gasoline cargo tanks according to the provisions in § 60.502a(c)(3)(i), records of all time periods when "vapors displaced from gasoline cargo tanks during product loading", and records of time periods when there were no "vapors displaced from gasoline cargo tanks during product loading".

(ix) If you comply with the flare tip velocity operating limit using the one-time flare tip velocity operating limit compliance assessment as provided in § 60.502a(c)(3)(ix), maintain records of the applicable one-time flare tip velocity operating limit compliance assessment for as long as you use this compliance method.

(x) For each parameter monitored using a CMS, retain the records specified in paragraphs (a)(2)(x)(A) through (C) of this section, as applicable:

(A) For each deviation, record the start date and time, duration, cause, and corrective action taken.

(B) For each period when there is a CMS outage or the CMS is out of control, record the start date and time, duration, cause, and corrective action taken.

(C) Each inspection or calibration of the CMS including a unique identifier, make, and model number of the CMS, and date of calibration check.

(3) The gasoline cargo tank vapor tightness documentation required under § 60.502a(e)(1) for each gasoline cargo tank loading at the affected facility shall be kept on file at the terminal in either a hardcopy or electronic form available for inspection. The documentation shall include, at a minimum, the following information:

(i) Test title: Annual Certification Test—EPA Method 27 or Railcar Bubble Leak Test Procedure.

(ii) Cargo tank owner's name and address.

(iii) Cargo tank identification number.

(iv) Test location and date.

(v) Tester name and signature.

(vi) Witnessing inspector, if any: Name, signature, and affiliation.

(vii) Vapor tightness repair: Nature of repair work and when performed in relation to vapor tightness testing.

(viii) Test results: Tank or compartment capacity, test pressure; pressure or vacuum change, mm of water; time period of test; number of leaks found with instrument; and leak definition.

(4) Records of each instance in which liquid product was loaded into a gasoline cargo tank for which vapor tightness documentation required under § 60.502a(e)(1) was not provided or available in the terminal's records. These records shall include, at a minimum:

(i) Cargo tank owner and address.

(ii) Cargo tank identification number.

(iii) Date and time liquid product was loaded into a gasoline cargo tank without proper documentation.

(iv) Date proper documentation was received or statement that proper documentation was never received.

(5) Records of each instance when liquid product was loaded into gasoline cargo tanks not using submerged filling, as defined in § 60.501a, not equipped with vapor collection equipment that is compatible with the terminal's vapor collection system, or not properly connected to the terminal's vapor collection system. These records shall include, at a minimum:

(i) Date and time of liquid product loading into gasoline cargo tank not using submerged filling, improperly equipped, or improperly connected.

(ii) Type of deviation (*e.g.,* not submerged filling, incompatible equipment, not properly connected).

(iii) Cargo tank identification number.

(6) A record [list, summary description, or diagram(s) showing the location] of all equipment in gasoline service at the collection of equipment at a bulk gasoline terminal affected facility and at the loading rack affected facility. A record of each leak inspection and leak identified under §§ 60.503a(a)(2) and 60.502a(j) as specified in paragraphs (a)(6)(i) through (iv) of this section:

(i) For each leak inspection, keep the following records:

(A) An indication if the leak inspection was conducted under § 60.502a(j) or § 60.503a(a)(2).

(B) Leak determination method used for the leak inspection.

(ii) For leak inspections conducted with Method 21 of appendix A-7 to this part, keep the following additional records:

(A) Date of inspection.

(B) Inspector name.

(C) Monitoring instrument identification.

(D) Identification of all equipment surveyed and the instrument reading for each piece of equipment.

(E) Date and time of instrument calibration and initials of operator performing the calibration.

(F) Calibration gas cylinder identification, certification date, and certified concentration.

(G) Instrument scale used.

(H) Results of the daily calibration drift assessment.

(iii) For leak inspections conducted with OGI, keep the records specified in section 12 of appendix K to this part.

(iv) For each leak detected during a leak inspection or by audio/visual/olfactory methods during normal duties, record the following information:

(A) The equipment type and identification number.

(B) The date the leak was detected, the name of the person who found the leak, the nature of the leak (*i.e.,* vapor or liquid), and the method of detection (*i.e.,* audio/visual/olfactory, Method 21 of appendix A-7 to this part, or OGI).

(C) The dates of each attempt to repair the leak and the repair methods applied in each attempt to repair the leak.

(D) The date of successful repair of the leak, the method of monitoring used to confirm the repair, and if Method 21 of appendix A-7 to this part is used to confirm the repair, the maximum

instrument reading measured by Method 21 of appendix A-7. If OGI is used to confirm the repair, keep video footage of the repair confirmation.

(E) For each repair delayed beyond 15 calendar days after discovery of the leak, record "Repair delayed", the reason for the delay, and the expected date of successful repair. The owner or operator (or designate) whose decision it was that repair could not be carried out in the 15-calendar-day timeframe must sign the record.

(F) For each leak that is not repairable, the maximum instrument reading measured by Method 21 of appendix A-7 to this part at the time the leak is determined to be not repairable, a video captured by the OGI camera showing that emissions are still visible, or a signed record that the leak is still detectable via audio/visual/olfactory methods.

(7) Records of each performance test or performance evaluation conducted on the affected facility and each notification and report submitted to the Administrator. For each performance test, include an indication of whether liquid product loading is assumed to be loaded into gasoline cargo tanks or periods when liquid product is loaded but no gasoline cargo tanks are being loaded are excluded in the determination of the combustion zone temperature operating limit according to the provision in § 60.503a(c)(8)(ii).

(8) Records of all 5-minute time periods during which liquid product is loaded into gasoline cargo tanks or assumed to be loaded into gasoline cargo tanks and records of all 5-minute time periods when there was no liquid product loaded into gasoline cargo tanks.

(9) Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated authority or the EPA as part of an on-site compliance evaluation.

(b) *Reporting requirements for performance tests and evaluations.* Within 60 days after the date of completing each performance test and each CEMS performance evaluation required by this subpart, you must submit the results following the procedures specified in paragraph (e) of this section. As required by § 60.8(f)(2)(iv), you must include the value for the combustion zone temperature operating parameter limit set based on your performance test in the performance test report. Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) and performance evaluations of CEMS measuring RATA pollutants that are supported by the EPA's ERT as listed on the EPA's ERT website (*https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert*) at the time of the test or performance evaluation must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. Data collected using test methods that are not supported by the EPA's ERT and performance evaluations of CEMS measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test or performance evaluation must be included as an attachment in the ERT or an alternate electronic file.

(c) *Reporting requirements for semiannual report.* You must submit to the Administrator semiannual reports with the applicable information in paragraphs (c)(1) through (7) of this section by the dates specified in paragraph (d) of this section following the procedure specified in paragraph (e) of this section. For this subpart, the semiannual reports supersede the excess emissions and monitoring systems performance report and/or summary report form required under § 60.7. Beginning on July 8, 2024, or once the report template for this subpart has been available on the CEDRI website (*https://www.epa.gov/electronic-reporting-air-emissions/cedri*) for one year, whichever date is later, submit all subsequent reports using the appropriate electronic report template on the CEDRI website for this subpart and following the procedure specified in paragraph (e). The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated State agency or other authority has approved a

different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

(1) Report the following general facility information:

(i) Facility name.

(ii) Facility physical address, including city, county, and State.

(iii) Latitude and longitude of facility's physical location. Coordinates must be in decimal degrees with at least five decimal places.

(iv) The following information for the contact person:

(A) Name.

(B) Mailing address.

(C) Telephone number.

(D) Email address.

(v) Date of report and beginning and ending dates of the reporting period. You are no longer required to provide the date of report when the report is submitted via CEDRI.

(vi) 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. If your report is submitted via CEDRI, the certifier's electronic signature during the submission process replaces the requirement in this paragraph (c)(1)(vi).

(2) For each thermal oxidation system used to comply with the emission limitations in § 60.502a(b)(1) or (c)(1) by monitoring the combustion zone temperature as specified in § 60.502a(b)(1)(ii) or (c)(1)(ii), for each pressure CPMS used to comply with the requirements in § 60.502a(h), and for each vapor recovery system used to comply with the emission limitations in § 60.502a(b)(2) or (c)(2) report the following information for the CMS:

(i) For all instances when the temperature CPMS measured 3-hour rolling averages below the established operating limit or when the vapor collection system pressure exceeded the maximum loading pressure specified in § 60.502a(h) when liquid product was being loaded into gasoline cargo tanks or when the TOC CEMS measured 3-hour rolling average concentrations higher than the applicable emission limitation when the vapor recovery system was operating:

(A) The date and start time of the deviation.

(B) The duration of the deviation in hours.

(C) Each 3-hour rolling average combustion zone temperature, average pressure, or 3-hour rolling average TOC concentration during the deviation. For TOC concentration, indicate whether methane is excluded from the TOC concentration.

(D) A unique identifier for the CMS.

(E) The make, model number, and date of last calibration check of the CMS.

(F) The cause of the deviation and the corrective action taken.

(ii) For all instances that the temperature CPMS for measuring the combustion zone temperature or pressure CPMS was not operating or was out of control when liquid product was loaded into gasoline cargo tanks, or the TOC CEMS was not operating or was out of control when the vapor recovery system was operating:

(A) The date and start time of the deviation.

(B) The duration of the deviation in hours.

(C) A unique identifier for the CMS.

(D) The make, model number, and date of last calibration check of the CMS.

(E) The cause of the deviation and the corrective action taken. For TOC CEMS outages where the limited alternative for vapor recovery systems in § 60.504a(e) is used, the corrective action taken shall include an indication of the use of the limited alternative for vapor recovery systems in § 60.504a(e).

(F) For TOC CEMS outages where the limited alternative for vapor recovery systems in § 60.504a(e) is used, report either an indication that there were no deviations from the operating limits when using the limited alternative or report the number of each of the following types of deviations that occurred during the use of the limited alternative for vapor recovery systems in § 60.504a(e).

(*1*) The number of adsorption cycles when the quantity of liquid product loaded in gasoline cargo tanks exceeded the operating limit established in § 60.504a(e)(1). Enter 0 if no deviations of this type.

(*2*) The number of desorption cycles when the vacuum pressure was below the average vacuum pressure as specified in § 60.504a(e)(2)(i). Enter 0 if no deviations of this type.

(*3*) The number of desorption cycles when the quantity of purge gas used was below the average quantity of purge gas as specified in § 60.504a(e)(2)(ii). Enter 0 if no deviations of this type.

(*4*) The number of desorption cycles when the duration of the vacuum/purge cycle was less than the average duration as specified in § 60.504a(e)(2)(iii). Enter 0 if no deviations of this type.

(3) For each flare used to comply with the emission limitations in § 60.502a(c)(3) and for each thermal oxidation system using the flare monitoring alternative as provided in § 60.502a(c)(1)(iii), report:

(i) The date and start and end times for each of the following instances:

(A) Each 15-minute block during which there was at least one minute when gasoline vapors were routed to the flare and no pilot flame was present.

(B) Each period of 2 consecutive hours during which visible emissions exceeded a total of 5 minutes. Additionally, report the number of minutes for which visible emissions were observed during the observation or an estimate of the cumulative number of minutes in the 2-hour period for which emissions were visible based on best information available to the owner or operator.

(C) Each 15-minute period for which the applicable operating limits specified in § 63.670(d) through (f) of this chapter were not met. You must identify the specific operating limit that was not met. Additionally, report the information in paragraphs (c)(3)(i)(C)(*1*) through (*3*) of this section, as applicable.

(*1*) If you use the loading rate operating limits as determined in § 60.502a(c)(3)(vii) alone or in combination with the supplemental gas flow rate monitoring alternative in § 60.502a(c)(3)(viii), the required minimum ratio and the actual ratio of gasoline loaded to total product loaded for the rolling 15-minute period and, if applicable, the required minimum quantity and the actual quantity of gasoline loaded, in gallons, for the rolling 15-minute period.

(*2*) If you use the supplemental gas flow rate monitoring alternative in § 60.502a(c)(3)(viii), the required minimum supplemental gas flow rate and the actual supplemental gas flow rate including units of flow rates for the 15-minute block.

(*3*) If you use parameter monitoring systems other than those specified in paragraphs (c)(3)(i)(C)(*1*) and (*2*) of this section, the value of the net heating value operating parameter(s) during the deviation determined following the methods in § 63.670(k) through (n) of this chapter as applicable.

(ii) The start date, start time, and duration in minutes for each period when "vapors displaced from gasoline cargo tanks during product loading" were routed to the flare or thermal oxidation system and the applicable monitoring was not performed.

(iii) For each instance reported under paragraphs (c)(3)(i) and (ii) of this section that involves CMS, report the following information:

(A) A unique identifier for the CMS.

(B) The make, model number, and date of last calibration check of the CMS.

(C) The cause of the deviation or downtime and the corrective action taken.

(4) For any instance in which liquid product was loaded into a gasoline cargo tank for which vapor tightness documentation required under § 60.502a(e)(1) was not provided or available in the terminal's records, report:

(i) Cargo tank owner and address.

(ii) Cargo tank identification number.

(iii) Date and time liquid product was loaded into a gasoline cargo tank without proper documentation.

(iv) Date proper documentation was received or statement that proper documentation was never received.

(5) For each instance when liquid product was loaded into gasoline cargo tanks not using submerged filling, as defined in § 60.501a, not equipped with vapor collection equipment that is compatible with the terminal's vapor collection system, or not properly connected to the terminal's vapor collection system, report:

(i) Date and time of liquid product loading into gasoline cargo tank not using submerged filling, improperly equipped, or improperly connected.

(ii) Type of deviation (*e.g.,* not submerged filling, incompatible equipment, or not properly connected).

(iii) Cargo tank identification number.

(6) Report the following information for each leak inspection required under §§ 60.502a(j)(1) and 60.503a(a)(2) and each leak identified under § 60.502a(j)(2).

(i) For each leak detected during a leak inspection required under §§ 60.502a(j)(1) and 60.503a(a)(2), report:

(A) The date of inspection.

(B) The leak determination method (OGI or Method 21 of appendix A-7 to this part).

(C) The total number and type of equipment for which leaks were detected.

(D) The total number and type of equipment for which leaks were repaired within 15 calendar days.

(E) The total number and type of equipment for which no repair attempt was made within 5 calendar days of the leaks being identified.

(F) The total number and type of equipment placed on the delay of repair, as specified in § 60.502a(j)(8).

(ii) For leaks identified under § 60.502a(j)(2), report:

(A) The total number and type of equipment for which leaks were identified.

(B) The total number and type of equipment for which leaks were repaired within 15 calendar days.

(C) The total number and type of equipment for which no repair attempt was made within 5 calendar days of the leaks being identified.

(D) The total number and type of equipment placed on the delay of repair, as specified in § 60.502a(j)(8).

(iii) The total number of leaks on the delay of repair list at the start of the reporting period.

(iv) The total number of leaks on the delay of repair list at the end of the reporting period.

(v) For each leak that was on the delay of repair list at any time during the reporting period, report:

(A) Unique equipment identification number.

(B) Type of equipment.

(C) Leak determination method (OGI, Method 21 of appendix A-7 to this part, or audio, visual, or olfactory).

(D) The reason(s) why the repair was not feasible within 15 calendar days.

(E) If applicable, the date repair was completed.

(7) If there were no deviations from the emission limitations, operating parameters, or work practice standards, then provide a statement that there were no deviations from the emission limitations, operating limits, or work practice standards during the reporting period. If there were no periods during which a CMS (including a CEMS or CPMS) was inoperable or out-of-control, then provide a statement that there were no periods during which a CMS was inoperable or out-of-control during the reporting period.

(d) *Timeframe for semiannual report submissions.*

(1) The first semiannual report will cover the date starting with the date the source first becomes an affected facility subject to this subpart and ending with the last day of the month five months later. For example, if the source becomes an affected facility on April 15, the first semiannual report would cover the period from April 15 to September 30. The first semiannual report must be submitted on or before the last day of the month two months after the last date covered by the semiannual report. In this example, the first semiannual report would be due November 30.

(2) Subsequent semiannual reports will cover subsequent 6 calendar month periods with each report due on or before the last day of the month two months after the last date covered by the semiannual report.

(e) *Requirements for electronically submitting reports.* For reports required to be submitted following the procedures specified in this paragraph (e), you must submit reports to the EPA via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit

information you claim as confidential business information (CBI). Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (e)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data are not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (e).

(1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqpscbi@epa.gov,* and as described above, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Gasoline Distribution Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqpscbi@epa.gov* to request a file transfer link.

(2) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: U.S. EPA, Attn: OAQPS Document Control Officer, Mail Drop: C404-02, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, NC 27711. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group, and all other files should also be flagged to the attention of the Gasoline Distribution Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(f) *Claims of EPA system outage.* If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (f)(1) through (7) of this section.

(1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

(2) The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due.

(3) The outage may be planned or unplanned.

(4) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(5) You must provide to the Administrator a written description identifying:

(i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

(g) *Claims of force majeure.* If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of *force majeure* for failure to timely comply with that reporting requirement. To assert a claim of *force majeure,* you must meet the requirements outlined in paragraphs (g)(1) through (5) of this section.

(1) You may submit a claim if a *force majeure* event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a *force majeure* event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (*e.g.,* hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (*e.g.,* large scale power outage).

(2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(3) You must provide to the Administrator:

(i) A written description of the *force majeure* event;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the *force majeure* event;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(4) The decision to accept the claim of *force majeure* and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(5) In any circumstance, the reporting must occur as soon as possible after the *force majeure* event occurs.

Appendix G. 40 CFR Part 63, Subpart A – General Provisions

§ 63.1 Applicability.

(a) *General.*

(1) Terms used throughout this part are defined in § 63.2 or in the Clean Air Act (Act) as amended in 1990, except that individual subparts of this part may include specific definitions in addition to or that supersede definitions in § 63.2.

(2) This part contains national emission standards for hazardous air pollutants (NESHAP) established pursuant to section 112 of the Act as amended November 15, 1990. These standards regulate specific categories of stationary sources that emit (or have the potential to emit) one or more hazardous air pollutants listed in this part pursuant to section 112(b) of the Act. This section explains the applicability of such standards to sources affected by them. The standards in this part are independent of NESHAP contained in 40 CFR part 61. The NESHAP in part 61 promulgated by signature of the Administrator before November 15, 1990 (i.e., the date of enactment of the Clean Air Act Amendments of 1990) remain in effect until they are amended, if appropriate, and added to this part.

(3) No emission standard or other requirement established under this part shall be interpreted, construed, or applied to diminish or replace the requirements of a more stringent emission limitation or other applicable requirement established by the Administrator pursuant to other authority of the Act (section 111, part C or D or any other authority of this Act), or a standard issued under State authority. The Administrator may specify in a specific standard under this part that facilities subject to other provisions under the Act need only comply with the provisions of that standard.

(4) (i) Each relevant standard in this part 63 must identify explicitly whether each provision in this subpart A is or is not included in such relevant standard.

(ii) If a relevant part 63 standard incorporates the requirements of 40 CFR part 60, part 61 or other part 63 standards, the relevant part 63 standard must identify explicitly the applicability of each corresponding part 60, part 61, or other part 63 subpart A (General) provision.

(iii) The General Provisions in this subpart A do not apply to regulations developed pursuant to section 112(r) of the amended Act, unless otherwise specified in those regulations.

(5) [Reserved]

(6) To obtain the most current list of categories of sources to be regulated under section 112 of the Act, or to obtain the most recent regulation promulgation schedule established pursuant to section 112(e) of the Act, contact the Office of the Director, Emission Standards Division, Office of Air Quality Planning and Standards, U.S. EPA (MD-13), Research Triangle Park, North Carolina 27711.

(7)-(9) [Reserved]

(10) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word “calendar” is absent, unless otherwise specified in an applicable requirement.

(11) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, test plan, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be

postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.

(12) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in § 63.9(i).

(b) *Initial applicability determination for this part.*

(1) The provisions of this part apply to the owner or operator of any stationary source that -

(i) Emits or has the potential to emit any hazardous air pollutant listed in or pursuant to section 112(b) of the Act; and

(ii) Is subject to any standard, limitation, prohibition, or other federally enforceable requirement established pursuant to this part.

(2) [Reserved]

(3) An owner or operator of a stationary source who is in the relevant source category and who determines that the source is not subject to a relevant standard or other requirement established under this part must keep a record as specified in § 63.10(b)(3).

(c) *Applicability of this part after a relevant standard has been set under this part.*

(1) If a relevant standard has been established under this part, the owner or operator of an affected source must comply with the provisions of that standard and of this subpart as provided in paragraph (a)(4) of this section.

(2) Except as provided in § 63.10(b)(3), if a relevant standard has been established under this part, the owner or operator of an affected source may be required to obtain a title V permit from a permitting authority in the State in which the source is located. Emission standards promulgated in this part for area sources pursuant to section 112(c)(3) of the Act will specify whether -

(i) States will have the option to exclude area sources affected by that standard from the requirement to obtain a title V permit (i.e., the standard will exempt the category of area sources altogether from the permitting requirement);

(ii) States will have the option to defer permitting of area sources in that category until the Administrator takes rulemaking action to determine applicability of the permitting requirements; or

(iii) If a standard fails to specify what the permitting requirements will be for area sources affected by such a standard, then area sources that are subject to the standard will be subject to the requirement to obtain a title V permit without any deferral.

(3)-(4) [Reserved]

(5) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source that is subject to the emission standard or other requirement, such source also shall be subject to the notification requirements of this subpart.

(6) A major source may become an area source at any time upon reducing its emissions of and potential to emit hazardous air pollutants, as defined in this subpart, to below the major source thresholds established in § 63.2, subject to the provisions in paragraphs (c)(6)(i) and (ii) of this section.

(i) A major source reclassifying to area source status is subject to the applicability of standards, compliance dates and notification requirements specified in (c)(6)(i)(A) of this section. An area source that previously was a major source and becomes a major source again is subject to the applicability of standards, compliance dates, and notification requirements specified in (c)(6)(i)(B) of this section:

(A) A major source reclassifying to area source status under this part remains subject to any applicable major source requirements established under this part until the reclassification becomes effective. After the reclassification becomes effective, the source is subject to any applicable area source requirements established under this part immediately, provided the compliance date for the area source requirements has passed. The owner or operator of a major source that becomes an area source subject to newly applicable area source requirements under this part must comply with the initial notification requirements pursuant to § 63.9(b). The owner or operator of a major source that becomes an area source must also provide to the Administrator any change in the information already provided under § 63.9(b) per § 63.9(j).

(B) An area source that previously was a major source under this part and that becomes a major source again is subject to the applicable major source requirements established under this part immediately upon becoming a major source again, provided the compliance date for the major source requirements has passed, notwithstanding any provision within the applicable subparts. The owner or operator of an area source that becomes a major source again must comply with the initial notification pursuant to § 63.9(b). The owner or operator must also provide to the Administrator any change in the information already provided under § 63.9(b) per § 63.9(j).

(ii) Becoming an area source does not absolve a source subject to an enforcement action or investigation for major source violations or infractions from the consequences of any actions occurring when the source was major. Becoming a major source does not absolve a source subject to an enforcement action or investigation for area source violations or infractions from the consequences of any actions occurring when the source was an area source.

(d) [Reserved]

(e) If the Administrator promulgates an emission standard under section 112(d) or (h) of the Act that is applicable to a source subject to an emission limitation by permit established under section 112(j) of the Act, and the requirements under the section 112(j) emission limitation are substantially as effective as the promulgated emission standard, the owner or operator may request the permitting authority to revise the source's title V permit to reflect that the emission limitation in the permit satisfies the requirements of the promulgated emission standard. The process by which the permitting authority determines whether the section 112(j) emission limitation is substantially as effective as the promulgated emission standard must include, consistent with part 70 or 71 of this chapter, the opportunity for full public, EPA, and affected State review (including the opportunity for EPA's objection) prior to the permit revision being finalized. A negative determination by the permitting authority constitutes final action for purposes of review and appeal under the applicable title V operating permit program.

§ 63.2 Definitions.

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 *et seq.,* as amended by Pub. L. 101-549, 104 Stat. 2399).

Actual emissions is defined in subpart D of this part for the purpose of granting a compliance extension for an early reduction of hazardous air pollutants.

Administrator means the Administrator of the United States Environmental Protection Agency or his or her authorized representative (e.g., a State that has been delegated the authority to implement the provisions of this part).

Affected source, for the purposes of this part, means the collection of equipment, activities, or both within a single contiguous area and under common control that is included in a section 112(c) source category or subcategory for which a section 112(d) standard or other relevant standard is established pursuant to section 112 of the Act. Each relevant standard will define the "affected source," as defined in this paragraph unless a different definition is warranted based on a published justification as to why this definition would result in significant administrative, practical, or implementation problems and why the different definition would resolve those problems. The term "affected source," as used in this part, is separate and distinct from any other use of that term in EPA regulations such as those implementing title IV of the Act. Affected source may be defined differently for part 63 than affected facility and stationary source in parts 60 and 61, respectively. This definition of "affected source," and the procedures for adopting an alternative definition of "affected source," shall apply to each section 112(d) standard for which the initial proposed rule is signed by the Administrator after June 30, 2002.

Alternative emission limitation means conditions established pursuant to sections 112(i)(5) or 112(i)(6) of the Act by the Administrator or by a State with an approved permit program.

Alternative emission standard means an alternative means of emission limitation that, after notice and opportunity for public comment, has been demonstrated by an owner or operator to the Administrator's satisfaction to achieve a reduction in emissions of any air pollutant at least equivalent to the reduction in emissions of such pollutant achieved under a relevant design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act.

Alternative test method means any method of sampling and analyzing for an air pollutant that has been demonstrated to the Administrator's satisfaction, using Method 301 in appendix A of this part, to produce results adequate for the Administrator's determination that it may be used in place of a test method specified in this part.

Approved permit program means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to title V of the Act (42 U.S.C. 7661).

Area source means any stationary source of hazardous air pollutants that is not a major source as defined in this part.

Commenced means, with respect to construction or reconstruction of an affected source, that an owner or operator has undertaken a continuous program of construction or reconstruction or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or reconstruction.

Compliance date means the date by which an affected source is required to be in compliance with a relevant standard, limitation, prohibition, or any federally enforceable requirement established by the Administrator (or a State with an approved permit program) pursuant to section 112 of the Act.

Compliance schedule means:

(1) In the case of an affected source that is in compliance with all applicable requirements established under this part, a statement that the source will continue to comply with such requirements; or

(2) In the case of an affected source that is required to comply with applicable requirements by a future date, a statement that the source will meet such requirements on a timely basis and, if required by an applicable requirement, a detailed schedule of the dates by which each step toward compliance will be reached; or

(3) In the case of an affected source not in compliance with all applicable requirements established under this part, a schedule of remedial measures, including an enforceable sequence of actions or operations with milestones and a schedule for the submission of certified progress reports, where applicable, leading to compliance with a relevant standard, limitation, prohibition, or any federally enforceable requirement established pursuant to section 112 of the Act for which the affected source is not in compliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.

Construction means the on-site fabrication, erection, or installation of an affected source. Construction does not include the removal of all equipment comprising an affected source from an existing location and reinstallation of such equipment at a new location. The owner or operator of an existing affected source that is relocated may elect not to reinstall minor ancillary equipment including, but not limited to, piping, ductwork, and valves. However, removal and reinstallation of an affected source will be construed as reconstruction if it satisfies the criteria for reconstruction as defined in this section. The costs of replacing minor ancillary equipment must be considered in determining whether the existing affected source is reconstructed.

Continuous emission monitoring system (CEMS) means the total equipment that may be required to meet the data acquisition and availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of emissions.

Continuous monitoring system (CMS) is a comprehensive term that may include, but is not limited to, continuous emission monitoring systems, continuous opacity monitoring systems, continuous parameter monitoring systems, or other manual or automatic monitoring that is used for demonstrating compliance with an applicable regulation on a continuous basis as defined by the regulation.

Continuous opacity monitoring system (COMS) means a continuous monitoring system that measures the opacity of emissions.

Continuous parameter monitoring system means the total equipment that may be required to meet the data acquisition and availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of process or control system parameters.

Effective date means:

(1) With regard to an emission standard established under this part, the date of promulgation in the Federal Register of such standard; or

(2) With regard to an alternative emission limitation or equivalent emission limitation determined by the Administrator (or a State with an approved permit program), the date that the alternative emission limitation or equivalent emission limitation becomes effective according to the provisions of this part.

Emission standard means a national standard, limitation, prohibition, or other regulation promulgated in a subpart of this part pursuant to sections 112(d), 112(h), or 112(f) of the Act.

Emissions averaging is a way to comply with the emission limitations specified in a relevant standard, whereby an affected source, if allowed under a subpart of this part, may create emission credits by reducing emissions from specific points to a level below that required by the relevant standard, and those credits are used to offset emissions from points that are not controlled to the level required by the relevant standard.

EPA means the United States Environmental Protection Agency.

Equivalent emission limitation means any maximum achievable control technology emission limitation or requirements which are applicable to a major source of hazardous air pollutants and are adopted by the Administrator (or a State with an approved permit program) on a case-by-case basis, pursuant to section 112(g) or (j) of the Act.

Excess emissions and continuous monitoring system performance report is a report that must be submitted periodically by an affected source in order to provide data on its compliance with relevant emission limits, operating parameters, and the performance of its continuous parameter monitoring systems.

Existing source means any affected source that is not a new source.

Federally enforceable means all limitations and conditions that are enforceable by the Administrator and citizens under the Act or that are enforceable under other statutes administered by the Administrator. Examples of federally enforceable limitations and conditions include, but are not limited to:

(1) Emission standards, alternative emission standards, alternative emission limitations, and equivalent emission limitations established pursuant to section 112 of the Act as amended in 1990;

(2) New source performance standards established pursuant to section 111 of the Act, and emission standards established pursuant to section 112 of the Act before it was amended in 1990;

(3) All terms and conditions in a title V permit, including any provisions that limit a source's potential to emit, unless expressly designated as not federally enforceable;

(4) Limitations and conditions that are part of an approved State Implementation Plan (SIP) or a Federal Implementation Plan (FIP);

(5) Limitations and conditions that are part of a Federal construction permit issued under 40 CFR 52.21 or any construction permit issued under regulations approved by the EPA in accordance with 40 CFR part 51;

(6) Limitations and conditions that are part of an operating permit where the permit and the permitting program pursuant to which it was issued meet all of the following criteria:

(i) The operating permit program has been submitted to and approved by EPA into a State implementation plan (SIP) under section 110 of the CAA;

(ii) The SIP imposes a legal obligation that operating permit holders adhere to the terms and limitations of such permits and provides that permits which do not conform to the operating permit program requirements and the requirements of EPA's underlying regulations may be deemed not “federally enforceable” by EPA;

(iii) The operating permit program requires that all emission limitations, controls, and other requirements imposed by such permits will be at least as stringent as any other applicable limitations and requirements contained in the SIP or enforceable under the SIP, and that the program may not issue permits that waive, or make less stringent, any limitations or requirements contained in or issued pursuant to the SIP, or that are otherwise “federally enforceable”;

(iv) The limitations, controls, and requirements in the permit in question are permanent, quantifiable, and otherwise enforceable as a practical matter; and

(v) The permit in question was issued only after adequate and timely notice and opportunity for comment for EPA and the public.

(7) Limitations and conditions in a State rule or program that has been approved by the EPA under subpart E of this part for the purposes of implementing and enforcing section 112; and

(8) Individual consent agreements that the EPA has legal authority to create.

Fixed capital cost means the capital needed to provide all the depreciable components of an existing source.

Force majeure means, for purposes of § 63.7, an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents the owner or operator from complying with the regulatory requirement to conduct performance tests within the specified timeframe despite the affected facility's best efforts to fulfill the obligation. Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility.

Fugitive emissions means those emissions from a stationary source that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening. Under section 112 of the Act, all fugitive emissions are to be considered in determining whether a stationary source is a major source.

Hazardous air pollutant means any air pollutant listed in or pursuant to section 112(b) of the Act.

Issuance of a part 70 permit will occur, if the State is the permitting authority, in accordance with the requirements of part 70 of this chapter and the applicable, approved State permit program. When the EPA is the permitting authority, issuance of a title V permit occurs immediately after the EPA takes final action on the final permit.

Major source means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless the Administrator establishes a lesser quantity, or in the case of radionuclides, different criteria from those specified in this sentence.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Monitoring means the collection and use of measurement data or other information to control the operation of a process or pollution control device or to verify a work practice standard relative to assuring compliance with applicable requirements. Monitoring is composed of four elements:

(1) Indicator(s) of performance - the parameter or parameters you measure or observe for demonstrating proper operation of the pollution control measures or compliance with the applicable emissions limitation or standard. Indicators of performance may include direct or predicted emissions measurements (including opacity), operational parametric values that correspond to process or control device (and capture system) efficiencies or emissions rates, and recorded findings of inspection of work practice activities, materials tracking, or design characteristics. Indicators may be expressed as a single maximum or minimum value, a function of process variables (for example, within a range of pressure drops), a particular operational or work practice status (for example, a damper position, completion of a waste recovery task, materials tracking), or an interdependency between two or among more than two variables.

(2) Measurement techniques - the means by which you gather and record information of or about the indicators of performance. The components of the measurement technique include the detector type, location and installation specifications, inspection procedures, and quality assurance and quality control measures. Examples of measurement techniques include continuous emission monitoring systems, continuous opacity monitoring systems, continuous parametric monitoring systems, and manual inspections that include making records of process conditions or work practices.

(3) Monitoring frequency - the number of times you obtain and record monitoring data over a specified time interval. Examples of monitoring frequencies include at least four points equally spaced for each hour for continuous emissions or parametric monitoring systems, at least every 10 seconds for continuous opacity monitoring systems, and at least once per operating day (or week, month, etc.) for work practice or design inspections.

(4) Averaging time - the period over which you average and use data to verify proper operation of the pollution control approach or compliance with the emissions limitation or standard. Examples of averaging time include a 3-hour average in units of the emissions limitation, a 30-day rolling average emissions value, a daily average of a control device operational parametric range, and an instantaneous alarm.

New affected source means the collection of equipment, activities, or both within a single contiguous area and under common control that is included in a section 112(c) source category or subcategory that is subject to a section 112(d) or other relevant standard for new sources. This definition of "new affected source," and the criteria to be utilized in implementing it, shall apply to each section 112(d) standard for which the initial proposed rule is signed by the Administrator after June 30, 2002. Each relevant standard will define the term "new affected source," which will be the same as the "affected source" unless a different collection is warranted based on consideration of factors including:

(1) Emission reduction impacts of controlling individual sources versus groups of sources;

(2) Cost effectiveness of controlling individual equipment;

(3) Flexibility to accommodate common control strategies;

(4) Cost/benefits of emissions averaging;

(5) Incentives for pollution prevention;

(6) Feasibility and cost of controlling processes that share common equipment (e.g., product recovery devices);

(7) Feasibility and cost of monitoring; and

(8) Other relevant factors.

New source means any affected source the construction or reconstruction of which is commenced after the Administrator first proposes a relevant emission standard under this part establishing an emission standard applicable to such source.

One-hour period, unless otherwise defined in an applicable subpart, means any 60-minute period commencing on the hour.

Opacity means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background. For continuous opacity monitoring systems, opacity means the fraction of incident light that is attenuated by an optical medium.

Owner or operator means any person who owns, leases, operates, controls, or supervises a stationary source.

Performance audit means a procedure to analyze blind samples, the content of which is known by the Administrator, simultaneously with the analysis of performance test samples in order to provide a measure of test data quality.

Performance evaluation means the conduct of relative accuracy testing, calibration error testing, and other measurements used in validating the continuous monitoring system data.

Performance test means the collection of data resulting from the execution of a test method (usually three emission test runs) used to demonstrate compliance with a relevant emission standard as specified in the performance test section of the relevant standard.

Permit modification means a change to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7661).

Permit program means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

Permit revision means any permit modification or administrative permit amendment to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7661).

Permitting authority means:

(1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter; or

(2) The Administrator, in the case of EPA-implemented permit programs under title V of the Act (42 U.S.C. 7661).

Pollution Prevention means *source reduction* as defined under the Pollution Prevention Act (42 U.S.C. 13101-13109). The definition is as follows:

(1) *Source reduction* is any practice that:

(i) Reduces the amount of any hazardous substance, pollutant, or contaminant entering any waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment, or disposal; and

(ii) Reduces the hazards to public health and the environment associated with the release of such substances, pollutants, or contaminants.

(2) The term *source reduction* includes equipment or technology modifications, process or procedure modifications, reformulation or redesign of products, substitution of raw materials, and improvements in housekeeping, maintenance, training, or inventory control.

(3) The term *source reduction* does not include any practice that alters the physical, chemical, or biological characteristics or the volume of a hazardous substance, pollutant, or contaminant through a process or activity which itself is not integral to and necessary for the production of a product or the providing of a service.

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is enforceable.

Reconstruction, unless otherwise defined in a relevant standard, means the replacement of components of an affected or a previously nonaffected source to such an extent that:

(1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source; and

(2) It is technologically and economically feasible for the reconstructed source to meet the relevant standard(s) established by the Administrator (or a State) pursuant to section 112 of the Act. Upon reconstruction, an affected source, or a stationary source that becomes an affected source, is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.

Regulation promulgation schedule means the schedule for the promulgation of emission standards under this part, established by the Administrator pursuant to section 112(e) of the Act and published in the Federal Register.

Relevant standard means:

(1) An emission standard;

(2) An alternative emission standard;

(3) An alternative emission limitation; or

(4) An equivalent emission limitation established pursuant to section 112 of the Act that applies to the collection of equipment, activities, or both regulated by such standard or limitation. A relevant standard may include or consist of a design, equipment, work practice, or operational requirement, or other measure, process, method, system, or technique (including prohibition of emissions) that the Administrator (or a State) establishes for new or existing sources to which such standard or limitation applies. Every relevant standard established pursuant to section 112 of the Act includes subpart A of this part, as provided by § 63.1(a)(4), and all applicable appendices of this part or of other parts of this chapter that are referenced in that standard.

Responsible official means one of the following:

(1) For a corporation: A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities and either:

(i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding $25 million (in second quarter 1980 dollars); or

(ii) The delegation of authority to such representative is approved in advance by the Administrator.

(2) For a partnership or sole proprietorship: a general partner or the proprietor, respectively.

(3) For a municipality, State, Federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of the EPA).

(4) For affected sources (as defined in this part) applying for or subject to a title V permit: “responsible official” shall have the same meaning as defined in part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever is applicable.

Run means one of a series of emission or other measurements needed to determine emissions for a representative operating period or cycle as specified in this part.

Shutdown means the cessation of operation of an affected source or portion of an affected source for any purpose.

Six-minute period means, with respect to opacity determinations, any one of the 10 equal parts of a 1-hour period.

Source at a Performance Track member facility means a major or area source located at a facility which has been accepted by EPA for membership in the Performance Track Program (as described at *www.epa.gov/PerformanceTrack*) and is still a member of the Program. The Performance Track Program is a voluntary program that encourages continuous environmental improvement through the use of environmental management systems, local community outreach, and measurable results.

Standard conditions means a temperature of 293 K (68 °F) and a pressure of 101.3 kilopascals (29.92 in. Hg).

Startup means the setting in operation of an affected source or portion of an affected source for any purpose.

State means all non-Federal authorities, including local agencies, interstate associations, and State-wide programs, that have delegated authority to implement:

(1) The provisions of this part and/or

(2) the permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant.

Test method means the validated procedure for sampling, preparing, and analyzing for an air pollutant specified in a relevant standard as the performance test procedure. The test method may include methods described in an appendix of this chapter, test methods incorporated by reference in this part, or methods validated for an application through procedures in Method 301 of appendix A of this part.

Title V permit means any permit issued, renewed, or revised pursuant to Federal or State regulations established to implement title V of the Act (42 U.S.C. 7661). A title V permit issued by a State permitting authority is called a part 70 permit in this part.

Visible emission means the observation of an emission of opacity or optical density above the threshold of vision.

Working day means any day on which Federal Government offices (or State government offices for a State that has obtained delegation under section 112(l)) are open for normal business. Saturdays, Sundays, and official Federal (or where delegated, State) holidays are not working days.

§ 63.3 Units and abbreviations.

Used in this part are abbreviations and symbols of units of measure. These are defined as follows:

(a) *System International (SI) units of measure:*

A = ampere

g = gram

Hz = hertz

J = joule

°K = degree Kelvin

kg = kilogram

l = liter

m = meter

m^3 = cubic meter

mg = milligram = 10^{-3} gram

ml = milliliter = 10^{-3} liter

mm = millimeter = 10^{-3} meter

Mg = megagram = 10^6 gram = metric ton

MJ = megajoule

mol = mole

N = newton

ng = nanogram = 10^{-9} gram

nm = nanometer = 10^{-9} meter

Pa = pascal

s = second

V = volt

W = watt

Ω = ohm

µg = microgram = 10^{-6} gram

µl = microliter = 10^{-6} liter

(b) *Other units of measure:*

Btu = British thermal unit

°C = degree Celsius (centigrade)

cal = calorie

cfm = cubic feet per minute

cc = cubic centimeter

cu ft = cubic feet

d = day

dcf = dry cubic feet

dcm = dry cubic meter

dscf = dry cubic feet at standard conditions

dscm = dry cubic meter at standard conditions

eq = equivalent

°F degree Fahrenheit

ft = feet

ft^2 = square feet

ft^3 = cubic feet

gal = gallon

gr = grain

g-eq = gram equivalent

g-mole = gram mole

hr = hour

in. = inch

in. H_2O = inches of water

K = 1,000

kcal = kilocalorie

lb = pound

lpm = liter per minute

meq = milliequivalent

min = minute

MW = molecular weight

oz = ounces

ppb = parts per billion

ppbw = parts per billion by weight

ppbv = parts per billion by volume

ppm = parts per million

ppmw = parts per million by weight

ppmv = parts per million by volume

psia = pounds per square inch absolute

psig = pounds per square inch gage

°R = degree Rankine

scf = cubic feet at standard conditions

scfh = cubic feet at standard conditions per hour

scm = cubic meter at standard conditions

scmm = cubic meter at standard conditions per minute

sec = second

sq ft = square feet

std = at standard conditions

v/v = volume per volume

yd^2 = square yards

yr = year

(c) *Miscellaneous:*

act = actual

avg = average

I.D. = inside diameter

M = molar

N = normal

O.D. = outside diameter

% = percent

§ 63.4 Prohibited activities and circumvention.

(a) *Prohibited activities.*

(1) No owner or operator subject to the provisions of this part must operate any affected source in violation of the requirements of this part. Affected sources subject to and in compliance with either an extension of

compliance or an exemption from compliance are not in violation of the requirements of this part. An extension of compliance can be granted by the Administrator under this part; by a State with an approved permit program; or by the President under section 112(i)(4) of the Act.

(2) No owner or operator subject to the provisions of this part shall fail to keep records, notify, report, or revise reports as required under this part.

(3)-(5) [Reserved]

(b) *Circumvention.* No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes, but is not limited to -

(1) The use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere;

(2) The use of gaseous diluents to achieve compliance with a relevant standard for visible emissions; and

(c) *Fragmentation.* Fragmentation after November 15, 1990 which divides ownership of an operation, within the same facility among various owners where there is no real change in control, will not affect applicability. The owner and operator must not use fragmentation or phasing of reconstruction activities (i.e., intentionally dividing reconstruction into multiple parts for purposes of avoiding new source requirements) to avoid becoming subject to new source requirements.

§ 63.5 Preconstruction review and notification requirements.

(a) *Applicability.*

(1) This section implements the preconstruction review requirements of section 112(i)(1). After the effective date of a relevant standard, promulgated pursuant to section 112(d), (f), or (h) of the Act, under this part, the preconstruction review requirements in this section apply to the owner or operator of new affected sources and reconstructed affected sources that are major-emitting as specified in this section. New and reconstructed affected sources that commence construction or reconstruction before the effective date of a relevant standard are not subject to the preconstruction review requirements specified in paragraphs (b)(3), (d), and (e) of this section.

(2) This section includes notification requirements for new affected sources and reconstructed affected sources that are not major-emitting affected sources and that are or become subject to a relevant promulgated emission standard after the effective date of a relevant standard promulgated under this part.

(b) *Requirements for existing, newly constructed, and reconstructed sources.*

(1) A new affected source for which construction commences after proposal of a relevant standard is subject to relevant standards for new affected sources, including compliance dates. An affected source for which reconstruction commences after proposal of a relevant standard is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.

(2) [Reserved]

(3) After the effective date of any relevant standard promulgated by the Administrator under this part, no person may, without obtaining written approval in advance from the Administrator in accordance with the procedures specified in paragraphs (d) and (e) of this section, do any of the following:

(i) Construct a new affected source that is major-emitting and subject to such standard;

(ii) Reconstruct an affected source that is major-emitting and subject to such standard; or

(iii) Reconstruct a major source such that the source becomes an affected source that is major-emitting and subject to the standard.

(4) After the effective date of any relevant standard promulgated by the Administrator under this part, an owner or operator who constructs a new affected source that is not major-emitting or reconstructs an affected source that is not major-emitting that is subject to such standard, or reconstructs a source such that the source becomes an affected source subject to the standard, must notify the Administrator of the intended construction or reconstruction. The notification must be submitted in accordance with the procedures in § 63.9(b).

(5) [Reserved]

(6) After the effective date of any relevant standard promulgated by the Administrator under this part, equipment added (or a process change) to an affected source that is within the scope of the definition of affected source under the relevant standard must be considered part of the affected source and subject to all provisions of the relevant standard established for that affected source.

(c) [Reserved]

(d) *Application for approval of construction or reconstruction.* The provisions of this paragraph implement section 112(i)(1) of the Act.

(1) *General application requirements.*

(i) An owner or operator who is subject to the requirements of paragraph (b)(3) of this section must submit to the Administrator an application for approval of the construction or reconstruction. The application must be submitted as soon as practicable before actual construction or reconstruction begins. The application for approval of construction or reconstruction may be used to fulfill the initial notification requirements of § 63.9(b)(5). The owner or operator may submit the application for approval well in advance of the date actual construction or reconstruction begins in order to ensure a timely review by the Administrator and that the planned date to begin will not be delayed.

(ii) A separate application shall be submitted for each construction or reconstruction. Each application for approval of construction or reconstruction shall include at a minimum:

(A) The applicant's name and address;

(B) A notification of intention to construct a new major affected source or make any physical or operational change to a major affected source that may meet or has been determined to meet the criteria for a reconstruction, as defined in § 63.2 or in the relevant standard;

(C) The address (i.e., physical location) or proposed address of the source;

(D) An identification of the relevant standard that is the basis of the application;

(E) The expected date of the beginning of actual construction or reconstruction;

(F) The expected completion date of the construction or reconstruction;

(G) [Reserved]

(H) The type and quantity of hazardous air pollutants emitted by the source, reported in units and averaging times and in accordance with the test methods specified in the relevant standard, or if actual emissions data are not yet available, an estimate of the type and quantity of hazardous air pollutants expected to be emitted by the source reported in units and averaging times specified in the relevant standard. The owner or operator may submit percent reduction information if a relevant standard is established in terms of percent reduction. However,

operating parameters, such as flow rate, shall be included in the submission to the extent that they demonstrate performance and compliance; and

(I) [Reserved]

(J) Other information as specified in paragraphs (d)(2) and (d)(3) of this section.

(iii) An owner or operator who submits estimates or preliminary information in place of the actual emissions data and analysis required in paragraphs (d)(1)(ii)(H) and (d)(2) of this section shall submit the actual, measured emissions data and other correct information as soon as available but no later than with the notification of compliance status required in § 63.9(h) (see § 63.9(h)(5)).

(2) *Application for approval of construction.* Each application for approval of construction must include, in addition to the information required in paragraph (d)(1)(ii) of this section, technical information describing the proposed nature, size, design, operating design capacity, and method of operation of the source, including an identification of each type of emission point for each type of hazardous air pollutant that is emitted (or could reasonably be anticipated to be emitted) and a description of the planned air pollution control system (equipment or method) for each emission point. The description of the equipment to be used for the control of emissions must include each control device for each hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions must include an estimated control efficiency (percent) for that method. Such technical information must include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations.

(3) *Application for approval of reconstruction.* Each application for approval of reconstruction shall include, in addition to the information required in paragraph (d)(1)(ii) of this section -

(i) A brief description of the affected source and the components that are to be replaced;

(ii) A description of present and proposed emission control systems (i.e., equipment or methods). The description of the equipment to be used for the control of emissions shall include each control device for each hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions shall include an estimated control efficiency (percent) for that method. Such technical information shall include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations;

(iii) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new source;

(iv) The estimated life of the affected source after the replacements; and

(v) A discussion of any economic or technical limitations the source may have in complying with relevant standards or other requirements after the proposed replacements. The discussion shall be sufficiently detailed to demonstrate to the Administrator's satisfaction that the technical or economic limitations affect the source's ability to comply with the relevant standard and how they do so.

(vi) If in the application for approval of reconstruction the owner or operator designates the affected source as a reconstructed source and declares that there are no economic or technical limitations to prevent the source from complying with all relevant standards or other requirements, the owner or operator need not submit the information required in paragraphs (d)(3)(iii) through (d)(3)(v) of this section.

(4) *Additional information.* The Administrator may request additional relevant information after the submittal of an application for approval of construction or reconstruction.

(e) *Approval of construction or reconstruction.*

(1) (i) If the Administrator determines that, if properly constructed, or reconstructed, and operated, a new or existing source for which an application under paragraph (d) of this section was submitted will not cause emissions in violation of the relevant standard(s) and any other federally enforceable requirements, the Administrator will approve the construction or reconstruction.

(ii) In addition, in the case of reconstruction, the Administrator's determination under this paragraph will be based on:

(A) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new source;

(B) The estimated life of the source after the replacements compared to the life of a comparable entirely new source;

(C) The extent to which the components being replaced cause or contribute to the emissions from the source; and

(D) Any economic or technical limitations on compliance with relevant standards that are inherent in the proposed replacements.

(2) (i) The Administrator will notify the owner or operator in writing of approval or intention to deny approval of construction or reconstruction within 60 calendar days after receipt of sufficient information to evaluate an application submitted under paragraph (d) of this section. The 60-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted.

(ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(3) Before denying any application for approval of construction or reconstruction, the Administrator will notify the applicant of the Administrator's intention to issue the denial together with -

(i) Notice of the information and findings on which the intended denial is based; and

(ii) Notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator to enable further action on the application.

(4) A final determination to deny any application for approval will be in writing and will specify the grounds on which the denial is based. The final determination will be made within 60 calendar days of presentation of additional information or arguments (if the application is complete), or within 60 calendar days after the final date specified for presentation if no presentation is made.

(5) Neither the submission of an application for approval nor the Administrator's approval of construction or reconstruction shall -

(i) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(ii) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(f) *Approval of construction or reconstruction based on prior State preconstruction review.*

(1) Preconstruction review procedures that a State utilizes for other purposes may also be utilized for purposes of this section if the procedures are substantially equivalent to those specified in this section. The Administrator will approve an application for construction or reconstruction specified in paragraphs (b)(3) and (d) of this section if the owner or operator of a new affected source or reconstructed affected source, who is subject to such requirement meets the following conditions:

(i) The owner or operator of the new affected source or reconstructed affected source has undergone a preconstruction review and approval process in the State in which the source is (or would be) located and has received a federally enforceable construction permit that contains a finding that the source will meet the relevant promulgated emission standard, if the source is properly built and operated.

(ii) Provide a statement from the State or other evidence (such as State regulations) that it considered the factors specified in paragraph (e)(1) of this section.

(2) The owner or operator must submit to the Administrator the request for approval of construction or reconstruction under this paragraph (f)(2) no later than the application deadline specified in paragraph (d)(1) of this section (see also § 63.9(b)(2)). The owner or operator must include in the request information sufficient for the Administrator's determination. The Administrator will evaluate the owner or operator's request in accordance with the procedures specified in paragraph (e) of this section. The Administrator may request additional relevant information after the submittal of a request for approval of construction or reconstruction under this paragraph (f)(2).

§ 63.6 Compliance with standards and maintenance requirements.

(a) *Applicability.*

(1) The requirements in this section apply to the owner or operator of affected sources for which any relevant standard has been established pursuant to section 112 of the Act and the applicability of such requirements is set out in accordance with § 63.1(a)(4) unless -

(i) The Administrator (or a State with an approved permit program) has granted an extension of compliance consistent with paragraph (i) of this section; or

(ii) The President has granted an exemption from compliance with any relevant standard in accordance with section 112(i)(4) of the Act.

(2) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source, such source shall be subject to the relevant emission standard or other requirement.

(b) *Compliance dates for new and reconstructed sources.*

(1) Except as specified in paragraphs (b)(3) and (4) of this section, the owner or operator of a new or reconstructed affected source for which construction or reconstruction commences after proposal of a relevant standard that has an initial startup before the effective date of a relevant standard established under this part pursuant to section 112(d), (f), or (h) of the Act must comply with such standard not later than the standard's effective date.

(2) Except as specified in paragraphs (b)(3) and (4) of this section, the owner or operator of a new or reconstructed affected source that has an initial startup after the effective date of a relevant standard established under this part pursuant to section 112(d), (f), or (h) of the Act must comply with such standard upon startup of the source.

(3) The owner or operator of an affected source for which construction or reconstruction is commenced after the proposal date of a relevant standard established under this part pursuant to section 112(d), 112(f), or 112(h) of the Act but before the effective date (that is, promulgation) of such standard shall comply with the relevant emission standard not later than the date 3 years after the effective date if:

(i) The promulgated standard (that is, the relevant standard) is more stringent than the proposed standard; for purposes of this paragraph, a finding that controls or compliance methods are "more stringent" must include control technologies or performance criteria and compliance or compliance assurance methods that are different but are substantially equivalent to those required by the promulgated rule, as determined by the Administrator (or his or her authorized representative); and

(ii) The owner or operator complies with the standard as proposed during the 3-year period immediately after the effective date.

(4) The owner or operator of an affected source for which construction or reconstruction is commenced after the proposal date of a relevant standard established pursuant to section 112(d) of the Act but before the proposal date of a relevant standard established pursuant to section 112(f) shall not be required to comply with the section 112(f) emission standard until the date 10 years after the date construction or reconstruction is commenced, except that, if the section 112(f) standard is promulgated more than 10 years after construction or reconstruction is commenced, the owner or operator must comply with the standard as provided in paragraphs (b)(1) and (2) of this section.

(5) The owner or operator of a new source that is subject to the compliance requirements of paragraph (b)(3) or (4) of this section must notify the Administrator in accordance with § 63.9(d)

(6) [Reserved]

(7) When an area source increases its emissions of (or its potential to emit) hazardous air pollutants such that the source becomes a major source, the portion of the facility that meets the definition of a new affected source must comply with all requirements of that standard applicable to new sources. The source owner or operator must comply with the relevant standard upon startup.

(c) *Compliance dates for existing sources.*

(1) After the effective date of a relevant standard established under this part pursuant to section 112(d) or 112(h) of the Act, the owner or operator of an existing source shall comply with such standard by the compliance date established by the Administrator in the applicable subpart(s) of this part, except as provided in § 63.1(c)(6)(i). Except as otherwise provided for in section 112 of the Act, in no case will the compliance date established for an existing source in an applicable subpart of this part exceed 3 years after the effective date of such standard.

(2) If an existing source is subject to a standard established under this part pursuant to section 112(f) of the Act, the owner or operator must comply with the standard by the date 90 days after the standard's effective date, or by the date specified in an extension granted to the source by the Administrator under paragraph (i)(4)(ii) of this section, whichever is later.

(3)-(4) [Reserved]

(5) Except as provided in paragraph (b)(7) of this section, the owner or operator of an area source that increases its emissions of (or its potential to emit) hazardous air pollutants such that the source becomes a major source and meets the definition of an existing source in the applicable major source standard shall be subject to relevant standards for existing sources. Except as provided in paragraph § 63.1(c)(6)(i)(B), such sources must comply by the date specified in the standards for existing area sources that become major sources. If no such compliance date is specified in the standards, the source shall have a period of time to comply with the relevant

emission standard that is equivalent to the compliance period specified in the relevant standard for existing sources in existence at the time the standard becomes effective.

(d) [Reserved]

(e) *Operation and maintenance requirements.*

(1) (i) At all times, including periods of startup, shutdown, and malfunction, the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. During a period of startup, shutdown, or malfunction, this general duty to minimize emissions requires that the owner or operator reduce emissions from the affected source to the greatest extent which is consistent with safety and good air pollution control practices. The general duty to minimize emissions during a period of startup, shutdown, or malfunction does not require the owner or operator to achieve emission levels that would be required by the applicable standard at other times if this is not consistent with safety and good air pollution control practices, nor does it require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including the startup, shutdown, and malfunction plan required in paragraph (e)(3) of this section), review of operation and maintenance records, and inspection of the source.

(ii) Malfunctions must be corrected as soon as practicable after their occurrence. To the extent that an unexpected event arises during a startup, shutdown, or malfunction, an owner or operator must comply by minimizing emissions during such a startup, shutdown, and malfunction event consistent with safety and good air pollution control practices.

(iii) Operation and maintenance requirements established pursuant to section 112 of the Act are enforceable independent of emissions limitations or other requirements in relevant standards.

(2) [Reserved]

(3) *Startup, shutdown, and malfunction plan.*

(i) The owner or operator of an affected source must develop a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; and a program of corrective action for malfunctioning process, air pollution control, and monitoring equipment used to comply with the relevant standard. The startup, shutdown, and malfunction plan does not need to address any scenario that would not cause the source to exceed an applicable emission limitation in the relevant standard. This plan must be developed by the owner or operator by the source's compliance date for that relevant standard. The purpose of the startup, shutdown, and malfunction plan is to -

(A) Ensure that, at all times, the owner or operator operates and maintains each affected source, including associated air pollution control and monitoring equipment, in a manner which satisfies the general duty to minimize emissions established by paragraph (e)(1)(i) of this section;

(B) Ensure that owners or operators are prepared to correct malfunctions as soon as practicable after their occurrence in order to minimize excess emissions of hazardous air pollutants; and

(C) Reduce the reporting burden associated with periods of startup, shutdown, and malfunction (including corrective action taken to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation).

(ii) [Reserved]

(iii) When actions taken by the owner or operator during a startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction (including actions taken to correct a malfunction) are consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator must keep records for that event which demonstrate that the procedures specified in the plan were followed. These records may take the form of a "checklist," or other effective form of recordkeeping that confirms conformance with the startup, shutdown, and malfunction plan and describes the actions taken for that event. In addition, the owner or operator must keep records of these events as specified in paragraph 63.10(b), including records of the occurrence and duration of each startup or shutdown (if the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction of operation and each malfunction of the air pollution control and monitoring equipment. Furthermore, the owner or operator shall confirm that actions taken during the relevant reporting period during periods of startup, shutdown, and malfunction were consistent with the affected source's startup, shutdown and malfunction plan in the semiannual (or more frequent) startup, shutdown, and malfunction report required in § 63.10(d)(5).

(iv) If an action taken by the owner or operator during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, and the source exceeds any applicable emission limitation in the relevant emission standard, then the owner or operator must record the actions taken for that event and must report such actions within 2 working days after commencing actions inconsistent with the plan, followed by a letter within 7 working days after the end of the event, in accordance with § 63.10(d)(5) (unless the owner or operator makes alternative reporting arrangements, in advance, with the Administrator).

(v) The owner or operator must maintain at the affected source a current startup, shutdown, and malfunction plan and must make the plan available upon request for inspection and copying by the Administrator. In addition, if the startup, shutdown, and malfunction plan is subsequently revised as provided in paragraph (e)(3)(viii) of this section, the owner or operator must maintain at the affected source each previous (i.e., superseded) version of the startup, shutdown, and malfunction plan, and must make each such previous version available for inspection and copying by the Administrator for a period of 5 years after revision of the plan. If at any time after adoption of a startup, shutdown, and malfunction plan the affected source ceases operation or is otherwise no longer subject to the provisions of this part, the owner or operator must retain a copy of the most recent plan for 5 years from the date the source ceases operation or is no longer subject to this part and must make the plan available upon request for inspection and copying by the Administrator. The Administrator may at any time request in writing that the owner or operator submit a copy of any startup, shutdown, and malfunction plan (or a portion thereof) which is maintained at the affected source or in the possession of the owner or operator. Upon receipt of such a request, the owner or operator must promptly submit a copy of the requested plan (or a portion thereof) to the Administrator. The owner or operator may elect to submit the required copy of any startup, shutdown, and malfunction plan to the Administrator in an electronic format. If the owner or operator claims that any portion of such a startup, shutdown, and malfunction plan is confidential business information entitled to protection from disclosure under section 114(c) of the Act or 40 CFR 2.301, the material which is claimed as confidential must be clearly designated in the submission.

(vi) To satisfy the requirements of this section to develop a startup, shutdown, and malfunction plan, the owner or operator may use the affected source's standard operating procedures (SOP) manual, or an Occupational Safety and Health Administration (OSHA) or other plan, provided the alternative plans meet all the requirements of this section and are made available for inspection or submitted when requested by the Administrator.

(vii) Based on the results of a determination made under paragraph (e)(1)(i) of this section, the Administrator may require that an owner or operator of an affected source make changes to the startup, shutdown, and malfunction plan for that source. The Administrator must require appropriate revisions to a startup, shutdown, and malfunction plan, if the Administrator finds that the plan:

(A) Does not address a startup, shutdown, or malfunction event that has occurred;

(B) Fails to provide for the operation of the source (including associated air pollution control and monitoring equipment) during a startup, shutdown, or malfunction event in a manner consistent with the general duty to minimize emissions established by paragraph (e)(1)(i) of this section;

(C) Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control and monitoring equipment as quickly as practicable; or

(D) Includes an event that does not meet the definition of startup, shutdown, or malfunction listed in § 63.2.

(viii) The owner or operator may periodically revise the startup, shutdown, and malfunction plan for the affected source as necessary to satisfy the requirements of this part or to reflect changes in equipment or procedures at the affected source. Unless the permitting authority provides otherwise, the owner or operator may make such revisions to the startup, shutdown, and malfunction plan without prior approval by the Administrator or the permitting authority. However, each such revision to a startup, shutdown, and malfunction plan must be reported in the semiannual report required by § 63.10(d)(5). If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the startup, shutdown, and malfunction plan at the time the owner or operator developed the plan, the owner or operator must revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control and monitoring equipment. In the event that the owner or operator makes any revision to the startup, shutdown, and malfunction plan which alters the scope of the activities at the source which are deemed to be a startup, shutdown, or malfunction, or otherwise modifies the applicability of any emission limit, work practice requirement, or other requirement in a standard established under this part, the revised plan shall not take effect until after the owner or operator has provided a written notice describing the revision to the permitting authority.

(ix) The title V permit for an affected source must require that the owner or operator develop a startup, shutdown, and malfunction plan which conforms to the provisions of this part, but may do so by citing to the relevant subpart or subparagraphs of paragraph (e) of this section. However, any revisions made to the startup, shutdown, and malfunction plan in accordance with the procedures established by this part shall not be deemed to constitute permit revisions under part 70 or part 71 of this chapter and the elements of the startup, shutdown, and malfunction plan shall not be considered an applicable requirement as defined in § 70.2 and § 71.2 of this chapter. Moreover, none of the procedures specified by the startup, shutdown, and malfunction plan for an affected source shall be deemed to fall within the permit shield provision in section 504(f) of the Act.

(f) *Compliance with nonopacity emission standards* -

(1) *Applicability.* The non-opacity emission standards set forth in this part shall apply at all times except as otherwise specified in an applicable subpart. If a startup, shutdown, or malfunction of one portion of an affected source does not affect the ability of particular emission points within other portions of the affected source to comply with the non-opacity emission standards set forth in this part, then that emission point must still be required to comply with the non-opacity emission standards and other applicable requirements.

(2) *Methods for determining compliance.*

(i) The Administrator will determine compliance with nonopacity emission standards in this part based on the results of performance tests conducted according to the procedures in § 63.7, unless otherwise specified in an applicable subpart of this part.

(ii) The Administrator will determine compliance with nonopacity emission standards in this part by evaluation of an owner or operator's conformance with operation and maintenance requirements, including the evaluation of monitoring data, as specified in § 63.6(e) and applicable subparts of this part.

(iii) If an affected source conducts performance testing at startup to obtain an operating permit in the State in which the source is located, the results of such testing may be used to demonstrate compliance with a relevant standard if -

(A) The performance test was conducted within a reasonable amount of time before an initial performance test is required to be conducted under the relevant standard;

(B) The performance test was conducted under representative operating conditions for the source;

(C) The performance test was conducted and the resulting data were reduced using EPA-approved test methods and procedures, as specified in § 63.7(e) of this subpart; and

(D) The performance test was appropriately quality-assured, as specified in § 63.7(c).

(iv) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by review of records, inspection of the source, and other procedures specified in applicable subparts of this part.

(v) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by evaluation of an owner or operator's conformance with operation and maintenance requirements, as specified in paragraph (e) of this section and applicable subparts of this part.

(3) *Finding of compliance.* The Administrator will make a finding concerning an affected source's compliance with a non-opacity emission standard, as specified in paragraphs (f)(1) and (2) of this section, upon obtaining all the compliance information required by the relevant standard (including the written reports of performance test results, monitoring results, and other information, if applicable), and information available to the Administrator pursuant to paragraph (e)(1)(i) of this section.

(g) *Use of an alternative nonopacity emission standard.*

(1) If, in the Administrator's judgment, an owner or operator of an affected source has established that an alternative means of emission limitation will achieve a reduction in emissions of a hazardous air pollutant from an affected source at least equivalent to the reduction in emissions of that pollutant from that source achieved under any design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act, the Administrator will publish in the Federal Register a notice permitting the use of the alternative emission standard for purposes of compliance with the

promulgated standard. Any Federal Register notice under this paragraph shall be published only after the public is notified and given the opportunity to comment. Such notice will restrict the permission to the stationary source(s) or category(ies) of sources from which the alternative emission standard will achieve equivalent emission reductions. The Administrator will condition permission in such notice on requirements to assure the proper operation and maintenance of equipment and practices required for compliance with the alternative emission standard and other requirements, including appropriate quality assurance and quality control requirements, that are deemed necessary.

(2) An owner or operator requesting permission under this paragraph shall, unless otherwise specified in an applicable subpart, submit a proposed test plan or the results of testing and monitoring in accordance with § 63.7 and § 63.8, a description of the procedures followed in testing or monitoring, and a description of pertinent conditions during testing or monitoring. Any testing or monitoring conducted to request permission to use an alternative nonopacity emission standard shall be appropriately quality assured and quality controlled, as specified in § 63.7 and § 63.8.

(3) The Administrator may establish general procedures in an applicable subpart that accomplish the requirements of paragraphs (g)(1) and (g)(2) of this section.

(h) *Compliance with opacity and visible emission standards* -

(1) *Applicability.* The opacity and visible emission standards set forth in this part must apply at all times except as otherwise specified in an applicable subpart. If a startup, shutdown, or malfunction of one portion of an affected source does not affect the ability of particular emission points within other portions of the affected source to comply with the opacity and visible emission standards set forth in this part, then that emission point shall still be required to comply with the opacity and visible emission standards and other applicable requirements.

(2) *Methods for determining compliance.*

(i) The Administrator will determine compliance with opacity and visible emission standards in this part based on the results of the test method specified in an applicable subpart. Whenever a continuous opacity monitoring system (COMS) is required to be installed to determine compliance with numerical opacity emission standards in this part, compliance with opacity emission standards in this part shall be determined by using the results from the COMS. Whenever an opacity emission test method is not specified, compliance with opacity emission standards in this part shall be determined by conducting observations in accordance with Test Method 9 in appendix A of part 60 of this chapter or the method specified in paragraph (h)(7)(ii) of this section. Whenever a visible emission test method is not specified, compliance with visible emission standards in this part shall be determined by conducting observations in accordance with Test Method 22 in appendix A of part 60 of this chapter.

(ii) [Reserved]

(iii) If an affected source undergoes opacity or visible emission testing at startup to obtain an operating permit in the State in which the source is located, the results of such testing may be used to demonstrate compliance with a relevant standard if -

(A) The opacity or visible emission test was conducted within a reasonable amount of time before a performance test is required to be conducted under the relevant standard;

(B) The opacity or visible emission test was conducted under representative operating conditions for the source;

(C) The opacity or visible emission test was conducted and the resulting data were reduced using EPA-approved test methods and procedures, as specified in § 63.7(e); and

(D) The opacity or visible emission test was appropriately quality-assured, as specified in § 63.7(c) of this section.

(3) [Reserved]

(4) *Notification of opacity or visible emission observations.* The owner or operator of an affected source shall notify the Administrator in writing of the anticipated date for conducting opacity or visible emission observations in accordance with § 63.9(f), if such observations are required for the source by a relevant standard.

(5) *Conduct of opacity or visible emission observations.* When a relevant standard under this part includes an opacity or visible emission standard, the owner or operator of an affected source shall comply with the following:

(i) For the purpose of demonstrating initial compliance, opacity or visible emission observations shall be conducted concurrently with the initial performance test required in § 63.7 unless one of the following conditions applies:

(A) If no performance test under § 63.7 is required, opacity or visible emission observations shall be conducted within 60 days after achieving the maximum production rate at which a new or reconstructed source will be operated, but not later than 120 days after initial startup of the source, or within 120 days after the effective date of the relevant standard in the case of new sources that start up before the standard's effective date. If no performance test under § 63.7 is required, opacity or visible emission observations shall be conducted within 120 days after the compliance date for an existing or modified source; or

(B) If visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the initial performance test required under § 63.7, or within the time period specified in paragraph (h)(5)(i)(A) of this section, the source's owner or operator shall reschedule the opacity or visible emission observations as soon after the initial performance test, or time period, as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. The rescheduled opacity or visible emission observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under § 63.7. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity or visible emission observations from being made concurrently with the initial performance test in accordance with procedures contained in Test Method 9 or Test Method 22 in appendix A of part 60 of this chapter.

(ii) For the purpose of demonstrating initial compliance, the minimum total time of opacity observations shall be 3 hours (30 6-minute averages) for the performance test or other required set of observations (e.g., for fugitive-type emission sources subject only to an opacity emission standard).

(iii) The owner or operator of an affected source to which an opacity or visible emission standard in this part applies shall conduct opacity or visible emission observations in accordance with the provisions of this section, record the results of the evaluation of emissions, and report to the Administrator the opacity or visible emission results in accordance with the provisions of § 63.10(d).

(iv) [Reserved]

(v) Opacity readings of portions of plumes that contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity emission standards.

(6) *Availability of records.* The owner or operator of an affected source shall make available, upon request by the Administrator, such records that the Administrator deems necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification.

(7) *Use of a continuous opacity monitoring system.*

(i) The owner or operator of an affected source required to use a continuous opacity monitoring system (COMS) shall record the monitoring data produced during a performance test required under § 63.7 and shall furnish the Administrator a written report of the monitoring results in accordance with the provisions of § 63.10(e)(4).

(ii) Whenever an opacity emission test method has not been specified in an applicable subpart, or an owner or operator of an affected source is required to conduct Test Method 9 observations (see appendix A of part 60 of this chapter), the owner or operator may submit, for compliance purposes, COMS data results produced during any performance test required under § 63.7 in lieu of Method 9 data. If the owner or operator elects to submit COMS data for compliance with the opacity emission standard, he or she shall notify the Administrator of that decision, in writing, simultaneously with the notification under § 63.7(b) of the date the performance test is scheduled to begin. Once the owner or operator of an affected source has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent performance tests required under § 63.7, unless the owner or operator notifies the Administrator in writing to the contrary not later than with the notification under § 63.7(b) of the date the subsequent performance test is scheduled to begin.

(iii) For the purposes of determining compliance with the opacity emission standard during a performance test required under § 63.7 using COMS data, the COMS data shall be reduced to 6-minute averages over the duration of the mass emission performance test.

(iv) The owner or operator of an affected source using a COMS for compliance purposes is responsible for demonstrating that he/she has complied with the performance evaluation requirements of § 63.8(e), that the COMS has been properly maintained, operated, and data quality-assured, as specified in § 63.8(c) and § 63.8(d), and that the resulting data have not been altered in any way.

(v) Except as provided in paragraph (h)(7)(ii) of this section, the results of continuous monitoring by a COMS that indicate that the opacity at the time visual observations were made was not in excess of the emission standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the affected source proves that, at the time of the alleged violation, the instrument used was properly maintained, as specified in § 63.8(c), and met Performance Specification 1 in appendix B of part 60 of this chapter, and that the resulting data have not been altered in any way.

(8) *Finding of compliance.* The Administrator will make a finding concerning an affected source's compliance with an opacity or visible emission standard upon obtaining all the compliance information required by the relevant standard (including the written reports of the results of the performance tests required by § 63.7, the results of Test Method 9 or another required opacity or visible emission test method, the observer certification required by paragraph (h)(6) of this section, and the continuous opacity monitoring system results, whichever is/are applicable) and any information available to the Administrator needed to determine whether proper operation and maintenance practices are being used.

(9) *Adjustment to an opacity emission standard.*

(i) If the Administrator finds under paragraph (h)(8) of this section that an affected source is in compliance with all relevant standards for which initial performance tests were conducted under § 63.7, but during the time such performance tests were conducted fails to meet any relevant opacity emission

standard, the owner or operator of such source may petition the Administrator to make appropriate adjustment to the opacity emission standard for the affected source. Until the Administrator notifies the owner or operator of the appropriate adjustment, the relevant opacity emission standard remains applicable.

(ii) The Administrator may grant such a petition upon a demonstration by the owner or operator that -

(A) The affected source and its associated air pollution control equipment were operated and maintained in a manner to minimize the opacity of emissions during the performance tests;

(B) The performance tests were performed under the conditions established by the Administrator; and

(C) The affected source and its associated air pollution control equipment were incapable of being adjusted or operated to meet the relevant opacity emission standard.

(iii) The Administrator will establish an adjusted opacity emission standard for the affected source meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity emission standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity emission standard in the Federal Register.

(iv) After the Administrator promulgates an adjusted opacity emission standard for an affected source, the owner or operator of such source shall be subject to the new opacity emission standard, and the new opacity emission standard shall apply to such source during any subsequent performance tests.

(i) *Extension of compliance with emission standards.*

(1) Until an extension of compliance has been granted by the Administrator (or a State with an approved permit program) under this paragraph, the owner or operator of an affected source subject to the requirements of this section shall comply with all applicable requirements of this part.

(2) *Extension of compliance for early reductions and other reductions* -

(i) *Early reductions.* Pursuant to section 112(i)(5) of the Act, if the owner or operator of an existing source demonstrates that the source has achieved a reduction in emissions of hazardous air pollutants in accordance with the provisions of subpart D of this part, the Administrator (or the State with an approved permit program) will grant the owner or operator an extension of compliance with specific requirements of this part, as specified in subpart D.

(ii) *Other reductions.* Pursuant to section 112(i)(6) of the Act, if the owner or operator of an existing source has installed best available control technology (BACT) (as defined in section 169(3) of the Act) or technology required to meet a lowest achievable emission rate (LAER) (as defined in section 171 of the Act) prior to the promulgation of an emission standard in this part applicable to such source and the same pollutant (or stream of pollutants) controlled pursuant to the BACT or LAER installation, the Administrator will grant the owner or operator an extension of compliance with such emission standard that will apply until the date 5 years after the date on which such installation was achieved, as determined by the Administrator.

(3) *Request for extension of compliance.* Paragraphs (i)(4) through (i)(7) of this section concern requests for an extension of compliance with a relevant standard under this part (except requests for an extension of compliance under paragraph (i)(2)(i) of this section will be handled through procedures specified in subpart D of this part).

(4) (i) (A) The owner or operator of an existing source who is unable to comply with a relevant standard established under this part pursuant to section 112(d) of the Act may request that the Administrator (or a State, when the State has an approved part 70 permit program and the source is required to obtain a part 70 permit under that program, or a State, when the State has been delegated the authority to implement and enforce the emission standard for that source) grant an extension allowing the source up to 1 additional year to comply with the standard, if such additional period is necessary for the installation of controls. An additional extension of up to 3 years may be added for mining waste operations, if the 1-year extension of compliance is insufficient to dry and cover mining waste in order to reduce emissions of any hazardous air pollutant. The owner or operator of an affected source who has requested an extension of compliance under this paragraph and who is otherwise required to obtain a title V permit shall apply for such permit or apply to have the source's title V permit revised to incorporate the conditions of the extension of compliance. The conditions of an extension of compliance granted under this paragraph will be incorporated into the affected source's title V permit according to the provisions of part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever are applicable.

(B) Any request under this paragraph for an extension of compliance with a relevant standard must be submitted in writing to the appropriate authority no later than 120 days prior to the affected source's compliance date (as specified in paragraphs (b) and (c) of this section), except as provided for in paragraph (i)(4)(i)(C) of this section. Nonfrivolous requests submitted under this paragraph will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the date of denial. Emission standards established under this part may specify alternative dates for the submittal of requests for an extension of compliance if alternatives are appropriate for the source categories affected by those standards.

(C) An owner or operator may submit a compliance extension request after the date specified in paragraph (i)(4)(i)(B) of this section provided the need for the compliance extension arose after that date, and before the otherwise applicable compliance date and the need arose due to circumstances beyond reasonable control of the owner or operator. This request must include, in addition to the information required in paragraph (i)(6)(i) of this section, a statement of the reasons additional time is needed and the date when the owner or operator first learned of the problems. Nonfrivolous requests submitted under this paragraph will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the original compliance date.

(ii) The owner or operator of an existing source unable to comply with a relevant standard established under this part pursuant to section 112(f) of the Act may request that the Administrator grant an extension allowing the source up to 2 years after the standard's effective date to comply with the standard. The Administrator may grant such an extension if he/she finds that such additional period is necessary for the installation of controls and that steps will be taken during the period of the extension to assure that the health of persons will be protected from imminent endangerment. Any request for an extension of compliance with a relevant standard under this paragraph must be submitted in writing to the Administrator not later than 90 calendar days after the effective date of the relevant standard.

(5) The owner or operator of an existing source that has installed BACT or technology required to meet LAER [as specified in paragraph (i)(2)(ii) of this section] prior to the promulgation of a relevant emission standard in this part may request that the Administrator grant an extension allowing the source 5 years from the date on which such installation was achieved, as determined by the Administrator, to comply with the standard. Any request for an extension of compliance with a relevant standard under this paragraph shall be submitted in writing to the Administrator not later than 120 days after the promulgation date of the standard. The Administrator may grant such an extension if he or she finds that the installation of BACT or technology to meet LAER controls the

same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard.

(6) (i) The request for a compliance extension under paragraph (i)(4) of this section shall include the following information:

(A) A description of the controls to be installed to comply with the standard;

(B) A compliance schedule, including the date by which each step toward compliance will be reached. At a minimum, the list of dates shall include:

(*1*) The date by which on-site construction, installation of emission control equipment, or a process change is planned to be initiated; and

(*2*) The date by which final compliance is to be achieved.

(*3*) The date by which on-site construction, installation of emission control equipment, or a process change is to be completed; and

(*4*) The date by which final compliance is to be achieved;

(C)-(D)

(ii) The request for a compliance extension under paragraph (i)(5) of this section shall include all information needed to demonstrate to the Administrator's satisfaction that the installation of BACT or technology to meet LAER controls the same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard.

(7) Advice on requesting an extension of compliance may be obtained from the Administrator (or the State with an approved permit program).

(8) *Approval of request for extension of compliance.* Paragraphs (i)(9) through (i)(14) of this section concern approval of an extension of compliance requested under paragraphs (i)(4) through (i)(6) of this section.

(9) Based on the information provided in any request made under paragraphs (i)(4) through (i)(6) of this section, or other information, the Administrator (or the State with an approved permit program) may grant an extension of compliance with an emission standard, as specified in paragraphs (i)(4) and (i)(5) of this section.

(10) The extension will be in writing and will -

(i) Identify each affected source covered by the extension;

(ii) Specify the termination date of the extension;

(iii) Specify the dates by which steps toward compliance are to be taken, if appropriate;

(iv) Specify other applicable requirements to which the compliance extension applies (e.g., performance tests); and

(v) (A) Under paragraph (i)(4), specify any additional conditions that the Administrator (or the State) deems necessary to assure installation of the necessary controls and protection of the health of persons during the extension period; or

(B) Under paragraph (i)(5), specify any additional conditions that the Administrator deems necessary to assure the proper operation and maintenance of the installed controls during the extension period.

(11) The owner or operator of an existing source that has been granted an extension of compliance under paragraph (i)(10) of this section may be required to submit to the Administrator (or the State with an approved

permit program) progress reports indicating whether the steps toward compliance outlined in the compliance schedule have been reached. The contents of the progress reports and the dates by which they shall be submitted will be specified in the written extension of compliance granted under paragraph (i)(10) of this section.

(12) (i) The Administrator (or the State with an approved permit program) will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (i)(4)(i) or (i)(5) of this section. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete.

(ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(iii) Before denying any request for an extension of compliance, the Administrator (or the State with an approved permit program) will notify the owner or operator in writing of the Administrator's (or the State's) intention to issue the denial, together with -

(A) Notice of the information and findings on which the intended denial is based; and

(B) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator (or the State) before further action on the request.

(iv) The Administrator's final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(13) (i) The Administrator will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (i)(4)(ii) of this section. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 15 calendar days after receipt of the original application and within 15 calendar days after receipt of any supplementary information that is submitted.

(ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 15 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(iii) Before denying any request for an extension of compliance, the Administrator will notify the owner or operator in writing of the Administrator's intention to issue the denial, together with -

(A) Notice of the information and findings on which the intended denial is based; and

(B) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator before further action on the request.

(iv) A final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(14) The Administrator (or the State with an approved permit program) may terminate an extension of compliance at an earlier date than specified if any specification under paragraph (i)(10)(iii) or (iv) of this section is not met. Upon a determination to terminate, the Administrator will notify, in writing, the owner or operator of the Administrator's determination to terminate, together with:

(i) Notice of the reason for termination; and

(ii) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the determination to terminate, additional information or arguments to the Administrator before further action on the termination.

(iii) A final determination to terminate an extension of compliance will be in writing and will set forth the specific grounds on which the termination is based. The final determination will be made within 30 calendar days after presentation of additional information or arguments, or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(15) [Reserved]

(16) The granting of an extension under this section shall not abrogate the Administrator's authority under section 114 of the Act.

(j) *Exemption from compliance with emission standards.* The President may exempt any stationary source from compliance with any relevant standard established pursuant to section 112 of the Act for a period of not more than 2 years if the President determines that the technology to implement such standard is not available and that it is in the national security interests of the United States to do so. An exemption under this paragraph may be extended for 1 or more additional periods, each period not to exceed 2 years.

§ 63.7 Performance testing requirements.

(a) *Applicability and performance test dates.*

(1) The applicability of this section is set out in § 63.1(a)(4).

(2) Except as provided in paragraph (a)(4) of this section, if required to do performance testing by a relevant standard, and unless a waiver of performance testing is obtained under this section or the conditions of paragraph (c)(3)(ii)(B) of this section apply, the owner or operator of the affected source must perform such tests within 180 days of the compliance date for such source.

(i)-(viii) [Reserved]

(ix) Except as provided in paragraph (a)(4) of this section, when an emission standard promulgated under this part is more stringent than the standard proposed (see § 63.6(b)(3)), the owner or operator of a new or reconstructed source subject to that standard for which construction or reconstruction is commenced between the proposal and promulgation dates of the standard shall comply with performance testing requirements within 180 days after the standard's effective date, or within 180

days after startup of the source, whichever is later. If the promulgated standard is more stringent than the proposed standard, the owner or operator may choose to demonstrate compliance with either the proposed or the promulgated standard. If the owner or operator chooses to comply with the proposed standard initially, the owner or operator shall conduct a second performance test within 3 years and 180 days after the effective date of the standard, or after startup of the source, whichever is later, to demonstrate compliance with the promulgated standard.

(3) The Administrator may require an owner or operator to conduct performance tests at the affected source at any other time when the action is authorized by section 114 of the Act.

(4) If a force majeure is about to occur, occurs, or has occurred for which the affected owner or operator intends to assert a claim of force majeure:

(i) The owner or operator shall notify the Administrator, in writing as soon as practicable following the date the owner or operator first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline specified in paragraph (a)(2) or (a)(3) of this section, or elsewhere in this part, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall occur as soon as practicable.

(ii) The owner or operator shall provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the owner or operator proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure occurs.

(iii) The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Administrator. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an extension as soon as practicable.

(iv) Until an extension of the performance test deadline has been approved by the Administrator under paragraphs (a)(4)(i), (a)(4)(ii), and (a)(4)(iii) of this section, the owner or operator of the affected facility remains strictly subject to the requirements of this part.

(b) *Notification of performance test.*

(1) The owner or operator of an affected source must notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is initially scheduled to begin to allow the Administrator, upon request, to review an approve the site-specific test plan required under paragraph (c) of this section and to have an observer present during the test.

(2) In the event the owner or operator is unable to conduct the performance test on the date specified in the notification requirement specified in paragraph (b)(1) of this section due to unforeseeable circumstances beyond his or her control, the owner or operator must notify the Administrator as soon as practicable and without delay prior to the scheduled performance test date and specify the date when the performance test is rescheduled. This notification of delay in conducting the performance test shall not relieve the owner or operator of legal responsibility for compliance with any other applicable provisions of this part or with any other applicable Federal, State, or local requirement, nor will it prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(c) *Quality assurance program.*

(1) The results of the quality assurance program required in this paragraph will be considered by the Administrator when he/she determines the validity of a performance test.

(2) (i) *Submission of site-specific test plan.* Before conducting a required performance test, the owner or operator of an affected source shall develop and, if requested by the Administrator, shall submit a site-specific test plan to the Administrator for approval. The test plan shall include a test program summary, the test schedule, data quality objectives, and both an internal and external quality assurance (QA) program. Data quality objectives are the pretest expectations of precision, accuracy, and completeness of data.

(ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of test data precision; an example of internal QA is the sampling and analysis of replicate samples.

(iii) The performance testing shall include a test method performance audit (PA) during the performance test. The PAs consist of blind audit samples supplied by an accredited audit sample provider and analyzed during the performance test in order to provide a measure of test data bias. Gaseous audit samples are designed to audit the performance of the sampling system as well as the analytical system and must be collected by the sampling system during the compliance test just as the compliance samples are collected. If a liquid or solid audit sample is designed to audit the sampling system, it must also be collected by the sampling system during the compliance test. If multiple sampling systems or sampling trains are used during the compliance test for any of the test methods, the tester is only required to use one of the sampling systems per method to collect the audit sample. The audit sample must be analyzed by the same analyst using the same analytical reagents and analytical system and at the same time as the compliance samples. Retests are required when there is a failure to produce acceptable results for an audit sample. However, if the audit results do not affect the compliance or noncompliance status of the affected facility, the compliance authority may waive the reanalysis requirement, further audits, or retests and accept the results of the compliance test. Acceptance of the test results shall constitute a waiver of the reanalysis requirement, further audits, or retests. The compliance authority may also use the audit sample failure and the compliance test results as evidence to determine the compliance or noncompliance status of the affected facility. A blind audit sample is a sample whose value is known only to the sample provider and is not revealed to the tested facility until after they report the measured value of the audit sample. For pollutants that exist in the gas phase at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in air or nitrogen that can be introduced into the sampling system of the test method at or near the same entry point as a sample from the emission source. If no gas phase audit samples are available, an acceptable alternative is a sample of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. For samples that exist only in a liquid or solid form at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. An accredited audit sample provider (AASP) is an organization that has been accredited to prepare audit samples by an independent, third party accrediting body.

(A) The source owner, operator, or representative of the tested facility shall obtain an audit sample, if commercially available, from an AASP for each test method used for regulatory compliance purposes. No audit samples are required for the following test methods: Methods 3A and 3C of appendix A-3 of part 60 of this chapter; Methods 6C, 7E, 9, and 10 of appendix A-4 of part 60; Methods 18 and 19 of appendix A-6 of part 60; Methods 20, 22, and 25A of appendix A-7 of part 60; Methods 30A and 30B of appendix A-8 of part 60; and Methods 303, 318, 320, and 321 of appendix A of this part. If multiple sources at a single facility are tested during a compliance test event, only one audit sample is required for each method used during a compliance test. The compliance authority responsible for the compliance test may waive the requirement to include an audit sample if they believe that an audit sample is not necessary.

"Commercially available" means that two or more independent AASPs have blind audit samples available for purchase. If the source owner, operator, or representative cannot find an audit sample for a specific method, the owner, operator, or representative shall consult the EPA Web site at the following URL, *www.epa.gov/ttn/emc,* to confirm whether there is a source that can supply an audit sample for that method. If the EPA Web site does not list an available audit sample at least 60 days prior to the beginning of the compliance test, the source owner, operator, or representative shall not be required to include an audit sample as part of the quality assurance program for the compliance test. When ordering an audit sample, the source owner, operator, or representative shall give the sample provider an estimate for the concentration of each pollutant that is emitted by the source or the estimated concentration of each pollutant based on the permitted level and the name, address, and phone number of the compliance authority. The source owner, operator, or representative shall report the results for the audit sample along with a summary of the emission test results for the audited pollutant to the compliance authority and shall report the results of the audit sample to the AASP. The source owner, operator, or representative shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the AASP. If the method being audited is a method that allows the samples to be analyzed in the field and the tester plans to analyze the samples in the field, the tester may analyze the audit samples prior to collecting the emission samples provided a representative of the compliance authority is present at the testing site. The tester may request, and the compliance authority may grant, a waiver to the requirement that a representative of the compliance authority must be present at the testing site during the field analysis of an audit sample. The source owner, operator, or representative may report the results of the audit sample to the compliance authority and then report the results of the audit sample to the AASP prior to collecting any emission samples. The test protocol and final test report shall document whether an audit sample was ordered and utilized and the pass/fail results as applicable.

(B) An AASP shall have and shall prepare, analyze, and report the true value of audit samples in accordance with a written technical criteria document that describes how audit samples will be prepared and distributed in a manner that will ensure the integrity of the audit sample program. An acceptable technical criteria document shall contain standard operating procedures for all of the following operations:

(*1*) Preparing the sample;

(*2*) Confirming the true concentration of the sample;

(*3*) Defining the acceptance limits for the results from a well qualified tester. This procedure must use well established statistical methods to analyze historical results from well qualified testers. The acceptance limits shall be set so that there is 95 percent confidence that 90 percent of well qualified labs will produce future results that are within the acceptance limit range;

(*4*) Providing the opportunity for the compliance authority to comment on the selected concentration level for an audit sample;

(*5*) Distributing the sample to the user in a manner that guarantees that the true value of the sample is unknown to the user;

(*6*) Recording the measured concentration reported by the user and determining if the measured value is within acceptable limits;

(*7*) Reporting the results from each audit sample in a timely manner to the compliance authority and to the source owner, operator, or representative by the AASP. The AASP shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the source owner, operator, or representative. The results shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, and whether the testing company passed or failed the audit. The AASP shall report the true value of the audit sample to the compliance authority. The AASP may report the true value to the source owner, operator, or representative if the AASP's operating plan ensures that no laboratory will receive the same audit sample twice.

(*8*) Evaluating the acceptance limits of samples at least once every two years to determine in consultation with the voluntary consensus standard body if they should be changed.

(*9*) Maintaining a database, accessible to the compliance authorities, of results from the audit that shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, the true value of the audit sample, the acceptance range for the measured value, and whether the testing company passed or failed the audit.

(C) The accrediting body shall have a written technical criteria document that describes how it will ensure that the AASP is operating in accordance with the AASP technical criteria document that describes how audit samples are to be prepared and distributed. This document shall contain standard operating procedures for all of the following operations:

(*1*) Checking audit samples to confirm their true value as reported by the AASP.

(*2*) Performing technical systems audits of the AASP's facilities and operating procedures at least once every two years.

(*3*) Providing standards for use by the voluntary consensus standard body to approve the accrediting body that will accredit the audit sample providers.

(D) The technical criteria documents for the accredited sample providers and the accrediting body shall be developed through a public process guided by a voluntary consensus standards body (VCSB). The VCSB shall operate in accordance with the procedures and requirements in the Office of Management and Budget *Circular A-119.* A copy of Circular A-119 is available upon request by writing the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, by calling (202) 395-6880 or downloading online at *http://standards.gov/standards_gov/a119.cfm.* The VCSB shall approve all accrediting bodies. The Administrator will review all technical criteria documents. If the technical criteria documents do not meet the minimum technical requirements in paragraphs (c)(2)(iii)(B) through (C) of this section, the technical criteria documents are not acceptable and the proposed audit sample program is not capable of producing audit samples of sufficient quality to be used in a compliance test. All acceptable technical criteria documents shall be posted on the EPA Web site at the following URL, *http://www.epa.gov/ttn/emc.*

(iv) The owner or operator of an affected source shall submit the site-specific test plan to the Administrator upon the Administrator's request at least 60 calendar days before the performance test is scheduled to take place, that is, simultaneously with the notification of intention to conduct a performance test required under paragraph (b) of this section, or on a mutually agreed upon date.

(v) The Administrator may request additional relevant information after the submittal of a site-specific test plan.

(3) *Approval of site-specific test plan.*

(i) The Administrator will notify the owner or operator of approval or intention to deny approval of the site-specific test plan (if review of the site-specific test plan is requested) within 30 calendar days after receipt of the original plan and within 30 calendar days after receipt of any supplementary information that is submitted under paragraph (c)(3)(i)(B) of this section. Before disapproving any site-specific test plan, the Administrator will notify the applicant of the Administrator's intention to disapprove the plan together with -

(A) Notice of the information and findings on which the intended disapproval is based; and

(B) Notice of opportunity for the owner or operator to present, within 30 calendar days after he/she is notified of the intended disapproval, additional information to the Administrator before final action on the plan.

(ii) In the event that the Administrator fails to approve or disapprove the site-specific test plan within the time period specified in paragraph (c)(3)(i) of this section, the following conditions shall apply:

(A) If the owner or operator intends to demonstrate compliance using the test method(s) specified in the relevant standard or with only minor changes to those tests methods (see paragraph (e)(2)(i) of this section), the owner or operator must conduct the performance test within the time specified in this section using the specified method(s);

(B) If the owner or operator intends to demonstrate compliance by using an alternative to any test method specified in the relevant standard, the owner or operator is authorized to conduct the performance test using an alternative test method after the Administrator approves the use of the alternative method when the Administrator approves the site-specific test plan (if review of the site-specific test plan is requested) or after the alternative method is approved (see paragraph (f) of this section). However, the owner or operator is authorized to conduct the performance test using an alternative method in the absence of notification of approval 45 days after submission of the site-specific test plan or request to use an alternative method. The owner or operator is authorized to conduct the performance test within 60 calendar days after he/she is authorized to demonstrate compliance using an alternative test method. Notwithstanding the requirements in the preceding three sentences, the owner or operator may proceed to conduct the performance test as required in this section (without the Administrator's prior approval of the site-specific test plan) if he/she subsequently chooses to use the specified testing and monitoring methods instead of an alternative.

(iii) Neither the submission of a site-specific test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall -

(A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(B) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(d) *Performance testing facilities.* If required to do performance testing, the owner or operator of each new source and, at the request of the Administrator, the owner or operator of each existing source, shall provide performance testing facilities as follows:

(1) Sampling ports adequate for test methods applicable to such source. This includes:

(i) Constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures; and

(ii) Providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures;

(2) Safe sampling platform(s);

(3) Safe access to sampling platform(s);

(4) Utilities for sampling and testing equipment; and

(5) Any other facilities that the Administrator deems necessary for safe and adequate testing of a source.

(e) *Conduct of performance tests.*

(1) Performance tests shall be conducted under such conditions as the Administrator specifies to the owner or operator based on representative performance (i.e., performance based on normal operating conditions) of the affected source. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test, nor shall emissions in excess of the level of the relevant standard during periods of startup, shutdown, and malfunction be considered a violation of the relevant standard unless otherwise specified in the relevant standard or a determination of noncompliance is made under § 63.6(e). Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(2) Performance tests shall be conducted and data shall be reduced in accordance with the test methods and procedures set forth in this section, in each relevant standard, and, if required, in applicable appendices of parts 51, 60, 61, and 63 of this chapter unless the Administrator -

(i) Specifies or approves, in specific cases, the use of a test method with minor changes in methodology (see definition in § 63.90(a)). Such changes may be approved in conjunction with approval of the site-specific test plan (see paragraph (c) of this section); or

(ii) Approves the use of an intermediate or major change or alternative to a test method (see definitions in § 63.90(a)), the results of which the Administrator has determined to be adequate for indicating whether a specific affected source is in compliance; or

(iii) Approves shorter sampling times or smaller sample volumes when necessitated by process variables or other factors; or

(iv) Waives the requirement for performance tests because the owner or operator of an affected source has demonstrated by other means to the Administrator's satisfaction that the affected source is in compliance with the relevant standard.

(3) Unless otherwise specified in a relevant standard or test method, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the relevant standard. For the purpose of determining compliance with a relevant standard, the arithmetic mean of the results of the three runs shall apply. Upon receiving approval from the Administrator, results of a test run may be replaced with results of an additional test run in the event that -

(i) A sample is accidentally lost after the testing team leaves the site; or

(ii) Conditions occur in which one of the three runs must be discontinued because of forced shutdown; or

(iii) Extreme meteorological conditions occur; or

(iv) Other circumstances occur that are beyond the owner or operator's control.

(4) Nothing in paragraphs (e)(1) through (e)(3) of this section shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

(f) *Use of an alternative test method* -

(1) *General.* Until authorized to use an intermediate or major change or alternative to a test method, the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.

(2) The owner or operator of an affected source required to do performance testing by a relevant standard may use an alternative test method from that specified in the standard provided that the owner or operator -

(i) Notifies the Administrator of his or her intention to use an alternative test method at least 60 days before the performance test is scheduled to begin;

(ii) Uses Method 301 in appendix A of this part to validate the alternative test method. This may include the use of specific procedures of Method 301 if use of such procedures are sufficient to validate the alternative test method; and

(iii) Submits the results of the Method 301 validation process along with the notification of intention and the justification for not using the specified test method. The owner or operator may submit the information required in this paragraph well in advance of the deadline specified in paragraph (f)(2)(i) of this section to ensure a timely review by the Administrator in order to meet the performance test date specified in this section or the relevant standard.

(3) The Administrator will determine whether the owner or operator's validation of the proposed alternative test method is adequate and issue an approval or disapproval of the alternative test method. If the owner or operator intends to demonstrate compliance by using an alternative to any test method specified in the relevant standard, the owner or operator is authorized to conduct the performance test using an alternative test method after the Administrator approves the use of the alternative method. However, the owner or operator is authorized to conduct the performance test using an alternative method in the absence of notification of approval/disapproval 45 days after submission of the request to use an alternative method and the request satisfies the requirements in paragraph (f)(2) of this section. The owner or operator is authorized to conduct the performance test within 60 calendar days after he/she is authorized to demonstrate compliance using an alternative test method. Notwithstanding the requirements in the preceding three sentences, the owner or operator may proceed to conduct the performance test as required in this section (without the Administrator's prior approval of the site-specific test plan) if he/she subsequently chooses to use the specified testing and monitoring methods instead of an alternative.

(4) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative test method for the purposes of demonstrating compliance with a relevant standard, the Administrator may require the use of a test method specified in a relevant standard.

(5) If the owner or operator uses an alternative test method for an affected source during a required performance test, the owner or operator of such source shall continue to use the alternative test method for subsequent performance tests at that affected source until he or she receives approval from the Administrator to use another test method as allowed under § 63.7(f).

(6) Neither the validation and approval process nor the failure to validate an alternative test method shall abrogate the owner or operator's responsibility to comply with the requirements of this part.

(g) *Data analysis, recordkeeping, and reporting.*

(1) Unless otherwise specified in a relevant standard or test method, or as otherwise approved by the Administrator in writing, results of a performance test shall include the analysis of samples, determination of emissions, and raw data. A performance test is "completed" when field sample collection is terminated. The owner or operator of an affected source shall report the results of the performance test to the Administrator before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator (see § 63.9(i)). The results of the performance test shall be submitted as part of the notification of compliance status required under § 63.9(h). Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the appropriate permitting authority.

(2) Contents of a performance test, CMS performance evaluation, or CMS quality assurance test report (electronic or paper submitted copy). Unless otherwise specified in a relevant standard, test method, CMS performance specification, or quality assurance requirement for a CMS, or as otherwise approved by the Administrator in writing, the report shall include the elements identified in paragraphs (g)(2)(i) through (vi) of this section.

(i) General identification information for the facility including a mailing address, the physical address, the owner or operator or responsible official (where applicable) and his/her email address, and the appropriate Federal Registry System (FRS) number for the facility.

(ii) Purpose of the test including the applicable regulation requiring the test, the pollutant(s) and other parameters being measured, the applicable emission standard, and any process parameter component, and a brief process description.

(iii) Description of the emission unit tested including fuel burned, control devices, and vent characteristics; the appropriate source classification code (SCC); the permitted maximum process rate (where applicable); and the sampling location.

(iv) Description of sampling and analysis procedures used and any modifications to standard procedures, quality assurance procedures and results, record of process operating conditions that demonstrate the applicable test conditions are met, and values for any operating parameters for which limits were being set during the test.

(v) Where a test method, CEMS, PEMS, or COMS performance specification, or on-going quality assurance requirement for a CEMS, PEMS, or COMS requires you record or report, the following shall be included in your report: Record of preparation of standards, record of calibrations, raw data sheets for field sampling, raw data sheets for field and laboratory analyses, chain-of-custody documentation, and example calculations for reported results.

(vi) Identification of the company conducting the performance test including the primary office address, telephone number, and the contact for this test including his/her email address.

(3) For a minimum of 5 years after a performance test is conducted, the owner or operator shall retain and make available, upon request, for inspection by the Administrator the records or results of such performance test and other data needed to determine emissions from an affected source.

(h) *Waiver of performance tests.*

(1) Until a waiver of a performance testing requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.

(2) Individual performance tests may be waived upon written application to the Administrator if, in the Administrator's judgment, the source is meeting the relevant standard(s) on a continuous basis, or the source is being operated under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.

(3) *Request to waive a performance test.*

(i) If a request is made for an extension of compliance under § 63.6(i), the application for a waiver of an initial performance test shall accompany the information required for the request for an extension of compliance. If no extension of compliance is requested or if the owner or operator has requested an extension of compliance and the Administrator is still considering that request, the application for a waiver of an initial performance test shall be submitted at least 60 days before the performance test if the site-specific test plan under paragraph (c) of this section is not submitted.

(ii) If an application for a waiver of a subsequent performance test is made, the application may accompany any required compliance progress report, compliance status report, or excess emissions and continuous monitoring system performance report [such as those required under § 63.6(i), § 63.9(h), and § 63.10(e) or specified in a relevant standard or in the source's title V permit], but it shall be submitted at least 60 days before the performance test if the site-specific test plan required under paragraph (c) of this section is not submitted.

(iii) Any application for a waiver of a performance test shall include information justifying the owner or operator's request for a waiver, such as the technical or economic infeasibility, or the impracticality, of the affected source performing the required test.

(4) *Approval of request to waive performance test.* The Administrator will approve or deny a request for a waiver of a performance test made under paragraph (h)(3) of this section when he/she -

(i) Approves or denies an extension of compliance under § 63.6(i)(8); or

(ii) Approves or disapproves a site-specific test plan under § 63.7(c)(3); or

(iii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or

(iv) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.

(5) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

§ 63.8 Monitoring requirements.

(a) *Applicability.*

(1) The applicability of this section is set out in § 63.1(a)(4).

(2) For the purposes of this part, all CMS required under relevant standards shall be subject to the provisions of this section upon promulgation of performance specifications for CMS as specified in the relevant standard or otherwise by the Administrator.

(3) [Reserved]

(4) Additional monitoring requirements for control devices used to comply with provisions in relevant standards of this part are specified in § 63.11.

(b) *Conduct of monitoring.*

(1) Monitoring shall be conducted as set forth in this section and the relevant standard(s) unless the Administrator -

(i) Specifies or approves the use of minor changes in methodology for the specified monitoring requirements and procedures (see § 63.90(a) for definition); or

(ii) Approves the use of an intermediate or major change or alternative to any monitoring requirements or procedures (see § 63.90(a) for definition).

(iii) Owners or operators with flares subject to § 63.11(b) are not subject to the requirements of this section unless otherwise specified in the relevant standard.

(2) (i) When the emissions from two or more affected sources are combined before being released to the atmosphere, the owner or operator may install an applicable CMS for each emission stream or for the combined emissions streams, provided the monitoring is sufficient to demonstrate compliance with the relevant standard.

(ii) If the relevant standard is a mass emission standard and the emissions from one affected source are released to the atmosphere through more than one point, the owner or operator must install an applicable CMS at each emission point unless the installation of fewer systems is -

(A) Approved by the Administrator; or

(B) Provided for in a relevant standard (e.g., instead of requiring that a CMS be installed at each emission point before the effluents from those points are channeled to a common control device, the standard specifies that only one CMS is required to be installed at the vent of the control device).

(3) When more than one CMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required for each CMS. However, when one CMS is used as a backup to another CMS, the owner or operator shall report the results from the CMS used to meet the monitoring requirements of this part. If both such CMS are used during a particular reporting period to meet the monitoring requirements of this part, then the owner or operator shall report the results from each CMS for the relevant compliance period.

(c) *Operation and maintenance of continuous monitoring systems.*

(1) The owner or operator of an affected source shall maintain and operate each CMS as specified in this section, or in a relevant standard, and in a manner consistent with good air pollution control practices.

(i) The owner or operator of an affected source must maintain and operate each CMS as specified in § 63.6(e)(1).

(ii) The owner or operator must keep the necessary parts for routine repairs of the affected CMS equipment readily available.

(iii) The owner or operator of an affected source must develop a written startup, shutdown, and malfunction plan for CMS as specified in § 63.6(e)(3).

(2) (i) All CMS must be installed such that representative measures of emissions or process parameters from the affected source are obtained. In addition, CEMS must be located according to procedures contained in the applicable performance specification(s).

(ii) Unless the individual subpart states otherwise, the owner or operator must ensure the read out (that portion of the CMS that provides a visual display or record), or other indication of operation, from any

CMS required for compliance with the emission standard is readily accessible on site for operational control or inspection by the operator of the equipment.

(3) All CMS shall be installed, operational, and the data verified as specified in the relevant standard either prior to or in conjunction with conducting performance tests under § 63.7. Verification of operational status shall, at a minimum, include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

(4) Except for system breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level calibration drift adjustments, all CMS, including COMS and CEMS, shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(i) All COMS shall 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.

(ii) All CEMS for measuring emissions other than opacity shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(5) Unless otherwise approved by the Administrator, minimum procedures for COMS shall include a method for producing a simulated zero opacity condition and an upscale (high-level) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of all the analyzer's internal optical surfaces and all electronic circuitry, including the lamp and photodetector assembly normally used in the measurement of opacity.

(6) The owner or operator of a CMS that is not a CPMS, which is installed in accordance with the provisions of this part and the applicable CMS performance specification(s), must check the zero (low-level) and high-level calibration drifts at least once daily in accordance with the written procedure specified in the performance evaluation plan developed under paragraphs (e)(3)(i) and (ii) of this section. The zero (low-level) and high-level calibration drifts must be adjusted, at a minimum, whenever the 24-hour zero (low-level) drift exceeds two times the limits of the applicable performance specification(s) specified in the relevant standard. The system shall allow the amount of excess zero (low-level) and high-level drift measured at the 24-hour interval checks to be recorded and quantified whenever specified. For COMS, all optical and instrumental surfaces exposed to the effluent gases must be cleaned prior to performing the zero (low-level) and high-level drift adjustments; the optical surfaces and instrumental surfaces must be cleaned when the cumulative automatic zero compensation, if applicable, exceeds 4 percent opacity. The CPMS must be calibrated prior to use for the purposes of complying with this section. The CPMS must be checked daily for indication that the system is responding. If the CPMS system includes an internal system check, results must be recorded and checked daily for proper operation.

(7) (i) A CMS is out of control if -

(A) The zero (low-level), mid-level (if applicable), or high-level calibration drift (CD) exceeds two times the applicable CD specification in the applicable performance specification or in the relevant standard; or

(B) The CMS fails a performance test audit (e.g., cylinder gas audit), relative accuracy audit, relative accuracy test audit, or linearity test audit; or

(C) The COMS CD exceeds two times the limit in the applicable performance specification in the relevant standard.

(ii) When the CMS is out of control, the owner or operator of the affected source shall take the necessary corrective action and shall repeat all necessary tests which indicate that the system is out of control. The owner or operator shall take corrective action and conduct retesting until the performance requirements are below the applicable limits. The beginning of the out-of-control period is the hour the

owner or operator conducts a performance check (e.g., calibration drift) that indicates an exceedance of the performance requirements established under this part. The end of the out-of-control period is the hour following the completion of corrective action and successful demonstration that the system is within the allowable limits. During the period the CMS is out of control, recorded data shall not be used in data averages and calculations, or to meet any data availability requirement established under this part.

(8) The owner or operator of a CMS that is out of control as defined in paragraph (c)(7) of this section shall submit all information concerning out-of-control periods, including start and end dates and hours and descriptions of corrective actions taken, in the excess emissions and continuous monitoring system performance report required in § 63.10(e)(3).

(d) *Quality control program.*

(1) The results of the quality control program required in this paragraph will be considered by the Administrator when he/she determines the validity of monitoring data.

(2) The owner or operator of an affected source that is required to use a CMS and is subject to the monitoring requirements of this section and a relevant standard shall develop and implement a CMS quality control program. As part of the quality control program, the owner or operator shall develop and submit to the Administrator for approval upon request a site-specific performance evaluation test plan for the CMS performance evaluation required in paragraph (e)(3)(i) of this section, according to the procedures specified in paragraph (e). In addition, each quality control program shall include, at a minimum, a written protocol that describes procedures for each of the following operations:

(i) Initial and any subsequent calibration of the CMS;

(ii) Determination and adjustment of the calibration drift of the CMS;

(iii) Preventive maintenance of the CMS, including spare parts inventory;

(iv) Data recording, calculations, and reporting;

(v) Accuracy audit procedures, including sampling and analysis methods; and

(vi) Program of corrective action for a malfunctioning CMS.

(3) The owner or operator shall keep these written procedures on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator. If the performance evaluation plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the performance evaluation plan on record to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan. Where relevant, e.g., program of corrective action for a malfunctioning CMS, these written procedures may be incorporated as part of the affected source's startup, shutdown, and malfunction plan to avoid duplication of planning and recordkeeping efforts.

(e) *Performance evaluation of continuous monitoring systems* -

(1) *General.* When required by a relevant standard, and at any other time the Administrator may require under section 114 of the Act, the owner or operator of an affected source being monitored shall conduct a performance evaluation of the CMS. Such performance evaluation shall be conducted according to the applicable specifications and procedures described in this section or in the relevant standard.

(2) *Notification of performance evaluation.* The owner or operator shall notify the Administrator in writing of the date of the performance evaluation simultaneously with the notification of the performance test date required

under § 63.7(b) or at least 60 days prior to the date the performance evaluation is scheduled to begin if no performance test is required.

(3) (i) *Submission of site-specific performance evaluation test plan.* Before conducting a required CMS performance evaluation, the owner or operator of an affected source shall develop and submit a site-specific performance evaluation test plan to the Administrator for approval upon request. The performance evaluation test plan shall include the evaluation program objectives, an evaluation program summary, the performance evaluation schedule, data quality objectives, and both an internal and external QA program. Data quality objectives are the pre-evaluation expectations of precision, accuracy, and completeness of data.

(ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of CMS performance. The external QA program shall include, at a minimum, systems audits that include the opportunity for on-site evaluation by the Administrator of instrument calibration, data validation, sample logging, and documentation of quality control data and field maintenance activities.

(iii) The owner or operator of an affected source shall submit the site-specific performance evaluation test plan to the Administrator (if requested) at least 60 days before the performance test or performance evaluation is scheduled to begin, or on a mutually agreed upon date, and review and approval of the performance evaluation test plan by the Administrator will occur with the review and approval of the site-specific test plan (if review of the site-specific test plan is requested).

(iv) The Administrator may request additional relevant information after the submittal of a site-specific performance evaluation test plan.

(v) In the event that the Administrator fails to approve or disapprove the site-specific performance evaluation test plan within the time period specified in § 63.7(c)(3), the following conditions shall apply:

(A) If the owner or operator intends to demonstrate compliance using the monitoring method(s) specified in the relevant standard, the owner or operator shall conduct the performance evaluation within the time specified in this subpart using the specified method(s);

(B) If the owner or operator intends to demonstrate compliance by using an alternative to a monitoring method specified in the relevant standard, the owner or operator shall refrain from conducting the performance evaluation until the Administrator approves the use of the alternative method. If the Administrator does not approve the use of the alternative method within 30 days before the performance evaluation is scheduled to begin, the performance evaluation deadlines specified in paragraph (e)(4) of this section may be extended such that the owner or operator shall conduct the performance evaluation within 60 calendar days after the Administrator approves the use of the alternative method. Notwithstanding the requirements in the preceding two sentences, the owner or operator may proceed to conduct the performance evaluation as required in this section (without the Administrator's prior approval of the site-specific performance evaluation test plan) if he/she subsequently chooses to use the specified monitoring method(s) instead of an alternative.

(vi) Neither the submission of a site-specific performance evaluation test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall -

(A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(B) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(4) *Conduct of performance evaluation and performance evaluation dates.* The owner or operator of an affected source shall conduct a performance evaluation of a required CMS during any performance test required under § 63.7 in accordance with the applicable performance specification as specified in the relevant standard. Notwithstanding the requirement in the previous sentence, if the owner or operator of an affected source elects to submit COMS data for compliance with a relevant opacity emission standard as provided under § 63.6(h)(7), he/she shall conduct a performance evaluation of the COMS as specified in the relevant standard, before the performance test required under § 63.7 is conducted in time to submit the results of the performance evaluation as specified in paragraph (e)(5)(ii) of this section. If a performance test is not required, or the requirement for a performance test has been waived under § 63.7(h), the owner or operator of an affected source shall conduct the performance evaluation not later than 180 days after the appropriate compliance date for the affected source, as specified in § 63.7(a), or as otherwise specified in the relevant standard.

(5) *Reporting performance evaluation results.*

(i) The owner or operator shall furnish the Administrator a copy of a written report of the results of the performance evaluation containing the information specified in § 63.7(g)(2)(i) through (vi) simultaneously with the results of the performance test required under § 63.7 or within 60 days of completion of the performance evaluation, unless otherwise specified in a relevant standard.

(ii) The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under § 63.7 and described in § 63.6(d)(6) shall furnish the Administrator two or, upon request, three copies of a written report of the results of the COMS performance evaluation under this paragraph. The copies shall be provided at least 15 calendar days before the performance test required under § 63.7 is conducted.

(f) *Use of an alternative monitoring method* -

(1) *General.* Until permission to use an alternative monitoring procedure (minor, intermediate, or major changes; see definition in § 63.90(a)) has been granted by the Administrator under this paragraph (f)(1), the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.

(2) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring methods or procedures of this part including, but not limited to, the following:

(i) Alternative monitoring requirements when installation of a CMS specified by a relevant standard would not provide accurate measurements due to liquid water or other interferences caused by substances within the effluent gases;

(ii) Alternative monitoring requirements when the affected source is infrequently operated;

(iii) Alternative monitoring requirements to accommodate CEMS that require additional measurements to correct for stack moisture conditions;

(iv) Alternative locations for installing CMS when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements;

(v) Alternate methods for converting pollutant concentration measurements to units of the relevant standard;

(vi) Alternate procedures for performing daily checks of zero (low-level) and high-level drift that do not involve use of high-level gases or test cells;

(vii) Alternatives to the American Society for Testing and Materials (ASTM) test methods or sampling procedures specified by any relevant standard;

(viii) Alternative CMS that do not meet the design or performance requirements in this part, but adequately demonstrate a definite and consistent relationship between their measurements and the measurements of opacity by a system complying with the requirements as specified in the relevant standard. The Administrator may require that such demonstration be performed for each affected source; or

(ix) Alternative monitoring requirements when the effluent from a single affected source or the combined effluent from two or more affected sources is released to the atmosphere through more than one point.

(3) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative monitoring method, requirement, or procedure, the Administrator may require the use of a method, requirement, or procedure specified in this section or in the relevant standard. If the results of the specified and alternative method, requirement, or procedure do not agree, the results obtained by the specified method, requirement, or procedure shall prevail.

(4) (i) *Request to use alternative monitoring procedure.* An owner or operator who wishes to use an alternative monitoring procedure must submit an application to the Administrator as described in paragraph (f)(4)(ii) of this section. The application may be submitted at any time provided that the monitoring procedure is not the performance test method used to demonstrate compliance with a relevant standard or other requirement. If the alternative monitoring procedure will serve as the performance test method that is to be used to demonstrate compliance with a relevant standard, the application must be submitted at least 60 days before the performance evaluation is scheduled to begin and must meet the requirements for an alternative test method under § 63.7(f).

(ii) The application must contain a description of the proposed alternative monitoring system which addresses the four elements contained in the definition of monitoring in § 63.2 and a performance evaluation test plan, if required, as specified in paragraph (e)(3) of this section. In addition, the application must include information justifying the owner or operator's request for an alternative monitoring method, such as the technical or economic infeasibility, or the impracticality, of the affected source using the required method.

(iii) The owner or operator may submit the information required in this paragraph well in advance of the submittal dates specified in paragraph (f)(4)(i) above to ensure a timely review by the Administrator in order to meet the compliance demonstration date specified in this section or the relevant standard.

(iv) Application for minor changes to monitoring procedures, as specified in paragraph (b)(1) of this section, may be made in the site-specific performance evaluation plan.

(5) *Approval of request to use alternative monitoring procedure.*

(i) The Administrator will notify the owner or operator of approval or intention to deny approval of the request to use an alternative monitoring method within 30 calendar days after receipt of the original request and within 30 calendar days after receipt of any supplementary information that is submitted. If a request for a minor change is made in conjunction with site-specific performance evaluation plan, then approval of the plan will constitute approval of the minor change. Before disapproving any request to use an alternative monitoring method, the Administrator will notify the applicant of the Administrator's intention to disapprove the request together with -

(A) Notice of the information and findings on which the intended disapproval is based; and

(B) Notice of opportunity for the owner or operator to present additional information to the Administrator before final action on the request. At the time the Administrator notifies the applicant of his or her intention to disapprove the request, the Administrator will specify how much time the owner or operator will have after being notified of the intended disapproval to submit the additional information.

(ii) The Administrator may establish general procedures and criteria in a relevant standard to accomplish the requirements of paragraph (f)(5)(i) of this section.

(iii) If the Administrator approves the use of an alternative monitoring method for an affected source under paragraph (f)(5)(i) of this section, the owner or operator of such source shall continue to use the alternative monitoring method until he or she receives approval from the Administrator to use another monitoring method as allowed by § 63.8(f).

(6) *Alternative to the relative accuracy test.* An alternative to the relative accuracy test for CEMS specified in a relevant standard may be requested as follows:

(i) *Criteria for approval of alternative procedures.* An alternative to the test method for determining relative accuracy is available for affected sources with emission rates demonstrated to be less than 50 percent of the relevant standard. The owner or operator of an affected source may petition the Administrator under paragraph (f)(6)(ii) of this section to substitute the relative accuracy test in section 7 of Performance Specification 2 with the procedures in section 10 if the results of a performance test conducted according to the requirements in § 63.7, or other tests performed following the criteria in § 63.7, demonstrate that the emission rate of the pollutant of interest in the units of the relevant standard is less than 50 percent of the relevant standard. For affected sources subject to emission limitations expressed as control efficiency levels, the owner or operator may petition the Administrator to substitute the relative accuracy test with the procedures in section 10 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the CEMS is used continuously to determine compliance with the relevant standard.

(ii) *Petition to use alternative to relative accuracy test.* The petition to use an alternative to the relative accuracy test shall include a detailed description of the procedures to be applied, the location and the procedure for conducting the alternative, the concentration or response levels of the alternative relative accuracy materials, and the other equipment checks included in the alternative procedure(s). The Administrator will review the petition for completeness and applicability. The Administrator's determination to approve an alternative will depend on the intended use of the CEMS data and may require specifications more stringent than in Performance Specification 2.

(iii) *Rescission of approval to use alternative to relative accuracy test.* The Administrator will review the permission to use an alternative to the CEMS relative accuracy test and may rescind such permission if the CEMS data from a successful completion of the alternative relative accuracy procedure indicate that the affected source's emissions are approaching the level of the relevant standard. The criterion for reviewing the permission is that the collection of CEMS data shows that emissions have exceeded 70 percent of the relevant standard for any averaging period, as specified in the relevant standard. For affected sources subject to emission limitations expressed as control efficiency levels, the criterion for reviewing the permission is that the collection of CEMS data shows that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for any averaging period, as specified in the relevant standard. The owner or operator of the affected source shall maintain records and determine the level of emissions relative to the criterion for permission to use an alternative for relative accuracy testing. If this criterion is exceeded, the owner or operator shall notify

the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increased emissions. The Administrator will review the notification and may rescind permission to use an alternative and require the owner or operator to conduct a relative accuracy test of the CEMS as specified in section 7 of Performance Specification 2. The Administrator will review the notification and may rescind permission to use an alternative and require the owner or operator to conduct a relative accuracy test of the CEMS as specified in section 8.4 of Performance Specification 2.

(g) *Reduction of monitoring data.*

(1) The owner or operator of each CMS must reduce the monitoring data as specified in paragraphs (g)(1) through (5) of this section.

(2) The owner or operator of each COMS shall reduce all data to 6-minute averages calculated from 36 or more data points equally spaced over each 6-minute period. Data from CEMS for measurement other than opacity, unless otherwise specified in the relevant standard, shall be reduced to 1-hour averages computed from four or more data points equally spaced over each 1-hour period, except during periods when calibration, quality assurance, or maintenance activities pursuant to provisions of this part are being performed. During these periods, a valid hourly average shall consist of at least two data points with each representing a 15-minute period. Alternatively, an arithmetic or integrated 1-hour average of CEMS data may be used. Time periods for averaging are defined in § 63.2.

(3) The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O_2 or ng/J of pollutant).

(4) All emission data shall be converted into units of the relevant standard for reporting purposes using the conversion procedures specified in that standard. After conversion into units of the relevant standard, the data may be rounded to the same number of significant digits as used in that standard to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).

(5) Monitoring data recorded during periods of unavoidable CMS breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level adjustments must not be included in any data average computed under this part. For the owner or operator complying with the requirements of § 63.10(b)(2)(vii)(A) or (B), data averages must include any data recorded during periods of monitor breakdown or malfunction.

§ 63.9 Notification requirements.

(a) *Applicability and general information.*

(1) The applicability of this section is set out in § 63.1(a)(4).

(2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

(3) If any State requires a notice that contains all the information required in a notification listed in this section, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of this section for that notification.

(4) (i) Before a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in § 63.13).

(ii) After a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each notification submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any notifications at its discretion.

(b) *Initial notifications.*

(1) (i) The requirements of this paragraph apply to the owner or operator of an affected source when such source becomes subject to a relevant standard.

(ii) If an area source subsequently becomes a major source that is subject to the emission standard or other requirement, such source shall be subject to the notification requirements of this section. Area sources previously subject to major source requirements that become major sources again are also subject to the notification requirements of this paragraph and must submit the notification according to the requirements of paragraph (k) of this section.

(iii) Affected sources that are required under this paragraph to submit an initial notification may use the application for approval of construction or reconstruction under § 63.5(d) of this subpart, if relevant, to fulfill the initial notification requirements of this paragraph.

(2) The owner or operator of an affected source that has an initial startup before the effective date of a relevant standard under this part shall notify the Administrator in writing that the source is subject to the relevant standard. The notification, which shall be submitted not later than 120 calendar days after the effective date of the relevant standard (or within 120 calendar days after the source becomes subject to the relevant standard), shall provide the following information:

(i) The name and address of the owner or operator;

(ii) The address (i.e., physical location) of the affected source;

(iii) An identification of the relevant standard, or other requirement, that is the basis of the notification and the source's compliance date;

(iv) A brief description of the nature, size, design, and method of operation of the source and an identification of the types of emission points within the affected source subject to the relevant standard and types of hazardous air pollutants emitted; and

(v) A statement of whether the affected source is a major source or an area source.

(3) [Reserved]

(4) The owner or operator of a new or reconstructed major affected source for which an application for approval of construction or reconstruction is required under § 63.5(d) must provide the following information in writing to the Administrator:

(i) A notification of intention to construct a new major-emitting affected source, reconstruct a major-emitting affected source, or reconstruct a major source such that the source becomes a major-emitting affected source with the application for approval of construction or reconstruction as specified in § 63.5(d)(1)(i); and

(ii)-(iv) [Reserved]

(v) A notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.

(5) The owner or operator of a new or reconstructed affected source for which an application for approval of construction or reconstruction is not required under § 63.5(d) must provide the following information in writing to the Administrator:

(i) A notification of intention to construct a new affected source, reconstruct an affected source, or reconstruct a source such that the source becomes an affected source, and

(ii) A notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.

(iii) Unless the owner or operator has requested and received prior permission from the Administrator to submit less than the information in § 63.5(d), the notification must include the information required on the application for approval of construction or reconstruction as specified in § 63.5(d)(1)(i).

(c) *Request for extension of compliance.* If the owner or operator of an affected source cannot comply with a relevant standard by the applicable compliance date for that source, or if the owner or operator has installed BACT or technology to meet LAER consistent with § 63.6(i)(5) of this subpart, he/she may submit to the Administrator (or the State with an approved permit program) a request for an extension of compliance as specified in § 63.6(i)(4) through § 63.6(i)(6).

(d) *Notification that source is subject to special compliance requirements.* An owner or operator of a new source that is subject to special compliance requirements as specified in § 63.6(b)(3) and § 63.6(b)(4) shall notify the Administrator of his/her compliance obligations not later than the notification dates established in paragraph (b) of this section for new sources that are not subject to the special provisions.

(e) *Notification of performance test.* The owner or operator of an affected source shall notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin to allow the Administrator to review and approve the site-specific test plan required under § 63.7(c), if requested by the Administrator, and to have an observer present during the test.

(f) *Notification of opacity and visible emission observations.* The owner or operator of an affected source shall notify the Administrator in writing of the anticipated date for conducting the opacity or visible emission observations specified in § 63.6(h)(5), if such observations are required for the source by a relevant standard. The notification shall be submitted with the notification of the performance test date, as specified in paragraph (e) of this section, or if no performance test is required or visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the initial performance test required under § 63.7, the owner or operator shall deliver or postmark the notification not less than 30 days before the opacity or visible emission observations are scheduled to take place.

(g) *Additional notification requirements for sources with continuous monitoring systems.* The owner or operator of an affected source required to use a CMS by a relevant standard shall furnish the Administrator written notification as follows:

(1) A notification of the date the CMS performance evaluation under § 63.8(e) is scheduled to begin, submitted simultaneously with the notification of the performance test date required under § 63.7(b). If no performance test is required, or if the requirement to conduct a performance test has been waived for an affected source under § 63.7(h), the owner or operator shall notify the Administrator in writing of the date of the performance evaluation at least 60 calendar days before the evaluation is scheduled to begin;

(2) A notification that COMS data results will be used to determine compliance with the applicable opacity emission standard during a performance test required by § 63.7 in lieu of Method 9 or other opacity emissions

test method data, as allowed by § 63.6(h)(7)(ii), if compliance with an opacity emission standard is required for the source by a relevant standard. The notification shall be submitted at least 60 calendar days before the performance test is scheduled to begin; and

(3) A notification that the criterion necessary to continue use of an alternative to relative accuracy testing, as provided by § 63.8(f)(6), has been exceeded. The notification shall be delivered or postmarked not later than 10 days after the occurrence of such exceedance, and it shall include a description of the nature and cause of the increased emissions.

(h) *Notification of compliance status.*

(1) The requirements of paragraphs (h)(2) through (h)(4) of this section apply when an affected source becomes subject to a relevant standard.

(2) (i) Before a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit to the Administrator a notification of compliance status, signed by the responsible official who shall certify its accuracy, attesting to whether the source has complied with the relevant standard. The notification shall list -

(A) The methods that were used to determine compliance;

(B) The results of any performance tests, opacity or visible emission observations, continuous monitoring system (CMS) performance evaluations, and/or other monitoring procedures or methods that were conducted;

(C) The methods that will be used for determining continuing compliance, including a description of monitoring and reporting requirements and test methods;

(D) The type and quantity of hazardous air pollutants emitted by the source (or surrogate pollutants if specified in the relevant standard), reported in units and averaging times and in accordance with the test methods specified in the relevant standard;

(E) If the relevant standard applies to both major and area sources, an analysis demonstrating whether the affected source is a major source (using the emissions data generated for this notification);

(F) A description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method); and

(G) A statement by the owner or operator of the affected existing, new, or reconstructed source as to whether the source has complied with the relevant standard or other requirements.

(ii) The notification must be sent before the close of business on the 60th day following the completion of the relevant compliance demonstration activity specified in the relevant standard (unless a different reporting period is specified in the standard, in which case the letter must be sent before the close of business on the day the report of the relevant testing or monitoring results is required to be delivered or postmarked). For example, the notification shall be sent before close of business on the 60th (or other required) day following completion of the initial performance test and again before the close of business on the 60th (or other required) day following the completion of any subsequent required performance test. If no performance test is required but opacity or visible emission observations are required to demonstrate compliance with an opacity or visible emission standard under this part, the notification of compliance status shall be sent before close of business on the 30th day following the completion of

opacity or visible emission observations. Notifications may be combined as long as the due date requirement for each notification is met.

(3) After a title V permit has been issued to the owner or operator of an affected source, the owner or operator of such source shall comply with all requirements for compliance status reports contained in the source's title V permit, including reports required under this part. After a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit the notification of compliance status to the appropriate permitting authority following completion of the relevant compliance demonstration activity specified in the relevant standard.

(4) [Reserved]

(5) If an owner or operator of an affected source submits estimates or preliminary information in the application for approval of construction or reconstruction required in § 63.5(d) in place of the actual emissions data or control efficiencies required in paragraphs (d)(1)(ii)(H) and (d)(2) of § 63.5, the owner or operator shall submit the actual emissions data and other correct information as soon as available but no later than with the initial notification of compliance status required in this section.

(6) Advice on a notification of compliance status may be obtained from the Administrator.

(i) *Adjustment to time periods or postmark deadlines for submittal and review of required communications.*

(1) (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (i)(2) and (i)(3) of this section, the owner or operator of an affected source remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (i)(2) and (i)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

(j) *Change in information already provided.* Any change in the information already provided under this section shall be provided to the Administrator within 15 calendar days after the change. The owner or operator of a major source that reclassifies to area source status is also subject to the notification requirements of this paragraph (j). The owner or operator may use the application for reclassification with the regulatory authority (*e.g.,* permit application) to fulfill the requirements of this paragraph (j). A source which reclassified after January 25, 2018, and before January 19, 2021, and has not yet provided the notification of a change in information is required to provide such notification no later than February 2, 2021, according to the requirements of paragraph (k) of this section.

Beginning January 19, 2021, the owner or operator of a major source that reclassifies to area source status must submit the notification according to the requirements of paragraph (k) of this section. A notification of reclassification must contain the following information:

(1) The name and address of the owner or operator;

(2) The address (*i.e.,* physical location) of the affected source;

(3) An identification of the standard being reclassified from and to (if applicable); and

(4) Date of effectiveness of the reclassification.

(k) *Electronic submission of notifications or reports.* If you are required to submit notifications or reports following the procedure specified in this paragraph (k), you must submit notifications or reports to the EPA via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). The notification or report must be submitted by the deadline specified. The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as confidential business information (CBI). Anything submitted using CEDRI cannot later be claimed to be CBI. Although we do not expect persons to assert a claim of CBI, if persons wish to assert a CBI information claimed to be CBI, to the EPA. Submit the file on a compact disc, flash drive, or other commonly used electronic storage medium and clearly mark the medium as CBI. Mail the electronic medium to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described earlier in this paragraph (k). All CBI claims must be asserted at the time of submission. Furthermore, under section 114(c) of the Act emissions data is not entitled to confidential treatment and requires the EPA to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available.

(1) If you are required to electronically submit a notification or report by this paragraph (k) through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with the electronic submittal requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (k)(1)(i) through (vii) of this section.

(i) You must have been or will be precluded from accessing CEDRI and submitting a required notification or report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

(ii) The outage must have occurred within the period of time beginning 5 business days prior to the date that the notification or report is due.

(iii) The outage may be planned or unplanned.

(iv) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(v) You must provide to the Administrator a written description identifying:

(A) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(B) A rationale for attributing the delay in submitting beyond the regulatory deadline to EPA system outage;

(C) Measures taken or to be taken to minimize the delay in submitting; and

(D) The date by which you propose to submit, or if you have already met the electronic submittal requirement in this paragraph (k) at the time of the notification, the date you submitted the notification or report.

(vi) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(vii) In any circumstance, the notification or report must be submitted electronically as soon as possible after the outage is resolved.

(2) If you are required to electronically submit a notification or report by this paragraph (k) through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with the electronic submittal requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (k)(2)(i) through (v) of this section.

(i) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a notification or report electronically within the time period prescribed. Examples of such events are acts of nature (*e.g.,* hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (*e.g.,* large scale power outage).

(ii) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in submitting through CEDRI.

(iii) You must provide to the Administrator:

(A) A written description of the force majeure event;

(B) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

(C) Measures taken or to be taken to minimize the delay in reporting; and

(D) The date by which you propose to submit the notification or report, or if you have already met the electronic submittal requirement in this paragraph (k) at the time of the notification, the date you submitted the notification or report.

(iv) The decision to accept the claim of force majeure and allow an extension to the submittal deadline is solely within the discretion of the Administrator.

(v) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

§ 63.10 Recordkeeping and reporting requirements.

(a) *Applicability and general information.*

(1) The applicability of this section is set out in § 63.1(a)(4).

(2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

(3) If any State requires a report that contains all the information required in a report listed in this section, an owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of this section for that report.

(4) (i) Before a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in § 63.13).

(ii) After a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each report submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any reports at its discretion.

(5) If an owner or operator of an affected source in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such source under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. For each relevant standard established pursuant to section 112 of the Act, the allowance in the previous sentence applies in each State beginning 1 year after the affected source's compliance date for that standard. Procedures governing the implementation of this provision are specified in § 63.9(i).

(6) If an owner or operator supervises one or more stationary sources affected by more than one standard established pursuant to section 112 of the Act, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required for each source shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the latest compliance date for any relevant standard established pursuant to section 112 of the Act for any such affected source(s). Procedures governing the implementation of this provision are specified in § 63.9(i).

(7) If an owner or operator supervises one or more stationary sources affected by standards established pursuant to section 112 of the Act (as amended November 15, 1990) and standards set under part 60, part 61, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required by each relevant (i.e., applicable) standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the relevant section 112 standard, or 1 year after the stationary source is required to be in compliance with the applicable part 60 or part 61 standard, whichever is latest. Procedures governing the implementation of this provision are specified in § 63.9(i).

(b) *General recordkeeping requirements.*

(1) The owner or operator of an affected source subject to the provisions of this part shall maintain files of all information (including all reports and notifications) required by this part recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.

(2) The owner or operator of an affected source subject to the provisions of this part shall maintain relevant records for such source of -

(i) The occurrence and duration of each startup or shutdown when the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards;

(ii) The occurrence and duration of each malfunction of operation (i.e., process equipment) or the required air pollution control and monitoring equipment;

(iii) All required maintenance performed on the air pollution control and monitoring equipment;

(iv) (A) Actions taken during periods of startup or shutdown when the source exceeded applicable emission limitations in a relevant standard and when the actions taken are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan (see § 63.6(e)(3)); or

(B) Actions taken during periods of malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) when the actions taken are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan (see § 63.6(e)(3));

(v) All information necessary, including actions taken, to demonstrate conformance with the affected source's startup, shutdown, and malfunction plan (see § 63.6(e)(3)) when all actions taken during periods of startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), and malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using a “checklist,” or some other effective form of recordkeeping, in order to minimize the recordkeeping burden for conforming events);

(vi) Each period during which a CMS is malfunctioning or inoperative (including out-of-control periods);

(vii) All required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of CMS data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to report);

(A) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (b)(2)(vii) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.

(B) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (b)(2)(vii) of this section, the owner or operator shall retain all subhourly measurements for the

most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.

(C) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (b)(2)(vii), if the administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.

(viii) All results of performance tests, CMS performance evaluations, and opacity and visible emission observations;

(ix) All measurements as may be necessary to determine the conditions of performance tests and performance evaluations;

(x) All CMS calibration checks;

(xi) All adjustments and maintenance performed on CMS;

(xii) Any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements under this part, if the source has been granted a waiver under paragraph (f) of this section;

(xiii) All emission levels relative to the criterion for obtaining permission to use an alternative to the relative accuracy test, if the source has been granted such permission under § 63.8(f)(6); and

(xiv) All documentation supporting initial notifications and notifications of compliance status under § 63.9.

(3) If an owner or operator determines that his or her existing or new stationary source is in the source category regulated by a standard established pursuant to section 112 of the Act, but that source is not subject to the relevant standard (or other requirement established under this part) because of enforceable limitations on the source's potential to emit, or the source otherwise qualifies for an exclusion, the owner or operator must keep a record of the applicability determination. The applicability determination must be kept on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source subject to the relevant standard (or other requirement established under this part), whichever comes first if the determination is made prior to January 19, 2021. The applicability determination must be kept until the source changes its operations to become an affected source subject to the relevant standard (or other requirement established under this part) if the determination was made on or after January 19, 2021. The record of the applicability determination must be signed by the person making the determination and include an emissions analysis (or other information) that demonstrates the owner or operator's conclusion that the source is unaffected (*e.g.,* because the source is an area source). The analysis (or other information) must be sufficiently detailed to allow the Administrator to make an applicability finding for the source with regard to the relevant standard or other requirement. If applicable, the analysis must be performed in accordance with requirements established in relevant subparts of this part for this purpose for particular categories of stationary sources. If relevant, the analysis should be performed in accordance with EPA guidance materials published to assist sources in making applicability determinations under section 112 of the Act, if any. The requirements to determine applicability of a standard under § 63.1(b)(3) and to record the results of that determination under this paragraph (b)(3) of this section shall not by themselves create an obligation for the owner or operator to obtain a title V permit.

(c) *Additional recordkeeping requirements for sources with continuous monitoring systems.* In addition to complying with the requirements specified in paragraphs (b)(1) and (b)(2) of this section, the owner or operator of an affected source required to install a CMS by a relevant standard shall maintain records for such source of -

(1) All required CMS measurements (including monitoring data recorded during unavoidable CMS breakdowns and out-of-control periods);

(2)-(4) [Reserved]

(5) The date and time identifying each period during which the CMS was inoperative except for zero (low-level) and high-level checks;

(6) The date and time identifying each period during which the CMS was out of control, as defined in § 63.8(c)(7);

(7) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions and parameter monitoring exceedances, as defined in the relevant standard(s), that occurs during startups, shutdowns, and malfunctions of the affected source;

(8) The specific identification (i.e., the date and time of commencement and completion) of each time period of excess emissions and parameter monitoring exceedances, as defined in the relevant standard(s), that occurs during periods other than startups, shutdowns, and malfunctions of the affected source;

(9) [Reserved]

(10) The nature and cause of any malfunction (if known);

(11) The corrective action taken or preventive measures adopted;

(12) The nature of the repairs or adjustments to the CMS that was inoperative or out of control;

(13) The total process operating time during the reporting period; and

(14) All procedures that are part of a quality control program developed and implemented for CMS under § 63.8(d).

(15) In order to satisfy the requirements of paragraphs (c)(10) through (c)(12) of this section and to avoid duplicative recordkeeping efforts, the owner or operator may use the affected source's startup, shutdown, and malfunction plan or records kept to satisfy the recordkeeping requirements of the startup, shutdown, and malfunction plan specified in § 63.6(e), provided that such plan and records adequately address the requirements of paragraphs (c)(10) through (c)(12).

(d) *General reporting requirements.*

(1) Notwithstanding the requirements in this paragraph or paragraph (e) of this section, and except as provided in § 63.16, the owner or operator of an affected source subject to reporting requirements under this part shall submit reports to the Administrator in accordance with the reporting requirements in the relevant standard(s).

(2) *Reporting results of performance tests.* Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of any performance test under § 63.7 to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of a required performance test to the appropriate permitting authority. The owner or operator of an affected source shall report the results of the performance test to the Administrator (or the State with an approved permit program) before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator. The results of the performance test shall be submitted as part of the notification of compliance status required under § 63.9(h).

(3) *Reporting results of opacity or visible emission observations.* The owner or operator of an affected source required to conduct opacity or visible emission observations by a relevant standard shall report the opacity or visible emission results (produced using Test Method 9 or Test Method 22, or an alternative to these test

methods) along with the results of the performance test required under § 63.7. If no performance test is required, or if visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the performance test required under § 63.7, the owner or operator shall report the opacity or visible emission results before the close of business on the 30th day following the completion of the opacity or visible emission observations.

(4) *Progress reports.* The owner or operator of an affected source who is required to submit progress reports as a condition of receiving an extension of compliance under § 63.6(i) shall submit such reports to the Administrator (or the State with an approved permit program) by the dates specified in the written extension of compliance.

(5) (i) *Periodic startup, shutdown, and malfunction reports.* If actions taken by an owner or operator during a startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan (see § 63.6(e)(3)), the owner or operator shall state such information in a startup, shutdown, and malfunction report. Actions taken to minimize emissions during such startups, shutdowns, and malfunctions shall be summarized in the report and may be done in checklist form; if actions taken are the same for each event, only one checklist is necessary. Such a report shall also include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. Reports shall only be required if a startup or shutdown caused the source to exceed any applicable emission limitation in the relevant emission standards, or if a malfunction occurred during the reporting period. The startup, shutdown, and malfunction report shall consist of a letter, containing the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, that shall be submitted to the Administrator semiannually (or on a more frequent basis if specified otherwise in a relevant standard or as established otherwise by the permitting authority in the source's title V permit). The startup, shutdown, and malfunction report shall be delivered or postmarked by the 30th day following the end of each calendar half (or other calendar reporting period, as appropriate). If the owner or operator is required to submit excess emissions and continuous monitoring system performance (or other periodic) reports under this part, the startup, shutdown, and malfunction reports required under this paragraph may be submitted simultaneously with the excess emissions and continuous monitoring system performance (or other) reports. If startup, shutdown, and malfunction reports are submitted with excess emissions and continuous monitoring system performance (or other periodic) reports, and the owner or operator receives approval to reduce the frequency of reporting for the latter under paragraph (e) of this section, the frequency of reporting for the startup, shutdown, and malfunction reports also may be reduced if the Administrator does not object to the intended change. The procedures to implement the allowance in the preceding sentence shall be the same as the procedures specified in paragraph (e)(3) of this section.

(ii) *Immediate startup, shutdown, and malfunction reports.* Notwithstanding the allowance to reduce the frequency of reporting for periodic startup, shutdown, and malfunction reports under paragraph (d)(5)(i) of this section, any time an action taken by an owner or operator during a startup or shutdown that caused the source to exceed any applicable emission limitation in the relevant emission standards, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator shall report the actions taken for that event within 2 working days after commencing actions inconsistent with the plan followed by a letter within 7 working days after the end of the event. The immediate report required under this paragraph (d)(5)(ii) shall consist of a telephone call (or facsimile (FAX) transmission) to the Administrator within 2 working days after commencing actions inconsistent with the plan, and it shall be followed by a letter, delivered or postmarked within 7 working days after the end of the event, that contains the name, title, and signature of the owner or operator or other

responsible official who is certifying its accuracy, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, describing all excess emissions and/or parameter monitoring exceedances which are believed to have occurred (or could have occurred in the case of malfunctions), and actions taken to minimize emissions in conformance with § 63.6(e)(1)(i). Notwithstanding the requirements of the previous sentence, after the effective date of an approved permit program in the State in which an affected source is located, the owner or operator may make alternative reporting arrangements, in advance, with the permitting authority in that State. Procedures governing the arrangement of alternative reporting requirements under this paragraph (d)(5)(ii) are specified in § 63.9(i).

(e) *Additional reporting requirements for sources with continuous monitoring systems* -

(1) *General.* When more than one CEMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required for each CEMS.

(2) *Reporting results of continuous monitoring system performance evaluations.*

(i) The owner or operator of an affected source required to install a CMS by a relevant standard shall furnish the Administrator a copy of a written report of the results of the CMS performance evaluation, as required under § 63.8(e), simultaneously with the results of the performance test required under § 63.7, unless otherwise specified in the relevant standard.

(ii) The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under § 63.7 and described in § 63.6(d)(6) shall furnish the Administrator two or, upon request, three copies of a written report of the results of the COMS performance evaluation conducted under § 63.8(e). The copies shall be furnished at least 15 calendar days before the performance test required under § 63.7 is conducted.

(3) *Excess emissions and continuous monitoring system performance report and summary report.*

(i) Excess emissions and parameter monitoring exceedances are defined in relevant standards. The owner or operator of an affected source required to install a CMS by a relevant standard shall submit an excess emissions and continuous monitoring system performance report and/or a summary report to the Administrator semiannually, except when -

(A) More frequent reporting is specifically required by a relevant standard;

(B) The Administrator determines on a case-by-case basis that more frequent reporting is necessary to accurately assess the compliance status of the source; or

(C) [Reserved]

(D) The affected source is complying with the Performance Track Provisions of § 63.16, which allows less frequent reporting.

(ii) *Request to reduce frequency of excess emissions and continuous monitoring system performance reports.* Notwithstanding the frequency of reporting requirements specified in paragraph (e)(3)(i) of this section, an owner or operator who is required by a relevant standard to submit excess emissions and continuous monitoring system performance (and summary) reports on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

(A) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected source's excess emissions and continuous monitoring system performance reports continually demonstrate that the source is in compliance with the relevant standard;

(B) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the relevant standard; and

(C) The Administrator does not object to a reduced frequency of reporting for the affected source, as provided in paragraph (e)(3)(iii) of this section.

(iii) The frequency of reporting of excess emissions and continuous monitoring system performance (and summary) reports required to comply with a relevant standard may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the 5-year recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(iv) As soon as CMS data indicate that the source is not in compliance with any emission limitation or operating parameter specified in the relevant standard, the frequency of reporting shall revert to the frequency specified in the relevant standard, and the owner or operator shall submit an excess emissions and continuous monitoring system performance (and summary) report for the noncomplying emission points at the next appropriate reporting period following the noncomplying event. After demonstrating ongoing compliance with the relevant standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard, as provided for in paragraphs (e)(3)(ii) and (e)(3)(iii) of this section.

(v) *Content and submittal dates for excess emissions and monitoring system performance reports.* All excess emissions and monitoring system performance reports and all summary reports, if required, shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate. Written reports of excess emissions or exceedances of process or control system parameters shall include all the information required in paragraphs (c)(5) through (c)(13) of this section, in §§ 63.8(c)(7) and 63.8(c)(8), and in the relevant standard, and they shall contain the name, title, and signature of the responsible official who is certifying the accuracy of the report. When no excess emissions or exceedances of a parameter have occurred, or a CMS has not been inoperative, out of control, repaired, or adjusted, such information shall be stated in the report.

(vi) *Summary report.* As required under paragraphs (e)(3)(vii) and (e)(3)(viii) of this section, one summary report shall be submitted for the hazardous air pollutants monitored at each affected source (unless the relevant standard specifies that more than one summary report is required, e.g., one summary report for each hazardous air pollutant monitored). The summary report shall be entitled “Summary Report - Gaseous and Opacity Excess Emission and Continuous Monitoring System Performance” and shall contain the following information:

(A) The company name and address of the affected source;

(B) An identification of each hazardous air pollutant monitored at the affected source;

(C) The beginning and ending dates of the reporting period;

(D) A brief description of the process units;

(E) The emission and operating parameter limitations specified in the relevant standard(s);

(F) The monitoring equipment manufacturer(s) and model number(s);

(G) The date of the latest CMS certification or audit;

(H) The total operating time of the affected source during the reporting period;

(I) An emission data summary (or similar summary if the owner or operator monitors control system parameters), including the total duration of excess emissions during the reporting period (recorded in minutes for opacity and hours for gases), the total duration of excess emissions expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total duration of excess emissions during the reporting period into those that are due to startup/shutdown, control equipment problems, process problems, other known causes, and other unknown causes;

(J) A CMS performance summary (or similar summary if the owner or operator monitors control system parameters), including the total CMS downtime during the reporting period (recorded in minutes for opacity and hours for gases), the total duration of CMS downtime expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total CMS downtime during the reporting period into periods that are due to monitoring equipment malfunctions, nonmonitoring equipment malfunctions, quality assurance/quality control calibrations, other known causes, and other unknown causes;

(K) A description of any changes in CMS, processes, or controls since the last reporting period;

(L) The name, title, and signature of the responsible official who is certifying the accuracy of the report; and

(M) The date of the report.

(vii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is less than 1 percent of the total operating time for the reporting period, and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report shall be submitted, and the full excess emissions and continuous monitoring system performance report need not be submitted unless required by the Administrator.

(viii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is 1 percent or greater of the total operating time for the reporting period, or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, both the summary report and the excess emissions and continuous monitoring system performance report shall be submitted.

(4) *Reporting continuous opacity monitoring system data produced during a performance test.* The owner or operator of an affected source required to use a COMS shall record the monitoring data produced during a performance test required under § 63.7 and shall furnish the Administrator a written report of the monitoring results. The report of COMS data shall be submitted simultaneously with the report of the performance test results required in paragraph (d)(2) of this section.

(f) *Waiver of recordkeeping or reporting requirements.*

(1) Until a waiver of a recordkeeping or reporting requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.

(2) Recordkeeping or reporting requirements may be waived upon written application to the Administrator if, in the Administrator's judgment, the affected source is achieving the relevant standard(s), or the source is operating under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.

(3) If an application for a waiver of recordkeeping or reporting is made, the application shall accompany the request for an extension of compliance under § 63.6(i), any required compliance progress report or compliance status report required under this part (such as under §§ 63.6(i) and 63.9(h)) or in the source's title V permit, or an excess emissions and continuous monitoring system performance report required under paragraph (e) of this section, whichever is applicable. The application shall include whatever information the owner or operator considers useful to convince the Administrator that a waiver of recordkeeping or reporting is warranted.

(4) The Administrator will approve or deny a request for a waiver of recordkeeping or reporting requirements under this paragraph when he/she -

(i) Approves or denies an extension of compliance; or

(ii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or

(iii) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.

(5) A waiver of any recordkeeping or reporting requirement granted under this paragraph may be conditioned on other recordkeeping or reporting requirements deemed necessary by the Administrator.

(6) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

§ 63.11 Control device and work practice requirements.

(a) *Applicability.*

(1) The applicability of this section is set out in § 63.1(a)(4).

(2) This section contains requirements for control devices used to comply with applicable subparts of this part. The requirements are placed here for administrative convenience and apply only to facilities covered by subparts referring to this section.

(3) This section also contains requirements for an alternative work practice used to identify leaking equipment. This alternative work practice is placed here for administrative convenience and is available to all subparts in 40 CFR parts 60, 61, 63, and 65 that require monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(b) *Flares.*

(1) Owners or operators using flares to comply with the provisions of this part shall monitor these control devices to assure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators using flares shall monitor these control devices.

(2) Flares shall be steam-assisted, air-assisted, or non-assisted.

(3) Flares shall be operated at all times when emissions may be vented to them.

(4) Flares shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. Test Method 22 in appendix A of part 60 of this chapter shall be

used to determine the compliance of flares with the visible emission provisions of this part. The observation period is 2 hours and shall be used according to Method 22.

(5) Flares shall be operated with a flame present at all times. The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

(6) An owner/operator has the choice of adhering to the heat content specifications in paragraph (b)(6)(ii) of this section, and the maximum tip velocity specifications in paragraph (b)(7) or (b)(8) of this section, or adhering to the requirements in paragraph (b)(6)(i) of this section.

(i) (A) Flares shall be used that have a diameter of 3 inches or greater, are nonassisted, have a hydrogen content of 8.0 percent (by volume) or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity V_{max}, as determined by the following equation:

$V_{max} = (X_{H2} - K_1) * K_2$

Where:

V_{max} = Maximum permitted velocity, m/sec.

K_1 = Constant, 6.0 volume-percent hydrogen.

K_2 = Constant, 3.9(m/sec)/volume-percent hydrogen.

X_{H2} = The volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946-77. (Incorporated by reference as specified in § 63.14).

(B) The actual exit velocity of a flare shall be determined by the method specified in paragraph (b)(7)(i) of this section.

(ii) Flares shall be used only with the net heating value of the gas being combusted at 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted at 7.45 M/scm (200 Btu/scf) or greater if the flares is non-assisted. The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^{n} C_i H_i$$

Where:

H_T = Net heating value of the sample, MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C.

K = Constant =

$$1.740 \times 10^{-7} \left(\frac{1}{\text{ppmv}} \right) \left(\frac{\text{g-mole}}{\text{scm}} \right) \left(\frac{\text{MJ}}{\text{kcal}} \right)$$

where the standard temperature for (g-mole/scm) is 20 °C.

C_i = Concentration of sample component i in ppmv on a wet basis, as measured for organics by Test Method 18 and measured for hydrogen and carbon monoxide by American Society for Testing and Materials (ASTM) D1946-77 or 90 (Reapproved 1994) (incorporated by reference as specified in § 63.14).

H_i = Net heat of combustion of sample component i, kcal/g-mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 or 88 or D4809-95 (incorporated by reference as specified in § 63.14) if published values are not available or cannot be calculated.

n = Number of sample components.

(7) (i) Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity less than 18.3 m/sec (60 ft/sec), except as provided in paragraphs (b)(7)(ii) and (b)(7)(iii) of this section. The actual exit velocity of a flare shall be determined by dividing by the volumetric flow rate of gas being combusted (in units of emission standard temperature and pressure), as determined by Test Method 2, 2A, 2C, or 2D in appendix A to 40 CFR part 60 of this chapter, as appropriate, by the unobstructed (free) cross-sectional area of the flare tip.

(ii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in paragraph (b)(7)(i) of this section, equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec), are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

(iii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in paragraph (b)(7)(i) of this section, less than the velocity V_{max}, as determined by the method specified in this paragraph, but less than 122 m/sec (400 ft/sec) are allowed. The maximum permitted velocity, V_{max}, for flares complying with this paragraph shall be determined by the following equation:

$Log_{10}(V_{max}) = (H_T + 28.8)/31.7$

Where:

V_{max} = Maximum permitted velocity, m/sec.

28.8 = Constant.

31.7 = Constant.

H_T = The net heating value as determined in paragraph (b)(6) of this section.

(8) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity V_{max}. The maximum permitted velocity, V_{max}, for air-assisted flares shall be determined by the following equation:

$V_{max} = 8.71 + 0.708(H_T)$

Where:

V_{max} = Maximum permitted velocity, m/sec.

8.71 = Constant.

0.708 = Constant.

H_T = The net heating value as determined in paragraph (b)(6)(ii) of this section.

(c) *Alternative work practice for monitoring equipment for leaks.* Paragraphs (c), (d), and (e) of this section apply to all equipment for which the applicable subpart requires monitoring with a 40 CFR part 60, appendix A-7, Method 21 monitor, except for closed vent systems, equipment designated as leakless, and equipment identified in the applicable subpart as having no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background. An owner or operator may use an optical gas imaging instrument instead of a 40 CFR part 60, sppendix A-7, Method 21 monitor. Requirements in the existing subparts that are specific to the Method 21 instrument do not apply under this section. All other requirements in the applicable subpart that are not addressed in paragraphs (c), (d), and (e) of this section continue to apply. For example, equipment specification requirements,

and non-Method 21 instrument recordkeeping and reporting requirements in the applicable subpart continue to apply. The terms defined in paragraphs (c)(1) through (5) of this section have meanings that are specific to the alternative work practice standard in paragraphs (c), (d), and (e) of this section.

(1) *Applicable subpart* means the subpart in 40 CFR parts 60, 61, 63, and 65 that requires monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(2) *Equipment* means pumps, valves, pressure relief valves, compressors, open-ended lines, flanges, connectors, and other equipment covered by the applicable subpart that require monitoring with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(3) *Imaging* means making visible emissions that may otherwise be invisible to the naked eye.

(4) *Optical gas imaging instrument* means an instrument that makes visible emissions that may otherwise be invisible to the naked eye.

(5) *Repair* means that equipment is adjusted, or otherwise altered, in order to eliminate a leak.

(6) *Leak* means:

(i) Any emissions imaged by the optical gas instrument;

(ii) Indications of liquids dripping;

(iii) Indications by a sensor that a seal or barrier fluid system has failed; or

(iv) Screening results using a 40 CFR part 60, appendix A-7, Method 21 monitor that exceed the leak definition in the applicable subpart to which the equipment is subject.

(d) The alternative work practice standard for monitoring equipment for leaks is available to all subparts in 40 CFR parts 60, 61, 63, and 65 that require monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(1) An owner or operator of an affected source subject to 40 CFR parts 60, 61, 63, or 65 can choose to comply with the alternative work practice requirements in paragraph (e) of this section instead of using the 40 CFR part 60, appendix A-7, Method 21 monitor to identify leaking equipment. The owner or operator must document the equipment, process units, and facilities for which the alternative work practice will be used to identify leaks.

(2) Any leak detected when following the leak survey procedure in paragraph (e)(3) of this section must be identified for repair as required in the applicable subpart.

(3) If the alternative work practice is used to identify leaks, re-screening after an attempted repair of leaking equipment must be conducted using either the alternative work practice or the 40 CFR part 60, Appendix A-7, Method 21 monitor at the leak definition required in the applicable subparts to which the equipment is subject.

(4) The schedule for repair is as required in the applicable subpart.

(5) When this alternative work practice is used for detecting leaking equipment, choose one of the monitoring frequencies listed in Table 1 to subpart A of this part in lieu of the monitoring frequency specified for regulated equipment in the applicable subpart. Reduced monitoring frequencies for good performance are not applicable when using the alternative work practice.

(6) When this alternative work practice is used for detecting leaking equipment, the following are not applicable for the equipment being monitored:

(i) Skip period leak detection and repair;

(ii) Quality improvement plans; or

(iii) Complying with standards for allowable percentage of valves and pumps to leak.

(7) When the alternative work practice is used to detect leaking equipment, the regulated equipment in paragraph (d)(1)(i) of this section must also be monitored annually using a 40 CFR part 60, Appendix A-7, Method 21 monitor at the leak definition required in the applicable subpart. The owner or operator may choose the specific monitoring period (for example, first quarter) to conduct the annual monitoring. Subsequent monitoring must be conducted every 12 months from the initial period. Owners or operators must keep records of the annual Method 21 screening results, as specified in paragraph (i)(4)(vii) of this section.

(e) An owner or operator of an affected source who chooses to use the alternative work practice must comply with the requirements of paragraphs (e)(1) through (e)(5) of this section.

(1) *Instrument specifications.* The optical gas imaging instrument must comply with the requirements specified in paragraphs (e)(1)(i) and (e)(1)(ii) of this section.

(i) Provide the operator with an image of the potential leak points for each piece of equipment at both the detection sensitivity level and within the distance used in the daily instrument check described in paragraph (e)(2) of this section. The detection sensitivity level depends upon the frequency at which leak monitoring is to be performed.

(ii) Provide a date and time stamp for video records of every monitoring event.

(2) *Daily instrument check.* On a daily basis, and prior to beginning any leak monitoring work, test the optical gas imaging instrument at the mass flow rate determined in paragraph (e)(2)(i) of this section in accordance with the procedure specified in paragraphs (e)(2)(ii) through (e)(2)(iv) of this section for each camera configuration used during monitoring (for example, different lenses used), unless an alternative method to demonstrate daily instrument checks has been approved in accordance with paragraph (e)(2)(v) of this section.

(i) Calculate the mass flow rate to be used in the daily instrument check by following the procedures in paragraphs (e)(2)(i)(A) and (e)(2)(i)(B) of this section.

(A) For a specified population of equipment to be imaged by the instrument, determine the piece of equipment in contact with the lowest mass fraction of chemicals that are detectable, within the distance to be used in paragraph (e)(2)(iv)(B) of this section, at or below the standard detection sensitivity level.

(B) Multiply the standard detection sensitivity level, corresponding to the selected monitoring frequency in Table 1 of subpart A of this part, by the mass fraction of detectable chemicals from the stream identified in paragraph (e)(2)(i)(A) of this section to determine the mass flow rate to be used in the daily instrument check, using the following equation.

$$E_{dic} = \left(E_{sds}\right)\sum_{i=1}^{k} x_i$$

Where:

E_{dic} = Mass flow rate for the daily instrument check, grams per hour

x_i = Mass fraction of detectable chemical(s) i seen by the optical gas imaging instrument, within the distance to be used in paragraph (e)(2)(iv)(B) of this section, at or below the standard detection sensitivity level, E_{sds}.

E_{sds} = Standard detection sensitivity level from Table 1 to subpart A, grams per hour

k = Total number of detectable chemicals emitted from the leaking equipment and seen by the optical gas imaging instrument.

(ii) Start the optical gas imaging instrument according to the manufacturer's instructions, ensuring that all appropriate settings conform to the manufacturer's instructions.

(iii) Use any gas chosen by the user that can be viewed by the optical gas imaging instrument and that has a purity of no less than 98 percent.

(iv) Establish a mass flow rate by using the following procedures:

(A) Provide a source of gas where it will be in the field of view of the optical gas imaging instrument.

(B) Set up the optical gas imaging instrument at a recorded distance from the outlet or leak orifice of the flow meter that will not be exceeded in the actual performance of the leak survey. Do not exceed the operating parameters of the flow meter.

(C) Open the valve on the flow meter to set a flow rate that will create a mass emission rate equal to the mass rate calculated in paragraph (e)(2)(i) of this section while observing the gas flow through the optical gas imaging instrument viewfinder. When an image of the gas emission is seen through the viewfinder at the required emission rate, make a record of the reading on the flow meter.

(v) Repeat the procedures specified in paragraphs (e)(2)(ii) through (e)(2)(iv) of this section for each configuration of the optical gas imaging instrument used during the leak survey.

(vi) To use an alternative method to demonstrate daily instrument checks, apply to the Administrator for approval of the alternative under § 63.177 or § 63.178, whichever is applicable.

(3) *Leak survey procedure.* Operate the optical gas imaging instrument to image every regulated piece of equipment selected for this work practice in accordance with the instrument manufacturer's operating parameters. All emissions imaged by the optical gas imaging instrument are considered to be leaks and are subject to repair. All emissions visible to the naked eye are also considered to be leaks and are subject to repair.

(4) *Recordkeeping.* Keep the records described in paragraphs (e)(4)(i) through (e)(4)(vii) of this section:

(i) The equipment, processes, and facilities for which the owner or operator chooses to use the alternative work practice.

(ii) The detection sensitivity level selected from Table 1 to subpart A of this part for the optical gas imaging instrument.

(iii) The analysis to determine the piece of equipment in contact with the lowest mass fraction of chemicals that are detectable, as specified in paragraph (e)(2)(i)(A) of this section.

(iv) The technical basis for the mass fraction of detectable chemicals used in the equation in paragraph (e)(2)(i)(B) of this section.

(v) The daily instrument check. Record the distance, per paragraph (e)(2)(iv)(B) of this section, and the flow meter reading, per paragraph (e)(2)(iv)(C) of this section, at which the leak was imaged. Keep a video record of the daily instrument check for each configuration of the optical gas imaging instrument used during the leak survey (for example, the daily instrument check must be conducted for each lens used). The video record must include a time and date stamp for each daily instrument check. The video record must be kept for 5 years.

(vi) *Recordkeeping requirements in the applicable subpart.* A video record must be used to document the leak survey results. The video record must include a time and date stamp for each monitoring event. A video record can be used to meet the recordkeeping requirements of the applicable subparts if each

piece of regulated equipment selected for this work practice can be identified in the video record. The video record must be kept for 5 years.

(vii) The results of the annual Method 21 screening required in paragraph (h)(7) of this section. Records must be kept for all regulated equipment specified in paragraph (h)(1) of this section. Records must identify the equipment screened, the screening value measured by Method 21, the time and date of the screening, and calibration information required in the existing applicable subparts.

(5) *Reporting.* Submit the reports required in the applicable subpart. Submit the records of the annual Method 21 screening required in paragraph (h)(7) of this section to the Administrator via e-mail to *CCG-AWP@EPA.GOV.*

§ 63.12 State authority and delegations.

(a) The provisions of this part shall not be construed in any manner to preclude any State or political subdivision thereof from -

(1) Adopting and enforcing any standard, limitation, prohibition, or other regulation applicable to an affected source subject to the requirements of this part, provided that such standard, limitation, prohibition, or regulation is not less stringent than any requirement applicable to such source established under this part;

(2) Requiring the owner or operator of an affected source to obtain permits, licenses, or approvals prior to initiating construction, reconstruction, modification, or operation of such source; or

(3) Requiring emission reductions in excess of those specified in subpart D of this part as a condition for granting the extension of compliance authorized by section 112(i)(5) of the Act.

(b) (1) Section 112(l) of the Act directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards and other requirements pursuant to section 112 for stationary sources located in that State. Because of the unique nature of radioactive material, delegation of authority to implement and enforce standards that control radionuclides may require separate approval.

(2) Subpart E of this part establishes procedures consistent with section 112(l) for the approval of State rules or programs to implement and enforce applicable Federal rules promulgated under the authority of section 112. Subpart E also establishes procedures for the review and withdrawal of section 112 implementation and enforcement authorities granted through a section 112(l) approval.

(c) All information required to be submitted to the EPA under this part also shall be submitted to the appropriate state agency of any state to which authority has been delegated under section 112(l) of the Act, provided that each specific delegation may exempt sources from a certain federal or state reporting requirement. Any information required to be submitted electronically by this part via the EPA's CEDRI may, at the discretion of the delegated authority, satisfy the requirements of this paragraph. The Administrator may permit all or some of the information to be submitted to the appropriate state agency only, instead of to the EPA and the state agency with the exception of federal electronic reporting requirements under this part. Sources may not be exempted from federal electronic reporting requirements.

§ 63.13 Addresses of State air pollution control agencies and EPA Regional Offices.

(a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted to the appropriate Regional Office of the U.S. Environmental Protection Agency indicated in the following list of EPA Regional offices. If a request, report, application, submittal, or other communication is required by this part to be submitted electronically via the EPA's CEDRI then such submission satisfies the requirements of this paragraph (a).

EPA Region I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont) Director, Enforcement and Compliance Assurance Division, U.S. EPA Region I, 5 Post Office Square - Suite 100 (04-2), Boston, MA 02109-3912, Attn: Air Compliance Clerk.

EPA Region II (New Jersey, New York, Puerto Rico, Virgin Islands), Director, Air and Waste Management Division, 26 Federal Plaza, New York, NY 10278.

EPA Region III (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia), Director, Air Protection Division, 1650 Arch Street, Philadelphia, PA 19103.

EPA Region IV (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee). Director, Air, Pesticides and Toxics Management Division, Atlanta Federal Center, 61 Forsyth Street, Atlanta, GA 30303-3104.

EPA Region V (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin), Director, Air and Radiation Division, 77 West Jackson Blvd., Chicago, IL 60604-3507.

EPA Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, Texas); Director; Enforcement and Compliance Assurance Division; U.S. Environmental Protection Agency, 1201 Elm Street, Suite 500, Mail Code 6ECD, Dallas, Texas 75270-2102.

EPA Region VII (Iowa, Kansas, Missouri, Nebraska), Director, Air and Waste Management Division, 11201 Renner Boulevard, Lenexa, Kansas 66219.

EPA Region VIII (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming) Director, Air and Toxics Technical Enforcement Program, Office of Enforcement, Compliance and Environmental Justice, Mail Code 8ENF-AT, 1595 Wynkoop Street, Denver, CO 80202-1129.

EPA Region IX (Arizona, California, Hawaii, Nevada; the territories of American Samoa and Guam; the Commonwealth of the Northern Mariana Islands; the territories of Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Atoll, Palmyra Atoll, and Wake Islands; and certain U.S. Government activities in the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau), Director, Air Division, 75 Hawthorne Street, San Francisco, CA 94105.

EPA Region X (Alaska, Idaho, Oregon, Washington), Director, Office of Air Quality, 1200 Sixth Avenue (OAQ-107), Seattle, WA 98101.

(b) All information required to be submitted to the Administrator under this part also shall be submitted to the appropriate State agency of any State to which authority has been delegated under section 112(l) of the Act. The owner or operator of an affected source may contact the appropriate EPA Regional Office for the mailing addresses for those States whose delegation requests have been approved.

(c) If any State requires a submittal that contains all the information required in an application, notification, request, report, statement, or other communication required in this part, an owner or operator may send the appropriate Regional Office of the EPA a copy of that submittal to satisfy the requirements of this part for that communication.

§ 63.14 Incorporations by reference.

(a) The materials listed in this section are incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, a document must be published in the Federal Register and the material must be available to the public. All approved materials are available for inspection at the Air and Radiation Docket and Information Center (Air Docket) in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301 Constitution Ave. NW, Washington, DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday,

excluding legal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566–1744, and the telephone number for the Air Docket is (202) 566–1742. These approved materials are also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email fedreg.legal@nara.gov or go to www.archives.gov/federal-register/cfr/ibr-locations.html. In addition, these materials are available from the following sources:

(b) American Conference of Governmental Industrial Hygienists (ACGIH), Customer Service Department, 1330 Kemper Meadow Drive, Cincinnati, Ohio 45240, telephone number (513) 742–2020.

(1) Industrial Ventilation: A Manual of Recommended Practice, 22nd Edition, 1995, Chapter 3, "Local Exhaust Hoods" and Chapter 5, "Exhaust System Design Procedure." IBR approved for §§ 63.843(b) and 63.844(b).

(2) Industrial Ventilation: A Manual of Recommended Practice, 23rd Edition, 1998, Chapter 3, "Local Exhaust Hoods" and Chapter 5, "Exhaust System Design Procedure." IBR approved for §§ 63.1503, 63.1506(c), 63.1512(e), Table 2 to subpart RRR, Table 3 to subpart RRR, and appendix A to subpart RRR, and § 63.2984(e).

(3) Industrial Ventilation: A Manual of Recommended Practice for Design, 27th Edition, 2010. IBR approved for §§ 63.1503, 63.1506(c), 63.1512(e), Table 2 to subpart RRR, Table 3 to subpart RRR, and appendix A to subpart RRR, and § 63.2984(e).

(c) American Petroleum Institute (API), 1220 L Street NW., Washington, DC 20005.

(1) API Publication 2517, Evaporative Loss from External Floating-Roof Tanks, Third Edition, February 1989, IBR approved for §§ 63.111, 63.1402, 63.2406 and 63.7944.

Note 1 to paragraph (c)(1):

API Publication 2517 available through reseller HIS Markit at https://global.ihs.com/

(2) API Publication 2518, Evaporative Loss from Fixed-roof Tanks, Second Edition, October 1991, IBR approved for § 63.150(g).

(3) API Manual of Petroleum Measurement Specifications (MPMS) Chapter 19.2 (API MPMS 19.2), Evaporative Loss From Floating-Roof Tanks, First Edition, April 1997, IBR approved for §§ 63.1251 and 63.12005.

(d) American Public Health Association, 1015 18th Street NW, Washington, DC 20036; phone (844) 232–3707; email: standardmethods@subscritpionoffice.com; website: www.standardmethods.org.

(1) Standard Method 5210, Biochemical Oxygen Demand (BOD), revised December 10, 2019; IBR approved for § 63.457(c)

(2) [Reserved]

(e) American Society of Heating, Refrigerating, and Air-Conditioning Engineers at 1791 Tullie Circle, NE., Atlanta, GA 30329 orders@ashrae.org.

(1) American Society of Heating, Refrigerating, and Air-Conditioning Engineers Method 52.1, *Gravimetric and Dust-Spot Procedures for Testing Air-Cleaning Devices Used in General Ventilation for Removing Particulate Matter* June 4, 1992; IBR approved for § 63.11516(d).

(2) ANSI/ASHRAE Standard 52.2–2017, *Method of Testing General Ventilation Air-Cleaning Devices for Removal Efficiency by Particle Size,* copyright 2017; IBR approved for § 63.11173(e).

(f) American Society of Mechanical Engineers (ASME), Three Park Avenue, New York, NY 10016–5990, Telephone (800) 843–2763, http://www.asme.org; also available from HIS, Incorporated, 15 Inverness Way East, Englewood, CO 80112, Telephone (877) 413–5184, http://global.ihs.com.

(1) ANSI/ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses [Part 10, Instruments and Apparatus], issued August 31, 1981; §§ 63.116(c) and (h); 63.128(a); 63.145(i); 63.309(k); 63.365(b); 63.457(k); 63.490(g); 63.772(e) and (h); 63.865(b); 63.997(e); 63.1282(d) and (g); 63.1426(c); 63.1450(a), (b), (d), (e), (f), and (g); 63.1625(b); table 5 to subpart EEEE; §§ 63.3166(a); 63.3360(e); 63.3545(a); 63.3555(a); 63.4166(a); 63.4362(a); 63.4766(a); 63.4965(a); 63.5160(d); table 4 to subpart UUUU; tables 5 and 17 to subpart XXXX; table 3 to subpart YYYY; table 5 to subpart AAAAA; § 63.7322(b); table 5 to subpart DDDDD; §§ 63.7822(b); 63.7824(e); 63.7825(b); 63.8000(d); table 4 to subpart JJJJJ; table 4 to subpart KKKKK; §§ 63.9307(c); 63.9323(a); 63.9621(b) and (c); table 4 to subpart SSSSS; tables 4 and 5 of subpart UUUUU; table 1 to subpart ZZZZZ; §§ 63.11148(e); 63.11155(e); 63.11162(f); 63.11163(g); table 4 to subpart JJJJJJ; §§ 63.11410(j); 63.11551(c); 63.11646(a); 63.11945(d).

(2) [Reserved]

(g) The Association of Florida Phosphate Chemists, P.O. Box 1645, Bartow, Florida 33830.

(1) Book of Methods Used and Adopted By The Association of Florida Phosphate Chemists, Seventh Edition 1991:

(i) Section IX, Methods of Analysis for Phosphate Rock, No. 1 Preparation of Sample, IBR approved for § 63.606(f), § 63.626(f).

(ii) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus-P2O5 or Ca3(PO4)2, Method A—Volumetric Method, IBR approved for § 63.606(f), § 63.626(f).

(iii) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus-P2O5 or Ca3(PO4)2, Method B—Gravimetric Quimociac Method, IBR approved for § 63.606(f), § 63.626(f).

(iv) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-P2O5 or Ca3(PO4)2, Method C—Spectrophotometric Method, IBR approved for § 63.606(f), § 63.626(f).

(v) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-P2O5, Method A—Volumetric Method, IBR approved for § 63.606(f), § 63.626(f), and (g).

(vi) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-P2O5, Method B—Gravimetric Quimociac Method, IBR approved for § 63.606(f), § 63.626(f), and (g).

(vii) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-P2O5, Method C—Spectrophotometric Method, IBR approved for § 63.606(f), § 63.626(f), and (g).

(2) [Reserved]

(h) Association of Official Analytical Chemists (AOAC) International, Customer Services, Suite 400, 2200 Wilson Boulevard, Arlington, Virginia 22201–3301, Telephone (703) 522–3032, Fax (703) 522–5468.

(1) AOAC Official Method 929.01 Sampling of Solid Fertilizers, Sixteenth edition, 1995, IBR approved for § 63.626(g).

(2) AOAC Official Method 929.02 Preparation of Fertilizer Sample, Sixteenth edition, 1995, IBR approved for § 63.626(g).

(3) AOAC Official Method 957.02 Phosphorus (Total) in Fertilizers, Preparation of Sample Solution, Sixteenth edition, 1995, IBR approved for § 63.626(g).

(4) AOAC Official Method 958.01 Phosphorus (Total) in Fertilizers, Spectrophotometric Molybdovanadophosphate Method, Sixteenth edition, 1995, IBR approved for § 63.626(g).

(5) AOAC Official Method 962.02 Phosphorus (Total) in Fertilizers, Gravimetric Quinolinium Molybdophosphate Method, Sixteenth edition, 1995, IBR approved for § 63.626(g).

(6) AOAC Official Method 969.02 Phosphorus (Total) in Fertilizers, Alkalimetric Quinolinium Molybdophosphate Method, Sixteenth edition, 1995, IBR approved for § 63.626(g).

(7) AOAC Official Method 978.01 Phosphorus (Total) in Fertilizers, Automated Method, Sixteenth edition, 1995, IBR approved for § 63.626(g).

(i) ASTM International, 100 Barr Harbor Drive, P.O. Box CB700, West Conshohocken, Pennsylvania 19428-2959; phone: (800) 262-1373; website: *www.astm.org*.

(1) ASTM D95-05 (Reapproved 2010), Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation, approved May 1, 2010, IBR approved for § 63.10005(i) and table 6 to subpart DDDDD.

(2) ASTM D240-09 Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter, approved July 1, 2009, IBR approved for table 6 to subpart DDDDD.

(3) ASTM Method D388-05, Standard Classification of Coals by Rank, approved September 15, 2005, IBR approved for §§ 63.7575, 63.10042, and 63.11237.

(4) ASTM Method D396-10, Standard Specification for Fuel Oils, including Appendix X1, approved October 1, 2010, IBR approved for § 63.10042.

(5) ASTM D396-10, Standard Specification for Fuel Oils, approved October 1, 2010, IBR approved for §§ 63.7575 and 63.11237.

(6) ASTM D523-89, Standard Test Method for Specular Gloss, IBR approved for § 63.782.

(7) ASTM D975-11b, Standard Specification for Diesel Fuel Oils, approved December 1, 2011, IBR approved for § 63.7575.

(8) ASTM D1193-77, Standard Specification for Reagent Water, IBR approved for appendix A to part 63: Method 306, Sections 7.1.1 and 7.4.2.

(9) ASTM D1193-91, Standard Specification for Reagent Water, IBR approved for appendix A to part 63: Method 306, Sections 7.1.1 and 7.4.2.

(10) ASTM D1331-89, Standard Test Methods for Surface and Interfacial Tension of Solutions of Surface Active Agents, IBR approved for appendix A to part 63: Method 306B, Sections 6.2, 11.1, and 12.2.2.

(11) ASTM D1475-90, Standard Test Method for Density of Paint, Varnish Lacquer, and Related Products, IBR approved for appendix A to subpart II.

(12) ASTM D1475-13, Standard Test Method for Density of Liquid Coatings, Inks, and Related Products, approved November 1, 2013, IBR approved for §§ 63.3151(b), 63.3941(b) and (c), 63.3951(c), 63.4141(b) and (c), 63.4551(c), 63.4741(b) and (c), 63.4751(c), and 63.4941(b) and (c).

(13) ASTM Method D1835-05, Standard Specification for Liquefied Petroleum (LP) Gases, approved April 1, 2005, IBR approved for §§ 63.7575 and 63.11237.

(14) ASTM D1945-03 (Reapproved 2010), Standard Test Method for Analysis of Natural Gas by Gas Chromatography, Approved January 1, 2010, IBR approved for §§ 63.670(j), 63.772(h), and 63.1282(g).

(15) ASTM D1945-14, Standard Test Method for Analysis of Natural Gas by Gas Chromatography, Approved November 1, 2014, IBR approved for § 63.670(j).

(16) ASTM D1946-77, Standard Method for Analysis of Reformed Gas by Gas Chromatography, IBR approved for § 63.11(b).

(17) ASTM D1946-90 (Reapproved 1994), Standard Method for Analysis of Reformed Gas by Gas Chromatography, 1994, IBR approved for §§ 63.11(b), 63.987(b), and 63.1412.

(18) ASTM D1963-85 (Reapproved 1996), Standard Test Method for Specific Gravity of Drying Oils, Varnishes, Resins, and Related Materials at 25/25 °C, approved November 29, 1985, IBR approved for § 63.3360(c).

(19) ASTM D2013/D2013M-09, Standard Practice for Preparing Coal Samples for Analysis, (Approved November 1, 2009), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.

(20) ASTM D2099-00, Standard Test Method for Dynamic Water Resistance of Shoe Upper Leather by the Maeser Water Penetration Tester, IBR approved for § 63.5350.

(21) ASTM D2111-10 (Reapproved 2015), Standard Test Methods for Specific Gravity and Density of Halogenated Organic Solvents and Their Admixtures, approved June 1, 2015, IBR approved for §§ 63.3360(c), 63.3951(c), 63.4141(b) and (c), 63.4551(c), and 63.4741(a).

(22) ASTM D2216-05, Standard Test Methods for Laboratory Determination of Water (Moisture) Content of Soil and Rock by Mass, IBR approved for the definition of “Free organic liquids” in § 63.10692.

(23) ASTM D2234/D2234M-10, Standard Practice for Collection of a Gross Sample of Coal, approved January 1, 2010, IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.

(24) ASTM D2369-93, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A to subpart II.

(25) ASTM D2369-95, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A to subpart II.

(26) ASTM D2369-10 (Reapproved 2015)e1, Standard Test Method for Volatile Content of Coatings, approved June 1, 2015, IBR approved for §§ 63.3151(a), 63.3360(c), 63.3961(j), 63.4141(a) and (b), 63.4161(h), 63.4321(e), 63.4341(e), 63.4351(d), 63.4541(a), and 63.4561(j), appendix A to subpart PPPP, and §§ 63.4741(a), 63.4941(a) and (b), 63.4961(j), and 63.8055(b).

(27) ASTM D2382-76, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for § 63.11(b).

(28) ASTM D2382-88, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for § 63.11(b).

(29) ASTM D2697-86 (Reapproved 1998), Standard Test Method for Volume Nonvolatile Matter in Clear or Pigmented Coatings, IBR approved for §§ 63.3521(b), and 63.5160(c).

(30) ASTM D2697-03 (Reapproved 2014), Standard Test Method for Volume Nonvolatile Matter in Clear or Pigmented Coatings, approved July 1, 2014, IBR approved for §§ 63.3161(f), 63.3360(c), 63.3941(b), 63.4141(b), 63.4741(a) and (b), 63.4941(b), and 63.8055(b).

(31) ASTM D2879-83, Standard Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, Approved November 28, 1983, IBR approved for §§ 63.111, 63.1402, 63.2406, 63.7944, and 63.12005.

(32) ASTM D2879-96, Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, (Approved 1996), IBR approved for §§ 63.111, and 63.12005.

(33) ASTM D2879-23, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved December 1, 2023; IBR approved for § 63.101(b).

(34) ASTM D2908-74, Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved June 27, 1974, IBR approved for § 63.1329(c).

(35) ASTM D2908-91, Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved December 15, 1991, IBR approved for § 63.1329(c).

(36) ASTM D2908-91(Reapproved 2001), Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved December 15, 1991, IBR approved for § 63.1329(c).

(37) ASTM D2908-91(Reapproved 2005), Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved December 1, 2005, IBR approved for § 63.1329(c).

(38) ASTM D2908-91(Reapproved 2011), Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved May 1, 2011, IBR approved for § 63.1329(c).

(39) ASTM D2986-95A, "Standard Practice for Evaluation of Air Assay Media by the Monodisperse DOP (Dioctyl Phthalate) Smoke Test," approved September 10, 1995, IBR approved for section 7.1.1 of Method 315 in appendix A to this part.

(40) ASTM D3173-03 (Reapproved 2008), Standard Test Method for Moisture in the Analysis Sample of Coal and Coke, (Approved February 1, 2008), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.

(41) ASTM D3257-93, Standard Test Methods for Aromatics in Mineral Spirits by Gas Chromatography, IBR approved for § 63.786(b).

(42) ASTM D3370-76, Standard Practices for Sampling Water, Approved August 27, 1976, IBR approved for § 63.1329(c).

(43) ASTM D3370-95a, Standard Practices for Sampling Water from Closed Conduits, Approved September 10, 1995, IBR approved for § 63.1329(c).

(44) ASTM D3370-07, Standard Practices for Sampling Water from Closed Conduits, Approved December 1, 2007, IBR approved for § 63.1329(c).

(45) ASTM D3370-08, Standard Practices for Sampling Water from Closed Conduits, Approved October 1, 2008, IBR approved for § 63.1329(c).

(46) ASTM D3370-10, Standard Practices for Sampling Water from Closed Conduits, Approved December 1, 2010, IBR approved for § 63.1329(c).

(47) ASTM D3588-98 (Reapproved 2003), Standard Practice for Calculating Heat Value, Compressibility Factor, and Relative Density of Gaseous Fuels, (Approved May 10, 2003), IBR approved for §§ 63.772(h) and 63.1282(g).

(48) ASTM D3695-88, Standard Test Method for Volatile Alcohols in Water by Direct Aqueous-Injection Gas Chromatography, IBR approved for § 63.365(e).

(49) ASTM D3792-91, Standard Method for Water Content of Water-Reducible Paints by Direct Injection into a Gas Chromatograph, IBR approved for appendix A to subpart II.

(50) ASTM D3912-80, Standard Test Method for Chemical Resistance of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for § 63.782.

(51) ASTM D3960-98, Standard Practice for Determining Volatile Organic Compound (VOC) Content of Paints and Related Coatings, approved November 10, 1998, IBR approved for §§ 63.3360(c) and 63.8055(b).

(52) ASTM D4006-11, Standard Test Method for Water in Crude Oil by Distillation, including Annex A1 and Appendix X1, (Approved June 1, 2011), IBR approved for § 63.10005(i) and table 6 to subpart DDDDD.

(53) ASTM D4017-81, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A to subpart II.

(54) ASTM D4017-90, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A to subpart II.

(55) ASTM D4017-96a, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A to subpart II.

(56) ASTM D4057-06 (Reapproved 2011), Standard Practice for Manual Sampling of Petroleum and Petroleum Products, including Annex A1, (Approved June 1, 2011), IBR approved for § 63.10005(i) and table 6 to subpart DDDDD.

(57) ASTM D4082-89, Standard Test Method for Effects of Gamma Radiation on Coatings for Use in Light-Water Nuclear Power Plants, IBR approved for § 63.782.

(58) ASTM D4084-07, Standard Test Method for Analysis of Hydrogen Sulfide in Gaseous Fuels (Lead Acetate Reaction Rate Method), (Approved June 1, 2007), IBR approved for table 6 to subpart DDDDD.

(59) ASTM D4177-95 (Reapproved 2010), Standard Practice for Automatic Sampling of Petroleum and Petroleum Products, including Annexes A1 through A6 and Appendices X1 and X2, (Approved May 1, 2010), IBR approved for § 63.10005(i) and table 6 to subpart DDDDD.

(60) ASTM D4208-02 (Reapproved 2007), Standard Test Method for Total Chlorine in Coal by the Oxygen Bomb Combustion/Ion Selective Electrode Method, approved May 1, 2007, IBR approved for table 6 to subpart DDDDD.

(61) ASTM D4239-14e1, "Standard Test Method for Sulfur in the Analysis Sample of Coal and Coke Using High-Temperature Tube Furnace Combustion," approved March 1, 2014, IBR approved for § 63.849(f).

(62) ASTM D4256-89, Standard Test Method for Determination of the Decontaminability of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for § 63.782.

(63) ASTM D4256-89 (Reapproved 94), Standard Test Method for Determination of the Decontaminability of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for § 63.782.

(64) ASTM D4282-15, Standard Test Method for Determination of Free Cyanide in Water and Wastewater by Microdiffusion, Approved July 15, 2015, IBR approved for § 63.1103(g).

(65) ASTM D4606-03 (Reapproved 2007), Standard Test Method for Determination of Arsenic and Selenium in Coal by the Hydride Generation/Atomic Absorption Method, (Approved October 1, 2007), IBR approved for table 6 to subpart DDDDD.

(66) ASTM D4809-95, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method), IBR approved for § 63.11(b).

(67) ASTM D4840-99 (Reapproved 2018)[e], Standard Guide for Sampling Chain-of-Custody Procedures, approved August 15, 2018, IBR approved for appendix A to part 63.

(68) ASTM D4891-89 (Reapproved 2006), Standard Test Method for Heating Value of Gases in Natural Gas Range by Stoichiometric Combustion, (Approved June 1, 2006), IBR approved for §§ 63.772(h) and 63.1282(g).

(69) ASTM D5066-91 (Reapproved 2017), Standard Test Method for Determination of the Transfer Efficiency Under Production Conditions for Spray Application of Automotive Paints-Weight Basis, approved June 1, 2017, IBR approved for § 63.3161(g).

(70) ASTM D5087-02, Standard Test Method for Determining Amount of Volatile Organic Compound (VOC) Released from Solventborne Automotive Coatings and Available for Removal in a VOC Control Device (Abatement), IBR approved for § 63.3165(e) and appendix A to subpart IIII.

(71) ASTM D5192-09, Standard Practice for Collection of Coal Samples from Core, (Approved June 1, 2009), IBR approved for table 6 to subpart DDDDD.

(72) ASTM D5198-09, Standard Practice for Nitric Acid Digestion of Solid Waste, (Approved February 1, 2009), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.

(73) ASTM D5228-92, Standard Test Method for Determination of Butane Working Capacity of Activated Carbon, (Reapproved 2005), IBR approved for § 63.11092(b).

(74) ASTM D5291-02, Standard Test Methods for Instrumental Determination of Carbon, Hydrogen, and Nitrogen in Petroleum Products and Lubricants, IBR approved for appendix A to subpart MMMM.

(75) ASTM D5790-95 (Reapproved 2012), Standard Test Method for Measurement of Purgeable Organic Compounds in Water by Capillary Column Gas Chromatography/Mass Spectrometry, Approved June 15, 2012, IBR approved for § 63.2485(h) and Table 4 to subpart UUUU.

(76) ASTM D5864-11, Standard Test Method for Determining Aerobic Aquatic Biodegradation of Lubricants or Their Components, (Approved March 1, 2011), IBR approved for table 6 to subpart DDDDD.

(77) ASTM D5865-10a, Standard Test Method for Gross Calorific Value of Coal and Coke, (Approved May 1, 2010), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.

(78) ASTM D5954-98 (Reapproved 2006), Test Method for Mercury Sampling and Measurement in Natural Gas by Atomic Absorption Spectroscopy, (Approved December 1, 2006), IBR approved for table 6 to subpart DDDDD.

(79) ASTM D5965-02 (Reapproved 2013), Standard Test Methods for Specific Gravity of Coating Powders, approved June 1, 2013, IBR approved for §§ 63.3151(b) and 63.3951(c).

(80) ASTM D6053-00, Standard Test Method for Determination of Volatile Organic Compound (VOC) Content of Electrical Insulating Varnishes, IBR approved for appendix A to subpart MMMM.

(81) ASTM D6093-97 (Reapproved 2003), Standard Test Method for Percent Volume Nonvolatile Matter in Clear or Pigmented Coatings Using a Helium Gas Pycnometer, IBR approved for §§ 63.3521 and 63.5160(c).

(82) ASTM D6093-97 (Reapproved 2016), Standard Test Method for Percent Volume Nonvolatile Matter in Clear or Pigmented Coatings Using a Helium Gas Pycnometer, approved December 1, 2016, IBR approved for §§ 63.3161(f), 63.3360(c), 63.3941(b), 63.4141(b), 63.4741(a) and (b), and 63.4941(b).

(83) ASTM D6196-03 (Reapproved 2009), Standard Practice for Selection of Sorbents, Sampling, and Thermal Desorption Analysis Procedures for Volatile Organic Compounds in Air, Approved March 1, 2009, IBR approved for appendix A to this part: Method 325A and Method 325B.

(84) ASTM D6266-00a (Reapproved 2017), Standard Test Method for Determining the Amount of Volatile Organic Compound (VOC) Released from Waterborne Automotive Coatings and Available for Removal in a VOC Control Device (Abatement), approved July 1, 2017, IBR approved for § 63.3165(e).

(85) ASTM D6323-98 (Reapproved 2003), Standard Guide for Laboratory Subsampling of Media Related to Waste Management Activities, (Approved August 10, 2003), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.

(86) ASTM D6348-03, Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, including Annexes A1 through A8, Approved October 1, 2003, IBR approved for §§ 63.457(b), 63.997(e), and 63.1349, table 4 to subpart DDDD, table 5 to subpart EEEE, table 4 to subpart UUUU, table 4 subpart ZZZZ, and table 8 to subpart HHHHHHH.

(87) ASTM D6348-03 (Reapproved 2010), Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, including Annexes A1 through A8, Approved October 1, 2010, IBR approved for §§ 63.1571(a), 63.4751(i), 63.4752(e), 63.4766(b), 63.7142(a) and (b), tables 4 and 5 to subpart JJJJJ, tables 4 and 6 to subpart KKKKK, tables 1, 2, and 5 to subpart UUUUU and appendix B to subpart UUUUU.

(88) ASTM D6348-12e1, Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, Approved February 1, 2012, IBR approved for §§ 63.997(e), 63.1571(a), and 63.2354(b), table 5 to subpart EEEE, table 4 to subpart UUUU, §§ 63.7142(a) and (b) and 63.8000(d), and table 4 to subpart SSSSS.

(89) ASTM D6348-12 (Reapproved 2020), Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, Approved February 1, 2012, IBR approved for §§ 63.109(a); 63.365(b); 63.509(a); 63.7322(d), (e), and (g); 63.7825(g) and (h); table 5 to subpart AAAAA.

(90) ASTM D6350-98 (Reapproved 2003), Standard Test Method for Mercury Sampling and Analysis in Natural Gas by Atomic Fluorescence Spectroscopy, (Approved May 10, 2003), IBR approved for table 6 to subpart DDDDD.

(91) ASTM D6357-11, Test Methods for Determination of Trace Elements in Coal, Coke, and Combustion Residues from Coal Utilization Processes by Inductively Coupled Plasma Atomic Emission Spectrometry, (Approved April 1, 2011), IBR approved for table 6 to subpart DDDDD.

(92) ASTM D6376-10, "Standard Test Method for Determination of Trace Metals in Petroleum Coke by Wavelength Dispersive X-Ray Fluorescence Spectroscopy," Approved July 1, 2010, IBR approved for § 63.849(f).

(93) ASTM D6420-99, Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, IBR approved for §§ 63.5799 and 63.5850.

(94) ASTM D6420-99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (Approved October 1, 2004), IBR approved for §§ 63.457(b), 63.772(a), 63.772(e), 63.1282(a) and (d), and table 8 to subpart HHHHHHH.

(95) ASTM D6420-99 (Reapproved 2010), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, Approved October 1, 2010, IBR approved for §§ 63.670(j); table 4 to subpart UUUU; 63.1450(f); 63.7142(b); appendix A to this part.

(96) ASTM D6420-18, Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, approved November 1, 2018' , IBR approved for §§ 63.101(b); 63.115(g); 63.116(c); 63.126(d); 63.128(a); 63.139(c); 63.145(d) and (i); 63.150(g); 63.180(d); 63.305(c); 63.482(b); 63.485(t); 63.488(b); 63.490(c) and (e); 63.496(b); 63.500(c); 63.501(a); 63.502(j); 63.503(a) and (g); 63.525(a) and (e); 63.987(b); 63.997(e); 63.1423(b); 63.1426(c); 63.2354(b); table 5 to subpart EEEE; §§ 63.2450(j); 63.8000(d).

(97) ASTM D6522-00, Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, IBR approved for § 63.9307(c).

(98) ASTM D6522-00 (Reapproved 2005), Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, (Approved October 1, 2005), IBR approved for table 4 to subpart ZZZZ, table 5 to subpart DDDDDD, table 4 to subpart JJJJJJ, and §§ 63.772(e) and (h)) and 63.1282(d) and (g).

(99) ASTM D6522-11 Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, Approved December 1, 2011, IBR approved for § 63.1961(a) and table 3 to subpart YYYY.

(100) ASTM D6721-01 (Reapproved 2006), Standard Test Method for Determination of Chlorine in Coal by Oxidative Hydrolysis Microcoulometry, (Approved April 1, 2006), IBR approved for table 6 to subpart DDDDD.

(101) ASTM D6722-01 (Reapproved 2006), Standard Test Method for Total Mercury in Coal and Coal Combustion Residues by the Direct Combustion Analysis, (Approved April 1, 2006), IBR approved for Table 6 to subpart DDDDD and Table 5 to subpart JJJJJJ.

(102) ASTM D6735-01 (Reapproved 2009), Standard Test Method for Measurement of Gaseous Chlorides and Fluorides from Mineral Calcining Exhaust Sources—Impinger Method, IBR approved for § 63.7142(b), tables 4 and 5 to subpart JJJJJ, and tables 4 and 6 to subpart KKKKK.

(103) ASTM D6751-11b, Standard Specification for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels, (Approved July 15, 2011), IBR approved for §§ 63.7575 and 63.11237.

(104) ASTM D6784-02 (Reapproved 2008), Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method), Approved April 1, 2008; IBR approved for §§ 63.2465(d); 63.11646(a); 63.11647(a) and (d); tables 1, 2, 5, 11, 12t, and 13 to subpart DDDDD; tables 4 and 5 to subpart JJJJJ; tables 4 and 6 to subpart KKKKK; table 4 to subpart JJJJJJ.

(105) ASTM D6784-16, Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method), Approved March 1, 2016; IBR approved for §§ 63.1450(d); 63.9621; table 5 to subpart AAAAA; table 17 to subpart XXXX; table 5 to subpart UUUUU; appendix A to subpart UUUUU.

(106) ASTM D6883-04, Standard Practice for Manual Sampling of Stationary Coal from Railroad Cars, Barges, Trucks, or Stockpiles, (Approved June 1, 2004), IBR approved for table 6 to subpart DDDDD.

(107) ASTM D6886-18, Standard Test Method for Determination of the Weight Percent Individual Volatile Organic Compounds in Waterborne Air-Dry Coatings by Gas Chromatography, approved October 1, 2018, IBR approved for § 63.2354(c).

(108) ASTM D7237-18, Standard Test Method for Free Cyanide and Aquatic Free Cyanide with Flow Injection Analysis (FIA) Utilizing Gas Diffusion Separation and Amperometric Detection, Approved December 1, 2018, IBR approved for § 63.1103(g).

(109) ASTM D7430-11ae1, Standard Practice for Mechanical Sampling of Coal, (Approved October 1, 2011), IBR approved for table 6 to subpart DDDDD.

(110) ASTM D7520-16, Standard Test Method for Determining the Opacity of a Plume in the Outdoor Ambient Atmosphere, approved April 1, 2016; IBR approved for §§ 63.1450(c), (e), and (g); 63.1453(h); 63.1625(b); table 3 to subpart LLLLL; §§ 63.7823(c) through (f), 63.7833(g); 63.11423(c).

(111) [Reserved]

(112) ASTM E145-94 (Reapproved 2001), Standard Specification for Gravity-Convection and Forced-Ventilation Ovens, IBR approved for appendix A to subpart PPPP.

(113) ASTM E180-93, Standard Practice for Determining the Precision of ASTM Methods for Analysis and Testing of Industrial Chemicals, IBR approved for § 63.786(b).

(114) ASTM E260-91, General Practice for Packed Column Gas Chromatography, IBR approved for §§ 63.750(b) and 63.786(b).

(115) ASTM E260-96, General Practice for Packed Column Gas Chromatography, IBR approved for §§ 63.750(b) and 63.786(b).

(116) ASTM E515-95 (Reapproved 2000), Standard Test Method for Leaks Using Bubble Emission Techniques, IBR approved for § 63.425(i).

(117) ASTM E711-87 (Reapproved 2004), Standard Test Method for Gross Calorific Value of Refuse-Derived Fuel by the Bomb Calorimeter, (Approved August 28, 1987), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.

(118) ASTM E776-87 (Reapproved 2009), Standard Test Method for Forms of Chlorine in Refuse-Derived Fuel, (Approved July 1, 2009), IBR approved for table 6 to subpart DDDDD.

(119) ASTM E871-82 (Reapproved 2006), Standard Test Method for Moisture Analysis of Particulate Wood Fuels, (Approved November 1, 2006), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.

(120) ASTM UOP539-12, Refinery Gas Analysis by GC, Copyright 2012 (to UOP), IBR approved for § 63.670(j).

(j) Bay Area Air Quality Management District (BAAQMD), 939 Ellis Street, San Francisco, California 94109, http://www.arb.ca.gov/DRDB/BA/CURHTML/ST/st30.pdf.

(1) "BAAQMD Source Test Procedure ST–30—Static Pressure Integrity Test, Underground Storage Tanks," adopted November 30, 1983, and amended December 21, 1994, IBR approved for § 63.11120(a).

(2) [Reserved]

(k) British Standards Institute, 389 Chiswick High Road, London W4 4AL, United Kingdom.

(1) BS EN 1593:1999, Non-destructive Testing: Leak Testing—Bubble Emission Techniques, IBR approved for § 63.425(i).

(2) BS EN 14662–4:2005, Ambient air quality standard method for the measurement of benzene concentrations—Part 4: Diffusive sampling followed by thermal desorption and gas chromatography, Published June 27, 2005, IBR approved for appendix A to this part: Method 325A and Method 325B.

(l) California Air Resources Board (CARB), 1001 I Street, P.O. Box 2815, Sacramento, CA 95812–2815, Telephone (916) 327–0900, http://www.arb.ca.gov/.

(1) Method 310, "Determination of Volatile Organic Compounds (VOC) in Consumer Products and Reactive Organic Compounds (ROC) in Aerosol Coating Products," amended May 25, 2018, IBR approved for § 63.8055(b).

(2) Method 428, "Determination Of Polychlorinated Dibenzo-P-Dioxin (PCDD), Polychlorinated Dibenzofuran (PCDF), and Polychlorinated Biphenyle Emissions from Stationary Sources," amended September 12, 1990, IBR approved for § 63.849(a)(13) and (14).

(3) Method 429, Determination of Polycyclic Aromatic Hydrocarbon (PAH) Emissions from Stationary Sources, Adopted September 12, 1989, Amended July 28, 1997, IBR approved for § 63.1625(b).

(4) California Air Resources Board Vapor Recovery Test Procedure TP–201.1—"Volumetric Efficiency for Phase I Vapor Recovery Systems," adopted April 12, 1996, and amended February 1, 2001 and October 8, 2003, IBR approved for § 63.11120(b).

(5) California Air Resources Board Vapor Recovery Test Procedure TP–201.1E—"Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves," adopted October 8, 2003, IBR approved for § 63.11120(a).

(6) California Air Resources Board Vapor Recovery Test Procedure TP–201.3—"Determination of 2-Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities," adopted April 12, 1996 and amended March 17, 1999, IBR approved for § 63.11120(a).

(m) Composite Panel Association, 19465 Deerfield Avenue, Suite 306, Leesburg, VA 20176, Telephone (703)724–1128, and www.compositepanel.org.

(1) ANSI A135.4–2012, Basic Hardboard, approved June 8, 2012, IBR approved for § 63.4781.

(2) [Reserved]

(n) Environmental Protection Agency. Air and Radiation Docket and Information Center, 1200 Pennsylvania Avenue NW., Washington, DC 20460, telephone number (202) 566–1745.

(1) *California Regulatory Requirements Applicable to the Air Toxics Program,* November 16, 2010, IBR approved for § 63.99(a).

(2) New Jersey's *Toxic Catastrophe Prevention Act Program,* (July 20, 1998), IBR approved for § 63.99(a).

(3) Delaware Department of Natural Resources and Environmental Control, Division of Air and Waste Management, Accidental Release Prevention Regulation, sections 1 through 5 and sections 7 through 14, effective January 11, 1999, IBR approved for § 63.99(a).

(4) State of Delaware Regulations Governing the Control of Air Pollution (October 2000), IBR approved for § 63.99(a).

(5) Massachusetts Department of Environmental Protection regulations at 310 CMR 7.26(10)–(16), Air Pollution Control, effective as of September 5, 2008, corrected March 6, 2009, and 310 CMR 70.00, Environmental Results Program Certification, effective as of December 28, 2007. IBR approved for § 63.99(a).

(6)

(i) New Hampshire Regulations at Env-Sw 2100, Management and Control of Asbestos Disposal Sites Not Operated after July 9, 1981, effective February 16, 2010 (including a letter from Thomas S. Burack, Commissioner, Department of Environmental Services, State of New Hampshire, to Carol J. Holahan, Director, Office of Legislative Services, dated February 12, 2010, certifying that the enclosed rule, Env-Sw 2100, is the official version of this rule), IBR approved for § 63.99(a).

(ii) New Hampshire Code of Administrative Rules: Chapter Env-A 1800, Asbestos Management and Control, effective as of May 5, 2017 (certified with June 23, 2017 letter from Clark B. Freise, Assistant Commissioner, Department of Environmental Services, State of New Hampshire), as follows: Revision Notes #1 and #2; Part Env-A 1801–1807, excluding Env-A 1801.02(e), Env-A 1801.07, Env-A 1802.02, Env-A 1802.04, Env-A 1802.07–1802.09, Env-A 1802.13, Env-A 1802.15–1802.17, Env-A 1802.25, Env-A 1802.31, Env-A 1802.37, Env-A 1802.40, Env-A 1802.44, and Env-A 1803.05–1803.09; and Appendices B, C, and D; IBR approved for § 63.99(a).

(7) Maine Department of Environmental Protection regulations at Chapter 125, Perchloroethylene Dry Cleaner Regulation, effective as of June 2, 1991, last amended on June 24, 2009. IBR approved for § 63.99(a).

(8) California South Coast Air Quality Management District's "Spray Equipment Transfer Efficiency Test Procedure for Equipment User, May 24, 1989," IBR approved for §§ 63.11173(e) and 63.11516(d).

(9) California South Coast Air Quality Management District's "Guidelines for Demonstrating Equivalency with District Approved Transfer Efficient Spray Guns, September 26, 2002," Revision 0, IBR approved for §§ 63.11173(e) and 63.11516(d).

(10) Rhode Island Department of Environmental Management regulations at Air Pollution Control Regulation No. 36, Control of Emissions from Organic Solvent Cleaning, effective April 8, 1996, last amended October 9, 2008, IBR approved for § 63.99(a).

(11) Rhode Island Air Pollution Control, General Definitions Regulation, effective July 19, 2007, last amended October 9, 2008. IBR approved for § 63.99(a).

(12) Alaska Statute 42.45.045. Renewable energy grant fund and recommendation program, available at http://www.legis.state.ak.us/basis/folio.asp, IBR approved for § 63.6675.

(13) Vermont Air Pollution Control Regulations, Chapter 5, Air Pollution Control, section 5–253.11, Perchloroethylene Dry Cleaning, effective as of December 15, 2016. Incorporation by reference approved for § 63.99(a).

(o) U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460, (202) 272–0167, http://www.epa.gov.

(1) EPA–453/R–08–002, Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Primer-Surfacer and Topcoat, published September 2008, IBR approved for §§ 63.3130(c), 63.3161(d) and (g), 63.3165(e), and appendix A to subpart IIII.

(2) EPA–453/R–01–005, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Integrated Iron and Steel Plants—Background Information for Proposed Standards, Final Report, January 2001, IBR approved for § 63.7491(g).

(3) [Reserved]

(4) EPA–454/R–98–015, Office of Air Quality Planning and Standards (OAQPS), Fabric Filter Bag Leak Detection Guidance, September 1997, https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=2000D5T6.PDF; IBR approved for §§ 63.548(e); 63.864(e); 63.7525(j); 63.8450(e); 63.8600(e); 63.9632(a); 63.9804(f); 63.11224(f); 63.11423(e).

(5) EPA–454/R–99–005, Office of Air Quality Planning and Standards (OAQPS), Meteorological Monitoring Guidance for Regulatory Modeling Applications, February 2000, IBR approved for appendix A to this part: Method 325A.

(6) EPA/600/R–12/531, EPA Traceability Protocol for Assay and Certification of Gaseous Calibration Standards, May 2012, IBR approved for § 63.2163(b).

(7) EPA–625/3–89–016, Interim Procedures for Estimating Risks Associated with Exposures to Mixtures of Chlorinated Dibenzo-p-Dioxins and –Dibenzofurans (CDDs and CDFs) and 1989 Update, March 1989. IBR approved for § 63.1513(d).

(8) SW–846–0011, Sampling for Selected Aldehyde and Ketone Emissions from Stationary Sources, Revision 0, December 1996, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for table 4 to subpart DDDD.

(9) SW–846–3020A, Acid Digestion of Aqueous Samples And Extracts For Total Metals For Analysis By GFAA Spectroscopy, Revision 1, July 1992, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.

(10) SW–846–3050B, Acid Digestion of Sediments, Sludges, and Soils, Revision 2, December 1996, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.

(11) SW–846–5030B, Purge-And-Trap For Aqueous Samples, Revision 2, December 1996, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for § 63.2492(b) and (c).

(12) SW–846–5031, Volatile, Nonpurgeable, Water-Soluble Compounds by Azeotropic Distillation, Revision 0, December 1996, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for § 63.2492(b) and (c).

(13) SW–846–7470A, Mercury In Liquid Waste (Manual Cold-Vapor Technique), Revision 1, September 1994, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.

(14) SW–846–7471B, Mercury In Solid Or Semisolid Waste (Manual Cold-Vapor Technique), Revision 2, February 2007, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.

(15) SW–846–8015C, Nonhalogenated Organics by Gas Chromatography, Revision 3, February 2007, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for §§ 63.11960, 63.11980, and table 10 to subpart HHHHHHH.

(16) SW–846–8260B, Volatile Organic Compounds by Gas Chromatography/Mass Spectrometry (GC/MS), Revision 2, December 1996, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for §§ 63.1107(a), 63.11960, 63.11980, and table 10 to subpart HHHHHHH.

(17) SW–846–8260D, Volatile Organic Compounds By Gas Chromatography/Mass Spectrometry, Revision 4, June 2018, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for § 63.2492(b) and (c).

(18) SW–846–8270D, Semivolatile Organic Compounds by Gas Chromatography/Mass Spectrometry (GC/MS), Revision 4, February 2007, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for §§ 63.1107(a), 63.11960, 63.11980, and table 10 to subpart HHHHHHH.

(19) SW–846–8315A, Determination of Carbonyl Compounds by High Performance Liquid Chromatography (HPLC), Revision 1, December 1996, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for §§ 63.11960 and 63.11980, and table 10 to subpart HHHHHHH.

(20) SW–846–5050, Bomb Preparation Method for Solid Waste, Revision 0, September 1994, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition IBR approved for table 6 to subpart DDDDD.

(21) SW–846–6010C, Inductively Coupled Plasma-Atomic Emission Spectrometry, Revision 3, February 2007, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for table 6 to subpart DDDDD.

(22) SW–846–6020A, Inductively Coupled Plasma-Mass Spectrometry, Revision 1, February 2007, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for table 6 to subpart DDDDD.

(23) SW–846–7060A, Arsenic (Atomic Absorption, Furnace Technique), Revision 1, September 1994, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for table 6 to subpart DDDDD.

(24) SW–846–7740, Selenium (Atomic Absorption, Furnace Technique), Revision 0, September 1986, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for table 6 to subpart DDDDD.

(25) SW–846–9056, Determination of Inorganic Anions by Ion Chromatography, Revision 1, February 2007, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for table 6 to subpart DDDDD.

(26) SW–846–9076, Test Method for Total Chlorine in New and Used Petroleum Products by Oxidative Combustion and Microcoulometry, Revision 0, September 1994, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for table 6 to subpart DDDDD.

(27) SW–846–9250, Chloride (Colorimetric, Automated Ferricyanide AAI), Revision 0, September 1986, in EPA Publication No. SW–846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Third Edition, IBR approved for table 6 to subpart DDDDD.

(28) Method 200.8, Determination of Trace Elements in Waters and Wastes by Inductively Coupled Plasma—Mass Spectrometry, Revision 5.4, 1994, IBR approved for table 6 to subpart DDDDD.

(29) Method 1631 Revision E, Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Absorption Fluorescence Spectrometry, Revision E, EPA–821–R–02–019, August 2002, IBR approved for table 6 to subpart DDDDD.

(p) International Standards Organization (ISO), 1, ch. de la Voie-Creuse, Case postale 56, CH–1211 Geneva 20, Switzerland, + 41 22 749 01 11, http://www.iso.org/iso/home.htm.

(1) ISO 6978–1:2003(E), Natural Gas—Determination of Mercury—Part 1: Sampling of Mercury by Chemisorption on Iodine, First edition, October 15, 2003, IBR approved for table 6 to subpart DDDDD.

(2) ISO 6978–2:2003(E), Natural gas—Determination of Mercury—Part 2: Sampling of Mercury by Amalgamation on Gold/Platinum Alloy, First edition, October 15, 2003, IBR approved for table 6 to subpart DDDDD.

(3) ISO 16017–2:2003(E): Indoor, ambient and workplace air—sampling and analysis of volatile organic compounds by sorbent tube/thermal desorption/capillary gas chromatography—Part 2: Diffusive sampling, May 15, 2003, IBR approved for appendix A to this part: Method 325A and Method 325B.

(q) National Council of the Paper Industry for Air and Stream Improvement, Inc. (NCASI), P.O. Box 133318, Research Triangle Park, NC 27709–3318 or at http://www.ncasi.org.

(1) NCASI Method DI/MEOH–94.03, Methanol in Process Liquids and Wastewaters by GC/FID, Issued May 2000, IBR approved for §§ 63.457 and 63.459.

(2) NCASI Method CI/WP–98.01, Chilled Impinger Method For Use At Wood Products Mills to Measure Formaldehyde, Methanol, and Phenol, 1998, Methods Manual, IBR approved for table 4 to subpart DDDD.

(3) NCASI Method DI/HAPS–99.01, Selected HAPs In Condensates by GC/FID, Issued February 2000, IBR approved for § 63.459(b).

(4) NCASI Method IM/CAN/WP–99.02, Impinger/Canister Source Sampling Method for Selected HAPs and Other Compounds at Wood Products Facilities, January 2004, Methods Manual, IBR approved for table 4 to subpart DDDD.

(5) NCASI Method ISS/FP A105.01, Impinger Source Sampling Method for Selected Aldehydes, Ketones, and Polar Compounds, December 2005, Methods Manual, IBR approved for table 4 to subpart DDDD and §§ 63.4751(i) and 63.4752(e).

(r) National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, (703) 605–6000 or (800) 553–6847; or for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512–1800.

(1) Handbook 44, Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices 1998, IBR approved for § 63.1303(e).

(2) "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW–846, Third Edition. (A suffix of "A" in the method number indicates revision one (the method has been revised once). A suffix of "B" in the method number indicates revision two (the method has been revised twice).

(i) Method 0023A, "Sampling Method for Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofuran Emissions from Stationary Sources," Revision 2, dated August 2018, IBR approved for § 63.1208(b).

(ii) Method 9071B, "n-Hexane Extractable Material (HEM) for Sludge, Sediment, and Solid Samples," dated April 1998, IBR approved for § 63.7824(e).

(iii) Method 9095A, "Paint Filter Liquids Test," dated December 1996, IBR approved for §§ 63.7700(b) and 63.7765.

(iv) Method 9095B, "Paint Filter Liquids Test," (revision 2), dated November 2004, IBR approved for the definition of "Free organic liquids" in §§ 63.10692, 63.10885(a), and the definition of "Free liquids" in § 63.10906.

(v) SW–846 74741B, Revision 2, "Mercury in Solid or Semisolid Waste (Manual Cold-Vapor Technique)," February 2007, IBR approved for § 63.11647(f).

(3) National Institute of Occupational Safety and Health (NIOSH) test method compendium, "NIOSH Manual of Analytical Methods," NIOSH publication no. 94–113, Fourth Edition, August 15, 1994.

(i) NIOSH Method 2010, "Amines, Aliphatic," Issue 2, August 15, 1994, IBR approved for § 63.7732(g).

(ii) [Reserved]

(s) North American Electric Reliability Corporation, 1325 G Street, NW., Suite 600, Washington, DC 20005–3801, http://www.nerc.com, http://www.nerc.com/files/EOP0002-3_1.pdf.

(1) North American Electric Reliability Corporation Reliability Standard EOP–002–3, Capacity and Energy Emergencies, adopted August 5, 2010, IBR approved for § 63.6640(f).

(2) [Reserved]

(t) Technical Association of the Pulp and Paper Industry (TAPPI), 15 Technology Parkway South, Norcross, GA 30092, (800) 332–8686, http://www.tappi.org.

(1) TAPPI T 266, Determination of Sodium, Calcium, Copper, Iron, and Manganese in Pulp and Paper by Atomic Absorption Spectroscopy (Reaffirmation of T 266 om-02), Draft No. 2, July 2006, IBR approved for table 6 to subpart DDDDD.

(2) [Reserved]

(u) Texas Commission on Environmental Quality (TCEQ) Library, Post Office Box 13087, Austin, Texas 78711–3087, telephone number (512) 239–0028, http://www.tceq.state.tx.us/assets/public/implementation/air/sip/sipdocs/2002-12-HGB/02046sipapp_ado.pdf.

(1) "Air Stripping Method (Modified El Paso Method) for Determination of Volatile Organic Compound Emissions from Water Sources," Revision Number One, dated January 2003, Sampling Procedures Manual, Appendix P: Cooling Tower Monitoring, January 31, 2003, IBR approved for §§ 63.654(c) and (g), 63.655(i), 63.1086(e), 63.1089, 63.2490(d), 63.2525(r), and 63.11920.

(2) [Reserved]

Editorial Note

Editorial Note: For Federal Register citations affecting § 63.14, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.govinfo.gov.*

§ 63.15 Availability of information and confidentiality.

(a) *Availability of information.*

(1) With the exception of information protected through part 2 of this chapter, all reports, records, and other information collected by the Administrator under this part are available to the public. In addition, a copy of each permit application, compliance plan (including the schedule of compliance), notification of compliance status, excess emissions and continuous monitoring systems performance report, and title V permit is available to the public, consistent with protections recognized in section 503(e) of the Act.

(2) The availability to the public of information provided to or otherwise obtained by the Administrator under this part shall be governed by part 2 of this chapter.

(b) *Confidentiality.*

(1) If an owner or operator is required to submit information entitled to protection from disclosure under section 114(c) of the Act, the owner or operator may submit such information separately. The requirements of section 114(c) shall apply to such information.

(2) The contents of a title V permit shall not be entitled to protection under section 114(c) of the Act; however, information submitted as part of an application for a title V permit may be entitled to protection from disclosure.

§ 63.16 Performance Track Provisions.

(a) Notwithstanding any other requirements in this part, an affected source at any major source or any area source at a Performance Track member facility, which is subject to regular periodic reporting under any subpart of this part, may submit such periodic reports at an interval that is twice the length of the regular period specified in the applicable subparts; provided, that for sources subject to permits under 40 CFR part 70 or 71 no interval so calculated for any report of the results of any required monitoring may be less frequent than once in every six months.

(b) Notwithstanding any other requirements in this part, the modifications of reporting requirements in paragraph (c) of this section apply to any major source at a Performance Track member facility which is subject to requirements under any of the subparts of this part and which has:

(1) Reduced its total HAP emissions to less than 25 tons per year;

(2) Reduced its emissions of each individual HAP to less than 10 tons per year; and

(3) Reduced emissions of all HAPs covered by each MACT standard to at least the level required for full compliance with the applicable emission standard.

(c) For affected sources at any area source at a Performance Track member facility and which meet the requirements of paragraph (b)(3) of this section, or for affected sources at any major source that meet the requirements of paragraph (b) of this section:

(1) If the emission standard to which the affected source is subject is based on add-on control technology, and the affected source complies by using add-on control technology, then all required reporting elements in the periodic report may be met through an annual certification that the affected source is meeting the emission standard by continuing to use that control technology. The affected source must continue to meet all relevant monitoring and recordkeeping requirements. The compliance certification must meet the requirements delineated in Clean Air Act section 114(a)(3).

(2) If the emission standard to which the affected source is subject is based on add-on control technology, and the affected source complies by using pollution prevention, then all required reporting elements in the periodic report may be met through an annual certification that the affected source is continuing to use pollution prevention to reduce HAP emissions to levels at or below those required by the applicable emission standard. The affected source must maintain records of all calculations that demonstrate the level of HAP emissions required by the emission standard as well as the level of HAP emissions achieved by the affected source. The affected source must continue to meet all relevant monitoring and recordkeeping requirements. The compliance certification must meet the requirements delineated in Clean Air Act section 114(a)(3).

(3) If the emission standard to which the affected source is subject is based on pollution prevention, and the affected source complies by using pollution prevention and reduces emissions by an additional 50 percent or greater than required by the applicable emission standard, then all required reporting elements in the periodic report may be met through an annual certification that the affected source is continuing to use pollution prevention to reduce HAP emissions by an additional 50 percent or greater than required by the applicable emission standard. The affected source must maintain records of all calculations that demonstrate the level of HAP emissions required by the emission standard as well as the level of HAP emissions achieved by the affected source. The affected source must continue to meet all relevant monitoring and recordkeeping requirements. The compliance certification must meet the requirements delineated in Clean Air Act section 114(a)(3).

(4) Notwithstanding the provisions of paragraphs (c)(1) through (3), of this section, for sources subject to permits under 40 CFR part 70 or 71, the results of any required monitoring and recordkeeping must be reported not less frequently than once in every six months.

Table 1 to Subpart A of Part 63 - Detection Sensitivity Levels (grams per hour)

Monitoring frequency per subpart[a]	Detection sensitivity level
Bi-Monthly	60
Semi-Quarterly	85
Monthly	100

[a] When this alternative work practice is used to identify leaking equipment, the owner or operator must choose one of the monitoring frequencies listed in this table, in lieu of the monitoring frequency specified in the applicable subpart. Bi-monthly means every other month. Semi-quarterly means twice per quarter. Monthly means once per month.

Appendix H. 40 CFR Part 63, Subpart BBBBBB—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities

§ 63.11080 What is the purpose of this subpart?

This subpart establishes national emission limitations and management practices for hazardous air pollutants (HAP) emitted from area source gasoline distribution bulk terminals, bulk plants, and pipeline facilities. This subpart also establishes requirements to demonstrate compliance with the emission limitations and management practices.

§ 63.11081 Am I subject to the requirements in this subpart?

(a) The affected source to which this subpart applies is each area source bulk gasoline terminal, pipeline breakout station, pipeline pumping station, and bulk gasoline plant identified in paragraphs (a)(1) through (4) of this section. You are subject to the requirements in this subpart if you own or operate one or more of the affected area sources identified in paragraphs (a)(1) through (4) of this section.

(1) A bulk gasoline terminal that is not subject to the control requirements of 40 CFR part 63, subpart R (§§ 63.422, 63.423, and 63.424) or 40 CFR part 63, subpart CC (§§ 63.646, 63.648, 63.649, and 63.650).

(2) A pipeline breakout station that is not subject to the control requirements of 40 CFR part 63, subpart R (§§ 63.423 and 63.424).

(3) A pipeline pumping station.

(4) A bulk gasoline plant.

(b) If you are an owner or operator of affected sources, as defined in (a)(1) through (4) of this section, you are not required to meet the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71 as a result of being subject to this subpart. However, you are still subject to the requirement to apply for and obtain a permit under 40 CFR part 70 or 40 CFR part 71 if you meet one or more of the applicability criteria found in 40 CFR 70.3(a) and (b) or 40 CFR part 71.3(a) and (b).

(c) Gasoline storage tanks that are located at affected sources identified in paragraphs (a)(1) through (4) of this section, and that are used only for dispensing gasoline in a manner consistent with tanks located at a gasoline dispensing facility as defined in § 63.11132, are not subject to any of the requirements in this subpart. These tanks must comply with subpart CCCCCC of this part.

(d) The loading of aviation gasoline into storage tanks at airports, and the subsequent transfer of aviation gasoline within the airport, is not subject to this subpart.

(e) The loading of gasoline into marine tank vessels at bulk facilities is not subject to this subpart.

(f) If your affected source's throughput ever exceeds an applicable throughput threshold in the definition of “bulk gasoline terminal” or in item 1 in table 2 to this subpart, the affected source will remain subject to the requirements for sources above the threshold, even if the affected source throughput later falls below the applicable throughput threshold. If your bulk gasoline plant's annual average gasoline throughput ever reaches or exceeds 4,000 gallons per day, the bulk gasoline plant will remain subject to the vapor balancing requirements, even if the affected source annual average gasoline throughput later falls below 4,000 gallons per day.

(g) For the purpose of determining gasoline throughput, as used in the definition of bulk gasoline plant and bulk gasoline terminal, the 20,000 gallons per day threshold throughput is the maximum calculated design throughout for any day, and is not an average. An enforceable State, local, or Tribal permit limitation on throughput, established prior to the applicable compliance date, may be used in lieu of the 20,000 gallons per day design capacity throughput threshold to determine whether the facility is a bulk gasoline plant or a bulk gasoline terminal.

(h) Storage tanks that are used to load gasoline into a cargo tank for the on-site redistribution of gasoline to another storage tank are subject to this subpart.

(i) For any affected source subject to the provisions of this subpart and another Federal rule, you may elect to comply only with the more stringent provisions of the applicable subparts. You must consider all provisions of the rules, including monitoring, recordkeeping, and reporting. You must identify the affected source and provisions with which you will comply in your Notification of Compliance Status required under § 63.11093. You also must demonstrate in your Notification of Compliance Status that each provision with which you will comply is at least as stringent as the otherwise applicable requirements in this subpart. You are responsible for making accurate determinations concerning the more stringent provisions; noncompliance with this rule is not excused if it is later determined that your determination was in error, and, as a result, you are violating this subpart. Compliance with this rule is your responsibility, and the Notification of Compliance Status does not alter or affect that responsibility.

(j) For new or reconstructed affected sources, as specified in § 63.11082(b) and (c), recordkeeping to document applicable throughput must begin upon startup of the affected source. For existing sources, as specified in § 63.11082(d), recordkeeping to document applicable throughput must begin on January 10, 2008. Records required under this paragraph shall be kept for a period of 5 years.

§ 63.11082 What parts of my affected source does this subpart cover?

(a) The emission sources to which this subpart applies are gasoline storage tanks, gasoline loading racks, vapor collection-equipped gasoline cargo tanks, and equipment components in vapor or liquid gasoline service that meet the criteria specified in tables 1 through 4 to this subpart.

(b) An affected source is a new affected source if you commenced construction on the affected source after November 9, 2006, and you meet the applicability criteria in § 63.11081 at the time you commenced operation.

(c) An affected source is reconstructed if you meet the criteria for reconstruction as defined in § 63.2.

(d) An affected source is an existing affected source if it is not new or reconstructed.

§ 63.11083 When do I have to comply with this subpart?

(a) Except as specified in paragraphs (d) and (e) of this section, if you have a new or reconstructed affected source, you must comply with this subpart according to paragraphs (a)(1) and (2) of this section.

(1) If you start up your affected source before January 10, 2008, you must comply with the standards in this subpart no later than January 10, 2008.

(2) If you start up your affected source after January 10, 2008, you must comply with the standards in this subpart upon startup of your affected source.

(b) Except as specified in paragraphs (d) and (e) of this section, if you have an existing affected source, you must comply with the standards in this subpart no later than January 10, 2011.

(c) If you have an existing affected source that becomes subject to the control requirements in this subpart because of an increase in the daily throughput, as specified in § 63.11086(a) or in option 1 of table 2 to this subpart, you must comply with the standards in this subpart no later than 3 years after the affected source becomes subject to the control requirements in this subpart.

(d) All affected sources that commenced construction or reconstruction on or before June 10, 2022, must comply with the requirements in paragraphs (d)(1) through (5) of this section upon startup or on May 8, 2027, whichever is later. All affected sources that commenced construction or reconstruction after June 10, 2022, must comply with the requirements in paragraphs (d)(1) through (5) of this section upon startup, or on July 8, 2024, whichever is later.

(1) For bulk gasoline plants, the requirements specified in § 63.11086(a)(4) through (6).

(2) For storage vessels at bulk gasoline terminals, pipeline breakout stations, or pipeline pumping stations, the requirements specified in items 1(b), 2(c), and 2(f) in table 1 to this subpart and §§ 63.11087(g) and 63.11092(f)(1)(ii).

(3) For loading racks at bulk gasoline terminals, the requirements specified in items 1(c), 1(f), and 2(c) in table 2 to this subpart.

(4) For equipment leak inspections at bulk gasoline terminals, bulk gasoline plants, pipeline breakout stations, or pipeline pumping stations, the requirements in § 63.11089(c).

(5) For gasoline cargo tanks, the requirements specified in § 63.11092(g)(1)(ii).

(e) All affected sources that commenced construction or reconstruction on or before June 10, 2022, must comply with the requirements specified in items 2(d) and 2(e) in table 1 to this subpart upon startup or the next time the storage vessel is completely emptied and degassed, or by May 8, 2034, whichever occurs first. All affected sources that commenced construction or reconstruction after June 10, 2022, must comply with the requirements specified in items 2(d) and 2(e) in table 1 to this subpart upon startup, or on July 8, 2024, whichever is later.

Emission Limitations and Management Practices

§ 63.11085 What are my general duties to minimize emissions?

Each owner or operator of an affected source under this subpart must comply with the requirements of paragraphs (a) through (c) of this section.

(a) You must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator, which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(b) You must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

(1) Minimize gasoline spills;

(2) Clean up spills as expeditiously as practicable;

(3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use; and

(4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

(c) You must keep applicable records and submit reports as specified in §§ 63.11094(g) and 63.11095(d) or § 63.11095(e).

§ 63.11086 What requirements must I meet if my facility is a bulk gasoline plant?

Each owner or operator of an affected bulk gasoline plant, as defined in § 63.11100, must comply with the requirements of paragraphs (a) through (j) of this section.

(a) Except as specified in paragraph (b) of this section, you must only load gasoline into storage tanks and cargo tanks at your facility by utilizing submerged filling, as defined in § 63.11100, and as specified in paragraph (a)(1), (2), or (3) of this section. The applicable distances in paragraphs (a)(1) and (2) of this section shall be measured from the point in the opening of the submerged fill pipe that is the greatest distance from the bottom of the storage tank. Additionally, for bulk gasoline plants with an annual average gasoline throughput of 4,000 gallons per day or more (calculated by summing the current day's throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365), you must only load gasoline utilizing vapor balancing as specified in paragraphs (a)(4) through (6) of this section.

(1) Submerged fill pipes installed on or before November 9, 2006, must be no more than 12 inches from the bottom of the tank.

(2) Submerged fill pipes installed after November 9, 2006, must be no more than 6 inches from the bottom of the tank.

(3) Submerged fill pipes not meeting the specifications of paragraphs (a)(1) or (a)(2) of this section are allowed if the owner or operator can demonstrate that the liquid level in the gasoline storage tank is always above the entire opening of the fill pipe. Documentation providing such demonstration must be made available for inspection by the Administrator's delegated representative during the course of a site visit.

(4) Beginning no later than the dates specified in § 63.11083, each bulk gasoline plant with an annual average gasoline throughput of 4,000 gallons per day or more shall be equipped with a vapor balance system between fixed roof gasoline storage tank(s) other than storage tank(s) vented through a closed vent system to a control device and incoming gasoline cargo tank(s) designed to capture and transfer vapors displaced during filling of fixed roof gasoline storage tank(s) other than storage tank(s) vented through a closed vent system to a control device. These lines shall be equipped with fittings that are vapor tight and that automatically and immediately close upon disconnection.

(5) Beginning no later than the dates specified in § 63.11083, each bulk gasoline plant with an annual average gasoline throughput of 4,000 gallons per day or more shall be equipped with a vapor balance system between fixed roof gasoline storage tank(s) other than storage tank(s) vented through a closed vent system to a control device and outgoing gasoline cargo tank(s) designed to capture and transfer vapors displaced during the loading of gasoline cargo tank(s). The vapor balance system shall be designed to prevent any vapors collected at one loading rack from passing to another loading rack.

(6) Beginning no later than the dates specified in § 63.11083, each owner or operator of a bulk gasoline plant subject to this subpart shall act to ensure that the following procedures are followed during all loading, unloading, and storage operations:

(i) The vapor balance system shall be connected between the cargo tank and storage tank during all gasoline transfer operations between a cargo tank and a fixed roof gasoline storage tank other than a storage tank vented through a closed vent system to a control device;

(ii) All storage tank openings, including inspection hatches and gauging and sampling devices shall be vapor tight when not in use;

(iii) No pressure relief device on a gasoline storage tank shall begin to open at a tank pressure less than 18 inches of water to minimize breathing losses;

(iv) The gasoline cargo tank compartment hatch covers shall not be opened during the gasoline transfer;

(v) All vapor balance systems shall be designed and operated at all times to prevent gauge pressure in the gasoline cargo tank from exceeding 18 inches of water and vacuum from exceeding 6 inches of water during product transfers;

(vi) No pressure vacuum relief valve in the bulk gasoline plant vapor balance system shall begin to open at a system pressure of less than 18 inches of water or at a vacuum of less than 6 inches of water; and

(vii) No gasoline shall be transferred into a cargo tank that does not have a current annual certification for vapor-tightness pursuant to the requirements in § 60.502a(e) of this chapter.

(b) Gasoline storage tanks with a capacity of less than 250 gallons are not required to comply with the control requirements in paragraph (a) of this section but must comply only with the requirements in § 63.11085(b).

(c) You must perform a leak inspection of all equipment in gasoline service and repair leaking equipment according to the requirements specified in § 63.11089.

(d) [Reserved]

(e) You must submit an Initial Notification that you are subject to this subpart by May 9, 2008, or no later than 120 days after the source becomes subject to this subpart, whichever is later unless you meet the requirements in paragraph (g) of this section. The Initial Notification must contain the information specified in paragraphs (e)(1) through (4) of this section. The notification must be submitted to the applicable U.S. Environmental Protection Agency (EPA) Regional Office and the delegated State authority, as specified in § 63.13.

(1) The name and address of the owner and the operator.

(2) The address (*i.e.,* physical location) of the bulk gasoline plant.

(3) A statement that the notification is being submitted in response to this subpart and identifying the requirements in paragraphs (a), (b), and (c) of this section that apply to you.

(4) A brief description of the bulk gasoline plant, including the number of storage tanks in gasoline service, the capacity of each storage tank in gasoline service, and the average monthly gasoline throughput at the affected source.

(f) You must submit a Notification of Compliance Status to the applicable EPA Regional Office and the delegated State authority, as specified in § 63.13, by the compliance date specified in § 63.11083 unless you meet the requirements in paragraph (g) of this section. The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy and must indicate whether the source has complied with the requirements of this subpart. If your facility is in compliance with the requirements of this subpart at the time the Initial Notification required under paragraph (e) of this section is due, the Notification of Compliance Status may be submitted in lieu of the Initial Notification provided it contains the information required under paragraph (e) of this section.

(g) If, prior to January 10, 2008, you are operating in compliance with an enforceable State, local, or tribal rule or permit that requires submerged fill as specified in § 63.11086(a), you are not required to submit an Initial Notification or a Notification of Compliance Status under paragraph (e) or paragraph (f) of this section.

(h) You must comply with the requirements of this subpart by the applicable dates specified in § 63.11083.

(i) You must keep applicable records and submit reports as specified in §§ 63.11094 and 63.11095.

§ 63.11087 What requirements must I meet for gasoline storage tanks if my facility is a bulk gasoline terminal, pipeline breakout station, or pipeline pumping station?

(a) You must meet each emission limit and management practice in Table 1 to this subpart that applies to your gasoline storage tank.

(b) You must comply with the requirements of this subpart by the applicable dates specified in § 63.11083, except that storage vessels equipped with floating roofs and not meeting the requirements of paragraph (a) of this section

must be in compliance at the first degassing and cleaning activity after January 10, 2011 or by January 10, 2018, whichever is first.

(c) You must comply with the applicable testing and monitoring requirements specified in § 63.11092(f).

(d) You must submit the applicable notifications as required under § 63.11093.

(e) You must keep records and submit reports as specified in §§ 63.11094 and 63.11095.

(f) If your gasoline storage tank is subject to, and complies with, the control requirements of 40 CFR part 60, subpart Kb of this chapter, your storage tank will be deemed in compliance with this section. You must report this determination in the Notification of Compliance Status report under § 63.11093(b).

(g) No later than the dates specified in § 63.11083, if your gasoline storage tank is subject to, and complies with, the control requirements of § 60.112b(a)(2), (3), or (4) of this chapter, your storage tank will be deemed in compliance with this section. If your gasoline storage tank is subject to the control requirements of § 60.112b(a)(1) of this chapter, you must conduct lower explosive limit (LEL) monitoring as specified in § 63.11092(f)(1)(ii) to demonstrate compliance with this section. You must report this determination in the Notification of Compliance Status report under § 63.11093(b). The requirements in paragraph (f) of this section do not apply when demonstrating compliance with this paragraph (g).

§ 63.11088 What requirements must I meet for gasoline loading racks if my facility is a bulk gasoline terminal?

(a) You must meet each emission limit and management practice in Table 2 to this subpart that applies to you.

(b) As an alternative for railcar cargo tanks to the requirements specified in Table 2 to this subpart, you may comply with the requirements specified in § 63.422(e).

(c) You must comply with the requirements of this subpart by the applicable dates specified in § 63.11083.

(d) You must comply with the applicable testing and monitoring requirements specified in § 63.11092. As an alternative to the pressure monitoring requirements specified in § 60.504a(d) of this chapter, you may comply with the requirements specified in § 63.11092(h).

(e) You must submit the applicable notifications as required under § 63.11093.

(f) You must keep records and submit reports as specified in §§ 63.11094 and 63.11095.

§ 63.11089 What requirements must I meet for equipment leak inspections if my facility is a bulk gasoline terminal, bulk gasoline plant, pipeline breakout station, or pipeline pumping station?

(a) Each owner or operator of a bulk gasoline terminal, bulk gasoline plant, pipeline breakout station, or pipeline pumping station subject to the provisions of this subpart shall implement a leak detection and repair program for all equipment in gasoline service according to the requirements in paragraph (b) or (c) of this section, as applicable based on the compliance dates specified in § 63.11083.

(b) Perform a monthly leak inspection of all equipment in gasoline service, as defined in § 63.11100. For this inspection, detection methods incorporating sight, sound, and smell are acceptable.

(1) A logbook shall be used and shall be signed by the owner or operator at the completion of each inspection. A section of the logbook shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.

(2) Each detection of a liquid or vapor leak shall be recorded in the logbook. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in paragraph (b)(3) of this section.

(3) Delay of repair of leaking equipment will be allowed if the repair is not feasible within 15 days. The owner or operator shall provide in the semiannual report specified in § 63.11095(c), the reason(s) why the repair was not feasible and the date each repair was completed.

(c) No later than the dates specified in § 63.11083, comply with the requirements in § 60.502a(j) of this chapter except as provided in paragraphs (c)(1) through (4) of this section. The requirements in paragraph (b) of this section do not apply when demonstrating compliance with this paragraph (c).

(1) The frequency for optical gas imaging (OGI) monitoring shall be annually rather than quarterly as specified in § 60.502a(j)(1)(i) of this chapter.

(2) The frequency for Method 21 monitoring of pumps and valves shall be annually rather than quarterly as specified in § 60.502a(j)(1)(ii)(A) and (B) of this chapter.

(3) The frequency of monitoring of pressure relief devices shall be annually and within 5 calendar days after each pressure release rather than quarterly and within 5 calendar days after each pressure release as specified in § 60.502a(j)(4)(i) of this chapter.

(4) Any pressure relief device that is located at a bulk gasoline plant or pipeline pumping station that is monitored only by non-plant personnel may be monitored after a pressure release the next time the monitoring personnel are onsite, but in no case more than 30 calendar days after a pressure release.

(d) You must comply with the requirements of this subpart by the applicable dates specified in § 63.11083.

(e) You must submit the applicable notifications as required under § 63.11093.

(f) You must keep records and submit reports as specified in §§ 63.11094 and 63.11095.

Testing and Monitoring Requirements

§ 63.11092 What testing and monitoring requirements must I meet?

(a) Each owner or operator of a bulk gasoline terminal subject to the emission standard in item 1(b) of Table 2 to this subpart must comply with the requirements in paragraphs (a) through (d) of this section.

(1) Conduct a performance test on the vapor processing and collection systems according to either paragraph (a)(1)(i) or (ii) of this section, except as provided in paragraphs (a)(2) through (4) of this section.

(i) Use the test methods and procedures in § 60.503 of this chapter, except a reading of 500 parts per million shall be used to determine the level of leaks to be repaired under § 60.503(b) of this chapter.

(ii) Use alternative test methods and procedures in accordance with the alternative test method requirements in § 63.7(f).

(2) If you are operating your gasoline loading rack in compliance with an enforceable State, local, or tribal rule or permit that requires your loading rack to meet an emission limit of 80 milligrams (mg), or less, per liter of gasoline loaded (mg/l), you may submit a statement by a responsible official of your facility certifying the compliance status of your loading rack in lieu of the test required under paragraph (a)(1) of this section.

(3) If you have conducted performance testing on the vapor processing and collection systems within 5 years prior to January 10, 2008, and the test is for the affected facility and is representative of current or anticipated operating processes and conditions, you may submit the results of such testing in lieu of the test required under paragraph (a)(1) of this section, provided the testing was conducted using the test methods and procedures in § 60.503 of this chapter. Should the Administrator deem the prior test data unacceptable, the facility is still required to meet the requirement to conduct an initial performance test within 180 days of the compliance date specified in § 63.11083; thus, previous test reports should be submitted as soon as possible after January 10, 2008.

(4) The performance test requirements of § 63.11092(a) do not apply to flares defined in § 63.11100 and meeting the flare requirements in § 63.11(b). The owner or operator shall demonstrate that the flare and associated vapor collection system is in compliance with the requirements in § 63.11(b) and 40 CFR 60.503(a), (b), and (d).

(b) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall install, calibrate, certify, operate, and maintain, according to the manufacturer's specifications, a continuous monitoring system (CMS) while gasoline vapors are displaced to the vapor processor systems, as specified in paragraphs (b)(1) through (5) of this section. For each facility conducting a performance test under paragraph (a)(1) of this section, and for each facility utilizing the provisions of paragraphs (a)(2) or (a)(3) of this section, the CMS must be installed by January 10, 2011.

(1) For each performance test conducted under paragraph (a)(1) of this section, the owner or operator shall determine a monitored operating parameter value for the vapor processing system using the procedures specified in paragraphs (b)(1)(i) through (iv) of this section. During the performance test, continuously record the operating parameter as specified under paragraphs (b)(1)(i) through (iv) of this section.

(i) Where a carbon adsorption system is used, the owner or operator shall monitor the operation of the system as specified in paragraphs (b)(1)(i)(A) or (B) of this section.

(A) A continuous emissions monitoring system (CEMS) capable of measuring organic compound concentration shall be installed in the exhaust air stream.

(B) As an alternative to paragraph (b)(1)(i)(A) of this section, you may choose to meet the requirements listed in paragraph (b)(1)(i)(B)(*1*) and (*2*) of this section.

(*1*) Carbon adsorption devices shall be monitored as specified in paragraphs (b)(1)(i)(B)(*1*)(*i*), (*ii*), and (*iii*) of this section.

(*i*) Vacuum level shall be monitored using a pressure transmitter installed in the vacuum pump suction line, with the measurements displayed on a gauge that can be visually observed. Each carbon bed shall be observed during one complete regeneration cycle on each day of operation of the loading rack to determine the maximum vacuum level achieved.

(*ii*) Conduct annual testing of the carbon activity for the carbon in each carbon bed. Carbon activity shall be tested in accordance with the butane working capacity test of the American Society for Testing and Materials (ASTM) Method D 5228-92 (incorporated by reference, see § 63.14), or by another suitable procedure as recommended by the manufacturer.

(*iii*) Conduct monthly measurements of the carbon bed outlet volatile organic compounds (VOC) concentration over the last 5 minutes of an adsorption cycle for each carbon bed, documenting the highest measured VOC concentration. Measurements shall be made using a portable analyzer, or a permanently mounted analyzer, in accordance with 40 CFR part 60, Appendix A-7, EPA Method 21 for open-ended lines.

(*2*) Develop and submit to the Administrator a monitoring and inspection plan that describes the owner or operator's approach for meeting the requirements in paragraphs (b)(1)(i)(B)(*2*)(*i*) through (*v*) of this section.

(*i*) The lowest maximum required vacuum level and duration needed to assure regeneration of the carbon beds shall be determined by an engineering analysis

or from the manufacturer's recommendation and shall be documented in the monitoring and inspection plan.

(*ii*) The owner or operator shall verify, during each day of operation of the loading rack, the proper valve sequencing, cycle time, gasoline flow, purge air flow, and operating temperatures. Verification shall be through visual observation, or through an automated alarm or shutdown system that monitors system operation. A manual or electronic record of the start and end of a shutdown event may be used.

(*iii*) The owner or operator shall perform semi-annual preventive maintenance inspections of the carbon adsorption system, including the automated alarm or shutdown system for those units so equipped, according to the recommendations of the manufacturer of the system.

(*iv*) [Reserved]

(*v*) The owner or operator shall document the maximum vacuum level observed on each carbon bed from each daily inspection and the maximum VOC concentration observed from each carbon bed on each monthly inspection, as defined in the monitoring and inspection plan, and any activation of the automated alarm or shutdown system with a written entry into a logbook or other permanent form of record. Such record shall also include a description of the corrective action taken and whether such corrective actions were taken in a timely manner, as defined in the monitoring and inspection plan, as well as an estimate of the amount of gasoline loaded.

(ii) Where a refrigeration condenser system is used, a continuous parameter monitoring system (CPMS) capable of measuring temperature shall be installed immediately downstream from the outlet to the condenser section. Alternatively, a CEMS capable of measuring organic compound concentration may be installed in the exhaust air stream.

(iii) Where a thermal oxidation system is used, the owner or operator shall monitor the operation of the system as specified in paragraph (b)(1)(iii)(A) or (B) of this section.

(A) A CPMS capable of measuring temperature shall be installed in the firebox or in the ductwork immediately downstream from the firebox in a position before any substantial heat exchange occurs.

(B) As an alternative to paragraph (b)(1)(iii)(A) of this section, you may choose to meet the requirements listed in paragraphs (b)(1)(iii)(B)(*1*) and (*2*) of this section.

(*1*) The presence of a thermal oxidation system pilot flame shall be monitored using a heat-sensing device, such as an ultraviolet beam sensor or a thermocouple, installed in proximity of the pilot light, to indicate the presence of a flame. The heat-sensing device shall send a positive parameter value to indicate that the pilot flame is on, or a negative parameter value to indicate that the pilot flame is off.

(*2*) Develop and submit to the Administrator a monitoring and inspection plan that describes the owner or operator's approach for meeting the requirements in paragraphs (b)(1)(iii)(B)(*2*)(*i*) through (*v*) of this section.

(*i*) The thermal oxidation system shall be equipped to automatically prevent gasoline loading operations from beginning at any time that the pilot flame is absent.

(*ii*) The owner or operator shall verify, during each day of operation of the loading rack, the proper operation of the assist-air blower and the vapor line valve. Verification shall be through visual observation, or through an automated alarm or shutdown system that monitors system operation. A manual or electronic record of the start and end of a shutdown event may be used.

(*iii*) The owner or operator shall perform semi-annual preventive maintenance inspections of the thermal oxidation system, including the automated alarm or shutdown system for those units so equipped, according to the recommendations of the manufacturer of the system.

(*iv*) [Reserved]

(*v*) The owner or operator shall document any activation of the automated alarm or shutdown system with a written entry into a logbook or other permanent form of record. Such record shall also include a description of the corrective action taken and whether such corrective actions were taken in a timely manner, as defined in the monitoring and inspection plan, as well as an estimate of the amount of gasoline loaded.

(iv) Monitoring an alternative operating parameter or a parameter of a vapor processing system other than those listed in paragraphs (b)(1)(i) through (iii) of this section will be allowed upon demonstrating to the Administrator's satisfaction that the alternative parameter demonstrates continuous compliance with the emission standard in § 63.11088(a).

(2) Where a flare meeting the requirements in § 63.11(b) is used, a heat-sensing device, such as an ultraviolet beam sensor or a thermocouple, must be installed in proximity to the pilot light to indicate the presence of a flame.

(3) Determine an operating parameter value based on the parameter data monitored during the performance test, supplemented by engineering assessments and the manufacturer's recommendations.

(4) Provide for the Administrator's approval the rationale for the selected operating parameter value, monitoring frequency, and averaging time, including data and calculations used to develop the value and a description of why the value, monitoring frequency, and averaging time demonstrate continuous compliance with the emission standard in § 63.11088(a).

(5) If you have chosen to comply with the performance testing alternatives provided under paragraph (a)(2) or paragraph (a)(3) of this section, the monitored operating parameter value may be determined according to the provisions in paragraph (b)(5)(i) or paragraph (b)(5)(ii) of this section.

(i) Monitor an operating parameter that has been approved by the Administrator and is specified in your facility's current enforceable operating permit. At the time that the Administrator requires a new performance test, you must determine the monitored operating parameter value according to the requirements specified in paragraph (b) of this section.

(ii) Determine an operating parameter value based on engineering assessment and the manufacturer's recommendation and submit the information specified in paragraph (b)(4) of this section for approval by the Administrator. At the time that the Administrator requires a new performance test, you must

determine the monitored operating parameter value according to the requirements specified in paragraph (b) of this section.

(c) For performance tests performed after the initial test required under paragraph (a) of this section, the owner or operator shall document the reasons for any change in the operating parameter value since the previous performance test.

(d) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall comply with the requirements in paragraphs (d)(1) through (3) of this section.

(1) Operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the operating parameter value for the parameters described in paragraph (b)(1) of this section.

(2) In cases where an alternative parameter pursuant to paragraph (b)(1)(iv) or (b)(5)(i) of this section is approved, each owner or operator shall operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the alternative operating parameter value.

(3) Operation of the vapor processing system in a manner exceeding or going below the operating parameter value, as appropriate, shall constitute a violation of the emission standard in § 63.11088(a).

(e) Each owner or operator of a bulk gasoline terminal subject to the emission standard in item 1(c) of table 2 to this subpart for loading racks must comply with the requirements in paragraphs (e)(1) through (4) of this section, as applicable.

(1) For each bulk gasoline terminal complying with the emission limitations in item 1 of table 3 to this subpart (thermal oxidation system), conduct a performance test no later than 180 days after becoming subject to the applicable emission limitation in table 3 and conduct subsequent performance tests at least once every 60 calendar months following the methods specified in § 60.503a(a) and (c) of this chapter. Prior to conducting this performance test, you must continue to meet the monitoring and operating limits that apply based on the previously conducted performance test. A previously conducted performance test may be used to satisfy this requirement if the conditions in paragraphs (e)(1)(i) through (v) of this section are met.

(i) The performance test was conducted on or after May 8, 2022.

(ii) No changes have been made to the process or control device since the time of the performance test.

(iii) The operating conditions, test methods, and test requirements (*e.g.,* length of test) used for the previous performance test conform to the requirements in paragraph (e)(1) of this section.

(iv) The temperature in the combustion zone was recorded during the performance test as specified in § 60.503a(c)(8)(i) of this chapter and can be used to establish the operating limit as specified in § 60.503a(c)(8)(ii) through (iv) of this chapter.

(v) The performance test demonstrates compliance with the emission limit specified in item 1(a) in table 3 to this subpart.

(2) For each bulk gasoline terminal complying with the emission limitations in item 1 of table 3 to this subpart (thermal oxidation system), comply with either the provisions in paragraph (e)(2)(i) or (ii) of this section.

(i) Install, operate, and maintain a CPMS to measure the combustion zone temperature according to § 60.504a(a) of this chapter and maintain the 3-hour rolling average combustion zone temperature when gasoline cargo tanks are being loaded at or above the operating limit set during the most recent performance test following the procedures specified in § 60.503a(c)(8) of this chapter. Valid operating data must exclude periods when there is no liquid product being loaded. If previous contents of the cargo tanks are known, you may also exclude periods when liquid product is loaded but no gasoline cargo tanks are being loaded provided that you excluded these periods in the determination of the

combustion zone temperature operating limit according to the provisions in § 60.503a(c)(8)(ii) of this chapter.

(ii) Operate each thermal oxidation system in compliance with the requirements for a flare in § 60.502a(c)(3) of this chapter and the monitoring requirements in § 60.504a(c) of this chapter.

(3) For each bulk gasoline terminal complying with the emission limitations in item 2 of table 3 to this subpart (flare), install, operate, and maintain flare continuous parameter monitoring systems as specified in in § 60.504a(c) of this chapter.

(4) For each bulk gasoline terminal complying with the emission limitation in item 3 of table 3 to this subpart (carbon adsorption system, refrigerated condenser, or other vapor recovery system), install, operate, and maintain a continuous emission monitoring system (CEMS) to measure the total organic compounds (TOC) concentration according to § 60.504a(b) of this chapter and conduct performance evaluations as specified in § 60.503a(a) and (d) of this chapter. For periods of CEMS outages, you may use the limited alternative monitoring methods as specified in § 60.504a(e) of this chapter.

(f) Each owner or operator subject to the emission standard in § 63.11087 for gasoline storage tanks shall comply with the requirements in paragraphs (f)(1) through (3) of this section.

(1) If your gasoline storage tank is equipped with an internal floating roof,

(i) You must perform inspections of the floating roof system according to the requirements of § 60.113b(a) of this chapter if you are complying with option 2(b) in table 1 to this subpart, or according to the requirements of § 63.1063(c)(1) if you are complying with option 2(e) in table 1 to this subpart.

(ii) No later than the dates specified in § 63.11083, you must conduct LEL monitoring according to the provisions in § 63.425(j). A deviation of the LEL level is considered an inspection failure under § 60.113b(a)(2) of this chapter or § 63.1063(d)(2) and must be remedied as such. Any repairs must be confirmed effective through re-monitoring of the LEL and meeting the levels in options 2(c) and 2(f) in table 1 to this subpart within the timeframes specified in § 60.113b(a)(2) or § 63.1063(e), as applicable.

(2) If your gasoline storage tank is equipped with an external floating roof, you must perform inspections of the floating roof system according to the requirements of § 60.113b(b) of this chapter if you are complying with option 2(d) in table 1 to this subpart, or according to the requirements of § 63.1063(c)(2) if you are complying with option 2(e) in table 1 to this subpart.

(3) If your gasoline storage tank is equipped with a closed vent system and control device, you must conduct a performance test and determine a monitored operating parameter value in accordance with the requirements in paragraphs (a) through (d) of this section, except that the applicable level of control specified in paragraph (a)(2) of this section shall be a 95-percent reduction in inlet TOC levels rather than 80 mg/l of gasoline loaded.

(g) The annual certification test for gasoline cargo tanks shall consist of the test methods specified in paragraph (g)(1) or (2) of this section. Affected facilities that are subject to subpart XX to part 60 of this chapter may elect, after notification to the subpart XX delegated authority, to comply with paragraphs (g)(1) and (2) of this section.

(1) *EPA Method 27 of appendix A-8 to part 60 of this chapter.* Conduct the test using a time period (t) for the pressure and vacuum tests of 5 minutes. The initial pressure (P_i) for the pressure test shall be 460 millimeters (mm) of water (18 inches of water), gauge. The initial vacuum (V_i) for the vacuum test shall be 150 mm of water (6 inches of water), gauge.

(i) The maximum allowable pressure and vacuum changes (Δ p, Δ v) for all affected gasoline cargo tanks is 3 inches of water, or less, in 5 minutes.

(ii) No later than the dates specified in § 63.11083, the maximum allowable pressure and vacuum changes (Δ p, Δ v) for all affected gasoline cargo tanks is provided in column 3 of table 2 in § 63.425(e). The requirements in paragraph (g)(1)(i) of this section do not apply when demonstrating compliance with this paragraph (g)(1)(ii).

(2) *Railcar bubble leak test procedures.* As an alternative to the annual certification test required under paragraph (g)(1) of this section for certification leakage testing of gasoline cargo tanks, the owner or operator may comply with paragraphs (g)(2)(i) and (ii) of this section for railcar cargo tanks, provided the railcar cargo tank meets the requirement in paragraph (g)(2)(iii) of this section.

(i) Comply with the requirements of 49 CFR 173.31(d), 179.7, 180.509, and 180.511 for the periodic testing of railcar cargo tanks.

(ii) The leakage pressure test procedure required under 49 CFR 180.509(j) and used to show no indication of leakage under 49 CFR 180.511(f) shall be a bubble leak test procedure meeting the requirements in 49 CFR 179.7, 180.505, and 180.509. Use of ASTM E515-95 (Reapproved 2000) or BS EN 1593:1999 (incorporated by reference, see § 63.14) complies with those requirements.

(iii) The alternative requirements in this paragraph (g)(2) may not be used for any railcar cargo tank that collects gasoline vapors from a vapor balance system and the system complies with a Federal, State, local, or Tribal rule or permit. A vapor balance system is a piping and collection system designed to collect gasoline vapors displaced from a storage vessel, barge, or other container being loaded, and routes the displaced gasoline vapors into the railcar cargo tank from which liquid gasoline is being unloaded.

(h) As an alternative to the pressure monitoring requirements in § 60.504a(d) of this chapter, you may comply with the pressure monitoring requirements in § 60.503(d) of this chapter during any performance test or performance evaluation conducted under § 63.11092(e) to demonstrate compliance with the provisions in § 60.502a(h) of this chapter.

(i) Performance tests conducted for this subpart shall be conducted under such conditions as the Administrator specifies to the owner or operator, based on representative performance (*i.e.,* performance based on normal operating conditions) of the affected source. Performance tests shall be conducted under representative conditions when liquid product is being loaded into gasoline cargo tanks and shall include periods between gasoline cargo tank loading (when one cargo tank is disconnected and another cargo tank is moved into position for loading) provided that liquid product loading into gasoline cargo tanks is conducted for at least a portion of each 5 minute block of the performance test. You may not conduct performance tests during periods of malfunction. You must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

Notifications, Records, and Reports

§ 63.11093 What notifications must I submit and when?

(a) Each owner or operator of an affected source under this subpart must submit an Initial Notification as specified in § 63.9(b). If your facility is in compliance with the requirements of this subpart at the time the Initial Notification is due, the Notification of Compliance Status required under paragraph (b) of this section may be submitted in lieu of the Initial Notification.

(b) Each owner or operator of an affected source under this subpart must submit a Notification of Compliance Status as specified in § 63.9(h). The Notification of Compliance Status must specify which of the compliance options included in Table 1 to this subpart is used to comply with this subpart.

(c) Each owner or operator of an affected bulk gasoline terminal under this subpart must submit a Notification of Performance Test or Performance Evaluation, as specified in subpart A to this part, prior to initiating testing required by this subpart.

(d) Each owner or operator of any affected source under this subpart must submit additional notifications specified in § 63.9, as applicable.

(e) The owner or operator must submit all Notification of Compliance Status reports in PDF format to the EPA following the procedure specified in § 63.9(k), except any medium submitted through mail must be sent to the attention of the Gasoline Distribution Sector Lead.

§ 63.11094 What are my recordkeeping requirements?

(a) Each owner or operator of a bulk gasoline terminal or pipeline breakout station whose storage vessels are subject to the provisions of this subpart shall keep records as specified in paragraphs (a)(1) and (2) of this section.

(1) If you are complying with options 2(a), 2(b), or 2(d) in table 1 to this subpart, keep records as specified in § 60.115b of this chapter except records shall be kept for at least 5 years. If you are complying with the requirements of option 2(e) in table 1 to this subpart, you shall keep records as specified in § 63.1065.

(2) If you are complying with options 2(c) or 2(f) in table 1 to this subpart, keep records of each LEL monitoring event as specified in paragraphs (a)(2)(i) through (ix) of this section for at least 5 years.

(i) Date and time of the LEL monitoring, and the storage vessel being monitored.

(ii) A description of the monitoring event (*e.g.,* monitoring conducted concurrent with visual inspection required under § 60.113b(a)(2) of this chapter or § 63.1063(d)(2); monitoring that occurred on a date other than the visual inspection required under § 60.113b(a)(2) or § 63.1063(d)(2); re-monitoring due to high winds; re-monitoring after repair attempt).

(iii) Wind speed at the top of the storage vessel on the date of LEL monitoring.

(iv) The LEL meter manufacturer and model number used, as well as an indication of whether tubing was used during the LEL monitoring, and if so, the type and length of tubing used.

(v) Calibration checks conducted before and after making the measurements, including both the span check and instrumental offset. This includes the hydrocarbon used as the calibration gas, the Certificate of Analysis for the calibration gas(es), the results of the calibration check, and any corrective action for calibration checks that do not meet the required response.

(vi) Location of the measurements and the location of the floating roof.

(vii) Each measurement (taken at least once every 15 seconds). The records should indicate whether the recorded values were automatically corrected using the meter's programming. If the values were not automatically corrected, record both the raw (as the calibration gas) and corrected measurements, as well as the correction factor used.

(viii) Each 5-minute rolling average reading.

(ix) If the vapor concentration of the storage vessel was above 25 percent of the LEL on a 5-minue rolling average basis, a description of whether the floating roof was repaired, replaced, or taken out of gasoline service.

(b) Each owner or operator of a bulk gasoline terminal subject to the provisions in items 1(e), 1(f), or 2(c) in table 2 to this subpart or bulk gasoline plant subject to the requirements in § 63.11086(a)(6) shall keep records in either a hardcopy or electronic form of the test results for each gasoline cargo tank loading at the facility as specified in paragraphs (b)(1) through (3) of this section for at least 5 years.

(1) Annual certification testing performed under § 63.11092(g)(1) and periodic railcar bubble leak testing performed under § 63.11092(g)(2).

(2) The documentation file shall be kept up to date for each gasoline cargo tank loading at the facility. The documentation for each test shall include, as a minimum, the following information:

(i) Name of test: Annual Certification Test—Method 27 or Periodic Railcar Bubble Leak Test Procedure.

(ii) Cargo tank owner's name and address.

(iii) Cargo tank identification number.

(iv) Test location and date.

(v) Tester name and signature.

(vi) Witnessing inspector, if any: Name, signature, and affiliation.

(vii) Vapor tightness repair: Nature of repair work and when performed in relation to vapor tightness testing.

(viii) Test results: Tank or compartment capacity; test pressure; pressure or vacuum change, mm of water; time period of test; number of leaks found with instrument; and leak definition.

(3) If you are complying with the alternative requirements in § 63.11088(b), you must keep records documenting that you have verified the vapor tightness testing according to the requirements of the Administrator.

(c) Each owner or operator subject to the equipment leak provisions of § 63.11089 shall prepare and maintain a record describing the types, identification numbers, and locations of all equipment in gasoline service. For facilities electing to implement an instrument program under § 63.11089(b), the record shall contain a full description of the program.

(d) Each owner or operator of an affected source subject to equipment leak inspections under § 63.11089(b) shall record in the logbook for each leak that is detected the information specified in paragraphs (d)(1) through (7) of this section.

(1) The equipment type and identification number.

(2) The nature of the leak (*i.e.,* vapor or liquid) and the method of detection (*i.e.,* sight, sound, or smell).

(3) The date the leak was detected and the date of each attempt to repair the leak.

(4) Repair methods applied in each attempt to repair the leak.

(5) “Repair delayed” and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak.

(6) The expected date of successful repair of the leak if the leak is not repaired within 15 days.

(7) The date of successful repair of the leak.

(e) Each owner or operator of an affected source subject to § 63.11089(c) or § 60.503a(a)(2) of this chapter shall maintain records of each leak inspection and leak identified under § 63.11089(c) or § 60.503a(a)(2) as specified in paragraphs (e)(1) through (5) of this section for at least 5 years.

(1) An indication if the leak inspection was conducted under § 63.11089(c) or § 60.503a(a)(2) of this chapter.

(2) Leak determination method used for the leak inspection.

(3) For leak inspections conducted with Method 21 of appendix A-7 to part 60 of this chapter, keep the following additional records:

(i) Date of inspection.

(ii) Inspector name.

(iii) Monitoring instrument identification.

(iv) Identification of all equipment surveyed and the instrument reading for each piece of equipment.

(v) Date and time of instrument calibration and initials of operator performing the calibration.

(vi) Calibration gas cylinder identification, certification date, and certified concentration.

(vii) Instrument scale used.

(viii) Results of the daily calibration drift assessment.

(4) For leak inspections conducted with OGI, keep the records specified in section 12 of appendix K to part 60 of this chapter.

(5) For each leak detected during a leak inspection or by audio/visual/olfactory methods during normal duties, record the following information:

(i) The equipment type and identification number.

(ii) The date the leak was detected, the name of the person who found the leak, the nature of the leak (*i.e.,* vapor or liquid), and the method of detection (*i.e.,* audio/visual/olfactory, Method 21, or OGI).

(iii) The date of each attempt to repair the leak and the repair methods applied in each attempt to repair the leak.

(iv) The date of successful repair of the leak, the method of monitoring used to confirm the repair, and if Method 21 of appendix A-7 to part 60 of this chapter is used to confirm the repair, the maximum instrument reading measured by Method 21 of appendix A-7. If OGI is used to confirm the repair, keep video footage of the repair confirmation.

(v) For each repair delayed beyond 15 calendar days after discovery of the leak, record “Repair delayed”, the reason for the delay, and the expected date of successful repair. The owner or operator (or designate) whose decision it was that repair could not be carried out in the 15- calendar day timeframe must sign the record.

(vi) For each leak that is not repairable, the maximum instrument reading measured by Method 21 of appendix A-7 to part 60 of this chapter at the time the leak is determined to be not repairable, a video captured by the OGI camera showing that emissions are still visible, or a signed record that the leak is still detectable via audio/visual/olfactory methods.

(f) Each owner or operator of a bulk gasoline terminal subject to the loading rack provisions of item 1(c) of table 2 to this subpart or storage vessel provisions in § 63.11092(f) shall:

(1) Keep an up-to-date, readily accessible record of the continuous monitoring data required under § 63.11092(b) or (f). This record shall indicate the time intervals during which loadings of gasoline cargo tanks have occurred or, alternatively, shall record the operating parameter data only during such loadings. The date and time of day shall also be indicated at reasonable intervals on this record.

(2) Record and report simultaneously with the Notification of Compliance Status required under § 63.11093(b):

(i) All data and calculations, engineering assessments, and manufacturer's recommendations used in determining the operating parameter value under § 63.11092(b) or (f); and

(ii) The following information when using a flare under provisions of § 63.11(b) to comply with § 63.11087(a):

(A) Flare design (*i.e.,* steam-assisted, air-assisted, or non-assisted); and

(B) All visible emissions (VE) readings, heat content determinations, flow rate measurements, and exit velocity determinations made during the compliance determination required under § 63.11092(e)(3).

(3) Keep an up-to-date, readily accessible copy of the monitoring and inspection plan required under § 63.11092(b)(1)(i)(B)(*2*) or (b)(1)(iii)(B)(*2*).

(4) Keep an up-to-date, readily accessible record as specified in § 63.11092(b)(1)(i)(B)(*2*)(*v*) or (b)(1)(iii)(B)(*2*)(*v*).

(5) If an owner or operator requests approval to use a vapor processing system or monitor an operating parameter other than those specified in § 63.11092(b), the owner or operator shall submit a description of planned reporting and recordkeeping procedures.

(g) Each owner or operator of a bulk gasoline terminal subject to the loading rack provisions of item 1(c) of table 2 to this subpart shall keep records specified in paragraphs (g)(1) through (3) of this section, as applicable, for at least 5 years unless otherwise specified.

(1) For each thermal oxidation system used to comply with the provisions in § 63.11092(e)(2)(i) by monitoring the combustion zone temperature, for each pressure CPMS used to comply with the requirements in § 60.502a(h) of this chapter, and for each vapor recovery system used to comply with the provisions in item 3 of table 3 to this subpart, maintain records, as applicable, of:

(i) The applicable operating or emission limit for the CMS. For combustion zone temperature operating limits, include the applicable date range the limit applies based on when the performance test was conducted.

(ii) Each 3-hour rolling average combustion zone temperature measured by the temperature CPMS, each 5-minute average reading from the pressure CPMS, and each 3-hour rolling average TOC concentration (as propane) measured by the TOC CEMS.

(iii) For each deviation of the 3-hour rolling average combustion zone temperature operating limit, maximum loading pressure specified in § 60.502a(h) of this chapter, or 3-hour rolling average TOC concentration (as propane), the start date and time, duration, cause, and the corrective action taken.

(iv) For each period when there was a CMS outage or the CMS was out of control, the start date and time, duration, cause, and the corrective action taken. For TOC CEMS outages where the limited alternative for vapor recovery systems in § 60.504a(e) of this chapter is used, the corrective action taken shall include an indication of the use of the limited alternative for vapor recovery systems in § 60.504a(e).

(v) Each inspection or calibration of the CMS including a unique identifier, make, and model number of the CMS, and date of calibration check. For TOC CEMS, include the type of CEMS used (*i.e.,* flame ionization detector, nondispersive infrared analyzer) and an indication of whether methane is excluded from the TOC concentration reported in paragraph (g)(1)(ii) of this section.

(vi) TOC CEMS outages where the limited alternative for vapor recovery systems in § 60.504a(e) of this chapter is used, also keep records of:

(A) The quantity of liquid product loaded in gasoline cargo tanks for the past 10 adsorption cycles prior to the CEMS outage.

(B) The vacuum pressure, purge gas quantities, and duration of the vacuum/purge cycles used for the past 10 desorption cycles prior to the CEMS outage.

(C) The quantity of liquid product loaded in gasoline cargo tanks for each adsorption cycle while using the alternative.

(D) The vacuum pressure, purge gas quantities, and duration of the vacuum/purge cycles for each desorption cycle while using the alternative.

(2) For each thermal oxidation system used to comply with the provision in § 63.11092(e)(2)(ii) and for each flare used to comply with the provision in item 2 of table 3 to this subpart, maintain records of:

(i) The output of the monitoring device used to detect the presence of a pilot flame as required in § 63.670(b) for a minimum of 2 years. Retain records of each 15-minute block during which there was at least one minute that no pilot flame is present when gasoline vapors were routed to the flare for a minimum of 5 years. The record must identify the start and end time and date of each 15-minute block.

(ii) Visible emissions observations as specified in paragraphs (g)(2)(ii)(A) and (B) of this section, as applicable, for a minimum of 3 years.

(A) If visible emissions observations are performed using Method 22 of appendix A-7 to part 60 of this chapter, the record must identify the date, the start and end time of the visible emissions observation, and the number of minutes for which visible emissions were observed during the observation. If the owner or operator performs visible emissions observations more than one time during a day, include separate records for each visible emissions observation performed.

(B) For each 2-hour period for which visible emissions are observed for more than 5 minutes in 2 consecutive hours but visible emissions observations according to Method 22 of appendix A-7 to part 60 of this chapter were not conducted for the full 2-hour period, the record must include the date, the start and end time of the visible emissions observation, and an estimate of the cumulative number of minutes in the 2-hour period for which emissions were visible based on best information available to the owner or operator.

(iii) Each 15-minute block period during which operating values are outside of the applicable operating limits specified in § 63.670(d) through (f) when liquid product is being loaded into gasoline cargo tanks for at least 15-minutes identifying the specific operating limit that was not met.

(iv) The 15-minute block average cumulative flows for the thermal oxidation system vent gas or flare vent gas and, if applicable, total steam, perimeter assist air, and premix assist air specified to be monitored under § 63.670(i), along with the date and start and end time for the 15-minute block. If multiple monitoring locations are used to determine cumulative vent gas flow, total steam, perimeter assist air, and premix assist air, retain records of the 15-minute block average flows for each monitoring location for a minimum of 2 years, and retain the 15-minute block average cumulative flows that are used in subsequent calculations for a minimum of 5 years. If pressure and temperature monitoring is used, retain records of the 15-minute block average temperature, pressure and molecular weight of the thermal oxidation system vent gas, flare vent gas, or assist gas stream for each measurement location used to determine the 15-minute block average cumulative flows for a minimum of 2 years, and retain the 15-minute block average cumulative flows that are used in subsequent calculations for a minimum

of 5 years. If you use the supplemental gas flow rate monitoring alternative in § 60.502a(c)(3)(viii) of this chapter, the required supplemental gas flow rate (winter and summer, if applicable) and the actual monitored supplemental gas flow rate for the 15-minute block. Retain the supplemental gas flow rate records for a minimum of 5 years.

(v) The thermal oxidation system vent gas or flare vent gas compositions specified to be monitored under § 63.670(j). Retain records of individual component concentrations from each compositional analyses for a minimum of 2 years. If NHV_{vg} analyzer is used, retain records of the 15-minute block average values for a minimum of 5 years. If you demonstrate your gas streams have consistent composition using the provisions in § 63.670(j)(6) as specified in § 60.502a(c)(3)(vii) of this chapter, retain records of the required minimum ratio of gasoline loaded to total liquid product loaded and the actual ratio on a 15-minute block basis. If applicable, you must retain records of the required minimum gasoline loading rate as specified in § 60.502a(c)(3)(vii) and the actual gasoline loading rate on a 15-minute block basis for a minimum of 5 years.

(vi) Each 15-minute block average operating parameter calculated following the methods specified in § 63.670(k) through (n), as applicable.

(vii) All periods during which the owner or operator does not perform monitoring according to the procedures in § 63.670(g), (i), and (j) or in § 60.502a(c)(3)(vii) and (viii) of this chapter as applicable. Note the start date, start time, and duration in minutes for each period.

(viii) An indication of whether "vapors displaced from gasoline cargo tanks during product loading" excludes periods when liquid product is loaded but no gasoline cargo tanks are being loaded or if liquid product loading is assumed to be loaded into gasoline cargo tanks according to the provisions in § 60.502a(c)(3)(i) of this chapter, records of all time periods when "vapors displaced from gasoline cargo tanks during product loading", and records of time periods when there were no "vapors displaced from gasoline cargo tanks during product loading".

(ix) If you comply with the flare tip velocity operating limit using the one-time flare tip velocity operating limit compliance assessment as provided in § 60.502a(c)(3)(ix) of this chapter, maintain records of the applicable one-time flare tip velocity operating limit compliance assessment for as long as you use this compliance method.

(x) For each parameter monitored using a CMS, retain the records specified in paragraphs (g)(2)(x)(A) through (C) of this section, as applicable:

(A) For each deviation, record the start date and time, duration, cause, and corrective action taken.

(B) For each period when there is a CMS outage or the CMS is out of control, record the start date and time, duration, cause, and corrective action taken.

(C) Each inspection or calibration of the CMS including a unique identifier, make, and model number of the CMS, and date of calibration check.

(3) Records of all 5-minute time periods during which liquid product is loaded into gasoline cargo tanks or assumed to be loaded into gasoline cargo tanks and records of all 5-minute time periods when there was no liquid product loaded into gasoline cargo tanks.

(h) Each owner or operator of a bulk gasoline terminal subject to the provisions in items 1(e), 1(f), or 2(c) in table 2 to this subpart or bulk gasoline plant subject to the requirements in § 63.11086(a)(6) shall maintain records of each instance in which liquid product was loaded into a gasoline cargo tank for which vapor tightness documentation

required under § 60.502(e)(1) or § 60.502a(e)(1) of this chapter, as applicable, was not provided or available in the terminal's or plant's records for at least 5 years. These records shall include, at a minimum:

(1) Cargo tank owner and address.

(2) Cargo tank identification number.

(3) Date and time liquid product was loaded into a gasoline cargo tank without proper documentation.

(4) Date proper documentation was received or statement that proper documentation was never received.

(i) Each owner or operator of a bulk gasoline terminal or bulk gasoline plant subject to the provisions of this subpart shall maintain records for at least 5 years of each instance when liquid product was loaded into gasoline cargo tanks not using submerged filling, or, if applicable, not equipped with vapor collection or balancing equipment that is compatible with the terminal's vapor collection system or plant's vapor balancing system. These records shall include, at a minimum:

(1) Date and time of liquid product loading into gasoline cargo tank not using submerged filling, improperly equipped, or improperly connected.

(2) Type of deviation (*e.g.,* not submerged filling, incompatible equipment, not properly connected).

(3) Cargo tank identification number.

(j) Each owner or operator of a bulk gasoline plant subject to the requirements in § 63.11086(a)(6) shall maintain records for at least 5 years of instances when gasoline was loaded between gasoline cargo tanks and storage tanks and the plant's vapor balancing system was not properly connected between the gasoline cargo tank and storage tank. These records shall include, at a minimum:

(1) Date and time of gasoline loading between a gasoline cargo tank and a storage tank that was not properly connected.

(2) Cargo tank identification number and storage tank identification number.

(k) Each owner or operator of an affected source under this subpart shall keep the following records for each deviation of an emissions limitation (including operating limit), work practice standard, or operation and maintenance requirement in this subpart.

(1) Date, start time, and duration of each deviation.

(2) List of the affected sources or equipment for each deviation, an estimate of the quantity of each regulated pollutant emitted over any emission limit and a description of the method used to estimate the emissions.

(3) Actions taken to minimize emissions in accordance with § 63.11085(a).

(l) Each owner or operator of a bulk gasoline terminal or bulk gasoline plant subject to the provisions of this subpart shall maintain records of the average gasoline throughput (in gallons per day) for at least 5 years.

(m) Keep written procedures required under § 63.8(d)(2) on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator. If the performance evaluation plan is revised, you shall keep previous (*i.e.,* superseded) versions of the performance evaluation plan on record to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan. The program of corrective action shall be included in the plan as required under § 63.8(d)(2).

(n) Keep records of each performance test or performance evaluation conducted and each notification and report submitted to the Administrator for at least 5 years. For each performance test, include an indication of whether liquid product loading is assumed to be loaded into a gasoline cargo tank or periods when liquid product is loaded

but no gasoline cargo tanks are being loaded are excluded in the determination of the combustion zone temperature operating limit according to the provision in § 60.503a(c)(8)(ii) of this chapter. If complying with the alternative in § 63.11092(h), for each performance test or performance evaluation conducted, include the pressure every 5 minutes while a gasoline cargo tank is being loaded and the highest instantaneous pressure that occurs during each loading.

(o) Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated authority or the EPA as part of an on-site compliance evaluation.

§ 63.11095 What are my reporting requirements?

(a) *Reporting requirements for performance tests.* Prior to November 4, 2024, each owner or operator of an affected source under this subpart shall submit performance test reports to the Administrator according to the requirements in § 63.13. Beginning on November 4, 2024, within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test following the procedures specified in § 63.9(k). As required by § 63.7(g)(2)(iv), you must include the value for the combustion zone temperature operating parameter limit set based on your performance test in the performance test report. If the monitoring alternative in § 63.11092(h) is used, indicate that this monitoring alternative is being used, identify each loading rack that loads gasoline cargo tanks at the bulk gasoline terminal subject to the provisions of this subpart, and report the highest instantaneous pressure monitored during the performance test or performance evaluation for each identified loading rack. Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (*https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert*) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test must be included as an attachment in the ERT or an alternate electronic file.

(b) *Reporting requirements for performance evaluations.* Prior to November 4, 2024, each owner or operator of an affected source under this subpart shall submit performance evaluations to the Administrator according to the requirements in § 63.13. Beginning on November 4, 2024, within 60 days after the date of completing each CEMS performance evaluation, you must submit the results of the performance evaluation following the procedures specified in § 63.9(k). If the monitoring alternative in § 63.11092(h) is used, indicate that this monitoring alternative is being used, identify each loading rack that loads gasoline cargo tanks at the bulk gasoline terminal subject to the provisions of this subpart, and report the highest instantaneous pressure monitored during the performance test or performance evaluation for each identified loading rack. The results of performance evaluations of CEMS measuring relative accuracy test audit (RATA) pollutants that are supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the XML schema listed on the EPA's ERT website. The results of performance evaluations of CEMS measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be included as an attachment in the ERT or an alternate electronic file.

(c) *Reporting requirements prior to May 8, 2027.* Prior to May 8, 2027, each owner or operator of a source subject to the requirements of this subpart shall submit reports as specified in paragraphs (c)(1) through (3) of this section, as applicable.

(1) Each owner or operator of a bulk terminal or a pipeline breakout station subject to the control requirements of this subpart shall include in a semiannual compliance report to the Administrator the following information, as applicable:

(i) For storage vessels, if you are complying with options 2(a), 2(b), or 2(d) in table 1 to this subpart, the information specified in § 60.115b(a), (b), or (c) of this chapter, depending upon the control equipment installed, or, if you are complying with option 2(e) in table 1 to this subpart, the information specified in § 63.1066.

(ii) For loading racks, each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility.

(iii) For equipment leak inspections, the number of equipment leaks not repaired within 15 days after detection.

(iv) For storage vessels complying with § 63.11087(b) after January 10, 2011, the storage vessel's Notice of Compliance Status information can be included in the next semi-annual compliance report in lieu of filing a separate Notification of Compliance Status report under § 63.11093.

(2) Each owner or operator of an affected source subject to the control requirements of this subpart shall submit an excess emissions report to the Administrator at the time the semiannual compliance report is submitted. Excess emissions events under this subpart, and the information to be included in the excess emissions report, are specified in paragraphs (c)(2)(i) through (v) of this section.

(i) Each instance of a non-vapor-tight gasoline cargo tank loading at the facility in which the owner or operator failed to take steps to assure that such cargo tank would not be reloaded at the facility before vapor tightness documentation for that cargo tank was obtained.

(ii) Each reloading of a non-vapor-tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tank is obtained by the facility in accordance with § 63.11094(b).

(iii) Each exceedance or failure to maintain, as appropriate, the monitored operating parameter value determined under § 63.11092(b). The report shall include the monitoring data for the days on which exceedances or failures to maintain have occurred, and a description and timing of the steps taken to repair or perform maintenance on the vapor collection and processing systems or the CMS.

(iv) [Reserved]

(v) For each occurrence of an equipment leak for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after detection:

(A) The date on which the leak was detected;

(B) The date of each attempt to repair the leak;

(C) The reasons for the delay of repair; and

(D) The date of successful repair.

(3) Each owner or operator of a bulk gasoline plant or a pipeline pumping station shall submit a semiannual excess emissions report, including the information specified in paragraphs (c)(1)(iii) and (c)(2)(v) of this section, only for a 6-month period during which an excess emission event has occurred. If no excess emission events have occurred during the previous 6-month period, no report is required.

(d) *Reporting requirements for semiannual reports on or after May 8, 2027.* On or after May 8, 2027, you must submit to the Administrator semiannual reports with the applicable information in paragraphs (d)(1) through (9) of this section following the procedure specified in paragraph (e) of this section.

(1) Report the following general facility information:

(i) Facility name.

(ii) Facility physical address, including city, county, and State.

(iii) Latitude and longitude of facility's physical location. Coordinates must be in decimal degrees with at least five decimal places.

(iv) The following information for the contact person:

(A) Name.

(B) Mailing address.

(C) Telephone number.

(D) Email address.

(v) The type of facility (bulk gasoline plant with an annual average gasoline throughput less than 4,000 gallons per day; bulk gasoline plant with an annual average gasoline throughput of 4,000 gallons per day or more; bulk gasoline terminal with a gasoline throughput (total of all racks) less than 250,000 gallons per day; bulk gasoline terminal with a gasoline throughput (total of all racks) of 250,000 gallons per day or more; pipeline breakout station; or pipeline pumping station).

(vi) Date of report and beginning and ending dates of the reporting period. You are no longer required to provide the date of report when the report is submitted via CEDRI.

(vii) 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. If your report is submitted via CEDRI, the certifier's electronic signature during the submission process replaces the requirement in this paragraph (d)(1)(vii).

(2) For each thermal oxidation system used to comply with the provision in § 63.11092(e)(2)(i) by monitoring the combustion zone temperature, for each pressure CPMS used to comply with the requirements in § 60.502a(h) of this chapter, and for each vapor recovery system used to comply with the provisions in item 3 of table 3 to this subpart, report the following information for the CMS:

(i) For all instances when the temperature CPMS measured 3-hour rolling averages below the established operating limit or when the vapor collection system pressure exceeded the maximum loading pressure specified in § 60.502a(h) when liquid product was being loaded into gasoline cargo tanks or when the TOC CEMS measured 3-hour rolling average concentrations higher than the applicable emission limitation when the vapor recovery system was operating:

(A) The date and start time of the deviation.

(B) The duration of the deviation in hours.

(C) Each 3-hour rolling average combustion zone temperature, average pressure, or 3-hour rolling average TOC concentration during the deviation. For TOC concentration, indicate whether methane is excluded from the TOC concentration.

(D) A unique identifier for the CMS.

(E) The make, model number, and date of last calibration check of the CMS.

(F) The cause of the deviation and the corrective action taken.

(ii) For all instances that the temperature CPMS for measuring the combustion zone temperature or pressure CPMS was not operating or out of control when liquid product was loaded into gasoline cargo tanks, or the TOC CEMS was not operating or was out of control when the vapor recovery system was operating:

(A) The date and start time of the deviation.

(B) The duration of the deviation in hours.

(C) A unique identifier for the CMS.

(D) The make, model number, and date of last calibration check of the CMS.

(E) The cause of the deviation and the corrective action taken. For TOC CEMS outages where the limited alternative for vapor recovery systems in § 60.504a(e) of this chapter is used, the corrective action taken shall include an indication of the use of the limited alternative for vapor recovery systems in § 60.504a(e) of this chapter.

(F) For TOC CEMS outages where the limited alternative for vapor recovery systems in § 60.504a(e) of this chapter is used, report either an indication that there were no deviations from the operating limits when using the limited alternative or report the number of each of the following types of deviations that occurred during the use of the limited alternative for vapor recovery systems in § 60.504a(e) of this chapter.

(*1*) The number of adsorption cycles when the quantity of liquid product loaded in gasoline cargo tanks exceeded the operating limit established in § 60.504a(e)(1) of this chapter. Enter 0 if no deviations of this type.

(*2*) The number of desorption cycles when the vacuum pressure was below the average vacuum pressure as specified in § 60.504a(e)(2)(i) of this chapter. Enter 0 if no deviations of this type.

(*3*) The number of desorption cycles when the quantity of purge gas used was below the average quantity of purge gas as specified in § 60.504a(e)(2)(ii) of this chapter. Enter 0 if no deviations of this type.

(*4*) The number of desorption cycles when the duration of the vacuum/purge cycle was less than the average duration as specified in § 60.504a(e)(2)(iii) of this chapter. Enter 0 if no deviations of this type.

(3) For each thermal oxidation system used to comply with the provision in § 63.11092(e)(2)(ii) and each flare used to comply with the provision in item 2 of table 3 to this subpart, report:

(i) The date and start and end times for each of the following instances:

(A) Each 15-minute block during which there was at least one minute when gasoline vapors were routed to the flare and no pilot flame was present.

(B) Each period of 2 consecutive hours during which visible emissions exceeded a total of 5 minutes. Additionally, report the number of minutes for which visible emissions were observed during the observation or an estimate of the cumulative number of minutes in the 2-hour period for which emissions were visible based on best information available to the owner or operator.

(C) Each 15-minute period for which the applicable operating limits specified in § 63.670(d) through (f) were not met. You must identify the specific operating limit that was not met.

Additionally, report the information in paragraphs (d)(3)(i)(C)(*1*) through (*3*) of this section, as applicable.

(*1*) If you use the loading rate operating limits as determined in § 60.502a(c)(3)(vii) of this chapter alone or in combination with the supplemental gas flow rate monitoring alternative in § 60.502a(c)(3)(viii) of this chapter, the required minimum ratio and the actual ratio of gasoline loaded to total product loaded for the rolling 15-minute period and, if applicable, the required minimum quantity and the actual quantity of gasoline loaded, in gallons, for the rolling 15-minute period.

(*2*) If you use the supplemental gas flow rate monitoring alternative in § 60.502a(c)(3)(viii) of this chapter, the required minimum supplemental gas flow rate and the actual supplemental gas flow rate including units of flow rates for the 15-minute block.

(*3*) If you use parameter monitoring systems other than those specified in paragraphs (d)(3)(i)(C)(*1*) and (*2*) of this section, the value of the net heating value operating parameter(s) during the deviation determined following the methods in § 63.670(k) through (n) as applicable.

(ii) The start date, start time, and duration in minutes for each period when “vapors displaced from gasoline cargo tanks during product loading” were routed to the flare or thermal oxidation system and the applicable monitoring was not performed.

(iii) For each instance reported under paragraphs (d)(3)(i) and (ii) of this section that involves CMS, report the following information:

(A) A unique identifier for the CMS.

(B) The make, model number, and date of last calibration check of the CMS.

(C) The cause of the deviation or downtime and the corrective action taken.

(4) For any instance in which liquid product was loaded into a gasoline cargo tank for which vapor tightness documentation required under § 63.11094(b) was not provided or available in the terminal's records, report:

(i) Cargo tank owner and address.

(ii) Cargo tank identification number.

(iii) Date and time liquid product was loaded into a gasoline cargo tank without proper documentation.

(iv) Date proper documentation was received or statement that proper documentation was never received.

(5) For each instance when liquid product was loaded into gasoline cargo tanks not using submerged filling, as defined in § 63.11100, not equipped with vapor collection or balancing equipment that is compatible with the terminal's vapor collection system or plant's vapor balancing system, or not properly connected to the terminal's vapor collection system or plant's vapor balancing system, report:

(i) Date and time of liquid product loading into gasoline cargo tank not using submerged filling, improperly equipped, or improperly connected.

(ii) The type of deviation (*e.g.,* not submerged filling, incompatible equipment, not properly connected).

(iii) Cargo tank identification number.

(6) For each instance when gasoline was loaded between gasoline cargo tanks and storage tanks and the plant's vapor balancing system was not properly connected between the gasoline cargo tank and storage tank, report:

(i) Date and time of gasoline loading between a gasoline cargo tank and a storage tank that was not properly connected.

(ii) Cargo tank identification number and storage tank identification number.

(7) Report the following information for each leak inspection and each leak identified under § 63.11089(c) and § 60.503a(a)(2) of this chapter.

(i) For each leak detected during a leak inspection required under § 63.11089(c) and § 60.503a(a)(2) of this chapter, report:

(A) The date of inspection.

(B) The leak determination method (OGI or Method 21).

(C) The total number and type of equipment for which leaks were detected.

(D) The total number and type of equipment for which leaks were repaired within 15 calendar days.

(E) The total number and type of equipment for which no repair attempt was made within 5 calendar days of the leaks being identified.

(F) The total number and types of equipment placed on the delay of repair, as specified in § 60.502a(j)(8) of this chapter.

(ii) For leaks identified under § 63.11089(c) by audio/visual/olfactory methods during normal duties report:

(A) The total number and type of equipment for which leaks were identified.

(B) The total number and type of equipment for which leaks were repaired within 15 calendar days.

(C) The total number and type of equipment for which no repair attempt was made within 5 calendar days of the leaks being identified.

(D) The total number and type of equipment placed on the delay of repair, as specified in § 60.502a(j)(8) of this chapter.

(iii) The total number of leaks on the delay of repair list at the start of the reporting period.

(iv) The total number of leaks on the delay of repair list at the end of the reporting period.

(v) For each leak that was on the delay of repair list at any time during the reporting period, report:

(A) Unique equipment identification number.

(B) Type of equipment.

(C) Leak determination method (OGI, Method 21, or audio/visual/olfactory).

(D) The reason(s) why the repair was not feasible within 15 calendar days.

(E) If applicable, the date repair was completed.

(8) For each gasoline storage tank subject to requirements in item 2 of table 1 to this subpart, report:

(i) If you are complying with options 2(a), 2(b), or 2(d) in table 1 to this subpart, the information specified in § 60.115b(a) or (b) of this chapter or deviations in measured parameter values from the plan specified in § 60.115b(c) of this chapter, depending upon the control equipment installed, or, if you are complying with option 2(e) in table 1 to this subpart, the information specified in § 63.1066(b).

(ii) If you are complying with options 2(c) or 2(e) in table 1 to this subpart, for each deviation in LEL monitoring, report:

(A) Date and start and end times of the LEL monitoring, and the tank being monitored.

(B) Description of the monitoring event, *e.g.,* monitoring conducted concurrent with visual inspection required under § 60.113b(a)(2) of this chapter or § 63.1063(d)(2); monitoring that occurred on a date other than the visual inspection required under § 60.113b(a)(2) or § 63.1063(d)(2) of this chapter; re-monitoring due to high winds; re-monitoring after repair attempt.

(C) Wind speed in miles per hour at the top of the tank on the date of LEL monitoring.

(D) The highest 5-minute rolling average reading during the monitoring event.

(E) Whether the floating roof was repaired, replaced, or taken out of gasoline service. If the floating roof was repaired or replaced, also report the information in paragraphs (d)(8)(ii)(A) through (D) of this section for each re-monitoring conducted to confirm the repair.

(9) If there were no deviations from the emission limitations, operating parameters, or work practice standards, then provide a statement that there were no deviations from the emission limitations, operating parameters, or work practice standards during the reporting period. If there were no periods during which a continuous monitoring system (including a CEMS or CPMS) was inoperable or out-of-control, then provide a statement that there were no periods during which a continuous monitoring system was inoperable or out-of-control during the reporting period.

(e) *Requirements for semiannual report submissions.* Each owner or operator of an affected source under this subpart shall submit semiannual compliance reports with the information specified in paragraph (c) or (d) of this section to the Administrator according to the requirements in § 63.13. Beginning on May 8, 2027, or once the report template for this subpart has been available on the CEDRI website (*https://www.epa.gov/electronic-reporting-air-emissions/cedri*) for one year, whichever date is later, you must submit all subsequent semiannual compliance reports using the appropriate electronic report template on the CEDRI website for this subpart and following the procedure specified in § 63.9(k), except any medium submitted through mail must be sent to the attention of the Gasoline Distribution Sector Lead. The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated State agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

Other Requirements and Information

§ 63.11098 What parts of the General Provisions apply to me?

Table 4 to this subpart shows which parts of the General Provisions apply to you.

§ 63.11099 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by the U.S. EPA or a delegated authority such as the applicable State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to a State, local, or tribal agency.

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

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (5) of this section.

(1) Approval of alternatives to the requirements in §§ 63.11086 through 63.11088 and § 63.11092. Any owner or operator requesting to use an alternative means of emission limitation for storage vessels in Table 1 to this subpart must follow either the provisions in § 60.114b of this chapter if you are complying with options 2(a), 2(b), or 2(c) in Table 1 to this subpart, or the provisions in § 63.1064 if you are complying with option 2(d) in Table 1 to this subpart.

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

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

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

(5) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

§ 63.11100 What definitions apply to this subpart?

As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act (CAA), in subparts A, K, Ka, Kb, and XXa of part 60 of this chapter, or in subparts A, R, and WW of this part. All terms defined in both subpart A of part 60 of this chapter and subparts A, R, and WW of this part shall have the meaning given in subparts A, R, and WW of this part. For purposes of this subpart, definitions in this section supersede definitions in other parts or subparts. s in this section supersede definitions in other parts or subparts.

Administrator means the Administrator of the United States Environmental Protection Agency or his or her authorized representative (e.g., a State that has been delegated the authority to implement the provisions of this subpart).

Bulk gasoline plant means any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, or cargo tank, and subsequently loads the gasoline into gasoline cargo tanks for transport to gasoline dispensing facilities, and has a gasoline throughput of less than 20,000 gallons per day. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal, State, or local law, and discoverable by the Administrator and any other person.

Bulk gasoline terminal means:

(1) Prior to May 8, 2027, any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, or cargo tank and has a gasoline throughput of 20,000 gallons per day or greater. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal, State, or local law and discoverable by the Administrator and any other person.

(2) On or after May 8, 2027, any gasoline facility which receives gasoline by pipeline, ship, barge, or cargo tank and subsequently loads all or a portion of the gasoline into gasoline cargo tanks for transport to bulk gasoline plants or gasoline dispensing facilities and has a gasoline throughput of 20,000 gallons per day (75,700 liters per day) or greater. Gasoline throughput shall be the maximum calculated design throughput for the facility as may be limited by compliance with an enforceable condition under Federal, State, or local law and discoverable by the Administrator and any other person.

Equipment means each valve, pump, pressure relief device, sampling connection system, open-ended valve or line, and flange or other connector in the gasoline liquid transfer and vapor collection systems. This definition also includes the entire vapor processing system except the exhaust port(s) or stack(s).

Flare means a thermal combustion device using an open or shrouded flame (without full enclosure) such that the pollutants are not emitted through a conveyance suitable to conduct a performance test.

Gasoline means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 4.0 pounds per square inch (27.6 kilopascals) or greater, which is used as a fuel for internal combustion engines.

Gasoline cargo tank means a delivery tank truck or railcar which is loading gasoline or which has loaded gasoline on the immediately previous load.

Gasoline storage tank or vessel means each tank, vessel, reservoir, or container used for the storage of gasoline, but does not include:

(1) Frames, housing, auxiliary supports, or other components that are not directly involved in the containment of gasoline or gasoline vapors;

(2) Subsurface caverns or porous rock reservoirs;

(3) Oil/water separators and sumps, including butane blending sample recovery tanks, used to collect drained material such that it can be pumped to storage or back into a process; or

(4) Tanks or vessels permanently attached to mobile sources such as trucks, railcars, barges, or ships.

In gasoline service means that a piece of equipment is used in a system that transfers gasoline or gasoline vapors.

Monthly means once per calendar month at regular intervals of no less than 28 days and no more than 35 days.

Operating parameter value means a value for an operating or emission parameter of the vapor processing system (*e.g.,* temperature) which, if maintained continuously by itself or in combination with one or more other operating parameter values, determines that an owner or operator has complied with the applicable emission standard. The operating parameter value is determined using the procedures specified in § 63.11092(b) and (e).

Pipeline breakout station means:

(1) Prior to May 8, 2027, a facility along a pipeline containing storage vessels used to relieve surges or receive and store gasoline from the pipeline for reinjection and continued transportation by pipeline or to other facilities.

(2) On or after May 8, 2027, a facility along a pipeline containing storage vessels used to relieve surges or receive and store gasoline from the pipeline for reinjection and continued transportation by pipeline to other facilities. *Pipeline breakout stations* do not have loading racks where gasoline is loaded into cargo tanks. If any gasoline is loaded into cargo tanks, the facility is a bulk gasoline terminal for the purposes of this subpart provided the facility-wide gasoline throughput (including pipeline throughput) exceeds the limits specified for bulk gasoline terminals.

Pipeline pumping station means a facility along a pipeline containing pumps to maintain the desired pressure and flow of product through the pipeline, and not containing gasoline loading racks or gasoline storage tanks other than surge control tanks.

Submerged filling means, for the purposes of this subpart, the filling of a gasoline cargo tank or a stationary storage tank through a submerged fill pipe whose discharge is no more than the applicable distance specified in § 63.11086(a) from the bottom of the tank. Bottom filling of gasoline cargo tanks or storage tanks is included in this definition.

Surge control tank or vessel means, for the purposes of this subpart, those tanks or vessels used only for controlling pressure in a pipeline system during surges or other variations from normal operations.

Thermal oxidation system means an enclosed combustion device used to mix and ignite fuel, air pollutants, and air to provide a flame to heat and oxidize hazardous air pollutants. Auxiliary fuel may be used to heat air pollutants to combustion temperatures. *Thermal oxidation systems* emit pollutants through a conveyance suitable to conduct a performance test.

Vapor collection-equipped gasoline cargo tank means a gasoline cargo tank that is outfitted with the equipment necessary to transfer vapors, displaced during the loading of gasoline into the cargo tank, to a vapor processor system.

Vapor-tight gasoline cargo tank means a gasoline cargo tank which has demonstrated within the 12 preceding months that it meets the annual certification test requirements in § 63.11092(f).

Table 1 to Subpart BBBBBB of Part 63—Applicability Criteria, Emission Limits, and Management Practices for Storage Tanks

If you own or operate . . .	Then you must . . .
1. A gasoline storage tank meeting either of the following conditions: (i) a capacity of less than 75 cubic meters (m^3); or (ii) a capacity of less than 151 m^3 and a gasoline throughput of 480 gallons per day or less. Gallons per day is calculated by summing the current day's throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365	(a) Equip each gasoline storage tank with a fixed roof that is mounted to the storage tank in a stationary manner, and maintain all openings in a closed position at all times when not in use; and (b) No later than the dates specified in § 63.11083, all pressure relief devices on each gasoline storage tank must be set to no less than 18 inches of water at all times to minimize breathing losses.
2. A gasoline storage tank with a capacity of greater than or equal to 75 m^3 and not meeting any of the criteria specified in item 1 of this table	Do the following: (a) Reduce emissions of total organic HAP or TOC by 95 weight-percent with a closed vent system and control device, as specified in § 60.112b(a)(3) of this chapter; or (b) Equip each internal floating roof gasoline storage tank according to the requirements in § 60.112b(a)(1) of this chapter, except for the secondary seal requirements under § 60.112b(a)(1)(ii)(B) and the requirements in § 60.112b(a)(1)(iv) through (ix) of this chapter; and (c) No later than the dates specified in § 63.11083, equip, maintain, and operate each internal floating roof control system to maintain the vapor concentration within the storage tank above the floating roof at or below 25 percent of the LEL on a 5-minute rolling average basis without the use of purge gas, which may require additional controls beyond those specified in item 2(b) of this table; and (d) Equip each external floating roof gasoline storage tank according to the requirements in § 60.112b(a)(2) of this chapter, except that the requirements of § 60.112b(a)(2)(ii) of this chapter shall only be required if such storage tank does not currently meet the requirements

Table 1 to Subpart BBBBBB of Part 63—Applicability Criteria, Emission Limits, and Management Practices for Storage Tanks	
If you own or operate . . .	**Then you must . . .**
	of § 60.112b(a)(2)(i) of this chapter; by the dates specified in § 63.11083, all external floating roofs must meet the requirements of § 60.112b(a)(2)(ii) of this chapter; or (e) Equip and operate each internal and external floating roof gasoline storage tank according to the applicable requirements in § 63.1063(a)(1) and (b), except for the secondary seal requirements under § 63.1063(a)(1)(i)(C) and (D), and equip each external floating roof gasoline storage tank according to the requirements of § 63.1063(a)(2) by the dates specified in § 63.11087(b) if such storage tank does not currently meet the requirements of § 63.1063(a)(1); by the dates specified in § 63.11083, all external floating roofs must meet the requirements of § 63.1063(a)(2); and (f) No later than the dates specified in § 63.11083, equip, maintain, and operate each internal floating roof control system to maintain the vapor concentration within the storage tank above the floating roof at or below 25 percent of the LEL on a 5-minute rolling average basis without the use of purge gas, which may require additional controls beyond those specified in item 2(e) of this table.
3. A surge control tank	Equip each tank with a fixed roof that is mounted to the tank in a stationary manner and with a pressure/vacuum vent with a positive cracking pressure of no less than 0.50 inches of water. Maintain all openings in a closed position at all times when not in use.

Table 2 to Subpart BBBBBB of Part 63—Applicability Criteria, Emission Limits, and Management Practices for Loading Racks	
If you own or operate . . .	**Then you must . . .**
1. A bulk gasoline terminal loading rack(s) with a gasoline throughput (total of all racks) of 250,000 gallons per day, or greater (“large bulk gasoline terminal”). Gallons per day is calculated by summing the current day's throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365	(a) Equip your loading rack(s) with a vapor collection system designed and operated to collect the TOC vapors displaced from cargo tanks during product loading; and (b) Reduce emissions of TOC to less than or equal to 80 mg/l of gasoline loaded into gasoline cargo tanks at the loading rack; and (c) No later than the dates specified in § 63.11083, reduce emissions of TOC to the applicable limits in table 3 to this subpart. The requirements in item 1(b) do not apply when demonstrating compliance with this item; and (d) Design and operate the vapor collection system to prevent any TOC vapors collected at one loading rack or lane from passing through another loading rack or lane to the atmosphere; and

Table 2 to Subpart BBBBBB of Part 63—Applicability Criteria, Emission Limits, and Management Practices for Loading Racks	
If you own or operate . . .	**Then you must . . .**
	(e) Limit the loading of gasoline into gasoline cargo tanks that are vapor tight using the procedures specified in § 60.502(e) through (j) of this chapter. For the purposes of this section, the term "tank truck" as used in § 60.502(e) through (j) means "gasoline cargo tank" as defined in § 63.11100; and (f) No later than the dates specified in § 63.11083, limit the loading of liquid product into gasoline cargo tanks using the procedures specified in § 60.502a(e) through (i) of this chapter and in § 63.11092(g) and (h). The requirements in item 1(e) do not apply when demonstrating compliance with this item.
2. A bulk gasoline terminal loading rack(s) with a gasoline throughput (total of all racks) of less than 250,000 gallons per day. Gallons per day is calculated by summing the current day's throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365	(a) Use submerged filling with a submerged fill pipe that is no more than 6 inches from the bottom of the cargo tank; and (b) Make records available within 24 hours of a request by the Administrator to document your gasoline throughput. (c) No later than the dates specified in § 63.11083, limit the loading of gasoline into gasoline cargo tanks that are vapor tight using the procedures specified in § 60.502a(e) of this chapter and in § 63.11092(g).

Table 3 to Subpart BBBBBB of Part 63—Emission Limitations and Requirements for Large Bulk Gasoline Terminals Based on Control System Used	
If you operate . . .	**Then you must . . .**
1. A thermal oxidation system	(a) Reduce emissions of TOC to less than or equal to 35 mg/l of liquid product loaded into gasoline cargo tanks at the loading rack; and (b) Continuously meet the applicable operating limit as specified in § 63.11092(e)(2).
2. A flare	Operate the flare following the applicable requirements specified in § 60.502a(c)(3) of this chapter.
3. A carbon adsorption system, refrigerated condenser, or other vapor recovery system.	(a) Reduce emissions of TOC to less than or equal to 19,200 parts per million by volume as propane determined on a 3-hour rolling average considering all periods when the vapor recovery system is capable of processing gasoline vapors, including periods when liquid product is being loaded, during carbon bed regeneration, and when preparing the beds for reuse. (b) Operate the vapor recovery system to minimize air or nitrogen intrusion except as needed for the system to operate as designed for the purpose of removing VOC from the

Table 3 to Subpart BBBBBB of Part 63—Emission Limitations and Requirements for Large Bulk Gasoline Terminals Based on Control System Used	
If you operate . . .	**Then you must . . .**
	adsorption media or to break vacuum in the system and bring the system back to atmospheric pressure. Consistent with § 63.4, the use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere is prohibited.

Table 4 to Subpart BBBBBB of Part 63—Applicability of General Provisions			
Citation	**Subject**	**Brief description**	**Applies to this subpart**
§ 63.1	Applicability	Initial applicability determination; applicability after standard established; permit requirements; extensions, notifications	Yes, specific requirements given in § 63.11081.
§ 63.1(c)(2)	Title V permit	Requirements for obtaining a title V permit from the applicable permitting authority	Yes, § 63.11081(b) exempts identified area sources from the obligation to obtain title V operating permits.
§ 63.2	Definitions	Definitions for standards in this part	Yes, additional definitions in § 63.11100.
§ 63.3	Units and Abbreviations	Units and abbreviations for standards under this part	Yes.
§ 63.4	Prohibited Activities and Circumvention	Prohibited activities; circumvention, severability	Yes.
§ 63.5	Construction/Reconstruction	Applicability; applications; approvals	Yes.
§ 63.6(a)	Compliance with Standards/Operation & Maintenance Applicability	General Provisions apply unless compliance extension; General Provisions apply to area sources that become major	Yes.
§ 63.6(b)(1) through (4)	Compliance Dates for New and Reconstructed Sources	Dates standards apply for new and reconstructed sources	Yes.
§ 63.6(b)(5)	Notification	Must notify if commenced construction or reconstruction after proposal	Yes.
§ 63.6(b)(6)	[Reserved].		

Table 4 to Subpart BBBBBB of Part 63—Applicability of General Provisions			
Citation	**Subject**	**Brief description**	**Applies to this subpart**
§ 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	No.
§ 63.6(c)(1) and (2)	Compliance Dates for Existing Sources	Comply according to date in this subpart	No, § 63.11083 specifies the compliance dates.
§ 63.6(c)(3) and (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 this subpart or by equivalent time period (*e.g.,* 3 years)	No.
§ 63.6(d)	[Reserved].		
§ 63.6(e)(1)(i)	General duty to minimize emissions	Operate to minimize emissions at all times; information Administrator will use to determine if operation and maintenance requirements were met	No. *See* § 63.11085 for general duty requirement.
§ 63.6(e)(1)(ii)	Requirement to correct malfunctions as soon as possible	Owner or operator must correct malfunctions as soon as possible	No.
§ 63.6(e)(2)	[Reserved].		
§ 63.6(e)(3)	Startup, Shutdown, and Malfunction (SSM) plan	Requirement for SSM plan; content of SSM plan; actions during SSM	No.
§ 63.6(f)(1)	Compliance Except During SSM	You must comply with emission standards at all times except during SSM	No.
§ 63.6(f)(2) and (3)	Methods for Determining Compliance	Compliance based on performance test, operation and maintenance plans, records, inspection	Yes.
§ 63.6(g)(1) through (3)	Alternative Standard	Procedures for getting an alternative standard	Yes.
§ 63.6(h)(1)	Compliance with Opacity/VE Standards	You must comply with opacity/VE standards at all times except during SSM	No.
§ 63.6(h)(2)(i)	Determining Compliance with Opacity/VE Standards	If standard does not state test method, use EPA Method 9 for opacity in appendix A to part 60 of this chapter and EPA Method 22	No.

Table 4 to Subpart BBBBBB of Part 63—Applicability of General Provisions			
Citation	**Subject**	**Brief description**	**Applies to this subpart**
		for VE in appendix A to part 60 of this chapter	
§ 63.6(h)(2)(ii)	[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	No.
§ 63.6(h)(3)	[Reserved].		
§ 63.6(h)(4)	Notification of Opacity/VE Observation Date	Must notify Administrator of anticipated date of observation	No.
§ 63.6(h)(5)(i) and (iii) through (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 30 6-minute averages	No.
§ 63.6(h)(6)	Records of Conditions During Opacity/VE Observations	Must keep records available and allow Administrator to inspect	No.
§ 63.6(h)(7)(i)	Report Continuous Opacity Monitoring System (COMS) Monitoring Data from Performance Test	Must submit COMS data with other performance test data	No.
§ 63.6(h)(7)(ii)	Using COMS Instead of EPA Method 9	Can submit COMS data instead of EPA Method 9 results even if this subpart requires EPA Method 9 in appendix A of part 60 of this chapter, but must notify Administrator before performance test	No.
§ 63.6(h)(7)(iii)	Averaging Time for COMS During Performance Test	To determine compliance, must reduce COMS data to 6-minute averages	No.
§ 63.6(h)(7)(iv)	COMS Requirements	Owner/operator must demonstrate that COMS performance evaluations are conducted according to § 63.8(e); COMS are properly maintained and operated according to § 63.8(c) and data quality as § 63.8(d)	No.
§ 63.6(h)(7)(v)	Determining Compliance with Opacity/VE Standards	COMS is probable but not conclusive evidence of compliance with opacity standard, even if EPA Method 9 (in appendix	No.

Table 4 to Subpart BBBBBB of Part 63—Applicability of General Provisions			
Citation	**Subject**	**Brief description**	**Applies to this subpart**
		A to part 60 of this chapter) observation shows otherwise. Requirements for COMS to be probable evidence-proper maintenance, meeting Performance Specification 1 in appendix B to part 60 of this chapter, and data have not been altered	
§ 63.6(h)(8)	Determining Compliance with Opacity/VE Standards	Administrator will use all COMS, EPA Method 9 (in appendix A to part 60 of this chapter), and EPA Method 22 (in appendix A to part 60 of this chapter) results, as well as information about operation and maintenance to determine compliance	No.
§ 63.6(h)(9)	Adjusted Opacity Standard	Procedures for Administrator to adjust an opacity standard	No.
§ 63.6(i)(1) through (14)	Compliance Extension	Procedures and criteria for Administrator to grant compliance extension	Yes.
§ 63.6(j)	Presidential Compliance Exemption	President may exempt any source from requirement to comply with this subpart	Yes.
§ 63.7(a)(2)	Performance Test Dates	Dates for conducting initial performance testing; must conduct 180 days after compliance date	Yes.
§ 63.7(a)(3)	Section 114 Authority	Administrator may require a performance test under CAA section 114 at any time	Yes.
§ 63.7(a)(4)	Force Majeure	Provisions for delayed performance tests due to force majeure	Yes.
§ 63.7(b)(1)	Notification of Performance Test	Must notify Administrator 60 days before the test	Yes.
§ 63.7(b)(2)	Notification of Re-scheduling	If have to reschedule performance test, must notify Administrator of rescheduled date as soon as practicable and without delay	Yes.
§ 63.7(c)	Quality Assurance (QA)/Test Plan	Requirement to submit site-specific test plan 60 days before the test or on date Administrator agrees with; test plan approval procedures; performance audit requirements; internal and external QA procedures for testing	Yes.

Table 4 to Subpart BBBBBB of Part 63—Applicability of General Provisions			
Citation	**Subject**	**Brief description**	**Applies to this subpart**
§ 63.7(d)	Testing Facilities	Requirements for testing facilities	Yes.
§ 63.7(e)(1)	Conditions for Conducting Performance Tests	Performance test must be conducted under representative conditions	No, § 63.11092(i) specifies conditions for conducting performance tests.
§ 63.7(e)(2)	Conditions for Conducting Performance Tests	Must conduct according to this subpart and EPA test methods unless Administrator approves alternative	Yes.
§ 63.7(e)(3)	Test Run Duration	Must have three test runs of at least 1 hour each; compliance is based on arithmetic mean of three runs; conditions when data from an additional test run can be used	Yes, except for testing conducted under § 63.11092(a) and (e).
§ 63.7(f)	Alternative Test Method	Procedures by which Administrator can grant approval to use an intermediate or major change, or alternative to a test method	Yes.
§ 63.7(g)	Performance Test Data Analysis	Must include raw data in performance test report; must submit performance test data 60 days after end of test with the notification of compliance status; keep data for 5 years	Yes, except this subpart specifies how and when the performance test and performance evaluation results are reported.
§ 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 to part 60 of this chapter apply	Yes.
§ 63.8(a)(3)	[Reserved].		
§ 63.8(a)(4)	Monitoring of Flares	Monitoring requirements for flares in § 63.11 apply	Yes.
§ 63.8(b)(1)	Monitoring	Must conduct monitoring according to standard unless Administrator approves alternative	Yes.
§ 63.8(b)(2) and (3)	Multiple Effluents and Multiple Monitoring Systems	Specific requirements for installing monitoring systems; must install on each	Yes.

Table 4 to Subpart BBBBBB of Part 63—Applicability of General Provisions			
Citation	**Subject**	**Brief description**	**Applies to this subpart**
		affected source or after combined with another affected source before it is released to the atmosphere provided the monitoring is sufficient to demonstrate compliance with the standard; if more than one monitoring system on an emission point, must report all monitoring system results, unless one monitoring system is a backup	
§ 63.8(c)(1) introductory text	Monitoring System Operation and Maintenance	Maintain monitoring system in a manner consistent with good air pollution control practices	Yes.
§ 63.8(c)(1)(i)	Operation and Maintenance of CMS	Must maintain and operate each CMS as specified in § 63.6(e)(1)	No.
§ 63.8(c)(1)(ii)	Operation and Maintenance of CMS	Must keep parts for routine repairs readily available	Yes.
§ 63.8(c)(1)(iii)	Operation and Maintenance of CMS	Requirement to develop SSM Plan for CMS	No.
§ 63.8(c)(2) through (8)	CMS Requirements	Must install to get representative emission or parameter measurements; must verify operational status before or at performance test	Yes.
§ 63.8(d)(1) and (2)	CMS Quality Control	Requirements for CMS quality control, including calibration, etc.	Yes.
§ 63.8(d)(3)	CMS Quality Control Records	Must keep quality control plan on record for 5 years; keep old versions for 5 years after revisions	No. This subpart specifies CMS records requirements.
§ 63.8(e)	CMS Performance Evaluation	Notification, performance evaluation test plan, reports	Yes, except this subpart specifies how and when the performance evaluation results are reported.
§ 63.8(f)(1) through (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 CEMS	Yes.
§ 63.8(g)	Data Reduction	COMS 6-minute averages calculated over at least 36 evenly spaced data points; CEMS 1	Yes.

Table 4 to Subpart BBBBBB of Part 63—Applicability of General Provisions			
Citation	**Subject**	**Brief description**	**Applies to this subpart**
		hour averages computed over at least 4 equally spaced data points; data that cannot be used in average	
§ 63.9(a)	Notification Requirements	Applicability and State delegation	Yes.
§ 63.9(b)(1), (2), (4), and (5)	Initial Notifications	Submit notification of being subject to standard; notification of intent to construct/reconstruct, notification of commencement of construction/reconstruction, notification of startup; contents of each	Yes.
§ 63.9(b)(3)	[Reserved].		
§ 63.9(c)	Request for Compliance Extension	Can request if cannot comply by date or if installed best available control technology or lowest achievable emission rate	Yes.
§ 63.9(d)	Notification of Special Compliance Requirements for New Sources	Notification for new sources subject to special compliance requirements	Yes.
§ 63.9(e)	Notification of Performance Test	Notify Administrator 60 days prior	Yes.
§ 63.9(f)	Notification of VE/Opacity Test	Notify Administrator 30 days prior	No.
§ 63.9(g)	Additional Notifications When Using CMS	Notification of performance evaluation; notification about use of COMS data; notification that exceeded criterion for relative accuracy alternative	Yes, however, there are no opacity standards.
§ 63.9(h)(1) through (3), (5), and (6)	Notification of Compliance Status	Contents due 60 days after end of performance test or other compliance demonstration, except for opacity/VE, which are due 30 days after; when to submit to Federal vs. State authority	Yes, except as specified in § 63.11095(c).
§ 63.9(h)(4)	[Reserved].		
§ 63.9(i)	Adjustment of Submittal Deadlines	Procedures for Administrator to approve change when notifications must be submitted	Yes.
§ 63.9(j)	Change in Previous Information	Must submit within 15 days after the change	Yes.

Table 4 to Subpart BBBBBB of Part 63—Applicability of General Provisions			
Citation	**Subject**	**Brief description**	**Applies to this subpart**
§ 63.9(k)	Notifications	Electronic reporting procedures	Yes.
§ 63.10(a)	Recordkeeping/Reporting	Applies to all, unless compliance extension; when to submit to Federal vs. State authority; procedures for owners of more than one source	Yes.
§ 63.10(b)(1)	Recordkeeping/Reporting	General requirements; keep all records readily available; keep for 5 years	Yes.
§ 63.10(b)(2)(i)	Records related to SSM	Recordkeeping of occurrence and duration of startups and shutdowns	No.
§ 63.10(b)(2)(ii)	Records related to SSM	Recordkeeping of malfunctions	No. See § 63.11094(k) for recordkeeping requirements for deviations.
§ 63.10(b)(2)(iii)	Maintenance records	Recordkeeping of maintenance on air pollution control and monitoring equipment	Yes.
§ 63.10(b)(2)(iv)	Records Related to SSM	Actions taken to minimize emissions during SSM	No.
§ 63.10(b)(2)(v)	Records Related to SSM	Actions taken to minimize emissions during SSM	No.
§ 63.10(b)(2)(vi) through (xi)	CMS Records	Malfunctions, inoperative, out-of-control periods	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	Yes.
§ 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)	Records	Additional records for CMS	No. This subpart specifies CMS records.
§ 63.10(d)(1)	General Reporting Requirements	Requirement to report	Yes.
§ 63.10(d)(2)	Report of Performance Test	When to submit to Federal or State	No. This subpart

Table 4 to Subpart BBBBBB of Part 63—Applicability of General Provisions			
Citation	**Subject**	**Brief description**	**Applies to this subpart**
	Results	authority	specifies how and when the performance test results are reported.
§ 63.10(d)(3)	Reporting Opacity or VE Observations	What to report and when	No.
§ 63.10(d)(4)	Progress Reports	Must submit progress reports on schedule if under compliance extension	Yes.
§ 63.10(d)(5)	SSM Reports	Contents and submission	No.
§ 63.10(e)(1) and (2)	Additional CMS Reports	Must report results for each CEMS on a unit; written copy of CMS performance evaluation; 2-3 copies of COMS performance evaluation	No.
§ 63.10(e)(3)(i) through (iii)	Reports	Schedule for reporting excess emissions	No.
§ 63.10(e)(3)(iv) and (v)	Excess Emissions Reports	Requirement to revert to quarterly submission if there is an excess emissions and parameter monitor exceedances (now defined as deviations); provision to request semiannual reporting after compliance for 1 year; submit report by 30th day following end of quarter or calendar half; if there has not been an exceedance or excess emissions (now defined as deviations), report contents in a statement that there have been no deviations; must submit report containing all of the information in §§ 63.8(c)(7) and (8) and 63.10(c)(5) through (13)	No.
§ 63.10(e)(3)(vi) through (viii)	Excess Emissions Report and Summary Report	Requirements for reporting excess emissions for CMS; requires all of the information in §§ 63.8(c)(7) and (8) and 63.10(c)(5) through (13)	No.
§ 63.10(e)(4)	Reporting COMS Data	Must submit COMS data with performance test data	No. This subpart specifies COMS reporting.
§ 63.10(f)	Waiver for Recordkeeping/Reporting	Procedures for Administrator to waive	Yes.
§ 63.11(a)	Applicability	Specifies applicability of control device and	Yes.

Table 4 to Subpart BBBBBB of Part 63—Applicability of General Provisions			
Citation	**Subject**	**Brief description**	**Applies to this subpart**
		work practice requirements within § 63.11	
§ 63.11(b)	Flares	Requirements for flares	Yes, except these provisions no longer apply for flares used to comply with the flare provisions in item 2 of table 3 to this subpart.
§ 63.11(c) through (e)	Alternative Work Practice for Monitoring Equipment for Leaks	Requirements for using optical gas imaging for EPA Method 21 monitoring	Yes, except these provisions do not apply to monitoring required under § 63.11092(a)(1)(i) or (e)(1) and these provisions no longer apply upon compliance with the provisions in § 63.11089(c).
§ 63.12	Delegation	State authority to enforce standards	Yes.
§ 63.13	Addresses	Addresses where reports, notifications, and requests are sent	Yes.
§ 63.14	Incorporations by Reference	Test methods incorporated by reference	Yes.
§ 63.15	Availability of Information	Public and confidential information	Yes.
§ 63.16	Performance Track Provisions	Special reporting provision for Performance Track member facilities.	Yes.