



# ARKANSAS

## ENERGY & ENVIRONMENT

August 30, 2021

Via email to: tim.shelton@arkansassteel.com & First Class Mail

Tim Shelton  
Environmental Manager  
Arkansas Steel Associates, LLC  
2803 Van Dyke Road  
Newport, AR 72112

Re: Notice of Final Permitting Decision; Permit No. 0035-AOP-R19

Dear Mr. Shelton,

After considering the application, any public comments, and other applicable materials as required by APC&EC Reg.8.211 and Ark. Code Ann. § 8-4-101 *et seq.*, this notice of final permitting decision is provided for:

Arkansas Steel Associates, LLC  
2803 Van Dyke Road  
Newport, AR 72112

Permit Number: 0035-AOP-R19

Permitting Decision: approval with permit conditions as set forth in final Permit No. 0035-AOP-R19

Accessing the Permitting Decision and Response to Comments, if any:  
<https://www.adeq.state.ar.us/downloads/WebDatabases/PermitsOnline/Air/0035-AOP-R19.pdf>.

Accessing the Statement of Basis:  
<https://www.adeq.state.ar.us/downloads/WebDatabases/PermitsOnline/Air/0035-AOP-R19-SOB.pdf>.

The permitting decision is effective on the date stated in the attached Certificate of Service unless a Commission review has been properly requested under Arkansas Pollution Control & Ecology Commission's Administrative Procedures, Regulation No. 8, within thirty (30) days after service of this decision.

The applicant or permittee and any other person submitting public comments on the record may request an adjudicatory hearing and Commission review of the final permitting decisions as provided under Chapter Six of Regulation No. 8. Such a request shall be in the form and manner

required by Reg.8.603, including filing a written Request for Hearing with the Commission secretary at 3800 Richards Rd, North Little Rock, Arkansas 72117. If you have any questions about filing the request, please call the Commission at 501-682-7890.

This permit is your authority to construct, operate, and maintain the equipment and control apparatus as set forth in your application initially received on 7/16/2020.

Sincerely,

William K. Montgomery  
Associate Director, Office of Air Quality, Division of Environmental Quality  
5301 Northshore Drive, North Little Rock, AR 72118-5317

Enclosure: Certificate of Service

cc: [jjech@trinityconsultants.com](mailto:jjech@trinityconsultants.com)

**CERTIFICATE OF SERVICE**

I, Cynthia Hook, hereby certify that the final permit decision notice has been mailed by first class mail to Arkansas Steel Associates, LLC, 2803 Van Dyke Road, Newport, AR, 72112, on this 30th day of August, 2021.

A handwritten signature in black ink that reads "Cynthia Hook". The signature is written in a cursive style with a large initial "C" and a long, sweeping tail on the "k".

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Cynthia Hook, AA, Office of Air Quality

## RESPONSE TO COMMENTS

### ARKANSAS STEEL ASSOCIATES, LLC PERMIT #0035-AOP-R19 AFIN: 34-00033

On July 18, 2021, the Director of the Arkansas Division of Environmental Quality gave notice of a draft permitting decision for the above referenced facility. On July 27, 2021, written comments on the draft permitting decision were submitted by Tim Shelton on behalf of the facility. The Division's response to these issues follows.

*Note: The following page numbers and condition numbers refer to the draft permit. These references may have changed in the final permit based on changes made during the comment period.*

**Comment #1:** Specific Condition 2. Please revise the limit for mercury from SN-01 to read 0.008 lb/hr and 0.03 tpy for consistency with SN-03.

**Response to Comment #1:** The requested change was made.

**Comment #2:** Emissions Summary Table and Specific Condition 67. Please correct the SN-17 TOTAL HAP limits to 0.07 lb/hr and 0.24 tpy and the SN-18 TOTAL HAP limits to 0.12 lb/hr and 0.43 tpy.

**Response to Comment #2:** The basis of calculation of the requested HAP limits differed from the criteria of the same sources. The Division requested updated calculations and HAP emission rate tables. Those corrected values were added to the permit.

**Comment #3:** Specific Condition 23. This new condition is redundant with Specific Conditions 7 and 12. Arkansas Steel requests that it be deleted.

**Response to Comment #3:** The Condition is not redundant. The condition outlines the CAM requirements of the source. The CAM provision was written to allow parameters already required to be monitored by other regulations to be monitored for CAM. Those other conditions do not contain all the requirements of CAM. Conversely the CAM condition does not require all the requirements of the other Federal Regulations. Both conditions are needed. The change was not made.

**Comment #4:** Specific Condition 27. Arkansas Steel has completed 5 years of CO emissions monitoring, and requests that Specific Condition 27 be removed.

**Response to Comment #4:** There was no information provided with the comment as to why the facility was not subject to the 10 year monitoring requirements also contained in that condition. The application addressing that change mentions increases in production of the arc furnace. It is also uncertain whether adding a shell burner to the arc furnace would increase the design

capacity of the EAF in terms of lb/mmBTU of the unit. Due to these uncertainties the requested change was not made.

**Comment #5:** Arkansas Steel requests that all references to SN-18 be revised to "Emergency Generator." This supplies power to the breakroom and maintenance offices. It is no longer driving a pump for water spray. References to SN-18 exist on page 16, SC-66, SC-67, SC-78, SC-80, and SC-82.

**Response to Comment #5:** The requested changes were made except for the page 16 reference. Page 16 is the Permit History section. It is appropriate for the historically accurate name to be used.



**DIVISION OF ENVIRONMENTAL QUALITY**

**OPERATING AIR PERMIT**

**PERMIT NUMBER:** 0035-AOP-R19

**IS ISSUED TO:**

Arkansas Steel Associates, LLC  
2803 Van Dyke Road  
Newport, AR 72112  
Jackson County  
**AFIN:** 34-00033

PURSUANT TO THE REGULATIONS OF THE ARKANSAS OPERATING AIR PERMIT PROGRAM, REGULATION 26: THIS PERMIT AUTHORIZES THE ABOVE REFERENCED PERMITTEE TO INSTALL, OPERATE, AND MAINTAIN THE EQUIPMENT AND EMISSION UNITS DESCRIBED IN THE PERMIT APPLICATION AND ON THE FOLLOWING PAGES. THIS PERMIT IS VALID BETWEEN:

August 30, 2021

AND

August 29, 2026

THE PERMITTEE IS SUBJECT TO ALL LIMITS AND CONDITIONS CONTAINED HEREIN.

**Signed:**

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William K. Montgomery  
Associate Director, Office of Air Quality  
Division of Environmental Quality

August 30, 2021

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Date

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#### List of Acronyms and Abbreviations

Ark. Code Ann.	Arkansas Code Annotated
AFIN	Arkansas DEQ Facility Identification Number
C.F.R.	Code of Federal Regulations
CO	Carbon Monoxide
HAP	Hazardous Air Pollutant
lb/hr	Pound Per Hour
MVAC	Motor Vehicle Air Conditioner
No.	Number
NO <sub>x</sub>	Nitrogen Oxide
PM	Particulate Matter
PM <sub>10</sub>	Particulate Matter Smaller Than Ten Microns
SNAP	Significant New Alternatives Program (SNAP)
SO <sub>2</sub>	Sulfur Dioxide
SSM	Startup, Shutdown, and Malfunction Plan
Tpy	Tons Per Year
UTM	Universal Transverse Mercator
VOC	Volatile Organic Compound



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**SECTION I: FACILITY INFORMATION**

PERMITTEE: Arkansas Steel Associates, LLC

AFIN: 34-00033

PERMIT NUMBER: 0035-AOP-R19

FACILITY ADDRESS: 2803 Van Dyke Road  
Newport, AR 72112

MAILING ADDRESS: 2803 Van Dyke Road  
Newport, AR 72112

COUNTY: Jackson County

CONTACT NAME: Tim Shelton

CONTACT POSITION: Environmental Manager

TELEPHONE NUMBER: (870) 523-3693

REVIEWING ENGINEER: Shawn Hutchings

UTM North South (Y): Zone 15: 3946063.33 m

UTM East West (X): Zone 15: 658918.87 m

## SECTION II: INTRODUCTION

### Summary of Permit Activity

Arkansas Steel Associates, LLC (hereinafter “Arkansas Steel or “ASA”) located at 2803 Van Dyke Road in Newport, Arkansas owns and operates a steel mill. This permit is the Title V renewal for the facility. In this permit source SN-13 was removed. Permitted emission rates increased 0.6 tpy of NOx, 0.1 tpy of CO, 1 tpy of Fluorides, 0.2 tpy of Lead, and 0.06 tpy of Mercury.

### Regulations

The following table contains the regulations applicable to this permit.

Regulations
Arkansas Air Pollution Control Code, Regulation 18, effective March 14, 2016
Rules of the Arkansas Plan of Implementation for Air Pollution Control, Rule 19, effective August 6, 2020
Regulations of the Arkansas Operating Air Permit Program, Regulation 26, effective March 14, 2016
40 C.F.R. 52.21, <i>Prevention of Significant Deterioration</i>
40 C.F.R. Part 60 Subpart AA- <i>Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and on or Before August 17, 1983.</i>
40 C.F.R. part 60 Subpart IIII – <i>Standards of Performance for Stationary Compression Ignition Internal Combustion Engines</i>
40 C.F.R. part 60 Subpart JJJJ – <i>Standards of Performance for Stationary Spark Ignition Internal Combustion Engines</i>
40 C.F.R. Part 63, Subpart ZZZZ, <i>National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines</i>
40 C.F.R. Part 63, Subpart YYYYY, <i>National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steel Making Facilities</i>
40 C.F.R. Part 63, Subpart CCCCC, <i>National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities</i>
40 C.F.R. Part 64, <i>Compliance Assurance Monitoring</i>

### Emission Summary

The following table is a summary of emissions from the facility. This table, in itself, is not an enforceable condition of the permit.

EMISSION SUMMARY				
Source Number	Description	Pollutant	Emission Rates	
			lb/hr	tpy
Total Allowable Emissions		PM	20.2	79.8
		PM <sub>10</sub>	16.7	64.8
		PM <sub>2.5</sub>	See Note*	
		SO <sub>2</sub>	47.1	162.9
		VOC	40.2	98.5
		CO	481.7	1799.3
		NO <sub>x</sub>	91.8	252.0
		Lead	0.51	1.72
HAPs		Fluoride	0.3	1.0
		Mercury	0.016	0.06
		HAPs	2.07	3.5
SN-01	EAF Baghouse	PM	11.3	49.2
		PM <sub>10</sub>	11.3	49.2
		SO <sub>2</sub>	41.0	152.0
		VOC	25.0	92.0
		CO	420.0	1600.0
		NO <sub>x</sub>	50.0	181.5
		Lead	0.4	1.5
		Mercury	0.008	0.03
SN-01b	EAF Shell Burner	HAPs	0.03	0.09
		PM	0.3	1.0
		PM <sub>10</sub>	0.3	1.0
		SO <sub>2</sub>	0.1	0.1
		VOC	0.2	0.8
		CO	2.6	11.1
		NO <sub>x</sub>	1.5	6.6
		HAPs	0.3	1.0
SN-03	Ladle Metallurgy Station	PM	1.0	4.5
		PM <sub>10</sub>	0.8	3.4
		SO <sub>2</sub>	2.5	9.3
		VOC	0.3	0.9
		CO	42.0	160.0
		NO <sub>x</sub>	1.7	6.4
		Lead	0.1	0.2
		Mercury	0.008	0.03

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EMISSION SUMMARY				
Source Number	Description	Pollutant	Emission Rates	
			lb/hr	tpy
		Fluoride	0.3	1.0
SN-04	Reheat Furnace	PM	1.0	4.2
		PM <sub>10</sub>	1.0	4.2
		SO <sub>2</sub>	0.1	0.2
		VOC	0.4	1.7
		CO	4.3	18.0
		NO <sub>x</sub>	14.0	43.0
		HAPs	0.4	1.6
SN-05	Ladle Preheaters	PM	0.2	0.7
		PM <sub>10</sub>	0.2	0.7
		SO <sub>2</sub>	0.1	0.1
		VOC	0.1	0.4
		CO	1.4	5.9
		NO <sub>x</sub>	1.6	7.0
		HAPs	0.1	0.4
SN-08	Unpaved Roads	PM	2.0	8.6
		PM <sub>10</sub>	0.6	2.6
SN-09	Paved Roads	PM	1.9	8.2
		PM <sub>10</sub>	0.4	1.6
SN-10	Slag Processing	PM	0.6	2.0
		PM <sub>10</sub>	0.3	1.0
SN-11	Baghouse Dust Handling	PM	0.2	0.5
		PM <sub>10</sub>	0.1	0.2
		Lead	0.01	0.02
SN-14	LMS/FCE Emergency Generator	PM	0.4	0.1
		PM <sub>10</sub>	0.4	0.1
		SO <sub>2</sub>	0.4	0.1
		VOC	0.5	0.1
		CO	1.2	0.3
		NO <sub>x</sub>	5.3	1.4
		HAPs	0.01	0.01
SN-15	DEC Cooling Water Emergency Generator	PM	0.2	0.1
		PM <sub>10</sub>	0.2	0.1
		SO <sub>2</sub>	0.2	0.1
		VOC	0.3	0.1
		CO	0.6	0.2
		NO <sub>x</sub>	2.7	0.7
		HAPs	0.01	0.01

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EMISSION SUMMARY				
Source Number	Description	Pollutant	Emission Rates	
			lb/hr	tpy
SN-16	Reheat Furnace Emergency Generator	PM	0.4	0.1
		PM <sub>10</sub>	0.4	0.1
		SO <sub>2</sub>	0.4	0.1
		VOC	0.5	0.1
		CO	1.2	0.3
		NO <sub>x</sub>	5.3	1.4
		HAPs	0.01	0.01
SN-17	Emergency Lighting Generators	PM	0.1	0.1
		PM <sub>10</sub>	0.1	0.1
		SO <sub>2</sub>	0.1	0.1
		VOC	0.2	0.1
		CO	0.4	0.1
		NO <sub>x</sub>	1.8	0.5
SN-18	Emergency Generator	PM	0.1	0.1
		PM <sub>10</sub>	0.1	0.1
		SO <sub>2</sub>	0.1	0.1
		VOC	1.5	0.4
		CO	2.5	0.7
		NO <sub>x</sub>	1.5	0.4
SN-19	Ladle and Tundish Drying System	PM	0.1	0.2
		PM <sub>10</sub>	0.1	0.2
		SO <sub>2</sub>	0.1	0.1
		VOC	0.1	0.1
		CO	0.3	1.3
		NO <sub>x</sub>	0.4	1.5
		HAPs	0.3	0.2
SN-20	Gasoline Tank	VOC	5.1	0.2
		HAPs	0.6	0.1
SN-21	Rolling Mill Emergency Generator	PM	0.2	0.1
		PM <sub>10</sub>	0.2	0.1
		SO <sub>2</sub>	1.0	0.3
		VOC	3.0	0.8
		CO	2.6	0.7
		NO <sub>x</sub>	3.0	0.8
SN-22	Melt Shop Emergency	HAPs	0.02	0.01
		PM	0.2	0.1

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EMISSION SUMMARY				
Source Number	Description	Pollutant	Emission Rates	
			lb/hr	tpy
	Generator	PM <sub>10</sub>	0.2	0.1
		SO <sub>2</sub>	1.0	0.3
		VOC	3.0	0.8
		CO	2.6	0.7
		NO <sub>x</sub>	3.0	0.8
		HAPs	0.02	0.01

\*PM<sub>2.5</sub> limits are source specific, if required. Not all sources have PM<sub>2.5</sub> limits.

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

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

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### **SECTION III: PERMIT HISTORY**

The facility began operations in 1971, and Arkansas Steel Associates (ASA) purchased the facility in 1989 from Razorback Steel Corporation. The mill had two electric arc furnaces with a holding capacity of 35 tons each. The furnaces were equipped with side draft hoods for evacuating the emissions during melting and refining.

In December of 1993, emission testing was done on the EAF baghouse, melt shop roof monitor, caster, and the reheat furnace, for the purpose of establishing an emission baseline.

#### **Permit 35-A**

Permit 35-A was issued on November 20, 1970.

#### **Permit 174-A**

Permit 174-A was issued on December 22, 1973 to Tennessee Forging Steel Corp. At some point the name on the permit was changed to Razorback Steel Corp. This permit states it supersedes permit 35-A.

#### **Permit 35-AR-1**

This permit was on September 20, 1985. This permit stated it rescinded both permit 35-A and 174-A.

Another permit, 35-AR-1, was issued on August 28, 1987. This permit added maintenance requirements for the EAF Baghouse.

#### **Permit 35-AR-2**

Permit 35-AR-2 was issued on October 31, 1989. This permit was a transfer of ownership to Arkansas Steel Corp from Razorback Steel. It has the same conditions as the second permit 35-AR-1.

#### **Permit 35-AR-3**

On June 2, 1994, Permit #35-AR-3 was issued for the installation of a used 50 ton electric arc furnace, and utilizing the existing arc furnaces as a ladle metallurgy station. The installation of the new EAF increased the mill's production capacity and affected the potential emissions from most sources at the mill. One source not affected by this project was the reheat furnace. Although a ladle metallurgy station (LMS) was proposed in the application for 35-AR-3, that source was never constructed. When permit 35-AR-3 was issued in 1994, it was believed that the modernization project did not constitute a "major modification" as defined in 40 C.F.R. 52.21. Emissions were estimated based on standard EPA estimation methods and field testing,

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and the proposed emission increases were less than the major modification thresholds in 40 C.F.R. 52.21(b)(23)(i).

The new electric arc furnace was purchased from the Armco facility at Baltimore Works second hand at a capital cost of less than 50% of the capital cost of a new electric arc furnace. The reconstruction cost was estimated at \$5,095,498, while the cost of a new furnace was estimated at \$14,275,998. Despite this cost analysis, the arc furnace was constructed at the Armco facility during the applicable period of 40 C.F.R. Subpart AA--Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983. It is the Department's contention that this is construction of an affected facility and therefore subject to the above referenced regulation.

### **Permit 35-AOP-R0**

After the new EAF was installed and began operating, the facility was tested for PM, CO, and NO<sub>x</sub> emissions. Results of testing on January 5 and 6, 1995, indicated that actual emissions of CO and NO<sub>x</sub> were substantially greater than original estimates. ASA then was required to submit a PSD application. This application triggered the baseline date for NO<sub>2</sub> and SO<sub>2</sub>. The minor source baseline date (NO<sub>2</sub> and SO<sub>2</sub>) is 5/10/96 for Jackson County. Permit 35-AOP-R0 was issued on 9/24/98. This permit was the first Title V Operating Air Permit and the first PSD permit issued for this facility. This permit also included an EPA approved alternative monitoring plan for the EAF baghouse. This alternative monitoring plan included daily opacity observations on the melt shop emissions as a substitute for electric arc furnace pressure monitoring. This alternative monitoring plan was approved by this Department and the EPA Region VI.

### **Summary of PSD Issues Addressed in Permit 35-AOP-R0**

In 1994, ASA requested authorization from this Department to modernize the facility and increase production capacity. At that time, ASA proposed that a used 50 ton electric arc furnace (EAF) be installed and the existing EAF be converted to a ladle metallurgy station (LMS). The proposed modification was authorized June 2, 1994, with permit No. 35-AR-3. The 50 ton EAF was subsequently installed and began operating. The proposed conversion of the old EAF to a LMS had not yet occurred.

The installation of the new EAF increased production capacity and affected the potential emissions from most sources at the mill. Emissions from the EAF and meltshop fugitives were affected by the changes to the operations and production capacity increase. The existing natural gas fired ladle preheaters were modernized, and a third preheater was added. Fugitive emissions from roads increased due to increased traffic. The increased production capacity also increased the potential emissions from slag processing and baghouse dust handling operations.

One source not affected by the 1994 project was the reheat furnace. Potential throughput and emissions from the reheat furnace were not affected, so the reheat furnace was not included in the sources affected by PSD issues addressed in ASA's Title V Operating Air Permit No. 35-AOP-R0.



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When the permit application was prepared in 1994, it was believed that the modernization project did not constitute a major modification as defined in 40 C.F.R. 52.21 because the estimated emission increases were less than the significant levels. After permit 35-AR-3 was issued, the testing showed emission rate increases greater than the PSD significant levels; therefore, permit 35-AOP-R0 was a retroactive PSD permitting action.

Arkansas Steel is considered a major stationary source under the prevention of significant (PSD) regulations. Sulfur dioxide (SO<sub>2</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), and volatile organic compound (VOC) emission increases associated with the 1994 modifications were 122 tpy, 777.9 tpy, 191.7 tpy, and 44 tpy, respectively. These increases exceeded the PSD significance levels and were subject to PSD review. Emission increases of 44 tpy volatile organic compounds (VOC) associated with the 1994 modification were below 100 tpy; therefore, monitoring was not required for ozone. The particulate and lead emissions decreased with the 1994 modification.

The PSD regulations mandate that a case-by-case Best Available Control Technology (BACT) analysis be performed on all sources which were directly associated with the 1994 modernization project. These sources included the electric arc furnace and the miscellaneous natural gas fired equipment. BACT was not required for the roads, slag processing, or baghouse dust handling because they do not emit a pollutant subject to PSD review. The previous reheat furnace was not affected by this project, so it was not subject to PSD review either. The BACT determination is summarized below.

Summary of BACT Determination				
Source	Description	Pollutant	Control Technology	BACT Limit
SN-01	Electric Arc Furnace	VOC	Direct Evacuation System (DEC) with air gap for long residence time.	0.35 lb/ton
		SO <sub>2</sub>	DEC with no add-on controls	0.7 lb/ton
		CO	DEC with air gap for CO combustion	6.0 lb/ton
		NO <sub>x</sub>	DEC with no add-on controls	1.0 lb/ton
SN-05 SN-06 SN-07	Ladle Preheaters Ladle Dryer Tundish Preheater	VOC SO <sub>2</sub> CO NO <sub>x</sub>	Natural Gas Combustion	Good Combustion Practice

### Permit 35-AOP-R1

Permit 35-AOP-R1 was issued on March 15, 1999, for the construction and operation of a new reheat furnace (SN-04). This new reheat furnace replaced the old reheat furnace. The new reheat furnace has a rated heat input capacity of 68 MMBtu/hr and will combust natural gas. The permittee submitted a PSD netting analysis demonstrating that the furnace replacement does not

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trigger PSD review. The results of this netting demonstration (as modified) resulted in a net emission increase of 29 tpy of nitrogen oxides, which is below the significant level of 40 tpy. Consequently, this modification is not subject to PSD review. The netting analysis referred to herein was submitted to the Department as an appendix to ASA=s Application for Modification of Draft Operating Air Permit, 35-AOP-R0, dated March 9, 1998, and modified by subsequent submittal in January, 1999.

Permit 35-AOP-R1 also involved several pollution control projects undertaken on the EAF baghouse system in the melt shop. These changes were a new water cooled duct, a new duct and damper coming off the EAF fourth hole, new air moving fans, a new damper valve for the canopy hood, magnehelic gauges as replacements for the existing manometric pressure sensing devices, and a computerized programmable logic control (PLC) system.

### **35-AOP-R2**

Permit 35-AOP-R2 was issued to Arkansas Steel on June 29, 2000. This permit modification added a new tundish dryer, SN-12, to replace their ladle dryer, SN-06, to correctly permit SN-07, the tundish preheaters, as two separate preheaters which cannot, by design, operate simultaneously and to add the tie plate dipping process, SN-13, which was previously permitted as an insignificant activity.

### **35-AOP-R3**

Permit 35-AOP-R3 was issued to Arkansas Steel on January 5, 2001. This modification to Arkansas Steel=s permit included a Ladle Metallurgy Station, SN-03, and a production increase at the facility. Emissions of CO, PM<sub>10</sub>, and lead increased above the PSD significance level and will require the facility to undergo PSD review for those pollutants. The increase in emissions from all other pollutants was below the PSD significance level.

### **Summary of PSD Issues Addressed in Permit 35-AOP-R3**

The Arkansas Steel facility has undergone PSD review under pervious permits. Summaries of the PSD issues of these permits are in the Permit History section of this permit. This modification to the Arkansas Steel facility added the Ladle Metallurgy Station, SN-03, and an increase in production. This modification was significant only for CO, PM<sub>10</sub>, and lead emissions. All other pollutants increases in emissions were below the PSD significance level.

### **Best Available Control Technology**

The PSD regulations mandate that a case-by-case Best Available Control Technology (BACT) analysis be performed on all new or modified affected sources at which a net emissions increase will occur. The following table is a summary of the BACT determinations made in this permit for Arkansas Steel. BACT determinations for the facility made in previous permits can be found in the Permit History section of this permit.

BACT Analysis Summary				
Source	Description	Pollutant	Control Technology	Bact Limit
01	EAF Baghouse	PM <sub>10</sub> Lead	Baghouse Baghouse	0.0052 gr/dscf 3% of baghouse dust
		CO	DEC with air gap for CO combustion	6.0 lb/ton
03	Ladle Metallurgy Station	PM <sub>10</sub>	Baghouse	0.0052 gr/dscf
		CO	DEC with air gap for CO combustion	0.6 lb/ton
04 05 06 07 12	Reheat Furnace Ladle Preheaters Ladle Dryer Tundish Preheaters Tundish Dryer	PM <sub>10</sub> CO	Natural Gas Combustion	Good Combustion Practice
08 09	Paved and Unpaved Roads	PM <sub>10</sub>	Water Applications	6.9 tpy
10	Slag Processing	PM <sub>10</sub>	Water Applications	4.1 tpy
11	Baghouse Dust Handling	PM <sub>10</sub> lead	No feasible controls	0.4 tpy

#### BACT Requirements for PM<sub>10</sub> and Lead Emissions

Particulate and lead emissions from SN-01, the electric arc furnace, EAF, are controlled by a baghouse. This is the only type of add on controls found for EAFs on the RACT/BACT/LAER clearinghouse. Since baghouses represent the highest level of particulate control, it is BACT for this source.

The emissions from SN-02, the Meltshop Fugitives, are un-captured emissions from the EAF, SN-01, the LMS, SN-03, and the natural gas combustion sources at the facility. Both the EAF and the LMS are controlled by baghouses. For the other sources, natural gas combustion is used to control particulate emissions. There were no additional controls found on the RACT/BACT/LAER clearinghouse for this type of source. The amount of airflow through the roof monitor, SN-02, make add on controls for this source unfeasible.

Particulate and lead emissions from SN-02, the Ladle Metallurgy Station (LMS), will be controlled by a baghouse. This is the only type of add on controls found for a LMS on the RACT/BACT/LAER clearinghouse. Since baghouses represent the highest level of particulate control, it is BACT for this source.

Sources SN-04, 05, 06, 07, and 12 are all combustion sources. BACT for these sources was found to be natural gas combustion to control particulate emissions.

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Arkansas Steel currently employs water sprays to reduce fugitive emission from their slag processing operation, SN-10. This type of control is consistent with those found on the RACT/BACT/LAER clearinghouse and is BACT for this source.

Arkansas Steel also currently applies water to their roads to reduce fugitive emissions caused by traffic on SN-8 and 9. This type of control will provide dust suppression equal to the level of control found on the RACT/BACT/LAER clearinghouse for this type of source and is BACT for this source.

#### BACT Requirements for CO Emissions

The only type of controls for carbon monoxide emissions found for electric arc furnace and the ladle metallurgy station on the RACT/BACT/LAER clearinghouse was a direct evacuation chamber DEC system. The DEC system represents BACT for these sources.

Sources SN-04, 05, 06, 07, and 12 are all combustion sources. BACT for these sources was found to be natural gas combustion combined with good combustion practice to control carbon monoxide emissions.

#### **35-AOP-R3 Administrative Amendment**

An Administrative Amendment to 35-AOP-R3 was issued on March 9, 2001. This amendment corrected a number of typographical errors in the permit.

#### **35-AOP-R4**

Permit 35-AOP-R4 was issued on August 21, 2002. This modification to Arkansas Steel's permit changed the rated heat input capacity for the ladle preheaters, SN-05, to allow both of the tundish preheaters, SN-07, to operate simultaneously, and to add a new tundish dryer, SN-12a. The emissions from the new tundish dryer and allowing both preheaters to operate simultaneously were not large enough to trigger PSD review and did not debottleneck or increase capacity at the facility. The ladle preheater has undergone PSD review for some pollutants. The source was given PSD limits at its actual capacity.

#### **35-AOP-R5**

Permit 35-AOP-R5 was issued on January 13, 2005. This permit was the Title V renewal permit for the facility. Arkansas Steel made a few changes to the permit in the renewal. These changes included adding an additional baghouse to act in parallel with the existing baghouse for SN-01. The new baghouse has its own stack. The old baghouse still exhausts through its 16 existing stacks. With this modification the canopy hood inside the meltshop also was enlarged to increase the capture efficiency of particulate matter. Airflow is divided roughly equally between the two baghouses. There is no associated emission increase with this project. Arkansas Steel also added two additional oxygen lances to their Electric Arc Furnaces. These lances may create NO<sub>x</sub> emissions greater than current actual levels but should still be below permitted levels.

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### **35-AOP-R6**

Permit 35-AOP-R6 was issued on March 7, 2006. In this permit modification Arkansas Steel increased the amount of coatings that can be received for the Tie Plate Dipping Process, SN-13, from 250 gallons per year to 1000 gallons per year.

### **35-AOP-R7**

Permit 35-AOP-R7 was issued on March 9, 2011. This permit was the Title V renewal for the facility. In this renewal a number of changes were made. First a number of emergency generators which were previously unpermitted were added as sources due to being subject to the MACT Subpart ZZZZ. Requirements of MACT Subpart YYYYYY were added to the permit.

Sources SN-02, 05, 06, 07, 12, and 12a were accounted for in SN-01 the EAF Baghouse. Previous changes to the meltshop canopy increased the collection efficiency in the meltshop. As a result all roof monitors were closed. Individual emission limits for these sources were removed. BACT limits apply to all these sources except SN-12a. If physical changes are made to vent these sources to the atmosphere through stacks other than SN-01 the BACT limits for these sources should be reinstated.

### **35-AOP-R8**

Permit 35-AOP-R8 was issued on May 5, 2011. This modification added ten 32 hp natural gas fired emergency generators as SN-17.

### **35-AOP-R9**

Permit 35-AOP-R8 was issued on June 10, 2011. This administrative amendment added two Plantwide Conditions left out of the last revision.

### **35-AOP-R10**

Permit 35-AOP-R10 was issued on November 15, 2011. This permit was an administrative amendment to remove six of the ten generators which make up SN-17 as they were never installed.

### **35-AOP-R11**

Permit 35-AOP-R11 was issued on December 6, 2012. This permit added a 150 kW natural gas fired Emergency Water Spray Generator, SN-18.

### **35-AOP-R12**

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Permit 35-AOP-R12 was issued on October 1, 2013. This permit added a new ladle and tundish drying system, SN-19, and ducted SN-05 outside instead of into the melt shop. The ladle preheater was previously included in the emissions for SN-01. Now with a separate stack its emission rates have been set to its previous BACT limits.

### **35-AOP-R13**

Permit 35-AOP-R13 was issued on October 19, 2015. This permit added a 30 mmBTU/hr natural gas fired EAF Shell Burner, SN-01b, and a gasoline tank, SN-20.

### **35-AOP-R14**

Permit 35-AOP-R14 was issued on May 10, 2016. This permit was the Title V renewal for the facility there were no physical modifications only the emission rates for SN-08, 09, and 10 were corrected, unpermitted emissions for SN-03 were added, and HAPs from combustion of natural gas were added.

### **35-AOP-R15**

Permit 35-AOP-R15 was issued on June 12, 2017. This permit was a minor modification to add to emergency engines, SN-21 and SN-22. Permitted emission rates increased 0.2 tpy of particulate and SO<sub>2</sub>, 1.4 tpy of VOC and NO<sub>x</sub> 0.6 tpy of CO, and 0.02 tpy of HAPs.

### **35-AOP-R16**

Permit 35-AOP-R16 was issued on June 26, 2018. This permit was a minor modification to allow SN-18 to combust propane in addition to natural-gas. Sources SN-21B and 22B were removed, and the source list of Specific Condition 29 was corrected. There were no permitted emission limit increases.

### **35-AOP-R17**

Permit 35-AOP-R17 was issued on December 19, 2018. This permit was an administrative amendment to add a portable hopper to the insignificant activities list category A-13. There was no change in permitted emission.

### **35-AOP-R18**

Permit 35-AOP-R18 was issued on July 21, 2020. This permit was a minor modification to install a new gasoline tank to replace SN-20 and replace a diesel tank on the insignificant activities list. There was no change in permitted emission.

## **SECTION IV: SPECIFIC CONDITIONS**

### **SN-01**

#### **EAF Baghouses**

##### **Source Description**

The electric arc furnace (EAF) has a rated capacity of 50 tons and has a tap-to-tap time of approximately 45 to 55 minutes. The EAF typically requires three phases or periods of operation: scrap charging, melting and refining, and tapping.

During charging, the roof of the EAF is opened and the furnace is charged with recycled scrap material. The charge is dropped into the furnace from a large crane bucket. Most of the resulting plume is captured in a deep storage canopy hood. Gases evacuated from the deep storage canopy hood are directed to two EAF baghouses, which have a combined flow rate capacity of 500,000 ACFM. That airflow is divided, roughly equally, between the two baghouses.

During melting and refining, the furnace remains covered. The direct evacuation system (DEC) pulls exhaust gases at approximately 3500°F from the "fourth hole" located at the top of the furnace. Because of the high temperature, a water-cooled duct is utilized. Combustion air is added to the duct at the "air gap" in order to combust carbon monoxide and volatile organic compounds coming from the furnace. Because of the residence time and high temperature, this is especially effective in destroying CO and VOC emissions. The DEC also increases particulate control by providing close capture of process emissions.

Exhaust gas from the DEC then enters a spark box. The spark box allows large particles to drop and provides additional residence time for CO combustion. The hot furnace gas is then mixed with approximately 380,000 ACFM of dilution air from the canopy hood. The dilution air lowers the overall temperature of the gas to about 250 degrees F before it enters the EAF baghouses. Of the two EAF baghouses one is a positive pressure shaker-type baghouse with 16 compartments. Each compartment of that baghouse has its own exhaust stack. The other baghouse is a negative pressure, pulse jet-type, baghouse with 12 compartments and a single stack.

After the melting and refining period is completed, the steel melted in the EAF is tapped into a refractory lined ladle. It then goes to the ladle metallurgy station (SN-03). The molten steel is then cast into billets in the casting area of the facility. Though refining can take place in the EAF, the majority of refining takes place at the ladle metallurgy station, SN-03.

A number of natural gas fired sources and the Meltshop, SN-02 are accounted for with the emissions from SN-01 the EAF baghouses. These sources include: Ladle Preheaters, SN-05; Ladle Dryer, SN-06; Tundish Preheaters, SN-07; and Tundish Dryers, SN-12 and 12a. These sources except SN-12a all have BACT limits which apply. If these sources are ever vented to the

atmosphere separately from SN-01 the BACT limits will still apply. The following table lists all the natural gas fired sources and their sizes.

Source Number	Description	Burner Size
SN-05	Ladle Preheaters	3 burners 5.4 MMBTU/hr each
SN-06	Ladle Dryer	3.36 MMBTU/hr
SN-07	Tundish Preheaters	4.47 and 3.3 MMBTU/hr
SN-12	Tundish Dryer	2.8 MMBTU/hr
SN-12a	Tundish Dryer	2.8 MMBTU/hr

### Specific Conditions

1. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions 3, 6, 10, 11, 12, 13, 14, and 15. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
SN-01	EAF Baghouses	PM	11.3	49.2
		PM <sub>10</sub>	11.3	49.2
		SO <sub>2</sub>	41.0	152.0
		VOC	25.0	92.0
		CO	420.0	1600.0
		NO <sub>x</sub>	50.0	181.5
		Lead	0.4	1.5

2. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions 20 and 22. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Description	Pollutant	lb/hr	tpy
SN-01	EAF Baghouses	Mercury	0.008	0.03
		HAPs	0.03	0.09

3. The permittee shall measure the particulate emissions from the EAF baghouses, SN-01, every twelve months. The sampling time and sample volume for each run shall be at least 4 hours and 4.50 dscm (160 dscf). Each test shall consist of three runs. The permittee shall test the single stack from the new baghouse with Method 5 and shall test 12 stacks from the old baghouse with Method 5D. The 12 stacks tested on the old baghouse are to be chosen at random, by the Department. Each of the three runs on the old baghouse shall be conducted on a group of 4 of those 12 stacks. Each run shall be conducted on four stacks not tested in a previous run. Each of the 4 stacks in a run shall



- be tested for at least one hour. This test shall be conducted in accordance with Plantwide Condition 3. [Reg.19.702 and 40 C.F.R. § 52 Subpart E]
4. The particulate concentration in the exhaust of SN-01 shall not exceed 0.0052 gr/dscf. Compliance with this condition shall be demonstrated by Method 5 and 5D testing as described in Specific Condition 3. [Reg.19.304 and 40 C.F.R. § 60.272(a)(1)]
  5. The permittee shall not emit carbon monoxide emissions from SN-01 in excess of 6.0 pounds of CO per ton of steel produced, 0.35 pounds of VOC per ton of steel produced, 0.58 pounds of SO<sub>2</sub> per ton of steel produced or 0.5 pound of NO<sub>x</sub> per ton of steel produced. The particulate concentration in the exhaust of SN-01 shall not exceed 0.0052 gr/dscf. The lead content of the baghouse dust shall not exceed 3.0% by weight. Compliance with this condition will be shown by Specific Conditions 3, 6, and 12. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]
  6. The permittee shall measure the VOC, CO, NO<sub>x</sub>, and SO<sub>2</sub> emissions from SN-01 using method 25A, 10, 7E, and 6C, respectively, every twelve months. This test shall be conducted in accordance with Plantwide Condition 3. [Reg.19.702 and 40 C.F.R. § 52 Subpart E]
  7. The permittee shall not emit any gasses from SN-01, which have an opacity greater than 3%, as measured by Method 9. Visible emission observations shall be conducted on SN-01 at least once per day by a certified visible emission observer when the furnace is operating in the melting and refining period and records of these observations shall be kept on site and available for inspection. It shall be noted on the observation form that the readings were taken during the melting and refining period. These observations shall be performed for at least three 6-minute periods. These observations are only required on one of the seventeen baghouse stacks provided the observations are made for the stack of highest opacity that directly relates to the cause (or locations) of visible emissions observed during a single incident. These observations shall not be required when ASA personnel are receiving training. [Reg.19.304 and 40 C.F.R. § 60.272(a)(2)]
  8. The permittee shall submit a written report of exceedances of the EAF baghouse opacity to the Department semi-annually. All reports shall be postmarked by the 30<sup>th</sup> day following the end of each calendar half (July 30 and January 30). For the purposes of these reports, exceedances are defined as all 6-minute periods during which the average baghouse opacity is equal to 3% or greater during melting and refining periods. The permittee shall also comply with the reporting requirements in General Provision 7 of this permit. [Reg.19.705 and 40 C.F.R. § 52 Subpart E]
  9. The opacity limit specified in Specific Condition 7 shall not apply during periods of startup, shutdown, and malfunction. [Reg.19.304 and 40 C.F.R. § 60.8(c)]
  10. The permittee shall perform monthly operational status inspections of the equipment that is important to the total capture system (i.e., pressure sensors, dampers, and damper

- switches). This inspection shall include observations of the physical appearance of the equipment (e.g., presence of holes in ductwork or hoods, flow constrictions caused by dents or accumulated dust in ductwork, and fan erosion). [Reg.19.304 and 40 C.F.R. §§ 60.274(e), and 64]
11. The permittee shall, during any emission or opacity testing on SN-01, monitor and record the following information for all heats covered by the tests:
    1. Charge weights and materials, and tap weights and materials.
    2. Heat times, including start and stop times, and a log of process operation, including periods of no operation during testing.
    3. Control device operation log.
    4. Continuous monitor or Reference Method 9 data. [Reg.19.304 and 40 C.F.R. § 60.274(i)]
  12. The permittee shall check and record on a once-per-shift basis the baghouse fan motor amperes and either damper positions or magnehelic pressure gauge readings. The permittee may check and record magnehelic pressure gauge readings on the baghouse ductwork instead of damper positions as an indicator of correct damper positions. For the new baghouse, a single magnehelic pressure gauge reading that provides the pressure drop across the entire baghouse shall suffice. For the old baghouse, either 16 magnehelic pressure gauge readings (one for each compartment) or a computer generated average of those 16 readings shall suffice. Operation of baghouse fan motor amperes values exceeding  $\pm 15$  percent of the value established during the last Method 5 test may be considered unacceptable operation and maintenance of the total capture system. Operation at such values shall be reported to the Department semiannually. All reports shall be postmarked by the 30<sup>th</sup> day following the end of each calendar half (July 30 and January 30). The permittee shall also comply with the reporting requirements in General Provision 7 of this permit. [Reg.19.304 and 40 C.F.R. §§ 60.274(b), 60.274(a), and 64]
  13. The permittee shall demonstrate compliance with the lead emission limits by either 1) measure the lead concentration in the baghouse dust and calculate lead emissions by multiplying the measured particulate emissions by the lead concentration percentage in the baghouse dust, or 2) perform stack testing using Reference Method 12. These demonstrations shall be conducted on an annual basis. The testing of the new baghouse shall be conducted with the testing of the existing baghouse on the annual schedule already established. [Reg.19.702 and 40 C.F.R. § 52 Subpart E]
  14. The permittee shall not exceed 526,000 tons per year of steel production based on a rolling 12-month total. Compliance with this condition shall be demonstrated on a monthly basis by totaling the steel production for the previous 12 months. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]
  15. The permittee shall maintain daily records of the tonnage of steel produced. The permittee shall also maintain monthly records of the tonnage of steel produced each month and the consecutive 12 month total of steel produced. These records should be

updated by the 20<sup>th</sup> day of the month following the month the records represent and shall be submitted in accordance with General Condition 7[Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]

16. The permittee shall for metallic scrap utilized in the EAF prepare and implement a pollution prevention plan as required in §63.10685(a)(1) or the scrap restrictions of §63.10685(a)(2). [Reg.19.304 and 40 C.F.R. § 63 Subpart YYYYYY]
17. The permittee shall for scrap containing motor vehicle scrap participate in and purchase motor vehicle scrap from providers who participate in a program for the removal of mercury switches as required in §63.10685(b)(2) that is approved by the Administrator of 40 C.F.R. Part 63, Subpart YYYYYY or certify the scrap does not contain motor vehicle scrap. For scrap that does not contain motor vehicle scrap the permittee must maintain records of documentation that the scrap does not contain motor vehicle scrap. [Reg.19.304 and 40 C.F.R. § 63 Subpart YYYYYY]
18. The permittee shall maintain the records required in §63.10 and records which demonstrate compliance with the requirements of the pollution prevention plan and scrap restrictions of Specific Condition 16 and with the mercury requirements in Specific Condition 17. Additionally the permittee must maintain records identifying each scrap provider and documenting the scrap provider's participation in an approved mercury switch program. If the motor vehicle scrap is purchased from a broker, the permittee must maintain records identifying each broker and documentation that all scrap provided by the broker was provided by other scrap providers who participate in an approved mercury switch removal program. [Reg.19.304 and 40 C.F.R. § 63 Subpart YYYYYY]
19. The permittee must submit semiannual compliance reports to the Administrator of 40 C.F.R. Part 63, Subpart YYYYYY for the control of contaminants from scrap according to the requirements of §63.10(3). The report must clearly identify any deviation from the requirements of §63.10685(a) and (b) outlined in Specific Conditions 16 and 17. [Reg.19.304 and 40 C.F.R. § 63 Subpart YYYYYY]
20. The permittee must install, operate, and maintain a capture system that collects the emissions from each EAF and conveys the collected emissions to a pollutant control device for the removal of particulate matter. [Reg.19.304 and 40 C.F.R. § 63 Subpart YYYYYY]
21. The permittee must not discharge from SN-01 any gasses from an EAF which exhibit a 6% opacity or greater or contain in excess of 0.0052 gr/dscf. [Reg.19.304 and 40 C.F.R. § 63 Subpart YYYYYY]
22. The permittee must monitor the baghouses, SN-01 according to the compliance assurance monitoring requirements outlined in Specific Conditions 10 and 12. [Reg.19.304 and 40 C.F.R. § 63 Subpart YYYYYY]

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23. The permittee shall conduct daily opacity readings and record the results as required in Specific Condition 7 and monitor and record the fan motor amperage for the baghouse fans once per shift as required in Specific Condition 12. [Reg.19.304 and 40 C.F.R. § 64]

**SN-01b  
 EAF Shell Burner**

Source Description

This source is a 30 mmBtu/hr natural gas fired burner.

Specific Conditions

24. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by combustion of natural gas only. [Reg.19.501 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
01b	EAF Shell Burner	PM <sub>10</sub>	0.3	1.0
		SO <sub>2</sub>	0.1	0.1
		VOC	0.2	0.8
		CO	2.6	11.1
		NO <sub>x</sub>	1.5	6.6

25. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by combustion of natural gas only. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Description	Pollutant	lb/hr	tpy
01b	EAF Shell Burner	PM	0.3	1.0
		HAPs	0.2	0.6

26. The permittee shall not emit any gases from the SN-01b, gases which exhibit an opacity of 5% or greater. [Reg.18.501 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
27. ASA shall monitor the emissions of CO that could increase as a result of the installation of the EAF Shell Burner project and that is emitted by any emissions unit identified in 40 C.F.R Part 52.21(r)(6)(i)(b); and calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of 5 years following resumption of regular operations after the change, or for a period of 10 years following resumption of regular operations after the change if the project increases the design capacity or potential to emit that regulated NSR pollutant at such emissions unit. [Reg.19.705 and Reg.19.901; 40 C.F.R. § 52.21(r)(6)(iii); Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311; and 40 C.F.R. § 70.6]

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28. ASA shall submit a report to the Administrator if the annual emissions, in tons per year, of the EAF Shell Burner project, exceed the baseline actual emissions (as documented and maintained pursuant to 40 C.F.R. Part 52.21(r)(6)(i)(c)), by a significant amount (as defined in paragraph 40 C.F.R. Part 52.21(b)(23)) for that regulated NSR pollutant, and if such emissions differ from the preconstruction projection as documented and maintained pursuant to 40 C.F.R. Part 52.21(r)(6)(i)(c). Such report shall be submitted to the Administrator within 60 days after the end of such year. The report shall contain the following:
- a. The name, address and telephone number of the major stationary source;
  - b. The annual emissions as calculated pursuant to 40 C.F.R. Part 52.21(r)(6)(iii); and
  - c. Any other information that the owner or operator wishes to include in the report (e.g., an explanation as to why the emissions differ from the preconstruction projection).

[Reg.19.705 and Reg.19.901; 40 C.F.R. § 52.21(r)(6)(iii); Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311; and 40 C.F.R. § 70.6]

**SN-02**  
**Meltshop Fugitive Emissions**

**Source Description**

Modifications to the EAF canopy increased collection efficiency of emissions in the meltshop and the roof monitors were closed as a result. Emissions from the meltshop are now accounted from the EAF baghouses, SN-01. Opacity limits are still required by the NSPS Subpart AA. An alternative monitoring plan has been approved by EPA for this facility, which allows daily opacity readings on the meltshop during melting and refining as an alternative to monitoring the pressure in the free space inside the electric arc furnace.

**Specific Conditions**

29. The permittee shall not emit any gases from the melt shop during melting and refining phases which have an opacity of 6% or greater. At least once per day when the furnace is operating in the melting and refining period, an observer certified in accordance with EPA Method 9 shall conduct visible emissions observations to determine the shop opacity. These observations shall be taken in accordance with EPA Method 9 for at least three 6-minute periods. Melting and refining phases shall mean the time period commencing at the termination of the initial charging period and ending at the initiation of the tapping period, excluding any intermediate charging periods. The opacity shall be recorded for any point(s) where visible emissions are observed. Where it is possible to determine that a number of visible emission sites relate to only one incident of the visible emissions, only one set of three 6-minute observations will be required. In this case, EPA Method 9 observations must be made for the site of highest opacity that directly relates to the cause (or location) of visible emissions observed during a single incident. These opacity observations shall be recorded on a visible emission observations form. The information presented in Figures 9-1 and 9-2 to EPA Method 9 shall be recorded. Compliance with this condition shall be demonstrated by Specific Condition 32. These observations shall not be required when ASA personnel are receiving training. [Reg.19.304 and 40 C.F.R. § 60 Subpart AA]
30. The permittee shall not emit any gases from the melt shop during charging periods which have an opacity of 20% or greater. At least once per week when the furnace is in the charging period, an observer certified in accordance with EPA Method 9 shall conduct visible emissions observations to determine the shop opacity. These observations shall be taken in accordance with EPA Method 9 for at least one 6-minute period. Charging period shall mean the time period commencing at the moment the EAF starts to open and ending either three minutes after the EAF roof is returned to its closed position or six minutes after commencement of opening the roof, whichever is longer. Compliance with this condition shall be demonstrated by Specific Condition 32. These observations shall not be required when ASA personnel are receiving training. [Reg.19.304 and 40 C.F.R. § 60 Subpart AA]

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31. The permittee shall not emit any gases from the melt shop during tapping periods which have an opacity of 40% or greater. At least once per week when the furnace is in the tapping period, an observer certified in accordance with EPA Method 9 shall conduct visible emissions observations to determine the shop opacity. These observations shall be taken in accordance with EPA Method 9 for at least one 6-minute period. Tapping period shall mean the time period commencing at the moment the EAF begins to tilt to pour and ending either three minutes after the EAF returns to an upright position or six minutes after commencing to tilt, whichever is longer. Compliance with this condition shall be demonstrated by Specific Condition 32. These observations shall not be required when ASA personnel are receiving training. [Reg.19.304 and 40 C.F.R. § 60 Subpart AA]
32. The permittee shall keep records of all opacity readings taken on the meltshop. The period when the opacity readings are performed shall be clearly marked on the opacity form. The period shall be marked either melting and refining, charging, or tapping. [Reg.19.705 and 40 C.F.R. § 52 Subpart E]
33. The permittee shall submit a written report of exceedances of the shop opacity to the Department semi-annually. All reports shall be postmarked by the 30<sup>th</sup> day following the end of each calendar half (July 30 and January 30). For the purposes of these reports, exceedances are defined as all 6-minute periods during which the average shop opacity is equal to 6% or greater during melting and refining periods, 20% or greater during charging periods, and 40% or greater during tapping periods. These reports shall clearly indicate which period the exceedance occurred in. The permittee shall also comply with the reporting requirements in General Provision 7 of this permit. [Reg.19.705 and 40 C.F.R. § 52 Subpart E]
34. The opacity limits specified in Specific Conditions, 29, 30, and 31 shall not apply during periods of startup, shutdown, and malfunction. [Reg.19.304 and 40 C.F.R. § 60.8(c)]



**SN-03  
 Ladle Metallurgy Station**

**Source Description**

Before proceeding to the caster, the partially processed steel must typically undergo refining. This refining takes place in the Ladle Metallurgy Station (LMS), SN-03. At the LMS, the ladle is paused and another triad of carbon electrodes with a special roof for the ladle are set in place over the ladle and the partially processed molten steel. At this point, further alloying and refining of the steel to the desired metallurgical chemistry takes place. Emissions from this source are controlled by a baghouse.

In some instances, when further refining is not necessary, the molten steel may proceed directly to the caster without a pause at the LMS.

**Specific Conditions**

35. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by complying with Specific Condition 14 and Specific Condition 42. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
SN-03	Ladle Metallurgy Station	PM	1.0	4.5
		PM <sub>10</sub>	0.8	3.4
		CO	42.0	160.0

36. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by Specific Condition 14. [Reg.19.501 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
SN-03	Ladle Metallurgy Station	SO <sub>2</sub>	2.5	9.3
		VOC	0.3	0.9
		NO <sub>x</sub>	1.7	6.4

37. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by combustion of natural gas only and Specific Condition 43. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Description	Pollutant	lb/hr	tpy
SN-03	Ladle Metallurgy Station	Lead	0.1	0.2
		Mercury	0.008	0.03
		Fluoride	0.3	1.0

38. The permittee shall not emit any gases from SN-03, the Ladle Metallurgy Station, which exhibit an opacity of 5% or greater. Compliance with this condition will be shown by Specific Condition 40. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
39. The permittee shall not emit carbon monoxide emissions from SN-03 in excess of 0.6 pounds of CO per ton of steel produced nor shall the particulate concentration in the exhaust of SN-03 exceed 0.0052 gr/dscf. Compliance with this condition will be shown by Specific Condition 42. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]
40. The permittee shall conduct weekly observations of the opacity from SN-03. These weekly observations shall be conducted in accordance with EPA Reference Method 9. If visible emissions in excess of the permitted opacity are detected, the permittee shall immediately take action to identify the cause of the excess visible emissions, implement corrective action, and document that the visible emissions did not exceed the permitted opacity following the corrective action. These observations shall not be required when ASA personnel are receiving training. [Reg.19.705 and 40 C.F.R. § 52 Subpart E]
41. The permittee shall maintain records which demonstrate compliance with Specific Condition 40. These records shall contain the following items.
- i. The date and time of the observation;
  - ii. if visible emissions above the permitted limit were detected;
  - iii. if visible emissions above the permitted limits, list the cause of the exceedance of the opacity limits, the corrective action taken, and if the visible emissions are below the permitted limit after the corrective actions was taken; and
  - iv. the person conducting the opacity observations.
- These records shall be updated weekly, kept on site, and made available to Department personnel upon request. [Reg.19.705 and 40 C.F.R. § 52 Subpart E]
42. The permittee shall measure the particulate and CO emissions from the LMS baghouse, SN-03, using EPA Reference Method 5 and 10 respectively. This test shall be conducted within sixty (60) days of achieving the maximum production rate, but in no event later than 180 days after initial start-up, and every 12 months thereafter. This test shall be conducted in accordance with Plantwide Condition 3. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]

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43. The permittee shall measure the fluoride emissions from the LMS baghouse, SN-03, using a test method approved by the Department. This test shall be conducted in accordance with Plantwide Condition 3. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

**SN-04  
 Reheat Furnace**

**Source Description**

After leaving the caster, the steel billets are processed through a natural gas fired reheat furnace. With the exception of startup, shutdown, and malfunction conditions, the rated heat input capacity of the reheat furnace is 67.97 MMBtu/hr. The reheat furnace was manufactured by Danieli Centro Combustion. All combustion products are routed to a single stack.

Specific Conditions

44. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions 48 and 49. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
SN-04	Reheat Furnace	PM	1.0	4.2
		PM <sub>10</sub>	1.0	4.2
		CO	4.3	18.0

45. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions 48 and 49. [Reg.19.501 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
SN-04	Reheat Furnace	SO <sub>2</sub>	0.1	0.2
		VOC	0.4	1.7
		NO <sub>x</sub>	14.0	43.0

46. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by combustion of natural gas only. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Description	Pollutant	lb/hr	tpy
SN-04	Reheat Furnace	HAPs	0.4	1.6

47. The permittee shall not exceed 5% opacity from SN-04. Compliance with this condition shall be demonstrated by Specific Conditions 48. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]

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48. The permittee shall combust only pipeline quality natural gas at SN-04. [Reg.19.705, Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 70.6]
49. The permittee shall not combust more than 596 million cubic feet of natural gas during any consecutive 12 month period at the reheat furnace. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]
50. The permittee shall maintain records of the amount of natural gas combusted at the reheat furnace during each consecutive 12 month period. Each 12 month total shall be updated on a monthly basis. These records should be updated by the 20<sup>th</sup> day of the month following the month the records represent and shall be submitted in accordance with General Condition 7. [Reg.19.705 and 40 C.F.R. § 52 Subpart E]

**SN-05  
 Ladle Preheaters**

Source Description

The ladle preheaters are three 5.4 MMBTU natural gas fired burners used to preheat ladles before they contact molten steel.

Specific Conditions

51. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Plantwide Condition 5. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
SN-05	Ladle Preheaters	PM	0.2	0.7
		PM <sub>10</sub>	0.2	0.7
		SO <sub>2</sub>	0.1	0.1
		VOC	0.1	0.4
		CO	1.4	5.9
		NO <sub>x</sub>	1.6	7.0

52. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by combustion of natural gas only. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Description	Pollutant	lb/hr	tpy
SN-05	Ladle Preheaters	HAPs	0.1	0.4

53. The permittee shall not emit any gases from the Ladle Preheaters, SN-05, gases which exhibit an opacity of 5% or greater. [Reg.18.501 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

**SN-08  
Unpaved Roads**

**Source Description**

This source accounts for emission from unpaved roads at the facility.

**Specific Conditions**

54. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Condition 55. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
SN-08	Unpaved Roads	PM	2.0	8.6
		PM <sub>10</sub>	0.6	2.6

55. The permittee shall use water and/or dust suppressant on unpaved roads as necessary to prevent fugitive emissions from leaving the property boundary. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

**SN-09  
Paved Roads**

**Source Description**

This source accounts for emissions from paved roads at the facility.

**Specific Conditions**

56. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Condition 57. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
SN-09	Paved Roads	PM	1.9	8.2
		PM <sub>10</sub>	0.4	1.6

57. The permittee shall water and/or dust suppressant on paved roads as necessary to prevent fugitive emissions from leaving the property boundary. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]



**SN-10  
 Slag Processing**

**Source Description**

Slag produced during the steel making process is handled at the mill and generates particulate emissions. Slag processing includes the loading and unloading of slag piles and also the crushing, conveying and screening of the material. Emissions from unpaved roads within the slag area are accounted for in SN-08. The slag represents approximately 11% of the total steel production.

Specific Conditions

58. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions 60 and 61. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
SN-10	Slag Processing	PM	0.6	2.0
		PM <sub>10</sub>	0.3	1.0

59. The opacity from slag processing shall not exceed 20%, as measured by EPA Reference Method 9. Slag processing shall include slag dumping (loading/unloading piles) and slag handling (conveying, screening). Compliance will be demonstrated by using water sprays as necessary as outlined in Specific Condition 60. [Reg.19.503 and 40 C.F.R. § 52 Subpart E]
60. The permittee shall use water sprays as necessary to comply with the opacity limit for SN-10. [Reg.19.705, Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 70.6]
61. The permittee shall not process more than 57,860 tons of slag per year based on a rolling 12 month total. The permittee shall demonstrate compliance with this condition by compliance with Specific Condition 62. [Reg.19.705, Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 70.6]
62. The permittee shall keep records on the amount of slag processed each month and each 12 month period. These records shall be kept on site and be made available to Department personnel upon request. [Reg.19.705 and 40 C.F.R. § 52 Subpart E]

**SN-11**  
**Baghouse Dust Handling**

**Source Description**

Arkansas Steel collects baghouse dust in hoppers beneath each of the baghouse modules. Intermittently, the hoppers are emptied by screw conveyors that collect the dust and dump it deep into a stationary, covered, hopper-bottom railcar or other suitable container. The rotary air locks and screw conveyor are sealed to minimize emissions. The railcar is almost fully enclosed in a metal housing to minimize emissions from wind disturbing the transfer of dust. This source is subject to New Source Performance Standards-Subpart AA.

**Specific Conditions**

63. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by complying with Specific Condition 14. [Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
SN-11	Baghouse Dust Handling	PM	0.2	0.5
		PM <sub>10</sub>	0.1	0.2
		Lead	0.01	0.02

64. The permittee shall not emit any gases from the dust handling equipment servicing the EAF baghouse which have an opacity of 10% or greater, as measured by Method 9. [Reg.19.304 and 40 C.F.R. § 60 Subpart AA]
65. The permittee shall conduct daily observations of the opacity from the dust handling equipment, and keep a record of these observations. For the purposes of this condition, the dust handling equipment shall include any equipment used to handle particulate matter collected by the baghouses and located at or near the baghouses. If visible emissions are detected, then the permittee shall conduct a 6-minute opacity reading in accordance with EPA Reference Method 9. The results of these observations shall be kept on site and made available for inspection upon request. These observations shall not be required when ASA personnel are receiving training on Method 9. [Reg.19.705 and 40 C.F.R. § 52 Subpart E]

**SN-14, 15, 16, 17, 18, 21, and 22**

**LMS/FCE, DEC Cooling Water, Reheat Furnace Emergency Generators, Emergency Lighting Generators, Emergency Generator, Rolling Mill Emergency Generators, and Melt Shop Emergency Generators**

**Source Description**

The LMS/FCE Emergency Generator, SN-14, is a 170 hp diesel-fired emergency generator.

The DEC Cooling Water Emergency Generator, SN-15, is a 87 hp diesel-fired emergency generator

Reheat Furnace Emergency Generator, SN-16, is a 170 hp diesel-fired emergency generator.

The Emergency Lighting Generators, SN-17, are four 32 hp natural gas fired emergency generators.

The Emergency Generator, SN-18, is a 150 kW natural gas and propane fired emergency generator to provide electricity for the emergency water spray.

The Rolling Mill Emergency Generator, SN-21, is a 449 hp diesel fired emergency generator.

The Melt Shop Emergency Generators, SN-22, is a 449 hp diesel fired emergency generator.

**Specific Conditions**

66. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions 69, 70, 71, and 73. [Reg.19.501 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
SN-14	LMS/FCE Emergency Generator	PM <sub>10</sub>	0.4	0.1
		SO <sub>2</sub>	0.4	0.1
		VOC	0.5	0.2
		CO	1.2	0.3
		NO <sub>x</sub>	5.3	1.4
SN-15	DEC Cooling Water Emergency Generator	PM <sub>10</sub>	0.2	0.1
		SO <sub>2</sub>	0.2	0.1
		VOC	0.3	0.1
		CO	0.6	0.2
		NO <sub>x</sub>	2.7	0.7

SN	Description	Pollutant	lb/hr	tpy
SN-16	Reheat Furnace Emergency Generator	PM <sub>10</sub>	0.4	0.1
		SO <sub>2</sub>	0.4	0.1
		VOC	0.5	0.1
		CO	1.2	0.3
		NO <sub>x</sub>	5.3	1.4
SN-17	Emergency Lighting Generators	PM <sub>10</sub>	0.1	0.1
		SO <sub>2</sub>	0.1	0.1
		VOC	0.2	0.1
		CO	0.4	0.1
		NO <sub>x</sub>	1.8	0.5
SN-18	Emergency Generator	PM <sub>10</sub>	0.1	0.1
		SO <sub>2</sub>	0.1	0.1
		VOC	1.5	0.4
		CO	2.5	0.7
		NO <sub>x</sub>	1.5	0.4
SN-21	Rolling Mill Emergency Generator	PM <sub>10</sub>	0.2	0.1
		SO <sub>2</sub>	1.0	0.3
		VOC	3.0	0.8
		CO	2.6	0.7
		NO <sub>x</sub>	3.0	0.8
SN-22	Melt Shop Emergency Generator	PM <sub>10</sub>	0.2	0.1
		SO <sub>2</sub>	1.0	0.3
		VOC	3.0	0.8
		CO	2.6	0.7
		NO <sub>x</sub>	3.0	0.8

67. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions 69, 70, 71, and 73. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Description	Pollutant	lb/hr	tpy
SN-14	LMS/FCE Emergency Generator	PM	0.4	0.1
		HAPs	0.01	0.01
SN-15	DEC Cooling Water Emergency Generator	PM	0.2	0.1
		HAPs	0.01	0.01
SN-16	Reheat Furnace Emergency Generator	PM	0.4	0.1
		HAPs	0.01	0.01

SN	Description	Pollutant	lb/hr	tpy
SN-17	Emergency Lighting Generators	PM HAPs	0.2 0.07	0.1 0.02
SN-18	Emergency Generator	PM HAPs	0.2 0.2	0.1 0.04
SN-21	Rolling Mill Emergency Generator	PM HAPs	0.2 0.01	0.1 0.01
SN-22	Melt Shop Emergency Generator	PM HAPs	0.2 0.01	0.1 0.01

68. Visible emissions may not exceed the limits specified in the following table of this permit as measured by EPA Reference Method 9. Compliance will be demonstrated by burning only natural gas for SN-17, natural gas or propane for SN-18, and Plantwide Condition 5.

SN	Limit	Regulatory Citation
SN-14 SN-15 SN-16 SN-21 SN-22	20%	Reg.19.503 and 40 C.F.R. § 52 Subpart E
SN-17 and SN-18	5%	Reg.18.501 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311

69. The permittee shall not operate any single one of the Emergency Generators, SN-14, SN-15, SN-16, SN-17, SN-18, SN-21, and SN-22 more than 500 hours in any consecutive 12 month period. The permittee shall maintain records of the hours of operation of each generator each month. These records shall be updated by the 15<sup>th</sup> day of the month following the month that the records represent, kept on site, made available to Department personnel upon request and in accordance with General Provision 7. [Reg.19.705 and 40 C.F.R. § 52 Subpart E]
70. The permittee must meet the following maintenance requirements for the Emergency Generators, SN-14, SN-15, and SN-16: Change the oil and filter every 500 hours of operation or annually, whichever comes first; inspect the air cleaner every 1,000 hours of operation or annually, whichever comes first; and inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. [Reg.19.304 and 40 C.F.R. § 63 Subpart ZZZZ]

71. The permittee must for the Emergency Generators, SN-14, SN-15, and SN-16, minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes. [Reg.19.304 and 40 C.F.R. § 63 Subpart ZZZZ]
72. The permittee is to comply with the operating limitations of 40 C.F.R. Part 63, Subpart ZZZZ that apply at all times and maintain any affected source including any associated air pollution control equipment and monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions. [Reg.19.304 and 40 C.F.R. § 63 Subpart ZZZZ]
73. The permittee must maintain the Emergency Generators, SN-14, SN-15, and SN-16, according to the manufacturer's emission-related written instructions or develop their own maintenance plan according to 40 C.F.R. 63.6625(e). [Reg.19.304 and 40 C.F.R. § 63 Subpart ZZZZ]
74. The permittee must install on each of the Emergency Generators, SN-14, SN-15, and SN-16, a non-resettable hour meter. [Reg.19.304 and 40 C.F.R. § 63 Subpart ZZZZ]
75. The permittee may utilize an oil analysis program in order to extend the specified oil change requirements in Specific Condition 70. This analysis program shall be conducted as required in §63.6625(i). [Reg.19.304 and 40 C.F.R. § 63 Subpart ZZZZ]
76. The permittee may operate the Emergency Generators, SN-14, SN-15, SN-16, 100 hours per year for maintenance and readiness checks. The permittee may operate the generators 50 hours per year in non-emergency situations as outlined in §63.6640(f)(4). Those 50 hours must be included in the 100 hours for maintenance and readiness checks. There is no limit on emergency operation due to Subpart ZZZZ. The operation limit in Specific Condition 69 still applies. [Reg.19.304 and 40 C.F.R. § 63 Subpart ZZZZ]
77. The permittee shall submit reports as outlined in §63.6650. [Reg.19.304 and 40 C.F.R. § 63 Subpart ZZZZ]
78. The Emergency Power Generators, SN-17, and the Emergency Generator, SN-18, are subject to and shall comply with the provisions of NSPS Subpart JJJJ. SN-17 and SN-18 are also subject to 40 C.F.R. Part 63 Subpart ZZZZ. Compliance with Subpart ZZZZ is demonstrated by complying with NSPS Subpart JJJJ. [Reg.19.304 and 40 C.F.R. §§ 60 Subpart JJJJ and 40 C.F.R. 63 Subpart ZZZZ]
79. SN-17 and SN-18 shall comply with the emission standards of 60.4231(a). The permittee must operate SN-17 so that it complies with those standards over the entire life of the engine. [Reg.19.304 and 40 C.F.R. §§ 60.4233(a) and 60.4234]
80. If the Emergency Generators, SN-17, and the Emergency Generator, SN-18, do not meet the standards applicable to non-emergency engines, the permittee must install a non-

resetable hour meter upon startup of the engine. [Reg.19.304 and 40 C.F.R. § 60.4237(c)]

81. If the permittee operates and maintains the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, the permittee must keep records of conducted maintenance to demonstrate compliance. If the permittee does not operate and maintain SN-17 and SN-18 according to the manufacturer's emission-related written instructions, the engine will be considered a non-certified engine, and you must demonstrate compliance by keeping 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. [Reg.19.304 and 40 C.F.R. § 60.4243(a)]
82. The permittee may operate the Emergency Generators, SN-17, and the Emergency Generator, SN-18, for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. There is no NSPS required time limit on the use of emergency stationary ICE in emergency situations. The 100 hour of operation limit of the permit still applies. SN-17 may operate up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. For owners and operators of emergency engines, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year except as allowed in this paragraph is prohibited. [Reg.19.304 and 40 C.F.R. § 60.4243(d)]
83. The permittee shall for SN-21 and SN-22 comply with the requirements of MACT Subpart ZZZZ by complying with the provisions of NSPS Subpart IIII. [Reg.19.304 and 40 C.F.R. § 63 Subpart ZZZZ]
84. The permittee shall for SN-21 and SN-22 comply with the emissions standards specified in 40 C.F.R. § 60.4202 of 40 C.F.R. § 60 Subpart IIII. The permittee shall operate and maintain sources SN-21 and 22 according to the manufacturer's written instruction or procedures developed by the permittee and approved by the generator manufacturer, over the life of the entire engine. [Reg.19.304 and 40 C.F.R. § 60 Subpart ZZZZ]
85. The permittee shall for SN-21 and SN-22 purchase an engine certified to the standards in 60.4205(b). The engine must be installed and configured according to the manufactures specifications. [Reg.19.304 and 40 C.F.R. § 60 Subpart IIII]

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86. The permittee shall install a non-resettable hour meter on SN-21 and SN-22. [Reg.19.304 and 40 C.F.R. § 60 Subpart III]
87. The permittee shall use a diesel fuel in SN-21 and SN-22 which meets the requirements of 40 C.F.R. § 80.510(b). [Reg.19.304 and 40 C.F.R. § 60 Subpart III]
88. The permittee may only operate SN-21 and SN-22 for 100 hours each in any calendar year for maintenance checks and readiness testing. [Reg.19.304 and 40 C.F.R. § 60 Subpart III]



**SN-19**

**Ladle and Tundish Drying System**

**Source Description**

The ladle and tundish drying system is a 3.4 MMBTU/hr natural gas fired heater which dries new refractory linings in the ladles and tundishes.

**Specific Conditions**

89. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Plantwide Condition 5. [Reg.19.501 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
SN-19	Ladle and Tundish Drying System	PM <sub>10</sub>	0.1	0.2
		SO <sub>2</sub>	0.1	0.1
		VOC	0.1	0.1
		CO	0.3	1.3
		NO <sub>x</sub>	0.4	1.5

90. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Plantwide Condition 5. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Description	Pollutant	lb/hr	tpy
SN-19	Ladle and Tundish Drying System	PM	0.1	0.2
		HAPs	0.3	0.2

91. The permittee shall not emit any gases from SN-19, Ladle and Tundish Drying System, which exhibit an opacity of 5% or greater. [Reg.18.501 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

**SN-20  
Gasoline Storage Tank**

Source Description

SN-20 is a 560-gallon gasoline storage tank.

Specific Conditions

92. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by Specific Condition 94. [Reg.19.501 *et seq.* and 40 C.F.R. § 52 Subpart E]

SN	Description	Pollutant	lb/hr	tpy
20	Gasoline Storage Tank	VOC	5.1	0.2

93. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by Specific Condition 94. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Description	Pollutant	lb/hr	tpy
20	Gasoline Storage Tank	HAPs	0.6	0.1

94. The permittee shall not exceed a throughput of 60,000 gallons of gasoline per rolling 12 month period. [Reg.19.705, Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 70.6]

95. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition 94. The permittee shall update these records by the fifteenth day of the month following the month to which the records pertain. The twelve month rolling totals and each individual month's data shall be maintained on-site, made available to Department personnel upon request, and submitted in accordance with General Provision 7. [Reg.19.705 and 40 C.F.R. § 52 Subpart E]

96. 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;

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- (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;
- (4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

The permittee must have records available within 24 hours of a request by the Administrator to document your gasoline throughput.

The permittee must comply with the requirements of this subpart by the applicable dates specified in 40 C.F.R. § 63.11113.

Portable gasoline containers that meet the requirements of 40 C.F.R. part 59, subpart F, are considered acceptable for compliance with paragraph (a)(3) of this 40 C.F.R. § 63.11116.

[Reg.19.304 and 40 C.F.R. § 63 Subpart CCCCCC]

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## **SECTION V: COMPLIANCE PLAN AND SCHEDULE**

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

## SECTION VI: PLANTWIDE CONDITIONS

1. The permittee shall notify the Director in writing within thirty (30) days after commencing construction, completing construction, first placing the equipment and/or facility in operation, and reaching the equipment and/or facility target production rate. [Reg.19.704, 40 C.F.R. § 52 Subpart E, and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
2. If the permittee fails to start construction within eighteen months or suspends construction for eighteen months or more, the Director may cancel all or part of this permit. [Reg.19.410(B) and 40 C.F.R. § 52 Subpart E]
3. The permittee must test any equipment scheduled for testing, unless otherwise stated in the Specific Conditions of this permit or by any federally regulated requirements, within the following time frames: (1) new equipment or newly modified equipment within sixty (60) days of achieving the maximum production rate, but no later than 180 days after initial start up of the permitted source or (2) operating equipment according to the time frames set forth by the Division of Environmental Quality or within 180 days of permit issuance if no date is specified. The permittee must notify the Division of Environmental Quality of the scheduled date of compliance testing at least fifteen (15) business days in advance of such test. The permittee shall submit the compliance test results to the Division of Environmental Quality within sixty (60) calendar days after completing the testing. [Reg.19.702 and/or Reg.18.1002 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
4. The permittee must provide:
  - a. Sampling ports adequate for applicable test methods;
  - b. Safe sampling platforms;
  - c. Safe access to sampling platforms; and
  - d. Utilities for sampling and testing equipment.

[Reg.19.702 and/or Reg.18.1002 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
5. The permittee must operate the equipment, control apparatus and emission monitoring equipment within the design limitations. The permittee shall maintain the equipment in good condition at all times. [Reg.19.303 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
6. This permit subsumes and incorporates all previously issued air permits for this facility. [Reg. 26 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

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7. Unless otherwise specified in the permit, approval to construct any new major stationary source or a major modification subject to 40 C.F.R. § 52.21 shall become invalid if construction is not commenced within 18 months after receipt of such approval, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. The Division of Environmental Quality may extend the 18-month period upon a satisfactory showing that an extension is justified.  
[Reg.19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]

**SECTION VII: INSIGNIFICANT ACTIVITIES**

The Division of Environmental Quality deems the following types of activities or emissions as insignificant on the basis of size, emission rate, production rate, or activity in accordance with Group A of the Insignificant Activities list found in Regulation 18 and Regulation 19 Appendix A. Group B insignificant activities may be listed but are not required to be listed in permits. Insignificant activity emission determinations rely upon the information submitted by the permittee in an application dated July 16, 2020. [Reg.26.304 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

Description	Category
(8) Cooling Towers	A-13
(2) 1000 gallon diesel storage tank	A-3
(1) 120 gallon diesel storage tank	A-3
(1) 220 gallon used oil tank	A-3
(1) 580-gallon diesel storage tank	A-3
Parts washers that use a low vapor pressure organic solvent	A-13
15,000 gallon used oil tank	A-13
Materials handling operations at the site including those associated with raw material, product moving and scrap handling.	A-13
Portable Hopper	A-13
Pressure Washer Heater	A-1

### SECTION VIII: GENERAL PROVISIONS

1. Any terms or conditions included in this permit which specify and reference Arkansas Pollution Control & Ecology Commission Regulation 18 or the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 *et seq.*) as the sole origin of and authority for the terms or conditions are not required under the Clean Air Act or any of its applicable requirements, and are not federally enforceable under the Clean Air Act. Arkansas Pollution Control & Ecology Commission Regulation 18 was adopted pursuant to the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 *et seq.*). Any terms or conditions included in this permit which specify and reference Arkansas Pollution Control & Ecology Commission Regulation 18 or the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 *et seq.*) as the origin of and authority for the terms or conditions are enforceable under this Arkansas statute. [40 C.F.R. § 70.6(b)(2)]
2. This permit shall be valid for a period of five (5) years beginning on the date this permit becomes effective and ending five (5) years later. [40 C.F.R. § 70.6(a)(2) and Reg.26.701(B)]
3. The permittee must submit a complete application for permit renewal at least six (6) months before permit expiration. Permit expiration terminates the permittee's right to operate unless the permittee submitted a complete renewal application at least six (6) months before permit expiration. If the permittee submits a complete application, the existing permit will remain in effect until the Division of Environmental Quality takes final action on the renewal application. The Division of Environmental Quality will not necessarily notify the permittee when the permit renewal application is due. [Reg.26.406]
4. Where an applicable requirement of the Clean Air Act, as amended, 42 U.S.C. 7401, *et seq.* (Act) is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, the permit incorporates both provisions into the permit, and the Director or the Administrator can enforce both provisions. [40 C.F.R. § 70.6(a)(1)(ii) and Reg.26.701(A)(2)]
5. The permittee must maintain the following records of monitoring information as required by this permit.
  - a. The date, place as defined in this permit, and time of sampling or measurements;
  - b. The date(s) analyses performed;
  - c. The company or entity performing the analyses;
  - d. The analytical techniques or methods used;
  - e. The results of such analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.

[40 C.F.R. § 70.6(a)(3)(ii)(A) and Reg.26.701(C)(2)]



6. The permittee must retain the records of all required monitoring data and support information for at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. [40 C.F.R. § 70.6(a)(3)(ii)(B) and Reg.26.701(C)(2)(b)]
7. The permittee must submit reports of all required monitoring every six (6) months. If the permit establishes no other reporting period, the reporting period shall end on the last day of the month six months after the issuance of the initial Title V permit and every six months thereafter. The report is due on the first day of the second month after the end of the reporting period. The first report due after issuance of the initial Title V permit shall contain six months of data and each report thereafter shall contain 12 months of data. The report shall contain data for all monitoring requirements in effect during the reporting period. If a monitoring requirement is not in effect for the entire reporting period, only those months of data in which the monitoring requirement was in effect are required to be reported. The report must clearly identify all instances of deviations from permit requirements. A responsible official as defined in Reg.26.2 must certify all required reports. The permittee will send the reports electronically using <https://portal.adeq.state.ar.us> or mail them to the address below:

Division of Environmental Quality  
Office of Air Quality  
ATTN: Compliance Inspector Supervisor  
5301 Northshore Drive  
North Little Rock, AR 72118-5317

[40 C.F.R. § 70.6(a)(3)(iii)(A) and Reg.26.701(C)(3)(a)]

8. The permittee shall report to the Division of Environmental Quality all deviations from permit requirements, including those attributable to upset conditions as defined in the permit.
  - a. For all upset conditions (as defined in Reg.19.601), the permittee will make an initial report to the Division of Environmental Quality by the next business day after the discovery of the occurrence. The initial report may be made by telephone and shall include:
    - i. The facility name and location;
    - ii. The process unit or emission source deviating from the permit limit;
    - iii. The permit limit, including the identification of pollutants, from which deviation occurs;
    - iv. The date and time the deviation started;
    - v. The duration of the deviation;

- vi. The emissions during the deviation;
- vii. The probable cause of such deviations;
- viii. Any corrective actions or preventive measures taken or being taken to prevent such deviations in the future; and
- ix. The name of the person submitting the report.

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

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

[Reg.19.601, Reg.19.602, Reg.26.701(C)(3)(b), and 40 C.F.R. § 70.6(a)(3)(iii)(B)]

9. If any provision of the permit or the application thereof to any person or circumstance is held invalid, such invalidity will not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end, provisions of this Regulation are declared to be separable and severable. [40 C.F.R. § 70.6(a)(5), Reg.26.701(E), and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
10. The permittee must comply with all conditions of this Part 70 permit. Any permit noncompliance with applicable requirements as defined in Regulation 26 constitutes a violation of the Clean Air Act, as amended, 42 U.S.C. § 7401, *et seq.* and is grounds for enforcement action; for permit termination, revocation and reissuance, for permit modification; or for denial of a permit renewal application. [40 C.F.R. § 70.6(a)(6)(i) and Reg.26.701(F)(1)]
11. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit. [40 C.F.R. § 70.6(a)(6)(ii) and Reg.26.701(F)(2)]
12. The Division of Environmental Quality may modify, revoke, reopen and reissue the permit or terminate the permit for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [40 C.F.R. § 70.6(a)(6)(iii) and Reg.26.701(F)(3)]

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13. This permit does not convey any property rights of any sort, or any exclusive privilege. [40 C.F.R. § 70.6(a)(6)(iv) and Reg.26.701(F)(4)]
14. The permittee must furnish to the Director, within the time specified by the Director, any information that the Director may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee must also furnish to the Director copies of records required by the permit. For information the permittee claims confidentiality, the Division of Environmental Quality may require the permittee to furnish such records directly to the Director along with a claim of confidentiality. [40 C.F.R. § 70.6(a)(6)(v) and Reg.26.701(F)(5)]
15. The permittee must pay all permit fees in accordance with the procedures established in Regulation 9. [40 C.F.R. § 70.6(a)(7) and Reg.26.701(G)]
16. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes provided for elsewhere in this permit. [40 C.F.R. § 70.6(a)(8) and Reg.26.701(H)]
17. If the permit allows different operating scenarios, the permittee shall, contemporaneously with making a change from one operating scenario to another, record in a log at the permitted facility a record of the operational scenario. [40 C.F.R. § 70.6(a)(9)(i) and Reg.26.701(I)(1)]
18. The Administrator and citizens may enforce under the Act all terms and conditions in this permit, including any provisions designed to limit a source's potential to emit, unless the Division of Environmental Quality specifically designates terms and conditions of the permit as being federally unenforceable under the Act or under any of its applicable requirements. [40 C.F.R. § 70.6(b) and Reg.26.702(A) and (B)]
19. Any document (including reports) required by this permit pursuant to 40 C.F.R. § 70 must contain a certification by a responsible official as defined in Reg.26.2. [40 C.F.R. § 70.6(c)(1) and Reg.26.703(A)]
20. The permittee must allow an authorized representative of the Division of Environmental Quality, upon presentation of credentials, to perform the following: [40 C.F.R. § 70.6(c)(2) and Reg.26.703(B)]
  - a. Enter upon the permittee's premises where the permitted source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
  - b. Have access to and copy, at reasonable times, any records required under the conditions of this permit;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - d. As authorized by the Act, sample or monitor at reasonable times substances or parameters for assuring compliance with this permit or applicable requirements.
21. The permittee shall submit a compliance certification with the terms and conditions contained in the permit, including emission limitations, standards, or work practices. The permittee must submit the compliance certification annually. If the permit establishes no other reporting period, the reporting period shall end on the last day of the anniversary month of the initial Title V permit. The report is due on the first day of the second month after the end of the reporting period. The permittee must also submit the compliance certification to the Administrator as well as to the Division of Environmental Quality. All compliance certifications required by this permit must include the following: [40 C.F.R. § 70.6(c)(5) and Reg.26.703(E)(3)]
  - a. The identification of each term or condition of the permit that is the basis of the certification;
  - b. The compliance status;
  - c. Whether compliance was continuous or intermittent;
  - d. The method(s) used for determining the compliance status of the source, currently and over the reporting period established by the monitoring requirements of this permit; and
  - e. Such other facts as the Division of Environmental Quality may require elsewhere in this permit or by § 114(a)(3) and § 504(b) of the Act.
22. Nothing in this permit will alter or affect the following: [Reg.26.704(C)]
  - a. The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section;
  - b. The liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance;
  - c. The applicable requirements of the acid rain program, consistent with § 408(a) of the Act; or
  - d. The ability of EPA to obtain information from a source pursuant to § 114 of the Act.
23. This permit authorizes only those pollutant emitting activities addressed in this permit. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
24. The permittee may request in writing and at least 15 days in advance of the deadline, an extension to any testing, compliance or other dates in this permit. No such extensions are authorized until the permittee receives written Division of Environmental Quality approval. The Division of Environmental Quality may grant such a request, at its discretion in the following circumstances:

- a. Such an extension does not violate a federal requirement;
- b. The permittee demonstrates the need for the extension; and
- c. The permittee documents that all reasonable measures have been taken to meet the current deadline and documents reasons it cannot be met.

[Reg.18.314(A), Reg.19.416(A), Reg.26.1013(A), Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 52 Subpart E]

25. The permittee may request in writing and at least 30 days in advance, temporary emissions and/or testing that would otherwise exceed an emission rate, throughput requirement, or other limit in this permit. No such activities are authorized until the permittee receives written Division of Environmental Quality approval. Any such emissions shall be included in the facility's total emissions and reported as such. The Division of Environmental Quality may grant such a request, at its discretion under the following conditions:

- a. Such a request does not violate a federal requirement;
- b. Such a request is temporary in nature;
- c. Such a request will not result in a condition of air pollution;
- d. The request contains such information necessary for the Division of Environmental Quality to evaluate the request, including but not limited to, quantification of such emissions and the date/time such emission will occur;
- e. Such a request will result in increased emissions less than five tons of any individual criteria pollutant, one ton of any single HAP and 2.5 tons of total HAPs; and
- f. The permittee maintains records of the dates and results of such temporary emissions/testing.

[Reg.18.314(B), Reg.19.416(B), Reg.26.1013(B), Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 52 Subpart E]

26. The permittee may request in writing and at least 30 days in advance, an alternative to the specified monitoring in this permit. No such alternatives are authorized until the permittee receives written Division of Environmental Quality approval. The Division of Environmental Quality may grant such a request, at its discretion under the following conditions:

- a. The request does not violate a federal requirement;
- b. The request provides an equivalent or greater degree of actual monitoring to the current requirements; and
- c. Any such request, if approved, is incorporated in the next permit modification application by the permittee.

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[Reg.18.314(C), Reg.19.416(C), Reg.26.1013(C), Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 52 Subpart E]

27. Any credible evidence based on sampling, monitoring, and reporting may be used to determine violations of applicable emission limitations. [Reg.18.1001, Reg.19.701, Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 52 Subpart E]

## Appendix A

# Subpart AA—Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983

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## §60.270 Applicability and designation of affected facility.

- (a) The provisions of this subpart are applicable to the following affected facilities in steel plants that produce carbon, alloy, or specialty steels: electric arc furnaces and dust-handling systems.
- (b) The provisions of this subpart apply to each affected facility identified in paragraph (a) of this section that commenced construction, modification, or reconstruction after October 21, 1974, and on or before August 17, 1983.

[49 FR 43843, Oct. 31, 1984]

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## §60.271 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

- (a) *Electric arc furnace (EAF)* means a furnace that produces molten steel and heats the charge materials with electric arcs from carbon electrodes. Furnaces that continuously feed direct-reduced iron ore pellets as the primary source of iron are not affected facilities within the scope of this definition.
- (b) *Dust-handling equipment* means any equipment used to handle particulate matter collected by the control device and located at or near the control device for an EAF subject to this subpart.



- (c) *Control device* means the air pollution control equipment used to remove particulate matter generated by an EAF(s) from the effluent gas stream.
- (d) *Capture system* means the equipment (including ducts, hoods, fans, dampers, etc.) used to capture or transport particulate matter generated by an EAF to the air pollution control device.
- (e) *Charge* means the addition of iron and steel scrap or other materials into the top of an electric arc furnace.
- (f) *Charging period* means the time period commencing at the moment an EAF starts to open and ending either three minutes after the EAF roof is returned to its closed position or six minutes after commencement of opening of the roof, whichever is longer.
- (g) *Tap* means the pouring of molten steel from an EAF.
- (h) *Tapping period* means the time period commencing at the moment an EAF begins to pour molten steel and ending either three minutes after steel ceases to flow from an EAF, or six minutes after steel begins to flow, whichever is longer.
- (i) *Meltdown and refining* means that phase of the steel production cycle when charge material is melted and undesirable elements are removed from the metal.
- (j) *Meltdown and refining period* means the time period commencing at the termination of the initial charging period and ending at the initiation of the tapping period, excluding any intermediate charging periods and times when power to the EAF is off.
- (k) *Shop opacity* means the arithmetic average of 24 or more opacity observations of emissions from the shop taken in accordance with Method 9 of appendix A of this part for the applicable time periods.
- (l) *Heat time* means the period commencing when scrap is charged to an empty EAF and terminating when the EAF tap is completed.
- (m) *Shop* means the building which houses one or more EAF's.
- (n) *Direct shell evacuation system* means any system that maintains a negative pressure within the EAF above the slag or metal and ducts these emissions to the control device.
- (o) *Bag leak detection system* means a system that is capable of continuously monitoring relative particulate matter (dust) loadings in the exhaust of a baghouse to detect bag leaks and other conditions that result in increases in particulate loadings. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, electrodynamic, light scattering, light transmittance, or other effect to continuously monitor relative particulate matter loadings.

[40 FR 43852, Sept. 23, 1975, as amended at 49 FR 43843, Oct. 31, 1984; 64 FR 10109, Mar. 2, 1999; 70 FR 8530, Feb. 22, 2005]

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## **§60.272 Standard for particulate matter.**

(a) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from an electric arc furnace any gases which:

(1) Exit from a control device and contain particulate matter in excess of 12 mg/dscm (0.0052 gr/dscf).

(2) Exit from a control device and exhibit three percent opacity or greater.

(3) Exit from a shop and, due solely to operations of any EAF(s), exhibit 6 percent opacity or greater except:

(i) Shop opacity less than 20 percent may occur during charging periods.

(ii) Shop opacity less than 40 percent may occur during tapping periods.

(iii) The shop opacity standards under paragraph (a)(3) of this section shall apply only during periods when the monitoring parameter limits specified in §60.274(b) are being established according to §60.274(c) and (g), unless the owner or operator elects to perform daily shop opacity observations in lieu of furnace static pressure monitoring as provided for under §60.273(d).

(iv) Where the capture system is operated such that the roof of the shop is closed during the charge and the tap, and emissions to the atmosphere are prevented until the roof is opened after completion of the charge or tap, the shop opacity standards under paragraph (a)(3) of this section shall apply when the roof is opened and shall continue to apply for the length of time defined by the charging and/or tapping periods.

(b) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from dust-handling equipment any gases which exhibit 10 percent opacity or greater.

[40 FR 43852, Sept. 23, 1975, as amended at 49 FR 43843, Oct. 31, 1984; 64 FR 10109, Mar. 2, 1999]

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## **§60.273 Emission monitoring.**

(a) A continuous monitoring system for the measurement of the opacity of emissions discharged into the atmosphere from the control device(s) shall be installed, calibrated, maintained, and operated by the owner or operator subject to the provisions of this subpart.

(b) For the purpose of reports under §60.7(c), all six-minute periods during which the average opacity is three percent or greater shall indicate a period of excess emission, and shall be reported to the Administrator semi-annually.

(c) A continuous monitoring system for the measurement of the opacity of emissions discharged into the atmosphere from the control device(s) is not required on any modular, multi-stack, negative-pressure or positive-pressure fabric filter if observations of the opacity of the visible emissions from the control device are performed by a certified visible emission observer; or on any single-stack fabric filter if visible emissions from the control device are performed by a certified visible emission observer and the owner installs and continuously operates a bag leak detection system according to paragraph (e) of this section. Visible emission observations shall be conducted at least once per day for at least three 6-minute periods when the furnace is operating in the melting and refining period. All visible emissions observations shall be conducted in accordance with Method 9 of appendix A to this part. If visible emissions occur from more than one point, the opacity shall be recorded for any points where visible emissions are observed. Where it is possible to determine that a number of visible emission sites relate to only one incident of the visible emission, only one set of three 6-minute observations will be required. In that case, the Method 9 observations must be made for the site of highest opacity that directly relates to the cause (or location) of visible emissions observed during a single incident. Records shall be maintained of any 6-minute average that is in excess of the emission limit specified in §60.272(a).

(d) A furnace static pressure monitoring device is not required on any EAF equipped with a DEC system if observations of shop opacity are performed by a certified visible emission observer as follows: Shop opacity observations shall be conducted at least once per day when the furnace is operating in the meltdown and refining period. Shop opacity shall be determined as the arithmetic average of 24 or more consecutive 15-second opacity observations of emissions from the shop taken in accordance with Method 9. Shop opacity shall be recorded for any point(s) where visible emissions are observed in proximity to an affected EAF. Where it is possible to determine that a number of visible emission sites relate to only one incident of visible emissions, only one observation of shop opacity will be required. In this case, the shop opacity observations must be made for the site of highest opacity that directly relates to the cause (or location) of visible emissions observed during a single incident.

(e) A bag leak detection system must be installed and continuously operated on all single-stack fabric filters if the owner or operator elects not to install and operate a continuous opacity monitoring system as provided for under paragraph (c) of this section. In addition, the owner or operator shall meet the visible emissions observation requirements in paragraph (c) of this section. The bag leak detection system must meet the specifications and requirements of paragraphs (e)(1) through (8) of this section.

(1) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 1 milligram per actual cubic meter (0.00044 grains per actual cubic foot) or less.

(2) The bag leak detection system sensor must provide output of relative particulate matter loadings and the owner or operator shall continuously record the output from the bag leak detection system using electronic or other means (*e.g.*, using a strip chart recorder or a data logger.)

(3) The bag leak detection system must be equipped with an alarm system that will sound when an increase in relative particulate loading is detected over the alarm set point established according to paragraph (e)(4) of this section, and the alarm must be located such that it can be heard by the appropriate plant personnel.

(4) For each bag leak detection system required by paragraph (e) of this section, the owner or operator shall develop and submit to the Administrator or delegated authority, for approval, a site-specific monitoring plan that addresses the items identified in paragraphs (i) through (v) of this paragraph (e)(4). For each bag leak detection system that operates based on the triboelectric effect, the monitoring plan shall be consistent with the recommendations contained in the U.S. Environmental Protection Agency guidance document "Fabric Filter Bag Leak Detection Guidance" (EPA-454/R-98-015). The owner or operator shall operate and maintain the bag leak detection system according to the site-specific monitoring plan at all times. The plan shall describe:

(i) Installation of the bag leak detection system;

(ii) Initial and periodic adjustment of the bag leak detection system including how the alarm set-point will be established;

(iii) Operation of the bag leak detection system including quality assurance procedures;

(iv) How the bag leak detection system will be maintained including a routine maintenance schedule and spare parts inventory list; and

(v) How the bag leak detection system output shall be recorded and stored.

(5) The initial adjustment of the system shall, at a minimum, consist of establishing the baseline output by adjusting the sensitivity (range) and the averaging period of the device, and establishing the alarm set points and the alarm delay time (if applicable).

(6) Following initial adjustment, the owner or operator shall not adjust the averaging period, alarm set point, or alarm delay time without approval from the Administrator or delegated authority except as provided for in paragraphs (e)(6)(i) and (ii) of this section.

(i) Once per quarter, the owner or operator may adjust the sensitivity of the bag leak detection system to account for seasonal effects including temperature and humidity according to the

procedures identified in the site-specific monitoring plan required under paragraphs (e)(4) of this section.

(ii) If opacities greater than zero percent are observed over four consecutive 15-second observations during the daily opacity observations required under paragraph (c) of this section and the alarm on the bag leak detection system does not sound, the owner or operator shall lower the alarm set point on the bag leak detection system to a point where the alarm would have sounded during the period when the opacity observations were made.

(7) For negative pressure, induced air baghouses, and positive pressure baghouses that are discharged to the atmosphere through a stack, the bag leak detection sensor must be installed downstream of the baghouse and upstream of any wet scrubber.

(8) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(f) For each bag leak detection system installed according to paragraph (e) of this section, the owner or operator shall initiate procedures to determine the cause of all alarms within 1 hour of an alarm. Except as provided for in paragraph (g) of this section, the cause of the alarm must be alleviated within 3 hours of the time the alarm occurred by taking whatever corrective action(s) are necessary. Corrective actions may include, but are not limited to the following:

(1) Inspecting the baghouse for air leaks, torn or broken bags or filter media, or any other condition that may cause an increase in particulate emissions;

(2) Sealing off defective bags or filter media;

(3) Replacing defective bags or filter media or otherwise repairing the control device;

(4) Sealing off a defective baghouse compartment;

(5) Cleaning the bag leak detection system probe or otherwise repairing the bag leak detection system; or

(6) Shutting down the process producing the particulate emissions.

(g) In approving the site-specific monitoring plan required in paragraph (e)(4) of this section, the Administrator or delegated authority may allow owners or operators more than 3 hours to alleviate specific conditions that cause an alarm if the owner or operator identifies the condition that could lead to an alarm in the monitoring plan, adequately explains why it is not feasible to alleviate the condition within 3 hours of the time the alarm occurred, and demonstrates that the requested additional time will ensure alleviation of the condition as expeditiously as practicable.

[40 FR 43852, Sept. 23, 1975, as amended at 49 FR 43843, Oct. 31, 1984; 54 FR 6672, Feb. 14, 1989; 64 FR 10109, Mar. 2, 1999; 70 FR 8530, Feb. 22, 2005]

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## **§60.274 Monitoring of operations.**

(a) The owner or operator subject to the provisions of this subpart shall maintain records daily of the following information:

(1) Time and duration of each charge;

(2) Time and duration of each tap;

(3) All flow rate data obtained under paragraph (b) of this section, or equivalent obtained under paragraph (d) of this section; and

(4) All pressure data obtained under paragraph (f) of this section.

(b) Except as provided under paragraph (d) of this section, the owner or operator subject to the provisions of this subpart shall check and record on a once-per-shift basis furnace static pressure (if a DEC system is in use, and a furnace static pressure gauge is installed according to paragraph (f) of this section) and either: check and record the control system fan motor amperes and damper positions on a once-per-shift basis; install, calibrate, and maintain a monitoring device that continuously records the volumetric flow rate through each separately ducted hood; or install, calibrate, and maintain a monitoring device that continuously records the volumetric flow rate at the control device inlet and check and record damper positions on a once-per-shift basis. The monitoring device(s) may be installed in any appropriate location in the exhaust duct such that reproducible flow rate monitoring will result. The flow rate monitoring device(s) shall have an accuracy of  $\pm 10$  percent over its normal operating range and shall be calibrated according to the manufacturer's instructions. The Administrator may require the owner or operator to demonstrate the accuracy of the monitoring device(s) relative to Methods 1 and 2 of appendix A of this part.

(c) When the owner or operator of an affected facility is required to demonstrate compliance with the standards under §60.272(a)(3) and at any other time that the Administrator may require (under section 114 of the CAA, as amended) either: the control system fan motor amperes and all damper positions, the volumetric flow rate through each separately ducted hood, or the volumetric flow rate at the control device inlet and all damper positions shall be determined during all periods in which a hood is operated for the purpose of capturing emissions from the affected facility subject to paragraph (b) of this section. The owner or operator may petition the Administrator for reestablishment of these parameters whenever the owner or operator can demonstrate to the Administrator's satisfaction that the EAF operating conditions upon which the parameters were previously established are no longer applicable. The values of these parameters as determined during the most recent demonstration of compliance shall be maintained at the appropriate level for each applicable period. Operation at other than baseline values may be subject to the requirements of §60.276(a).

(d) The owner or operator may petition the Administrator to approve any alternative method that will provide a continuous record of operation of each emission capture system.

(e) The owner or operator shall perform monthly operational status inspections of the equipment that is important to the performance of the total capture system (i.e., pressure sensors, dampers, and damper switches). This inspection shall include observations of the physical appearance of the equipment (e.g., presence of hole in ductwork or hoods, flow constrictions caused by dents or accumulated dust in ductwork, and fan erosion). Any deficiencies shall be noted and proper maintenance performed.

(f) Except as provided for under §60.273(d), where emissions during any phase of the heat time are controlled by use of a direct shell evacuation system, the owner or operator shall install, calibrate, and maintain a monitoring device that continuously records the pressure in the free space inside the EAF. The pressure shall be recorded as 15-minute integrated averages. The monitoring device may be installed in any appropriate location in the EAF or DEC duct prior to the introduction of ambient air such that reproducible results will be obtained. The pressure monitoring device shall have an accuracy of  $\pm 5$  mm of water gauge over its normal operating range and shall be calibrated according to the manufacturer's instructions.

(g) Except as provided for under §60.273(d), when the owner or operator of an EAF is required to demonstrate compliance with the standard under §60.272(a)(3) and at any other time the Administrator may require (under section 114 of the Act, as amended), the pressure in the free space inside the furnace shall be determined during the meltdown and refining period(s) using the monitoring device under paragraph (f) of this section. The owner or operator may petition the Administrator for reestablishment of the 15-minute integrated average pressure whenever the owner or operator can demonstrate to the Administrator's satisfaction that the EAF operating conditions upon which the pressures were previously established are no longer applicable. The pressure determined during the most recent demonstration of compliance shall be maintained at all times the EAF is operating in a meltdown and refining period. Operation at higher pressures may be considered by the Administrator to be unacceptable operation and maintenance of the affected facility.

(h) Where the capture system is designed and operated such that all emissions are captured and ducted to a control device, the owner or operator shall not be subject to the requirements of this section.

(i) During any performance test required under §60.8, and for any report thereof required by §60.276(c) of this subpart or to determine compliance with §60.272(a)(3) of this subpart, the owner or operator shall monitor the following information for all heats covered by the test:

(1) Charge weights and materials, and tap weights and materials;

(2) Heat times, including start and stop times, and a log of process operation, including periods of no operation during testing and the pressure inside the furnace where direct-shell evacuation systems are used;

(3) Control device operation log; and

(4) Continuous opacity monitor or Method 9 data.

[40 FR 43852, Sept. 23, 1975, as amended at 49 FR 43843, Oct. 31, 1984; 64 FR 10110, Mar. 2, 1999; 65 FR 61758, Oct. 17, 2000; 70 FR 8532, Feb. 22, 2005]

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## **§60.275 Test methods and procedures.**

(a) During performance tests required in §60.8, the owner or operator shall not add gaseous diluent to the effluent gas after the fabric in any pressurized fabric collector, unless the amount of dilution is separately determined and considered in the determination of emissions.

(b) When emissions from any EAF(s) are combined with emissions from facilities not subject to the provisions of this subpart but controlled by a common capture system and control device, the owner or operator shall use either or both of the following procedures during a performance test (see also §60.276(b)):

(1) Determine compliance using the combined emissions.

(2) Use a method that is acceptable to the Administrator and that compensates for the emissions from the facilities not subject to the provisions of this subpart.

(c) When emissions from any EAF(s) are combined with emissions from facilities not subject to the provisions of this subpart, the owner or operator shall use either or both of the following procedures to demonstrate compliance with §60.272(a)(3):

(1) Determine compliance using the combined emissions.

(2) Shut down operation of facilities not subject to the provisions of this subpart during the performance test.

(d) 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).

(e) The owner or operator shall determine compliance with the particulate matter standards in §60.272 as follows:

(1) Method 5 shall be used for negative-pressure fabric filters and other types of control devices and Method 5D shall be used for positive-pressure fabric filters to determine the particulate matter concentration and, if applicable, the volumetric flow rate of the effluent gas. The sampling time and sample volume for each run shall be at least 4 hours and 4.5 dscm (160 dscf) and, when a single EAF is sampled, the sampling time shall include an integral number of heats.



(2) When more than one control device serves the EAF(s) being tested, the concentration of particulate matter shall be determined using the following equation:

$$c_{st} = \left[ \sum_{i=1}^n (c_{si} Q_{sdi}) \right] / \sum_{i=1}^n Q_{sdi}$$

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where:

$c_{st}$  = average concentration of particulate matter, mg/dscm (gr/dscf).

$c_{si}$  = concentration of particulate matter from control device “i”, mg/dscm (gr/dscf).

$n$  = total number of control devices tested.

$Q_{sdi}$  = volumetric flow rate of stack gas from control device “i”, dscm/hr (dscf/hr).

(3) Method 9 and the procedures of §60.11 shall be used to determine opacity.

(4) To demonstrate compliance with §60.272(a) (1), (2), and (3), the Method 9 test runs shall be conducted concurrently with the particulate matter test runs, unless inclement weather interferes.

(f) To comply with §60.274 (c), (f), (g), and (i), the owner or operator shall obtain the information in these paragraphs during the particulate matter runs.

(g) Where emissions from any EAF(s) are combined with emissions from facilities not subject to the provisions of this subpart but controlled by a common capture system and control device, the owner or operator may use any of the following procedures during a performance test:

(1) Base compliance on control of the combined emissions.

(2) Utilize a method acceptable to the Administrator which compensates for the emissions from the facilities not subject to the provisions of this subpart.

(3) Any combination of the criteria of paragraphs (g)(1) and (g)(2) of this section.

(h) Where emissions from any EAF(s) are combined with emissions from facilities not subject to the provisions of this subpart, the owner or operator may use any of the following procedures for demonstrating compliance with §60.272(a)(3):

(1) Base compliance on control of the combined emissions.

(2) Shut down operation of facilities not subject to the provisions of this subpart.

(3) Any combination of the criteria of paragraphs (h)(1) and (h)(2) of this section.

(i) If visible emissions observations are made in lieu of using a continuous opacity monitoring system, as allowed for by §60.273(c), visible emission observations shall be conducted at least once per day for at least three 6-minute periods when the furnace is operating in the melting and refining period. All visible emissions observations shall be conducted in accordance with Method 9. If visible emissions occur from more than one point, the opacity shall be recorded for any points where visible emissions are observed. Where it is possible to determine that a number of visible emission sites relate to only one incident of the visible emission, only one set of three 6-minute observations will be required. In that case, the Method 9 observations must be made for the site of highest opacity that directly relates to the cause (or location) of visible emissions observed during a single incident. Records shall be maintained of any 6-minute average that is in excess of the emission limit specified in §60.272(a).

(j) Unless the presence of inclement weather makes concurrent testing infeasible, the owner or operator shall conduct concurrently the performance tests required under §60.8 to demonstrate compliance with §60.272(a) (1), (2), and (3) of this subpart.

[40 FR 43852, Sept. 23, 1975, as amended at 49 FR 43844, Oct. 31, 1984; 54 FR 6672, Feb. 14, 1989; 54 FR 21344, May 17, 1989; 65 FR 61758, Oct. 17, 2000; 70 FR 8532, Feb. 22, 2005]

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## **§60.276 Recordkeeping and reporting requirements.**

(a) Operation at a furnace static pressure that exceeds the value established under §60.274(g) and either operation of control system fan motor amperes at values exceeding  $\pm 15$  percent of the value established under §60.274(c) or operation at flow rates lower than those established under §60.274(c) may be considered by the Administrator to be unacceptable operation and maintenance of the affected facility. Operation at such values shall be reported to the Administrator semiannually.

(b) When the owner or operator of an EAF is required to demonstrate compliance with the standard under §60.275 (b)(2) or a combination of (b)(1) and (b)(2), the owner or operator shall obtain approval from the Administrator of the procedure(s) that will be used to determine compliance. Notification of the procedure(s) to be used must be postmarked at least 30 days prior to the performance test.

(c) For the purpose of this subpart, the owner or operator shall conduct the demonstration of compliance with §60.272(a) of this subpart and furnish the Administrator a written report of the results of the test. This report shall include the following information:

(1) Facility name and address;

(2) Plant representative;

(3) Make and model of process, control device, and continuous monitoring equipment;

- (4) Flow diagram of process and emission capture equipment including other equipment or process(es) ducted to the same control device;
- (5) Rated (design) capacity of process equipment;
- (6) Those data required under §60.274(i) of this subpart;
  - (i) List of charge and tap weights and materials;
  - (ii) Heat times and process log;
  - (iii) Control device operation log; and
  - (iv) Continuous opacity monitor or Method 9 data.
- (7) Test dates and test times;
- (8) Test company;
- (9) Test company representative;
- (10) Test observers from outside agency;
- (11) Description of test methodology used, including any deviation from standard reference methods
- (12) Schematic of sampling location;
- (13) Number of sampling points;
- (14) Description of sampling equipment;
- (15) Listing of sampling equipment calibrations and procedures;
- (16) Field and laboratory data sheets;
- (17) Description of sample recovery procedures;
- (18) Sampling equipment leak check results;
- (19) Description of quality assurance procedures;
- (20) Description of analytical procedures;
- (21) Notation of sample blank corrections; and

(22) Sample emission calculations.

(d) The owner or operator shall maintain records of all shop opacity observations made in accordance with §60.273(d). All shop opacity observations in excess of the emission limit specified in §60.272(a)(3) of this subpart shall indicate a period of excess emission, and shall be reported to the Administrator semi-annually, according to §60.7(c).

(e) The owner or operator shall maintain the following records for each bag leak detection system required under §60.273(e):

(1) Records of the bag leak detection system output;

(2) Records of bag leak detection system adjustments, including the date and time of the adjustment, the initial bag leak detection system settings, and the final bag leak detection system settings; and

(3) An identification of the date and time of all bag leak detection system alarms, the time that procedures to determine the cause of the alarm were initiated, if procedures were initiated within 1 hour of the alarm, the cause of the alarm, an explanation of the actions taken, the date and time the cause of the alarm was alleviated, and if the alarm was alleviated within 3 hours of the alarm.

[49 FR 43844, Oct. 31, 1984, as amended at 54 FR 6672, Feb. 14, 1989; 64 FR 10110, Mar. 2, 1999; 65 FR 61758, Oct. 17, 2000; 70 FR 8532, Feb. 22, 2005]

## Appendix B

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Report	Due date	Contents	Reference
4. Emission limitation or operating limit deviation report.	a. By August 1 of that year for data collected during the first half of the calendar year. By February 1 of the following year for data collected during the second half of the calendar year	x. Documentation of periods when all qualified OSWI unit operators were unavailable for more than 12 hours but less than 2 weeks.	§§ 60.3050 and 60.3051.
		i. Dates and times of deviation;.	§§ 60.3052 and 60.3053.
		ii. Averaged and recorded data for those dates;.	§§ 60.3052 and 60.3053.
		iii. Duration and causes of each deviation and the corrective actions taken..	§§ 60.3052 and 60.3053.
		iv. Copy of operating limit monitoring data and any test reports;.	§§ 60.3052 and 60.3053.
		v. Dates, times, and causes for monitor downtime incidents;.	§§ 60.3052 and 60.3053.
		vi. Whether each deviation occurred during a period of startup, shutdown, or malfunction; and.	§§ 60.3052 and 60.3053.
5. Qualified operator deviation notification.	a. Within 10 days of deviation	vii. Dates, times, and duration of any bypass of the control device.	§§ 60.3052 and 60.3053.
		i. Statement of cause of deviation;.	§ 60.3054(a)(1).
		ii. Description of efforts to have an accessible qualified operator; and.	§ 60.3054(a)(1).
6. Qualified operation deviation status report.	a. Every 4 weeks following deviation	iii. The date a qualified operator will be accessible.	§ 60.3054(a)(1).
		i. Description of efforts to have an accessible qualified operator;.	§ 60.3054(a)(2).
		ii. The date a qualified operator will be accessible; and.	§ 60.3054(a)(2).
7. Qualified operator deviation notification of resumed operation.	a. Prior to resuming operation	iii. Request to continue operation.	§ 60.3054(a)(2).
		i. Notification that you are resuming operation.	§ 60.3054(b).

**Note:** This table is only a summary, see the referenced sections of the rule for the complete requirements.

[70 FR 74907, Dec. 16, 2005, as amended at 71 FR 67806, Nov. 24, 2006]

**Subparts GGGG–HHHH [Reserved]**

**Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

SOURCE: 71 FR 39172, July 11, 2006, unless otherwise noted.

WHAT THIS SUBPART COVERS

**§ 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;

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(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 (or the exemptions described in 40 CFR part 89, subpart J and 40 CFR part 94, subpart J, 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.

(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.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011]

### 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 89.112, 40 CFR 89.113, 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 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 certification

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emission standards for new marine CI engines in 40 CFR 94.8, as applicable, for all pollutants, for the same displacement and maximum engine 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) may be certified to the provisions of 40 CFR part 94 or, if Table 1 to 40 CFR 1042.1 identifies 40 CFR part 1042 as being applicable, 40 CFR part 1042, if the engines will be used solely in either or both of the following locations:

(1) Areas of Alaska not accessible by the Federal Aid Highway System (FAHS); 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.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011]

**§ 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 certification emission standards for new nonroad CI engines for the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants 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 maximum engine power greater than or equal to 37 KW (50 HP), the certification emission standards for new nonroad CI engines for the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants 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 certification emission standards for new nonroad CI engines for engines of the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants.

(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 certification emission standards for new marine CI engines in 40 CFR 94.8, as applicable, for all pollutants, for the same displacement and maximum engine 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 internal combustion engines identified in paragraphs (a) and (c) may be certified to the provisions of 40 CFR part 94 or, if Table 2 to 40 CFR 1042.101 identifies Tier 3 standards as being applicable, the requirements applicable to Tier 3 engines in 40 CFR part 1042, if the engines will be used solely in either or both of the following locations:

(1) Areas of Alaska not accessible by the FAHS; 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.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011]

§ 60.4203

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**§ 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.

[76 FR 37968, June 28, 2011]

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 emission standards in 40 CFR 94.8(a)(1).

(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<sub>x</sub> 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<sub>x</sub> 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<sub>x</sub> 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.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011]

**§ 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 emission standards in 40 CFR 94.8(a)(1).

(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<sub>x</sub> 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<sub>x</sub> 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.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011]

**§ 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.

[76 FR 37969, June 28, 2011]

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) Beginning October 1, 2007, owners and operators of stationary CI ICE subject to this subpart that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(a).

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(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 80.510(b) 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 are no longer subject to the requirements of paragraph (a) of this section, and must use 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.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 78 FR 6695, Jan. 30, 2013]

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.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011]

**§ 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.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011]

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 89, subpart B, or 40 CFR part 1039, subpart C, as applicable, and must test their engines as specified in those parts. For the purposes of this subpart, engines certified to the standards in table 1 to this subpart shall be subject to the same requirements as engines certified to the standards in 40 CFR part 89. For the purposes of this subpart, engines certified to the standards in table 4 to this subpart shall be subject to the same requirements as engines certified to the standards in 40 CFR part 89, 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 94, subpart C, or 40 CFR part 1042, subpart C, as applicable, and must test their engines as specified in 40 CFR part 94 or 1042, as applicable.

(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 89, 40 CFR part 94 or 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 parts 89, 94, 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 parts 89, 94, 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 parts 89, 94, 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 89.1003(b)(7), 40 CFR 94.1103(b)(3), 40 CFR 94.1103(b)(4) and 40 CFR 1068.240 are applicable to stationary CI engines replacing existing equipment that is less than 15 years old.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011]

**§ 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 parts 89, 94 and/or 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 according to 40 CFR part 89 or 40 CFR part 94, as applicable, for the same model year and maximum engine power. 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.

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(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<sub>x</sub> 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<sub>x</sub> 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, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3) of this section, 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 any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) 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



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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) Emergency stationary ICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §60.17), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

(iii) Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

(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 and emergency demand response 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

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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.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37970, June 28, 2011; 78 FR 6695, Jan. 30, 2013]

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**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.

(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 that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8, as applicable, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in 40 CFR 89.112 or 40 CFR 94.8, as applicable, 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 89.112 or 40 CFR 94.8, as applicable.

Alternatively, stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8 may follow the testing

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procedures specified in § 60.4213 of this subpart, as appropriate.

(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).

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011]

### **§ 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:

$$\frac{C_i - C_o}{C_i} \times 100 = R \quad (\text{Eq. 2})$$

Where:

$C_i$  = concentration of NO<sub>x</sub> or PM at the control device inlet,

$C_o$  = concentration of NO<sub>x</sub> or PM at the control device outlet, and

R = percent reduction of NO<sub>x</sub> or PM emissions.

(2) You must normalize the NO<sub>x</sub> or PM concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen (O<sub>2</sub>) using Equation 3 of this section, or an equivalent percent carbon dioxide (CO<sub>2</sub>) using the procedures described in paragraph (d)(3) of this section.

$$C_{\text{adj}} = C_d \frac{5.9}{20.9 - \% \text{O}_2} \quad (\text{Eq. 3})$$

Where:

$C_{\text{adj}}$  = Calculated NO<sub>x</sub> or PM concentration adjusted to 15 percent O<sub>2</sub>.

$C_d$  = Measured concentration of NO<sub>x</sub> or PM, uncorrected.

5.9 = 20.9 percent O<sub>2</sub> - 15 percent O<sub>2</sub>, the defined O<sub>2</sub> correction value, percent.

%O<sub>2</sub> = Measured O<sub>2</sub> concentration, dry basis, percent.

(3) If pollutant concentrations are to be corrected to 15 percent O<sub>2</sub> and CO<sub>2</sub> concentration is measured in lieu of O<sub>2</sub> concentration measurement, a CO<sub>2</sub> correction factor is needed. Calculate the CO<sub>2</sub> correction factor as described in paragraphs (d)(3)(i) through (iii) of this section.

(i) Calculate the fuel-specific F<sub>o</sub> value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

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$$F_o = \frac{0.209 F_d}{F_c} \quad (\text{Eq. 4})$$

Where:

F<sub>o</sub> = Fuel factor based on the ratio of O<sub>2</sub> volume to the ultimate CO<sub>2</sub> volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is O<sub>2</sub>, percent/100.  
F<sub>d</sub> = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm<sup>3</sup>/J (dscf/10<sup>6</sup> Btu).

F<sub>c</sub> = Ratio of the volume of CO<sub>2</sub> produced to the gross calorific value of the fuel from Method 19, dsm<sup>3</sup>/J (dscf/10<sup>6</sup> Btu).

(ii) Calculate the CO<sub>2</sub> correction factor for correcting measurement data to 15 percent O<sub>2</sub>, as follows:

$$X_{\text{CO}_2} = \frac{5.9}{F_o} \quad (\text{Eq. 5})$$

$$\text{ER} = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{\text{KW-hour}} \quad (\text{Eq. 7})$$

Where:

ER = Emission rate in grams per KW-hour.

C<sub>d</sub> = Measured NO<sub>x</sub> concentration in ppm.

1.912x10<sup>-3</sup> = Conversion constant for ppm NO<sub>x</sub> 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:

$$\text{ER} = \frac{C_{\text{adj}} \times Q \times T}{\text{KW-hour}} \quad (\text{Eq. 8})$$

Where:

ER = Emission rate in grams per KW-hour.

C<sub>adj</sub> = 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.

Where:

X<sub>CO2</sub> = CO<sub>2</sub> correction factor, percent.

5.9 = 20.9 percent O<sub>2</sub>–15 percent O<sub>2</sub>, the defined O<sub>2</sub> correction value, percent.

(iii) Calculate the NO<sub>x</sub> and PM gas concentrations adjusted to 15 percent O<sub>2</sub> using CO<sub>2</sub> as follows:

$$C_{\text{adj}} = C_d \frac{X_{\text{CO}_2}}{\% \text{CO}_2} \quad (\text{Eq. 6})$$

Where:

C<sub>adj</sub> = Calculated NO<sub>x</sub> or PM concentration adjusted to 15 percent O<sub>2</sub>.

C<sub>d</sub> = Measured concentration of NO<sub>x</sub> or PM, uncorrected.

%CO<sub>2</sub> = Measured CO<sub>2</sub> concentration, dry basis, percent.

(e) To determine compliance with the NO<sub>x</sub> mass per unit output emission limitation, convert the concentration of NO<sub>x</sub> in the engine exhaust using Equation 7 of this section:

KW-hour = Energy output of the engine, in KW.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011]

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.

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(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 or is contractually obligated to be available for more than 15

hours per calendar year for the purposes specified in § 60.4211(f)(2)(ii) and (iii) or that operates for the purposes 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) Hours operated for the purposes specified in § 60.4211(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in § 60.4211(f)(2)(ii) and (iii).

(vi) Number of hours the engine is contractually obligated to be available for the purposes specified in § 60.4211(f)(2)(ii) and (iii).

(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](http://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

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report must be submitted to the Administrator at the appropriate address listed in § 60.4.

[71 FR 39172, July 11, 2006, as amended at 78 FR 6696, Jan. 30, 2013]

### 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  $\text{NO}_x$  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  $\text{NO}_x$  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

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(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).

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011]

#### § 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 areas of Alaska not accessible by the FAHS may meet the requirements of this subpart by manufacturing and installing engines meeting the requirements of 40 CFR parts 94 or 1042, as appropriate, rather than the otherwise applicable requirements of 40 CFR parts 89 and 1039, as indicated in sections §§ 60.4201(f) and 60.4202(g) of this subpart.

(c) Manufacturers, owners and operators of stationary CI ICE that are located in areas of Alaska not accessible by the FAHS 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 non-emergency CI ICE, the owner or operator of any such engine that was not certified as meeting Tier 4 PM standards, must meet the applicable requirements for PM in § 60.4201 and § 60.4204 or install a PM emission control device that achieves PM emission reductions of 85 percent, or 60 percent for engines with a displacement of greater than or equal to 30 liters per cylinder, compared to engine-out emissions.

(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

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areas of Alaska not accessible by the FAHS.

(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 areas of Alaska not accessible by the FAHS 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.

[76 FR 37971, June 28, 2011]

### **§ 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.

[76 FR 37972, June 28, 2011]

#### 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.

*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 94.9(a).

*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)(2)(ii) or (iii) and § 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.

*Rotary internal combustion engine* means any internal combustion engine



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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.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37972, June 28, 2011; 78 FR 6696, Jan. 30, 2013]

**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 <sub>x</sub>	HC	NO <sub>x</sub>	CO	PM
KW<8 (HP<11) .....	10.5 (7.8)	.....	.....	8.0 (6.0)	1.0 (0.75)
8≤KW<19 (11≤HP<25) .....	9.5 (7.1)	.....	.....	6.6 (4.9)	0.80 (0.60)
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 <sub>x</sub> + 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)

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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:

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) <sup>1</sup>	Engine power	Starting model year engine manufacturers must certify new stationary fire pump engines according to § 60.4202(d) <sup>1</sup>
KW<75 (HP<100)	2011	KW>560 (HP>750)	2008
75≤KW<130 (100≤HP<175)	2010		
130≤KW≤560 (175≤HP≤750)	2009		

<sup>1</sup>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.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37972, June 28, 2011]

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 <sub>x</sub>	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+ <sup>1</sup>	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+ <sup>1</sup>	4.7 (3.5)		0.40 (0.30)
75≤KW<130 (100≤HP<175)	2009 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2010+ <sup>2</sup>	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+ <sup>3</sup>	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+ <sup>3</sup>	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)

<sup>1</sup>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.

<sup>2</sup>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.

<sup>3</sup>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

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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 <sup>1</sup>	Torque (percent) <sup>2</sup>	Weighting factors
1 .....	Rated .....	100	0.30
2 .....	Rated .....	75	0.50
3 .....	Rated .....	50	0.20

<sup>1</sup> Engine speed: ±2 percent of point.

<sup>2</sup> 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 <sub>x</sub> 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;.  ii. Measure O <sub>2</sub> at the inlet and outlet of the control device;.  iii. If necessary, measure moisture content at the inlet and outlet of the control device; and	(1) Method 3, 3A, or 3B of 40 CFR part 60, appendix A–2.  (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).	(a) For NO <sub>x</sub> , O <sub>2</sub> , 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. (b) Measurements to determine O <sub>2</sub> concentration must be made at the same time as the measurements for NO <sub>x</sub> concentration. (c) Measurements to determine moisture content must be made at the same time as the measurements for NO <sub>x</sub> concentration.

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Each	Complying with the requirement to	You must	Using	According to the following requirements
	<p>b. Limit the concentration of NO<sub>x</sub> in the stationary CI internal combustion engine exhaust..</p>	<p>iv. Measure NO<sub>x</sub> at the inlet and outlet of the control device..</p> <p>i. Select the sampling port location and number/location of traverse points at the exhaust of the stationary internal combustion engine;.</p>	<p>(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).</p>	<p>(d) NO<sub>x</sub> concentration must be at 15 percent O<sub>2</sub>, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.</p>
	<p>c. Reduce PM emissions by 60 percent or more.</p>	<p>ii. Determine the O<sub>2</sub> concentration of the stationary internal combustion engine exhaust at the sampling port location;.</p> <p>iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and</p> <p>iv. Measure NO<sub>x</sub> 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..</p> <p>i. Select the sampling port location and the number of traverse points;.</p>	<p>(1) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2.</p> <p>(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).</p> <p>(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).</p> <p>(1) Method 1 or 1A of 40 CFR part 60, appendix A-1.</p>	<p>(a) For NO<sub>x</sub>, O<sub>2</sub>, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts &gt;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 &gt;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.</p> <p>(b) Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurement for NO<sub>x</sub> concentration.</p> <p>(c) Measurements to determine moisture content must be made at the same time as the measurement for NO<sub>x</sub> concentration.</p> <p>(d) NO<sub>x</sub> concentration must be at 15 percent O<sub>2</sub>, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.</p> <p>(a) Sampling sites must be located at the inlet and outlet of the control device.</p>

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Each	Complying with the requirement to	You must	Using	According to the following requirements
	d. Limit the concentration of PM in the stationary CI internal combustion engine exhaust.	ii. Measure O <sub>2</sub> 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 <sub>2</sub> 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 control device; and	(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 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 <sub>2</sub> , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
		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 <sub>2</sub> 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 <sub>2</sub> 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 <sub>2</sub> , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

[79 FR 11251, Feb. 27, 2014]

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
§ 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.	Except that § 60.7 only applies as specified in § 60.4214(a).
§ 60.7 .....	Notification and Recordkeeping .....	Yes .....	

**§ 60.4230**

**40 CFR Ch. I (7–1–14 Edition)**

[As stated in § 60.4218, you must comply with the following applicable General Provisions:]

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§ 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.	

**Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines**

SOURCE: 73 FR 3591, Jan. 18, 2008, unless otherwise noted.

**WHAT THIS SUBPART COVERS**

**§ 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);

## Appendix C

**§ 60.4230**

**40 CFR Ch. I (7–1–14 Edition)**

[As stated in § 60.4218, you must comply with the following applicable General Provisions:]

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§ 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.	Requirements are specified in subpart IIII.
§ 60.11 .....	Compliance with standards and maintenance requirements.	No .....	
§ 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.	

**Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines**

SOURCE: 73 FR 3591, Jan. 18, 2008, unless otherwise noted.

**WHAT THIS SUBPART COVERS**

**§ 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);



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(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 90 and 1048, 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.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37972, June 28, 2011]

**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 90 or 1054, as follows:

If engine displacement is * * *	and manufacturing dates are * * *	the engine must meet emission standards and related requirements for nonhandheld engines under * * *
(1) below 225 cc .....	July 1, 2008 to December 31, 2011 ....	40 CFR part 90.
(2) below 225 cc .....	January 1, 2012 or later .....	40 CFR part 1054.
(3) at or above 225 cc .....	July 1, 2008 to December 31, 2010 ....	40 CFR part 90.
(4) at or above 225 cc .....	January 1, 2011 or later .....	40 CFR part 1054.

(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 90.103, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 90. 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 for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate.

(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 90.103, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 90. 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

for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate.

(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 90.103, applicable to class II engines, for new nonroad SI engines in 40 CFR part 90. 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 for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate. 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.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59175, Oct. 8, 2008; 76 FR 37973, June 28, 2011; 78 FR 6697, Jan. 30, 2013]

**§ 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<sub>x</sub>) 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<sub>x</sub> emission standard of 250 ppmvd at 15 percent oxygen (O<sub>2</sub>), a CO emission standard 540 ppmvd at 15 percent O<sub>2</sub> (675 ppmvd at 15 percent O<sub>2</sub> for non-emergency engines less than 100 HP), and a VOC emission standard of 86 ppmvd at 15 percent O<sub>2</sub>, 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

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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.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37973, June 28, 2011]

### **§ 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 80.195.

### **§ 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

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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 re-installed 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 procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment con-

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taining 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.

[73 FR 59176, Oct. 8, 2008]

**§ 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 90 or 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 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. 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.

[73 FR 59176, Oct. 8, 2008]

**§ 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 90 or 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 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. 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.

[73 FR 59176, Oct. 8, 2008]

**§ 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. Manufactur-

ers 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.

(b) Manufacturers of engines other than those certified to standards in 40 CFR part 90 or 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 of Standardization 8178-4:1996(E) (incorporated by reference, see 40 CFR 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. 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 90 or 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 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. 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 1065.260 and 1065.265 in order to determine the total NMHC emissions by using a flame-ionization detector and non-methane cutter. As an alternative to the non-methane cutter, manufacturers may use a gas chromatograph as allowed under 40 CFR 1065.267 and may measure ethane, as well as methane, for excluding such levels from the total VOC measurement.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59176, Oct. 8, 2008; 76 FR 37974, June 28, 2011]

**§ 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 part 90, 40 CFR part 1048, or 40 CFR part 1054, as applicable, as well as 40 CFR part 1068 for engines that are certified to the emission standards in 40 CFR part 1048 or 1054, 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 paragraphs



§ 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 applicable under 40 CFR part 90, 40 CFR part 1048, or 40 CFR part 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 provision 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 according to 40 CFR 1068.230 and must be exported under the provisions of 40 CFR 1068.230. Stationary SI engines subject to standards in 40 CFR part 90 may use the provi-

sions in 40 CFR 90.909. 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 90.1103 or 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.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008]

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

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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

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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, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (d)(1) through (3) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (d)(1) through (3) of this section, 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 any combination of the purposes specified in paragraphs (d)(2)(i) through (iii) 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) Emergency stationary ICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §60.17), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

(iii) Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

(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 and emergency demand response 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

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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 is rebuilt or undergoes major repair or maintenance. A rebuilt stationary SI ICE means an engine that has been re-

built as that term is defined in 40 CFR 94.11(a).

(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 a 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

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days after the engine commences operation after the modification or reconstruction.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37974, June 28, 2011; 78 FR 6697, Jan. 30, 2013]

**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 condi-

tions 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<sub>x</sub> mass per unit output emission limitation, convert the concentration of NO<sub>x</sub> in the engine exhaust using Equation 1 of this section:

$$ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{HP - hr} \quad (\text{Eq. 1})$$

Where:

- ER = Emission rate of NO<sub>x</sub> in g/HP-hr.
- C<sub>d</sub> = Measured NO<sub>x</sub> concentration in parts per million by volume (ppmv).
- 1.912×10<sup>-3</sup> = Conversion constant for ppm NO<sub>x</sub> 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:

$$ER = \frac{C_d \times 1.164 \times 10^{-3} \times Q \times T}{HP - hr} \quad (\text{Eq. 2})$$

Where:

- ER = Emission rate of CO in g/HP-hr.
- C<sub>d</sub> = Measured CO concentration in ppmv.
- 1.164×10<sup>-3</sup> = 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:

$$ER = \frac{C_d \times 1.833 \times 10^{-3} \times Q \times T}{HP - hr} \quad (\text{Eq. 3})$$

Where:

ER = Emission rate of VOC in g/HP-hr.

C<sub>d</sub> = VOC concentration measured as propane in ppmv.

1.833×10<sup>-3</sup> = 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.

$$RF_i = \frac{C_{Mi}}{C_{Ai}} \quad (\text{Eq. 4})$$

Where:

RF<sub>i</sub> = Response factor of compound i when measured with EPA Method 25A.

C<sub>Mi</sub> = Measured concentration of compound i in ppmv as carbon.

C<sub>Ai</sub> = True concentration of compound i in ppmv as carbon.

$$C_{i\text{corr}} = RF_i \times C_{i\text{meas}} \quad (\text{Eq. 5})$$

Where:

C<sub>i<sub>corr</sub></sub> = Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon.

C<sub>i<sub>meas</sub></sub> = Concentration of compound i measured by EPA Method 320, ppmv as carbon.

$$C_{P\text{eq}} = 0.6098 \times C_{i\text{corr}} \quad (\text{Eq. 6})$$

Where:

C<sub>P<sub>eq</sub></sub> = 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 90, 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

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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.

(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.

(e) If you own or operate an emergency stationary SI ICE with a maximum engine power more than 100 HP that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §60.4243(d)(2)(ii) and (iii) or that operates for the purposes 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) Hours operated for the purposes specified in §60.4243(d)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in §60.4243(d)(2)(ii) and (iii).

(vi) Number of hours the engine is contractually obligated to be available for the purposes specified in §60.4243(d)(2)(ii) and (iii).

(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) ([www.epa.gov/cdx](http://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.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008; 78 FR 6697, Jan. 30, 2013]

### GENERAL PROVISIONS

#### § 60.4246 What parts of the General Provisions apply to me?

Table 3 to this subpart shows which parts of the General Provisions in §§60.1 through 60.19 apply to you.

## 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 90, including manufacturers certifying emergency engines below 130 HP, must meet the provisions of 40 CFR part 90. Manufacturers certifying to emission standards in 40 CFR part 1054 must meet the provisions of 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.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008]

## 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 90.105, 40 CFR 1054.107, and 40 CFR 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:

- (i) 1,000 hours of operation.
- (ii) Your recommended overhaul interval.
- (iii) 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 90, 40 CFR part 1048, or 40 CFR part 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 typi-

cally formed through the anaerobic decomposition of organic waste materials and composed principally of methane and carbon dioxide (CO<sub>2</sub>).

*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)(2)(ii) or (iii) and §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<sub>2</sub>.

*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 sur-

face, 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<sub>x</sub> (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)

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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.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008; 76 FR 37974, June 28, 2011; 78 FR 6698, Jan. 30, 2013]

**TABLE 1 TO SUBPART JJJJ OF PART 60—NO<sub>x</sub>, 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 <sup>a</sup>					
			g/HP-hr			ppmvd at 15% O <sub>2</sub>		
			NO <sub>x</sub>	CO	VOC <sup>d</sup>	NO <sub>x</sub>	CO	VOC <sup>d</sup>
Non-Emergency SI Natural Gas <sup>b</sup> and Non-Emergency SI Lean Burn LPG <sup>b</sup> .	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
		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	<sup>c</sup> 10	387	N/A	N/A	N/A	N/A
		HP≥130 .....	2.0	4.0	1.0	160	540	86

<sup>a</sup> 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<sub>2</sub>.

<sup>b</sup> 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.

<sup>c</sup> The emission standards applicable to emergency engines between 25 HP and 130 HP are in terms of NO<sub>x</sub> + HC.

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<sup>d</sup>For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

[76 FR 37975, June 28, 2011]

**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 <sub>x</sub> in the stationary SI internal combustion engine exhaust..	<p>i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary internal combustion engine;.</p> <p>ii. Determine the O<sub>2</sub> concentration of the stationary internal combustion engine exhaust at the sampling port location;.</p> <p>iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;.</p> <p>iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and</p>	<p>(1) Method 1 or 1A of 40 CFR part 60, appendix A–1, if measuring flow rate.</p> <p>(2) Method 3, 3A, or 3B<sup>b</sup> of 40 CFR part 60, appendix A–2 or ASTM Method D6522–00 (Re-approved 2005)<sup>a,c</sup>.</p> <p>(3) Method 2 or 2C of 40 CFR part 60, appendix A–1 or Method 19 of 40 CFR part 60, appendix A–7.</p> <p>(4) Method 4 of 40 CFR part 60, appendix A–3, Method 320 of 40 CFR part 63, appendix A, or ASTM Method D 6348–03<sup>e</sup>.</p>	<p>(a) Alternatively, for NO<sub>x</sub>, O<sub>2</sub>, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts &gt;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 &gt;12 inches in diameter <i>and</i> 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.</p> <p>(b) Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurements for NO<sub>x</sub> concentration.</p> <p>(c) Measurements to determine moisture must be made at the same time as the measurement for NO<sub>x</sub> concentration.</p>

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For each	Complying with the requirement to	You must	Using	According to the following requirements
	<p>b. limit the concentration of CO in the stationary SI internal combustion engine exhaust..</p>	<p>v. Measure NO<sub>x</sub> 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..</p> <p>i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary internal combustion engine;.</p> <p>ii. Determine the O<sub>2</sub> concentration of the stationary internal combustion engine exhaust at the sampling port location;.</p> <p>iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;.</p> <p>iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and</p> <p>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..</p>	<p>(5) Method 7E of 40 CFR part 60, appendix A-4, ASTM Method D6522-00 (Re-approved 2005)<sup>a,c</sup>, Method 320 of 40 CFR part 63, appendix A, or ASTM Method D 6348-03<sup>e</sup>.</p> <p>(1) Method 1 or 1A of 40 CFR part 60, appendix A-1, if measuring flow rate.</p> <p>(2) Method 3, 3A, or 3B<sup>b</sup> of 40 CFR part 60, appendix A-2 or ASTM Method D6522-00 (Re-approved 2005)<sup>a,c</sup>.</p> <p>(3) Method 2 or 2C of 40 CFR part 60, appendix A-1 or Method 19 of 40 CFR part 60, appendix A-7.</p> <p>(4) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A, or ASTM Method D 6348-03<sup>e</sup>.</p> <p>(5) Method 10 of 40 CFR part 60, appendix A4, ASTM Method D6522-00 (Re-approved 2005)<sup>a,c</sup>, Method 320 of 40 CFR part 63, appendix A, or ASTM Method D 6348-03<sup>e</sup>.</p>	<p>(d) Results of this test consist of the average of the three 1-hour or longer runs.</p> <p>(a) Alternatively, for CO, O<sub>2</sub>, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts &gt;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 &gt;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.</p> <p>(b) Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurements for CO concentration.</p> <p>(c) Measurements to determine moisture must be made at the same time as the measurement for CO concentration.</p> <p>(d) Results of this test consist of the average of the three 1-hour or longer runs.</p>

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For each	Complying with the requirement to	You must	Using	According to the following requirements
	<p>c. limit the concentration of VOC in the stationary SI internal combustion engine exhaust.</p>	<p>i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary internal combustion engine;.</p> <p>ii. Determine the O<sub>2</sub> concentration of the stationary internal combustion engine exhaust at the sampling port location;.</p> <p>iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;.</p> <p>iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and</p> <p>v. Measure VOC 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..</p>	<p>(1) Method 1 or 1A of 40 CFR part 60, appendix A–1, if measuring flow rate.</p> <p>(2) Method 3, 3A, or 3B<sup>b</sup> of 40 CFR part 60, appendix A–2 or ASTM Method D6522–00 (Reapproved 2005)<sup>a,c</sup>.</p> <p>(3) Method 2 or 2C of 40 CFR part 60, appendix A–1 or Method 19 of 40 CFR part 60, appendix A–7.</p> <p>(4) Method 4 of 40 CFR part 60, appendix A–3, Method 320 of 40 CFR part 63, appendix A, or ASTM Method D 6348–03<sup>e</sup>.</p> <p>(5) Methods 25A and 18 of 40 CFR part 60, appendices A–6 and A–7, Method 25A with the use of a methane cutter as described in 40 CFR 1065.265, Method 18 of 40 CFR part 60, appendix A–6<sup>c,d</sup>, Method 320 of 40 CFR part 63, appendix A, or ASTM Method D 6348–03<sup>e</sup>.</p>	<p>(a) Alternatively, for VOC, O<sub>2</sub>, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts &gt;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 &gt;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.</p> <p>(b) Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurements for VOC concentration.</p> <p>(c) Measurements to determine moisture must be made at the same time as the measurement for VOC concentration.</p> <p>(d) Results of this test consist of the average of the three 1-hour or longer runs.</p>

<sup>a</sup> Also, you may petition the Administrator for approval to use alternative methods for portable analyzer.

<sup>b</sup> You may use ASME PTC 19.10–1981, Flue and Exhaust Gas Analyses, for measuring the O<sub>2</sub> 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

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<sup>c</sup>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 Web site (<http://www.epa.gov/ttn/emc/prelim/otm11.pdf>).  
<sup>d</sup>You may use ASTM D6420–99 (2004), Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography/Mass Spectrometry as an alternative to EPA Method 18 for measuring total nonmethane organic. ASTM D6420–99(2004) incorporated by reference; see 40 CFR 60.17.  
<sup>e</sup>Incorporated by reference; see 40 CFR 60.17.

[79 FR 11253, Feb. 27, 2014]

**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.	
§ 60.6 .....	Review of plans .....	Yes.	
§ 60.7 .....	Notification and Record-keeping.	Yes .....	Except that § 60.7 only applies as specified in § 60.4245.
§ 60.8 .....	Performance tests .....	Yes .....	
§ 60.9 .....	Availability of information .....	Yes.	Except that § 60.8 only applies to owners and operators who are subject to performance testing in subpart JJJJ.
§ 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.	Except for the specific sections below.
1048 subpart B .....	Emission Standards and Related Requirements.	Yes .....	
1048.101 .....	Exhaust Emission Standards	No.	Except for the specific sections below.
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 .....	
1048.205(b) .....	AECD reporting .....	Yes.	
1048.205(c) .....	OBD Requirements .....	No.	
1048.205(n) .....	Deterioration Factors .....	Yes .....	

**§ 60.4300**

**40 CFR Ch. I (7–1–14 Edition)**

[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
1048.205(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.
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.	

**Subpart KKKK—Standards of Performance for Stationary Combustion Turbines**

SOURCE: 71 FR 38497, July 6, 2006, unless otherwise noted.

INTRODUCTION

**§ 60.4300 What is the purpose of this subpart?**

This subpart establishes emission standards and compliance schedules for the control of emissions from stationary combustion turbines that commenced construction, modification or reconstruction after February 18, 2005.

APPLICABILITY

**§ 60.4305 Does this subpart apply to my stationary combustion turbine?**

(a) If you are the owner or operator of a stationary combustion turbine with a heat input at peak load equal to or greater than 10.7 gigajoules (10

MMBtu) per hour, based on the higher heating value of the fuel, which commenced construction, modification, or reconstruction after February 18, 2005, your turbine is subject to this subpart. Only heat input to the combustion turbine should be included when determining whether or not this subpart is applicable to your turbine. Any additional heat input to associated heat recovery steam generators (HRSG) or duct burners should not be included when determining your peak heat input. However, this subpart does apply to emissions from any associated HRSG and duct burners.

(b) Stationary combustion turbines regulated under this subpart are exempt from the requirements of subpart GG of this part. Heat recovery steam generators and duct burners regulated under this subpart are exempted from the requirements of subparts Da, Db, and Dc of this part.



## Appendix D

## § 63.6580

- 63.8802 What methods must I use to demonstrate compliance with the emission limitation for loop slitter adhesive use?  
63.8806 How do I demonstrate initial compliance with the emission limitations?

### CONTINUOUS COMPLIANCE REQUIREMENTS

- 63.8810 How do I monitor and collect data to demonstrate continuous compliance?  
63.8812 How do I demonstrate continuous compliance with the emission limitations?

### NOTIFICATIONS, REPORTS, AND RECORDS

- 63.8816 What notifications must I submit and when?  
63.8818 What reports must I submit and when?  
63.8820 What records must I keep?  
63.8822 In what form and how long must I keep my records?

### OTHER REQUIREMENTS AND INFORMATION

- 63.8826 What parts of the General Provisions apply to me?  
63.8828 Who implements and enforces this subpart?  
63.8830 What definitions apply to this subpart?

TABLE 1 TO SUBPART MMMMM OF PART 63—EMISSION LIMITS

TABLE 2 TO SUBPART MMMMM OF PART 63—OPERATING LIMITS FOR NEW OR RECONSTRUCTED FLAME LAMINATION AFFECTED SOURCES

TABLE 3 TO SUBPART MMMMM OF PART 63—PERFORMANCE TEST REQUIREMENTS FOR NEW OR RECONSTRUCTED FLAME LAMINATION AFFECTED SOURCES

TABLE 4 TO SUBPART MMMMM OF PART 63—INITIAL COMPLIANCE WITH EMISSION LIMITS

TABLE 5 TO SUBPART MMMMM OF PART 63—CONTINUOUS COMPLIANCE WITH EMISSION LIMITS AND OPERATING LIMITS

TABLE 6 TO SUBPART MMMMM OF PART 63—REQUIREMENTS FOR REPORTS

TABLE 7 TO SUBPART MMMMM OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART MMMMM

AUTHORITY: 42 U.S.C. 7401 *et seq.*

SOURCE: 57 FR 61992, Dec. 29, 1992, unless otherwise noted.

## Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

SOURCE: 69 FR 33506, June 15, 2004, unless otherwise noted.

## 40 CFR Ch. I (7–1–14 Edition)

### WHAT THIS SUBPART COVERS

#### § 63.6580 What is the purpose of subpart ZZZZ?

Subpart ZZZZ establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations.

[73 FR 3603, Jan. 18, 2008]

#### § 63.6585 Am I subject to this subpart?

You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.

(a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

(b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.

(c) An area source of HAP emissions is a source that is not a major source.

(d) If you are an owner or operator of an area source subject to this subpart, your status as an entity subject to a standard or other requirements under this subpart does not subject you to the obligation to obtain a permit under 40 CFR part 70 or 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.

(e) If you are an owner or operator of a stationary RICE used for national security purposes, you may be eligible to request an exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C.

(f) The emergency stationary RICE listed in paragraphs (f)(1) through (3) of this section are not subject to this subpart. The stationary RICE must meet the definition of an emergency stationary RICE in § 63.6675, which includes operating according to the provisions specified in § 63.6640(f).

(1) Existing residential emergency stationary RICE located at an area source of HAP emissions that do not operate or are not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in § 63.6640(f)(2)(ii) and (iii) and that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

(2) Existing commercial emergency stationary RICE located at an area source of HAP emissions that do not operate or are not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in § 63.6640(f)(2)(ii) and (iii) and that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

(3) Existing institutional emergency stationary RICE located at an area source of HAP emissions that do not operate or are not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in § 63.6640(f)(2)(ii) and (iii) and that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

[69 FR 33506, June 15, 2004, as amended at 73 FR 3603, Jan. 18, 2008; 78 FR 6700, Jan. 30, 2013]

**§ 63.6590 What parts of my plant does this subpart cover?**

This subpart applies to each affected source.

(a) *Affected source.* An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

(1) *Existing stationary RICE.*

(i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.

(ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.

(2) *New stationary RICE.* (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(3) *Reconstructed stationary RICE.* (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.

(b) *Stationary RICE subject to limited requirements.* (1) An affected source which meets either of the criteria in paragraphs (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of § 63.6645(f).

(i) The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that does not operate or is not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in § 63.6640(f)(2)(ii) and (iii).

(ii) The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of § 63.6645(f) and the requirements of §§ 63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.

(3) The following stationary RICE do not have to meet the requirements of this subpart and of subpart A of this part, including initial notification requirements:

(i) Existing spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(ii) Existing spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(iii) Existing emergency stationary RICE with a site rating of more than

500 brake HP located at a major source of HAP emissions that does not operate or is not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in § 63.6640(f)(2)(ii) and (iii).

(iv) Existing limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(v) Existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(c) *Stationary RICE subject to Regulations under 40 CFR Part 60.* An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

(1) A new or reconstructed stationary RICE located at an area source;

(2) A new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(3) A new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake HP located at a major source of HAP emissions;

(4) A new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(5) A new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(6) A new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(7) A new or reconstructed compression ignition (CI) stationary RICE with a site rating of less than or equal to 500

brake HP located at a major source of HAP emissions.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010; 75 FR 51588, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013]

**§ 63.6595 When do I have to comply with this subpart?**

(a) *Affected sources.* (1) If you have an existing stationary RICE, excluding existing non-emergency CI stationary RICE, with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations, operating limitations and other requirements no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013. If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than October 19, 2013.

(2) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart no later than August 16, 2004.

(3) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(4) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(5) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(6) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(7) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(b) *Area sources that become major sources.* If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, the compliance dates in paragraphs (b)(1) and (2) of this section apply to you.

(1) Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source.

(2) Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.

(c) If you own or operate an affected source, you must meet the applicable

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notification requirements in § 63.6645 and in 40 CFR part 63, subpart A.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 78 FR 6701, Jan. 30, 2013]

### EMISSION AND OPERATING LIMITATIONS

#### **§ 63.6600 What emission limitations and operating limitations must I meet if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?**

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in § 63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing, new, or reconstructed spark ignition 4SRB stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 1a to this subpart and the operating limitations in Table 1b to this subpart which apply to you.

(b) If you own or operate a new or reconstructed 2SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, a new or reconstructed 4SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, or a new or reconstructed CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

(c) If you own or operate any of the following stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the emission limitations in Tables 1a, 2a, 2c, and 2d to this subpart or operating limitations in Tables 1b and 2b to this subpart: an existing 2SLB stationary RICE; an existing 4SLB stationary RICE; a stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the

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gross heat input on an annual basis; an emergency stationary RICE; or a limited use stationary RICE.

(d) If you own or operate an existing non-emergency stationary CI RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2c to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010]

#### **§ 63.6601 What emission limitations must I meet if I own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than or equal to 500 brake HP located at a major source of HAP emissions?**

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in § 63.6620 and Table 4 to this subpart. If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at major source of HAP emissions manufactured on or after January 1, 2008, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010]

#### **§ 63.6602 What emission limitations and other requirements must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?**

If you own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations and other requirements in Table 2c to this subpart which

apply to you. Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in § 63.6620 and Table 4 to this subpart.

[78 FR 6701, Jan. 30, 2013]

**§ 63.6603 What emission limitations, operating limitations, and other requirements must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?**

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in § 63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart that apply to you.

(b) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meets either paragraph (b)(1) or (2) of this section, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. Existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meet either paragraph (b)(1) or (2) of this section must meet the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart.

(1) The area source is located in an area of Alaska that is not accessible by the Federal Aid Highway System (FAHS).

(2) The stationary RICE is located at an area source that meets paragraphs (b)(2)(i), (ii), and (iii) of this section.

(i) The only connection to the FAHS is through the Alaska Marine Highway System (AMHS), or the stationary RICE 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 RICE on an annual basis is used for residential purposes.

(iii) The generating capacity of the area source is less than 12 megawatts, or the stationary RICE is used exclusively for backup power for renewable energy.

(c) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located on an offshore vessel that is an area source of HAP and is a nonroad vehicle that is an Outer Continental Shelf (OCS) source as defined in 40 CFR 55.2, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. You must meet all of the following management practices:

(1) Change oil every 1,000 hours of operation or annually, whichever comes first. Sources have the option to utilize an oil analysis program as described in § 63.6625(i) in order to extend the specified oil change requirement.

(2) Inspect and clean air filters every 750 hours of operation or annually, whichever comes first, and replace as necessary.

(3) Inspect fuel filters and belts, if installed, every 750 hours of operation or annually, whichever comes first, and replace as necessary.

(4) Inspect all flexible hoses every 1,000 hours of operation or annually, whichever comes first, and replace as necessary.

(d) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and that is subject to an enforceable state or local standard that requires the engine to be replaced no later than June 1, 2018, you may until January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018, choose to comply with the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal

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to 300 HP in Table 2d of this subpart instead of the applicable emission limitations in Table 2d, operating limitations in Table 2b, and crankcase ventilation system requirements in § 63.6625(g). You must comply with the emission limitations in Table 2d and operating limitations in Table 2b that apply for non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018. You must also comply with the crankcase ventilation system requirements in § 63.6625(g) by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018.

(e) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 3 (Tier 2 for engines above 560 kilowatt (kW)) emission standards in Table 1 of 40 CFR 89.112, you may comply with the requirements under this part by meeting the requirements for Tier 3 engines (Tier 2 for engines above 560 kW) in 40 CFR part 60 subpart IIII instead of the emission limitations and other requirements that would otherwise apply under this part for existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions.

(f) An existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP must meet the definition of remote stationary RICE in § 63.6675 on the initial compliance date for the engine, October 19, 2013, in order to be considered a remote stationary RICE under this subpart. Owners and operators of existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that meet the definition of remote stationary RICE in § 63.6675 of this subpart as of October 19, 2013 must evaluate the status of their stationary RICE every 12 months. Owners and operators must keep records of the initial and annual evaluation of the status of the engine. If the evaluation indicates that the

stationary RICE no longer meets the definition of remote stationary RICE in § 63.6675 of this subpart, the owner or operator must comply with all of the requirements for existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that are not remote stationary RICE within 1 year of the evaluation.

[75 FR 9675, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6701, Jan. 30, 2013]

### **§ 63.6604 What fuel requirements must I meet if I own or operate a stationary CI RICE?**

(a) If you own or operate an existing non-emergency, non-black start CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel.

(b) Beginning January 1, 2015, if you own or operate an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in § 63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in § 63.6640(f)(4)(ii), you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.

(c) Beginning January 1, 2015, if you own or operate a new emergency CI stationary RICE with a site rating of more than 500 brake HP and a displacement of less than 30 liters per cylinder located at a major source of HAP that uses diesel fuel and operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in § 63.6640(f)(2)(ii) and (iii), you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained)



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prior to January 1, 2015, may be used until depleted.

(d) Existing CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2), or are on offshore vessels that meet § 63.6603(c) are exempt from the requirements of this section.

[78 FR 6702, Jan. 30, 2013]

### GENERAL COMPLIANCE REQUIREMENTS

#### **§ 63.6605 What are my general requirements for complying with this subpart?**

(a) You must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to you at all times.

(b) At all times you 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. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this 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.

[75 FR 9675, Mar. 3, 2010, as amended at 78 FR 6702, Jan. 30, 2013]

### TESTING AND INITIAL COMPLIANCE REQUIREMENTS

#### **§ 63.6610 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?**

If you own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct the initial performance test or other initial compliance demonstrations in Table 4 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).

(b) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must demonstrate initial compliance with either the proposed emission limitations or the promulgated emission limitations no later than February 10, 2005 or no later than 180 days after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).

(c) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, and you chose to comply with the proposed emission limitations when demonstrating initial compliance, you must conduct a second performance test to demonstrate compliance with the promulgated emission limitations by December 13, 2007 or after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).

(d) An owner or operator is not required to conduct an initial performance test on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (d)(1) through (5) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.

(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

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(5) The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3605, Jan. 18, 2008]

### **§ 63.6611 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a new or reconstructed 4SLB SI stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions?**

If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must conduct an initial performance test within 240 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions specified in Table 4 to this subpart, as appropriate.

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 51589, Aug. 20, 2010]

### **§ 63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?**

If you own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).

(b) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously con-

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ducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.

(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

[75 FR 9676, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010]

### **§ 63.6615 When must I conduct subsequent performance tests?**

If you must comply with the emission limitations and operating limitations, you must conduct subsequent performance tests as specified in Table 3 of this subpart.

### **§ 63.6620 What performance tests and other procedures must I use?**

(a) You must conduct each performance test in Tables 3 and 4 of this subpart that applies to you.

(b) Each performance test must be conducted according to the requirements that this subpart specifies in Table 4 to this subpart. If you own or operate a non-operational stationary RICE that is subject to performance testing, you do not need to start up the engine solely to conduct the performance test. Owners and operators of a non-operational engine can conduct the performance test when the engine is started up again. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load for the stationary RICE listed in paragraphs (b)(1) through (4) of this section.

(1) Non-emergency 4SRB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

(2) New non-emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP

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located at a major source of HAP emissions.

(3) New non-emergency 2SLB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

(4) New non-emergency CI stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

(c) [Reserved]

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

(e)(1) You must use Equation 1 of this section to determine compliance with the percent reduction requirement:

$$\frac{C_i - C_o}{C_i} \times 100 = R \quad (\text{Eq. 1})$$

Where:

C<sub>i</sub> = concentration of carbon monoxide (CO), total hydrocarbons (THC), or formaldehyde at the control device inlet,

C<sub>o</sub> = concentration of CO, THC, or formaldehyde at the control device outlet, and

R = percent reduction of CO, THC, or formaldehyde emissions.

(2) You must normalize the CO, THC, or formaldehyde concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide

(CO<sub>2</sub>). If pollutant concentrations are to be corrected to 15 percent oxygen and CO<sub>2</sub> concentration is measured in lieu of oxygen concentration measurement, a CO<sub>2</sub> correction factor is needed. Calculate the CO<sub>2</sub> correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.

(i) Calculate the fuel-specific F<sub>o</sub> value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

$$F_o = \frac{0.209 F_d}{F_c} \quad (\text{Eq. 2})$$

Where:

F<sub>o</sub> = Fuel factor based on the ratio of oxygen volume to the ultimate CO<sub>2</sub> volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is oxygen, percent/100.

F<sub>d</sub> = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm<sup>3</sup>/J (dscf/10<sup>6</sup> Btu).

F<sub>c</sub> = Ratio of the volume of CO<sub>2</sub> produced to the gross calorific value of the fuel from Method 19, dsm<sup>3</sup>/J (dscf/10<sup>6</sup> Btu)

(ii) Calculate the CO<sub>2</sub> correction factor for correcting measurement data to 15 percent O<sub>2</sub>, as follows:

$$X_{CO2} = \frac{5.9}{F_o} \quad (\text{Eq. 3})$$

Where:

X<sub>CO2</sub> = CO<sub>2</sub> correction factor, percent.

5.9 = 20.9 percent O<sub>2</sub>—15 percent O<sub>2</sub>, the defined O<sub>2</sub> correction value, percent.

(iii) Calculate the CO, THC, and formaldehyde gas concentrations adjusted to 15 percent O<sub>2</sub> using CO<sub>2</sub> as follows:

$$C_{adj} = C_d \frac{X_{CO_2}}{\%CO_2} \quad (\text{Eq. 4})$$

Where:

$C_{adj}$  = Calculated concentration of CO, THC, or formaldehyde adjusted to 15 percent  $O_2$ .

$C_d$  = Measured concentration of CO, THC, or formaldehyde, uncorrected.

$X_{CO_2}$  =  $CO_2$  correction factor, percent.

$\%CO_2$  = Measured  $CO_2$  concentration measured, dry basis, percent.

(f) If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitation to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or NSCR, you must petition the Administrator for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Administrator.

(g) If you petition the Administrator for approval of operating limitations, your petition must include the information described in paragraphs (g)(1) through (5) of this section.

(1) Identification of the specific parameters you propose to use as operating limitations;

(2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters, and how limitations on these parameters will serve to limit HAP emissions;

(3) 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;

(4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and

(5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

(h) If you petition the Administrator for approval of no operating limitations, your petition must include the information described in paragraphs (h)(1) through (7) of this section.

(1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally (*e.g.*, operator adjustment, automatic controller adjustment, etc.) or unintentionally (*e.g.*, wear and tear, error, etc.) on a routine basis or over time;

(2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;

(3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;

(4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;

(5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;

(6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

(7) A discussion of why, from your point of view, it is infeasible or unreasonable to adopt the parameters as operating limitations.

(i) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices

used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9676, Mar. 3, 2010; 78 FR 6702, Jan. 30, 2013]

**§ 63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?**

(a) If you elect to install a CEMS as specified in Table 5 of this subpart, you must install, operate, and maintain a CEMS to monitor CO and either O<sub>2</sub> or CO<sub>2</sub> according to the requirements in paragraphs (a)(1) through (4) of this section. If you are meeting a requirement to reduce CO emissions, the CEMS must be installed at both the inlet and outlet of the control device. If you are meeting a requirement to limit the concentration of CO, the CEMS must be installed at the outlet of the control device.

(1) Each CEMS must be installed, operated, and maintained according to the applicable performance specifications of 40 CFR part 60, appendix B.

(2) You must conduct an initial performance evaluation and an annual relative accuracy test audit (RATA) of each CEMS according to the requirements in § 63.8 and according to the applicable performance specifications of 40 CFR part 60, appendix B as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.

(3) As specified in § 63.8(c)(4)(ii), each CEMS must complete a minimum of one cycle of operation (sampling, ana-

lyzing, and data recording) for each successive 15-minute period. You must have at least two data points, with each representing a different 15-minute period, to have a valid hour of data.

(4) The CEMS data must be reduced as specified in § 63.8(g)(2) and recorded in parts per million or parts per billion (as appropriate for the applicable limitation) at 15 percent oxygen or the equivalent CO<sub>2</sub> concentration.

(b) If you are required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of this subpart, you must install, operate, and maintain each CPMS according to the requirements in paragraphs (b)(1) through (6) of this section. For an affected source that is complying with the emission limitations and operating limitations on March 9, 2011, the requirements in paragraph (b) of this section are applicable September 6, 2011.

(1) You must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of this section and in § 63.8(d). As specified in § 63.8(f)(4), you may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs (b)(1) through (5) of this section in your site-specific monitoring plan.

(i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;

(ii) Sampling interface (*e.g.*, thermocouple) location such that the monitoring system will provide representative measurements;

(iii) Equipment performance evaluations, system accuracy audits, or other audit procedures;

(iv) Ongoing operation and maintenance procedures in accordance with provisions in § 63.8(c)(1)(ii) and (c)(3); and

(v) Ongoing reporting and record-keeping procedures in accordance with provisions in § 63.10(c), (e)(1), and (e)(2)(i).

(2) You must install, operate, and maintain each CPMS in continuous operation according to the procedures in your site-specific monitoring plan.

(3) The CPMS must collect data at least once every 15 minutes (see also § 63.6635).

(4) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.

(5) You must conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in your site-specific monitoring plan at least annually.

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

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your stationary RICE in a manner which reasonably minimizes HAP emissions.

(d) If you are operating a new or reconstructed emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must install a non-resettable hour meter prior to the startup of the engine.

(e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

(1) An existing stationary RICE with a site rating of less than 100 HP located at a major source of HAP emissions;

(2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions;

(3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;

(4) An existing non-emergency, non-black start stationary CI RICE with a site rating less than or equal to 300 HP located at an area source of HAP emissions;

(5) An existing non-emergency, non-black start 2SLB stationary RICE located at an area source of HAP emissions;

(6) An existing non-emergency, non-black start stationary RICE located at an area source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.

(7) An existing non-emergency, non-black start 4SLB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(8) An existing non-emergency, non-black start 4SRB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(9) An existing, non-emergency, non-black start 4SLB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and

(10) An existing, non-emergency, non-black start 4SRB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year.

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.

(g) If you own or operate an existing non-emergency, non-black start CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you

must comply with either paragraph (g)(1) or paragraph (2) of this section. Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2) do not have to meet the requirements of this paragraph (g). Existing CI engines located on offshore vessels that meet § 63.6603(c) do not have to meet the requirements of this paragraph (g).

(1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or

(2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates and metals.

(h) If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.

(i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of Table 2c to this subpart or in items 1 or 4 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of

the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

(j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of Table 2c to this subpart or in items 5, 6, 7, 9, or 11 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine

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owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6703, Jan. 30, 2013]

**§ 63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?**

(a) You must demonstrate initial compliance with each emission limitation, operating limitation, and other requirement that applies to you according to Table 5 of this subpart.

(b) During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of this subpart that applies to you.

(c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in § 63.6645.

(d) Non-emergency 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more can demonstrate initial compliance with the formaldehyde emission limit by testing for THC instead of formaldehyde. The testing must be conducted according to the requirements in Table 4 of this subpart. The average reduction of emissions of THC determined from the performance test must be equal to or greater than 30 percent.

(e) The initial compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:

(1) The compliance demonstration must consist of at least three test runs.

(2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.

(3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.

(4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

(5) You must measure O<sub>2</sub> using one of the O<sub>2</sub> measurement methods specified in Table 4 of this subpart. Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurements for CO or THC concentration.

(6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O<sub>2</sub> emissions simultaneously at the inlet and outlet of the control device.

[69 FR 33506, June 15, 2004, as amended at 78 FR 6704, Jan. 30, 2013]

**CONTINUOUS COMPLIANCE REQUIREMENTS**

**§ 63.6635 How do I monitor and collect data to demonstrate continuous compliance?**

(a) If you must comply with emission and operating limitations, you must monitor and collect data according to this section.

(b) Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, you must monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.



(c) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods.

[69 FR 33506, June 15, 2004, as amended at 76 FR 12867, Mar. 9, 2011]

**§ 63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?**

(a) You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.

(b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in § 63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.

(c) The annual compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:

(1) The compliance demonstration must consist of at least one test run.

(2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist

of at least one measurement cycle and include at least 2 minutes of test data phase measurement.

(3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.

(4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

(5) You must measure O<sub>2</sub> using one of the O<sub>2</sub> measurement methods specified in Table 4 of this subpart. Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurements for CO or THC concentration.

(6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O<sub>2</sub> emissions simultaneously at the inlet and outlet of the control device.

(7) If the results of the annual compliance demonstration show that the emissions exceed the levels specified in Table 6 of this subpart, the stationary RICE must be shut down as soon as safely possible, and appropriate corrective action must be taken (e.g., repairs, catalyst cleaning, catalyst replacement). The stationary RICE must be retested within 7 days of being restarted and the emissions must meet the levels specified in Table 6 of this subpart. If the retest shows that the emissions continue to exceed the specified levels, the stationary RICE must again be shut down as soon as safely possible, and the stationary RICE may not operate, except for purposes of startup and testing, until the owner/operator demonstrates through testing that the emissions do not exceed the levels specified in Table 6 of this subpart.

(d) For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine

burn-in period) are not violations. Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR 94.11(a).

(e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.

(f) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4) of this section, is prohibited. If you do not op-

erate the engine according to the requirements in paragraphs (f)(1) through (4) of this section, 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 RICE in emergency situations.

(2) You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary RICE 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 RICE beyond 100 hours per calendar year.

(ii) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see § 63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

(iii) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

(3) Emergency stationary RICE located at major sources of HAP 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 and emergency demand response provided in paragraph (f)(2) 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 supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(4) Emergency stationary RICE located at area sources of HAP 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 and emergency demand response provided in paragraph (f)(2) of this section. Except as provided in paragraphs (f)(4)(i) and (ii) 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) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system.

(ii) 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 distribu-

tion 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.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6704, Jan. 30, 2013]

#### NOTIFICATIONS, REPORTS, AND RECORDS

##### § 63.6645 What notifications must I submit and when?

(a) You must submit all of the notifications in §§ 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following:

(1) An existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

(2) An existing stationary RICE located at an area source of HAP emissions.

(3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(4) A new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 HP located at a major source of HAP emissions.

(5) This requirement does not apply if you own or operate an existing stationary RICE less than 100 HP, an existing stationary emergency RICE, or an existing stationary RICE that is not subject to any numerical emission standards.

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(b) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart, you must submit an Initial Notification not later than December 13, 2004.

(c) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions on or after August 16, 2004, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(d) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart and you are required to submit an initial notification, you must submit an Initial Notification not later than July 16, 2008.

(e) If you start up your new or reconstructed stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions on or after March 18, 2008 and you are required to submit an initial notification, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with § 63.6590(b), your notification should include the information in § 63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions).

(g) If you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in § 63.7(b)(1).

(h) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to this subpart, you

must submit a Notification of Compliance Status according to § 63.9(h)(2)(ii).

(1) For each initial compliance demonstration required in Table 5 to this subpart that does not include a performance test, you must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration.

(2) For each initial compliance demonstration required in Table 5 to this subpart that includes a performance test conducted according to the requirements in Table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to § 63.10(d)(2).

(i) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and subject to an enforceable state or local standard requiring engine replacement and you intend to meet management practices rather than emission limits, as specified in § 63.6603(d), you must submit a notification by March 3, 2013, stating that you intend to use the provision in § 63.6603(d) and identifying the state or local regulation that the engine is subject to.

[73 FR 3606, Jan. 18, 2008, as amended at 75 FR 9677, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6705, Jan. 30, 2013]

**§ 63.6650 What reports must I submit and when?**

(a) You must submit each report in Table 7 of this subpart that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under § 63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.

(1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending

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on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in § 63.6595.

(2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in § 63.6595.

(3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

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

(6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on December 31.

(7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in § 63.6595.

(8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.

(9) For annual Compliance reports, each subsequent Compliance report

must be postmarked or delivered no later than January 31.

(c) The Compliance report must contain the information in paragraphs (c)(1) through (6) of this section.

(1) Company name and address.

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

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

(4) If you had a malfunction during the reporting period, the compliance report must 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. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with § 63.6605(b), including actions taken to correct a malfunction.

(5) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.

(6) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.

(d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (4) of this section and the information in paragraphs (d)(1) and (2) of this section.

(1) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.

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

(e) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in this subpart, you must include information in paragraphs (c)(1) through (4) and (e)(1) through (12) of this section.

(1) The date and time that each malfunction started and stopped.

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

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

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

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

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

(7) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.

(8) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.

(9) A brief description of the stationary RICE.

(10) A brief description of the CMS.

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

(12) A description of any changes in CMS, processes, or controls since the last reporting period.

(f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compli-

ance report pursuant to Table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.

(g) If you are operating as a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must submit an annual report according to Table 7 of this subpart by the date specified unless the Administrator has approved a different schedule, according to the information described in paragraphs (b)(1) through (b)(5) of this section. You must report the data specified in (g)(1) through (g)(3) of this section.

(1) Fuel flow rate of each fuel and the heating values that were used in your calculations. You must also demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10 percent or more of the total fuel consumption on an annual basis.

(2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.

(3) Any problems or errors suspected with the meters.

(h) If you own or operate an emergency stationary RICE with a site rating of more than 100 brake HP that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in § 63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in § 63.6640(f)(4)(ii), you must submit an annual report according to the requirements in paragraphs (h)(1) through (3) of this section.

(1) The report must contain the following information:

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(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) Hours operated for the purposes specified in § 63.6640(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in § 63.6640(f)(2)(ii) and (iii).

(vi) Number of hours the engine is contractually obligated to be available for the purposes specified in § 63.6640(f)(2)(ii) and (iii).

(vii) Hours spent for operation for the purpose specified in § 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in § 63.6640(f)(4)(ii). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(viii) If there were no deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.

(ix) If there were deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken.

(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](http://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 Ad-

ministrator at the appropriate address listed in § 63.13.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010; 78 FR 6705, Jan. 30, 2013]

### § 63.6655 What records must I keep?

(a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in § 63.10(b)(2)(xiv).

(2) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.

(3) Records of performance tests and performance evaluations as required in § 63.10(b)(2)(viii).

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with § 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.

(1) Records described in § 63.10(b)(2)(vi) through (xi).

(2) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in § 63.8(d)(3).

(3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in § 63.8(f)(6)(i), if applicable.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.

(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each

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emission or operating limitation that applies to you.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;

(1) An existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.

(2) An existing stationary emergency RICE.

(3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.

(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you 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. If the engine is used for the purposes specified in § 63.6640(f)(2)(ii) or (iii) or § 63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

(1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.

(2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 78 FR 6706, Jan. 30, 2013]

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### § 63.6660 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious review according to § 63.10(b)(1).

(b) As specified in § 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1).

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010]

### OTHER REQUIREMENTS AND INFORMATION

#### § 63.6665 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§ 63.1 through 63.15 apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with any of the requirements of the General Provisions specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an existing emergency stationary RICE, or an existing limited use stationary RICE. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in the General Provisions specified in Table 8 except for the initial notification requirements: A new stationary



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RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new emergency stationary RICE, or a new limited use stationary RICE.

[75 FR 9678, Mar. 3, 2010]

### § 63.6670 Who implements and enforces this subpart?

(a) This subpart is implemented and enforced by the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out whether this subpart is delegated to your State, local, or tribal agency.

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

(c) The authorities that will not be delegated to State, local, or tribal agencies are:

(1) Approval of alternatives to the non-opacity emission limitations and operating limitations in § 63.6600 under § 63.6(g).

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

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

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

(5) Approval of a performance test which was conducted prior to the effective date of the rule, as specified in § 63.6610(b).

### § 63.6675 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act (CAA); in 40 CFR 63.2, the General Provisions of this part; and in this section as follows:

*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.

*Area source* means any stationary source of HAP that is not a major source as defined in part 63.

*Associated equipment* as used in this subpart and as referred to in section 112(n)(4) of the CAA, means equipment associated with an oil or natural gas exploration or production well, and includes all equipment from the well bore to the point of custody transfer, except glycol dehydration units, storage vessels with potential for flash emissions, combustion turbines, and stationary RICE.

*Backup power for renewable energy* means an engine that provides backup power to a facility that generates electricity from renewable energy resources, as that term is defined in Alaska Statute 42.45.045(1)(5) (incorporated by reference, see § 63.14).

*Black start engine* means an engine whose only purpose is to start up a combustion turbine.

*CAA* means the Clean Air Act (42 U.S.C. 7401 *et seq.*, as amended by Public Law 101-549, 104 Stat. 2399).

*Commercial emergency stationary RICE* means an emergency stationary RICE used in commercial establishments such as office buildings, hotels, stores, telecommunications facilities, restaurants, financial institutions such as banks, doctor's offices, and sports and performing arts facilities.

*Compression ignition* means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

*Custody transfer* means the transfer of hydrocarbon liquids or natural gas: After processing and/or treatment in the producing operations, or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation. For the purposes of this subpart, the point at which such liquids or

natural gas enters a natural gas processing plant is a point of custody transfer.

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

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

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

(3) Fails to meet any emission limitation or operating limitation in this subpart during malfunction, regardless of whether or not such failure is permitted by this subpart.

(4) Fails to satisfy the general duty to minimize emissions established by § 63.6(e)(1)(i).

*Diesel engine* means any stationary RICE in which a high boiling point liquid fuel injected into the combustion chamber ignites when the air charge has been compressed to a temperature sufficiently high for auto-ignition. This process is also known as compression ignition.

*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 fuel oil number 2. Diesel fuel also includes any non-distillate fuel with comparable physical and chemical properties (e.g. biodiesel) that is suitable for use in compression ignition engines.

*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 CO<sub>2</sub>.

*Dual-fuel engine* means any stationary RICE 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.

*Emergency stationary RICE* means any stationary reciprocating internal combustion engine that meets all of the

criteria in paragraphs (1) through (3) of this definition. All emergency stationary RICE must comply with the requirements specified in § 63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in § 63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.

(1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE 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 RICE used to pump water in the case of fire or flood, etc.

(2) The stationary RICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 63.6640(f).

(3) The stationary RICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 63.6640(f)(2)(ii) or (iii) and § 63.6640(f)(4)(i) or (ii).

*Engine startup* means the time from initial start until applied load and engine and associated equipment reaches steady state or normal operation. For stationary engine with catalytic controls, engine startup means the time from initial start until applied load and engine and associated equipment, including the catalyst, reaches steady state or normal operation.

*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.

*Gaseous fuel* means a material used for combustion which is in the gaseous state at standard atmospheric temperature and pressure conditions.

*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.

*Glycol dehydration unit* means a device in which a liquid glycol (including, but not limited to, ethylene glycol, diethylene glycol, or triethylene glycol) absorbent directly contacts a natural gas stream and absorbs water in a contact tower or absorption column (absorber). The glycol contacts and absorbs water vapor and other gas stream constituents from the natural gas and becomes "rich" glycol. This glycol is then regenerated in the glycol dehydration unit reboiler. The "lean" glycol is then recycled.

*Hazardous air pollutants (HAP)* means any air pollutants listed in or pursuant to section 112(b) of the CAA.

*Institutional emergency stationary RICE* means an emergency stationary RICE used in institutional establishments such as medical centers, nursing homes, research centers, institutions of higher education, correctional facilities, elementary and secondary schools, libraries, religious establishments, police stations, and fire stations.

*ISO standard day conditions* means 288 degrees Kelvin (15 degrees Celsius), 60 percent relative humidity and 101.3 kilopascals pressure.

*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<sub>2</sub>.

*Lean burn engine* means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

*Limited use stationary RICE* means any stationary RICE that operates less than 100 hours per year.

*Liquefied petroleum gas* means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining of natural gas production.

*Liquid fuel* means any fuel in liquid form at standard temperature and pressure, including but not limited to diesel, residual/crude oil, kerosene/naphtha (jet fuel), and gasoline.

*Major Source*, as used in this subpart, shall have the same meaning as in § 63.2, except that:

(1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;

(2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated;

(3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and

(4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated.

*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 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.

*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.

*Non-selective catalytic reduction (NSCR)* means an add-on catalytic nitrogen oxides (NO<sub>x</sub>) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, NO<sub>x</sub>, CO, and volatile organic compounds (VOC) into CO<sub>2</sub>, nitrogen, and water.

*Oil and gas production facility* as used in this subpart means any grouping of equipment where hydrocarbon liquids are processed, upgraded (*i.e.*, remove impurities or other constituents to meet contract specifications), or stored prior to the point of custody transfer; or where natural gas is processed, upgraded, or stored prior to entering the natural gas transmission and storage source category. For purposes of a major source determination, facility (including a building, structure, or installation) means oil and natural gas production and processing equipment that is located within the boundaries of an individual surface site as defined in this section. Equipment that is part of a facility will typically be located within close proximity to other equipment located at the same facility. Pieces of production equipment or groupings of equipment located on different oil and gas leases, mineral fee tracts, lease tracts, subsurface or surface unit areas, surface fee tracts, surface lease tracts, or separate surface sites, whether or not connected by a road, waterway, power line or pipeline, shall not be considered part of the same facility. Examples of facilities in the oil and natural gas production source category include, but are not limited to, well sites, satellite tank batteries, central tank batteries, a compressor station that transports natural gas to a natural gas processing plant, and natural gas processing plants.

*Oxidation catalyst* means an add-on catalytic control device that controls CO and VOC by oxidation.

*Peaking unit or engine* means any standby engine intended for use during periods of high demand that are not emergencies.

*Percent load* means the fractional power of an engine compared to its maximum manufacturer's design capacity at engine site conditions. Percent load may range between 0 percent to above 100 percent.

*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 federally enforceable. For oil and natural gas production facilities subject to subpart HH of this part, the potential to emit provisions in § 63.760(a) may be used. For natural gas transmission and storage facilities subject to subpart HHH of this part, the maximum annual facility gas throughput for storage facilities may be determined according to § 63.1270(a)(1) and the maximum annual throughput for transmission facilities may be determined according to § 63.1270(a)(2).

*Production field facility* means those oil and gas production facilities located prior to the point of custody transfer.

*Production well* means any hole drilled in the earth from which crude oil, condensate, or field natural gas is extracted.

*Propane* means a colorless gas derived from petroleum and natural gas, with the molecular structure C<sub>3</sub>H<sub>8</sub>.

*Remote stationary RICE* means stationary RICE meeting any of the following criteria:

(1) Stationary RICE located in an offshore area that is beyond the line of ordinary low water along that portion of the coast of the United States that is in direct contact with the open seas and beyond the line marking the seaward limit of inland waters.

(2) Stationary RICE located on a pipeline segment that meets both of the criteria in paragraphs (2)(i) and (ii) of this definition.

(i) A pipeline segment with 10 or fewer buildings intended for human occupancy and no buildings with four or more stories within 220 yards (200 meters) on either side of the centerline of any continuous 1-mile (1.6 kilometers) length of pipeline. Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.

(ii) The pipeline segment does not lie within 100 yards (91 meters) of either a building or a small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other

place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12-month period. The days and weeks need not be consecutive. The building or area is considered occupied for a full day if it is occupied for any portion of the day.

(iii) For purposes of this paragraph (2), the term pipeline segment means all parts of those physical facilities through which gas moves in transportation, including but not limited to pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies. Stationary RICE located within 50 yards (46 meters) of the pipeline segment providing power for equipment on a pipeline segment are part of the pipeline segment. Transportation of gas means the gathering, transmission, or distribution of gas by pipeline, or the storage of gas. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

(3) Stationary RICE that are not located on gas pipelines and that have 5 or fewer buildings intended for human occupancy and no buildings with four or more stories within a 0.25 mile radius around the engine. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

*Residential emergency stationary RICE* means an emergency stationary RICE used in residential establishments such as homes or apartment buildings.

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

*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 December 19, 2002 with passive emission control technology for NO<sub>x</sub> (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 con-

tent of the exhaust at full load conditions is less than or equal to 2 percent.

*Site-rated HP* means the maximum manufacturer's design capacity at engine site conditions.

*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 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 reciprocating internal combustion engine (RICE)* means any reciprocating internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

*Stationary RICE test cell/stand* means an engine test cell/stand, as defined in subpart P of this part, that tests stationary RICE.

*Stoichiometric* means the theoretical air-to-fuel ratio required for complete combustion.

*Storage vessel with the potential for flash emissions* means any storage vessel that contains a hydrocarbon liquid with a stock tank gas-to-oil ratio equal to or greater than 0.31 cubic meters per liter and an American Petroleum Institute gravity equal to or greater than 40 degrees and an actual annual average hydrocarbon liquid throughput equal to or greater than 79,500 liters per day. Flash emissions occur when dissolved hydrocarbons in the fluid evolve from solution when the fluid pressure is reduced.

*Subpart* means 40 CFR part 63, subpart ZZZZ.

*Surface site* means any combination of one or more graded pad sites, gravel

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pad sites, foundations, platforms, or the immediate physical location upon which equipment is physically affixed.

*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.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3607, Jan. 18, 2008; 75 FR 9679, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 76 FR 12867, Mar. 9, 2011; 78 FR 6706, Jan. 30, 2013]

**TABLE 1a TO SUBPART ZZZZ OF PART 63—EMISSION LIMITATIONS FOR EXISTING, NEW, AND RECONSTRUCTED SPARK IGNITION, 4SRB STATIONARY RICE >500 HP LOCATED AT A MAJOR SOURCE OF HAP EMISSIONS**

As stated in §§63.6600 and 63.6640, you must comply with the following emission limitations at 100 percent load plus or minus 10 percent for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
1. 4SRB stationary RICE	a. Reduce formaldehyde emissions by 76 percent or more. If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may reduce formaldehyde emissions by 75 percent or more until June 15, 2007 or. b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O <sub>2</sub> .	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. <sup>1</sup>

<sup>1</sup> Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9679, Mar. 3, 2010, as amended at 75 FR 51592, Aug. 20, 2010]

**TABLE 1b TO SUBPART ZZZZ OF PART 63—OPERATING LIMITATIONS FOR EXISTING, NEW, AND RECONSTRUCTED SI 4SRB STATIONARY RICE >500 HP LOCATED AT A MAJOR SOURCE OF HAP EMISSIONS**

As stated in §§63.6600, 63.6603, 63.6630 and 63.6640, you must comply with the following operating limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
1. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and using NSCR; or existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O <sub>2</sub> and using NSCR; 2. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and not using NSCR; or existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O <sub>2</sub> and not using NSCR.	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 750 °F and less than or equal to 1250 °F. <sup>1</sup>  Comply with any operating limitations approved by the Administrator.

<sup>1</sup> Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.

[78 FR 6706, Jan. 30, 2013]

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TABLE 2a TO SUBPART ZZZZ OF PART 63—EMISSION LIMITATIONS FOR NEW AND RE-CONSTRUCTED 2SLB AND COMPRESSION IGNITION STATIONARY RICE >500 HP AND NEW AND RECONSTRUCTED 4SLB STATIONARY RICE ≥250 HP LOCATED AT A MAJOR SOURCE OF HAP EMISSIONS

As stated in §§63.6600 and 63.6640, you must comply with the following emission limitations for new and reconstructed lean burn and new and reconstructed compression ignition stationary RICE at 100 percent load plus or minus 10 percent:

For each . . .	You must meet the following emission limitation, except during periods of start-up . . .	During periods of startup you must . . .
1. 2SLB stationary RICE .....	<ul style="list-style-type: none"> <li>a. Reduce CO emissions by 58 percent or more; or</li> <li>b. Limit concentration of formaldehyde in the stationary RICE exhaust to 12 ppmvd or less at 15 percent O<sub>2</sub>. If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may limit concentration of formaldehyde to 17 ppmvd or less at 15 percent O<sub>2</sub> until June 15, 2007.</li> </ul>	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. <sup>1</sup>
2. 4SLB stationary RICE .....	<ul style="list-style-type: none"> <li>a. Reduce CO emissions by 93 percent or more; or</li> <li>b. Limit concentration of formaldehyde in the stationary RICE exhaust to 14 ppmvd or less at 15 percent O<sub>2</sub>.</li> </ul>	
3. CI stationary RICE .....	<ul style="list-style-type: none"> <li>a. Reduce CO emissions by 70 percent or more; or</li> <li>b. Limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbv or less at 15 percent O<sub>2</sub>.</li> </ul>	

<sup>1</sup> Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9680, Mar. 3, 2010]

TABLE 2b TO SUBPART ZZZZ OF PART 63—OPERATING LIMITATIONS FOR NEW AND RE-CONSTRUCTED 2SLB AND CI STATIONARY RICE >500 HP LOCATED AT A MAJOR SOURCE OF HAP EMISSIONS, NEW AND RECONSTRUCTED 4SLB STATIONARY RICE ≥250 HP LOCATED AT A MAJOR SOURCE OF HAP EMISSIONS, EXISTING CI STATIONARY RICE >500 HP

As stated in §§63.6600, 63.6601, 63.6603, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions; new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions; and existing CI stationary RICE >500 HP:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
<ul style="list-style-type: none"> <li>1. New and reconstructed 2SLB and CI stationary RICE &gt;500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and using an oxidation catalyst; and</li> <li>New and reconstructed 2SLB and CI stationary RICE &gt;500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and using an oxidation catalyst.</li> <li>2. Existing CI stationary RICE &gt;500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and using an oxidation catalyst.</li> </ul>	<ul style="list-style-type: none"> <li>a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test; and</li> <li>b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.<sup>1</sup></li> </ul> <ul style="list-style-type: none"> <li>a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water from the pressure drop across the catalyst that was measured during the initial performance test; and</li> <li>b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.<sup>1</sup></li> </ul>

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For each . . .	You must meet the following operating limitation, except during periods of startup . . .
<p>3. New and reconstructed 2SLB and CI stationary RICE &gt;500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and not using an oxidation catalyst; and</p> <p>New and reconstructed 2SLB and CI stationary RICE &gt;500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst; and</p> <p>existing CI stationary RICE &gt;500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and not using an oxidation catalyst.</p>	Comply with any operating limitations approved by the Administrator.

<sup>1</sup> Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.

[78 FR 6707, Jan. 30, 2013]

TABLE 2c TO SUBPART ZZZZ OF PART 63—REQUIREMENTS FOR EXISTING COMPRESSION IGNITION STATIONARY RICE LOCATED AT A MAJOR SOURCE OF HAP EMISSIONS AND EXISTING SPARK IGNITION STATIONARY RICE ≤500 HP LOCATED AT A MAJOR SOURCE OF HAP EMISSIONS

As stated in §§63.6600, 63.6602, and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE located at a major source of HAP emissions and existing spark ignition stationary RICE ≤500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Emergency stationary CI RICE and black start stationary CI RICE <sup>1</sup> .	<p>a. Change oil and filter every 500 hours of operation or annually, whichever comes first.<sup>2</sup></p> <p>b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;</p> <p>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.<sup>3</sup></p>	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. <sup>3</sup>
2. Non-Emergency, non-black start stationary CI RICE <100 HP.	<p>a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first.<sup>2</sup></p> <p>b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;</p> <p>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.<sup>3</sup></p>	
3. Non-Emergency, non-black start CI stationary RICE 100≤HP≤300 HP.	Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent O <sub>2</sub> .	
4. Non-Emergency, non-black start CI stationary RICE 300<HP≤500.	<p>a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent O<sub>2</sub>; or</p> <p>b. Reduce CO emissions by 70 percent or more.</p>	
5. Non-Emergency, non-black start stationary CI RICE >500 HP.	<p>a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent O<sub>2</sub>; or</p> <p>b. Reduce CO emissions by 70 percent or more.</p>	



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For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
6. Emergency stationary SI RICE and black start stationary SI RICE. <sup>1</sup>	a. Change oil and filter every 500 hours of operation or annually, whichever comes first; <sup>2</sup> b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. <sup>3</sup>	
7. Non-Emergency, non-black start stationary SI RICE <100 HP that are not 2SLB stationary RICE.	a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first; <sup>2</sup> b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary. <sup>3</sup>	
8. Non-Emergency, non-black start 2SLB stationary SI RICE <100 HP.	a. Change oil and filter every 4,320 hours of operation or annually, whichever comes first; <sup>2</sup> b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary. <sup>3</sup>	
9. Non-emergency, non-black start 2SLB stationary RICE 100≤HP≤500.	Limit concentration of CO in the stationary RICE exhaust to 225 ppmvd or less at 15 percent O <sub>2</sub> .	
10. Non-emergency, non-black start 4SLB stationary RICE 100≤HP≤500.	Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd or less at 15 percent O <sub>2</sub> .	
11. Non-emergency, non-black start 4SRB stationary RICE 100≤HP≤500.	Limit concentration of formaldehyde in the stationary RICE exhaust to 10.3 ppmvd or less at 15 percent O <sub>2</sub> .	
12. Non-emergency, non-black start stationary RICE 100≤HP≤500 which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.	Limit concentration of CO in the stationary RICE exhaust to 177 ppmvd or less at 15 percent O <sub>2</sub> .	

<sup>1</sup> If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Table 2c of this subpart, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

<sup>2</sup> Sources have the option to utilize an oil analysis program as described in § 63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2c of this subpart.

<sup>3</sup> Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[78 FR 6708, Jan. 30, 2013, as amended at 78 FR 14457, Mar. 6, 2013]

TABLE 2d TO SUBPART ZZZZ OF PART 63—REQUIREMENTS FOR EXISTING STATIONARY RICE LOCATED AT AREA SOURCES OF HAP EMISSIONS

As stated in §§ 63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Non-Emergency, non-black start CI stationary RICE ≤300 HP.	<ul style="list-style-type: none"> <li>a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;<sup>1</sup></li> <li>b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;</li> <li>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.</li> </ul>	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
2. Non-Emergency, non-black start CI stationary RICE 300<HP≤500.	<ul style="list-style-type: none"> <li>a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O<sub>2</sub>; or</li> <li>b. Reduce CO emissions by 70 percent or more.</li> </ul>	
3. Non-Emergency, non-black start CI stationary RICE >500 HP.	<ul style="list-style-type: none"> <li>a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O<sub>2</sub>; or</li> <li>b. Reduce CO emissions by 70 percent or more.</li> </ul>	
4. Emergency stationary CI RICE and black start stationary CI RICE. <sup>2</sup>	<ul style="list-style-type: none"> <li>a. Change oil and filter every 500 hours of operation or annually, whichever comes first;<sup>1</sup></li> <li>b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and</li> <li>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.</li> </ul>	
5. Emergency stationary SI RICE; black start stationary SI RICE; non-emergency, non-black start 4SLB stationary RICE >500 HP that operate 24 hours or less per calendar year; non-emergency, non-black start 4SRB stationary RICE >500 HP that operate 24 hours or less per calendar year. <sup>2</sup>	<ul style="list-style-type: none"> <li>a. Change oil and filter every 500 hours of operation or annually, whichever comes first;<sup>1</sup>;</li> <li>b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and</li> <li>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.</li> </ul>	
6. Non-emergency, non-black start 2SLB stationary RICE.	<ul style="list-style-type: none"> <li>a. Change oil and filter every 4,320 hours of operation or annually, whichever comes first;<sup>1</sup></li> <li>b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first, and replace as necessary; and</li> <li>c. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary.</li> </ul>	
7. Non-emergency, non-black start 4SLB stationary RICE ≤500 HP.	<ul style="list-style-type: none"> <li>a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;<sup>1</sup></li> <li>b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and</li> <li>c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.</li> </ul>	

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For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
8. Non-emergency, non-black start 4SLB remote stationary RICE >500 HP.	<ul style="list-style-type: none"> <li>a. Change oil and filter every 2,160 hours of operation or annually, whichever comes first;<sup>1</sup></li> <li>b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and</li> <li>c. Inspect all hoses and belts every 2,160 hours of operation or annually, whichever comes first, and replace as necessary.</li> </ul>	
9. Non-emergency, non-black start 4SLB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year.	Install an oxidation catalyst to reduce HAP emissions from the stationary RICE.	
10. Non-emergency, non-black start 4SRB stationary RICE ≤500 HP.	<ul style="list-style-type: none"> <li>a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;<sup>1</sup></li> <li>b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and</li> <li>c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.</li> </ul>	
11. Non-emergency, non-black start 4SRB remote stationary RICE >500 HP.	<ul style="list-style-type: none"> <li>a. Change oil and filter every 2,160 hours of operation or annually, whichever comes first;<sup>1</sup></li> <li>b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and</li> <li>c. Inspect all hoses and belts every 2,160 hours of operation or annually, whichever comes first, and replace as necessary.</li> </ul>	
12. Non-emergency, non-black start 4SRB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year.	Install NSCR to reduce HAP emissions from the stationary RICE.	
13. Non-emergency, non-black start stationary RICE which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.	<ul style="list-style-type: none"> <li>a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;<sup>1</sup></li> <li>b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and</li> <li>c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.</li> </ul>	

<sup>1</sup>Sources have the option to utilize an oil analysis program as described in § 63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of this subpart.

<sup>2</sup>If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

[78 FR 6709, Jan. 30, 2013]

Pt. 63, Subpt. ZZZZ, Table 3

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TABLE 3 TO SUBPART ZZZZ OF PART 63—SUBSEQUENT PERFORMANCE TESTS

As stated in §§ 63.6615 and 63.6620, you must comply with the following subsequent performance test requirements:

For each . . .	Complying with the requirement to . . .	You must . . .
1. New or reconstructed 2SLB stationary RICE >500 HP located at major sources; new or reconstructed 4SLB stationary RICE ≥250 HP located at major sources; and new or reconstructed CI stationary RICE >500 HP located at major sources.	Reduce CO emissions and not using a CEMS.	Conduct subsequent performance tests semiannually. <sup>1</sup>
2. 4SRB stationary RICE ≥5,000 HP located at major sources.	Reduce formaldehyde emissions .....	Conduct subsequent performance tests semiannually. <sup>1</sup>
3. Stationary RICE >500 HP located at major sources and new or reconstructed 4SLB stationary RICE 250≤HP≤500 located at major sources.	Limit the concentration of formaldehyde in the stationary RICE exhaust.	Conduct subsequent performance tests semiannually. <sup>1</sup>
4. Existing non-emergency, non-black start CI stationary RICE >500 HP that are not limited use stationary RICE.	Limit or reduce CO emissions and not using a CEMS.	Conduct subsequent performance tests every 8,760 hours or 3 years, whichever comes first.
5. Existing non-emergency, non-black start CI stationary RICE >500 HP that are limited use stationary RICE.	Limit or reduce CO emissions and not using a CEMS.	Conduct subsequent performance tests every 8,760 hours or 5 years, whichever comes first.

<sup>1</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semi-annual performance tests.

[78 FR 6711, Jan. 30, 2013]

TABLE 4 TO SUBPART ZZZZ OF PART 63—REQUIREMENTS FOR PERFORMANCE TESTS

As stated in §§ 63.6610, 63.6611, 63.6620, and 63.6640, you must comply with the following requirements for performance tests for stationary RICE:

TABLE 4 TO SUBPART ZZZZ OF PART 63—REQUIREMENTS FOR PERFORMANCE TESTS

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
1. 2SLB, 4SLB, and CI stationary RICE.	a. reduce CO emissions.	i. Select the sampling port location and the number/location of traverse points at the inlet and outlet of the control device; and  ii. Measure the O <sub>2</sub> at the inlet and outlet of the control device; and	.....  (1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM Method D6522-00 (Reapproved 2005) <sup>a,c</sup> (heated probe not necessary).	(a) For CO and O <sub>2</sub> 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.  (b) Measurements to determine O <sub>2</sub> must be made at the same time as the measurements for CO concentration.

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TABLE 4 TO SUBPART ZZZZ OF PART 63—REQUIREMENTS FOR PERFORMANCE TESTS—Continued

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
2. 4SRB stationary RICE.	a. reduce formaldehyde emissions.	iii. Measure the CO at the inlet and the outlet of the control device.	(1) ASTM D6522–00 (Reapproved 2005) <sup>a,b,c</sup> (heated probe not necessary) or Method 10 of 40 CFR part 60, appendix A–4.	(c) The CO concentration must be at 15 percent O <sub>2</sub> , dry basis.
		i. Select the sampling port location and the number/location of traverse points at the inlet and outlet of the control device; and	.....	(a) For formaldehyde, O <sub>2</sub> , 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 <i>and</i> 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. Measure O <sub>2</sub> at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A–2, or ASTM Method D6522–00 (Reapproved 2005) <sup>a</sup> (heated probe not necessary).	(a) Measurements to determine O <sub>2</sub> concentration must be made at the same time as the measurements for formaldehyde or THC concentration.
		iii. Measure moisture content at the inlet and outlet of the control device; and	(1) Method 4 of 40 CFR part 60, appendix A–3, or Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 <sup>a</sup> .	(a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or THC concentration.
		iv. If demonstrating compliance with the formaldehyde percent reduction requirement, measure formaldehyde at the inlet and the outlet of the control device.	(1) Method 320 or 323 of 40 CFR part 63, appendix A, or ASTM D6348–03 <sup>a</sup> , provided in ASTM D6348–03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130.	(a) Formaldehyde concentration must be at 15 percent O <sub>2</sub> , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
v. If demonstrating compliance with the THC percent reduction requirement, measure THC at the inlet and the outlet of the control device.	(1) Method 25A, reported as propane, of 40 CFR part 60, appendix A–7.	(a) THC concentration must be at 15 percent O <sub>2</sub> , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.		

TABLE 4 TO SUBPART ZZZZ OF PART 63—REQUIREMENTS FOR PERFORMANCE TESTS—Continued

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
3. Stationary RICE.	a. limit the concentration of formaldehyde or CO in the stationary RICE exhaust.	<p>i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary RICE; and</p> <p>ii. Determine the O<sub>2</sub> concentration of the stationary RICE exhaust at the sampling port location; and</p> <p>iii. Measure moisture content of the stationary RICE exhaust at the sampling port location; and</p> <p>iv. Measure formaldehyde at the exhaust of the stationary RICE; or</p> <p>v. measure CO at the exhaust of the stationary RICE.</p>	<p>.....</p> <p>(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A–2, or ASTM Method D6522–00 (Reapproved 2005)<sup>a</sup> (heated probe not necessary).</p> <p>(1) Method 4 of 40 CFR part 60, appendix A–3, or Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03<sup>a</sup>.</p> <p>(1) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348–03<sup>a</sup>, provided in ASTM D6348–03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130.</p> <p>(1) Method 10 of 40 CFR part 60, appendix A–4, ASTM Method D6522–00 (2005)<sup>a,c</sup>, Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03<sup>a</sup>.</p>	<p>(a) For formaldehyde, CO, O<sub>2</sub>, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts &gt;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 &gt;12 inches in diameter <i>and</i> 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. If using a control device, the sampling site must be located at the outlet of the control device.</p> <p>(a) Measurements to determine O<sub>2</sub> concentration must be made at the same time and location as the measurements for formaldehyde or CO concentration.</p> <p>(a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or CO concentration.</p> <p>(a) Formaldehyde concentration must be at 15 percent O<sub>2</sub>, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.</p> <p>(a) CO concentration must be at 15 percent O<sub>2</sub>, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.</p>

<sup>a</sup> You may also use Methods 3A and 10 as options to ASTM–D6522–00 (2005). You may obtain a copy of ASTM–D6522–00 (2005) from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

<sup>b</sup> You may obtain a copy of ASTM–D6348–03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

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TABLE 5 TO SUBPART ZZZZ OF PART 63—INITIAL COMPLIANCE WITH EMISSION LIMITATIONS, OPERATING LIMITATIONS, AND OTHER REQUIREMENTS

As stated in §§63.6612, 63.6625 and 63.6630, you must initially comply with the emission and operating limitations as required by the following:

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
<p>1. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP.</p>	<p>a. Reduce CO emissions and using oxidation catalyst, and using a CPMS.</p>	<p>i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and                      ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and                      iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.</p>
<p>2. Non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP.</p>	<p>a. Limit the concentration of CO, using oxidation catalyst, and using a CPMS.</p>	<p>i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and</p>
<p>3. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP.</p>	<p>a. Reduce CO emissions and not using oxidation catalyst.</p>	<p>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and                      iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.</p>
<p>4. Non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP.</p>	<p>a. Limit the concentration of CO, and not using oxidation catalyst.</p>	<p>i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and                      ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and                      iii. You have recorded the approved operating parameters (if any) during the initial performance test.</p>
<p>5. Non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP.</p>	<p>a. Limit the concentration of CO, and not using oxidation catalyst.</p>	<p>i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and                      ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and                      iii. You have recorded the approved operating parameters (if any) during the initial performance test.</p>
<p>5. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP.</p>	<p>a. Reduce CO emissions, and using a CEMS.</p>	<p>i. You have installed a CEMS to continuously monitor CO and either O<sub>2</sub> or CO<sub>2</sub> at both the inlet and outlet of the oxidation catalyst according to the requirements in §63.6625(a); and                      ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and                      iii. The average reduction of CO calculated using §63.6620 equals or exceeds the required percent reduction. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved during the 4-hour period.</p>

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For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
<p>6. Non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP.</p>	<p>a. Limit the concentration of CO, and using a CEMS.</p>	<p>i. You have installed a CEMS to continuously monitor CO and either O<sub>2</sub> or CO<sub>2</sub> at the outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and</p> <p>ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and</p> <p>iii. The average concentration of CO calculated using § 63.6620 is less than or equal to the CO emission limitation. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average concentration measured during the 4-hour period.</p>
<p>7. Non-emergency 4SRB stationary RICE &gt;500 HP located at a major source of HAP.</p>	<p>a. Reduce formaldehyde emissions and using NSCR.</p>	<p>i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction, or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and</p> <p>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and</p> <p>iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.</p>
<p>8. Non-emergency 4SRB stationary RICE &gt;500 HP located at a major source of HAP.</p>	<p>a. Reduce formaldehyde emissions and not using NSCR.</p>	<p>i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and</p> <p>ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and</p> <p>iii. You have recorded the approved operating parameters (if any) during the initial performance test.</p>
<p>9. New or reconstructed non-emergency stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE &gt;500 HP located at a major source of HAP.</p>	<p>a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR.</p>	<p>i. The average formaldehyde concentration, corrected to 15 percent O<sub>2</sub>, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and</p> <p>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and</p> <p>iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.</p>
<p>10. New or reconstructed non-emergency stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE &gt;500 HP located at a major source of HAP.</p>	<p>a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR.</p>	<p>i. The average formaldehyde concentration, corrected to 15 percent O<sub>2</sub>, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and</p> <p>ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and</p>



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For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
<p>11. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300&lt;HP≤500 located at an area source of HAP.</p> <p>12. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300&lt;HP≤500 located at an area source of HAP.</p> <p>13. Existing non-emergency 4SLB stationary RICE &gt;500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year.</p> <p>14. Existing non-emergency 4SRB stationary RICE &gt;500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year.</p>	<p>a. Reduce CO emissions .....</p> <p>a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust.</p> <p>a. Install an oxidation catalyst .....</p> <p>a. Install NSCR .....</p>	<p>iii. You have recorded the approved operating parameters (if any) during the initial performance test.</p> <p>i. The average reduction of emissions of CO or formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction.</p> <p>i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent O<sub>2</sub>, dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable.</p> <p>i. You have conducted an initial compliance demonstration as specified in § 63.6630(e) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O<sub>2</sub>;</p> <p>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1350 °F.</p> <p>i. You have conducted an initial compliance demonstration as specified in § 63.6630(e) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O<sub>2</sub>, or the average reduction of emissions of THC is 30 percent or more;</p> <p>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1250 °F.</p>

[78 F/R 6712, Jan. 30, 2013]

TABLE 6 TO SUBPART ZZZZ OF PART 63—CONTINUOUS COMPLIANCE WITH EMISSION LIMITATIONS, AND OTHER REQUIREMENTS

As stated in § 63.6640, you must continuously comply with the emissions and operating limitations and work or management practices as required by the following:

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
<p>1. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE &gt;500 HP located at a major source of HAP.</p>	<p>a. Reduce CO emissions and using an oxidation catalyst, and using a CPMS.</p>	<p>i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved<sup>a</sup>; and                      ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and                      iii. Reducing these data to 4-hour rolling averages; and                      iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and                      v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</p>
<p>2. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE &gt;500 HP located at a major source of HAP.</p>	<p>a. Reduce CO emissions and not using an oxidation catalyst, and using a CPMS.</p>	<p>i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved<sup>a</sup>; and                      ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and                      iii. Reducing these data to 4-hour rolling averages; and                      iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</p>
<p>3. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, new or reconstructed non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP.</p>	<p>a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using a CEMS.</p>	<p>i. Collecting the monitoring data according to § 63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction or concentration of CO emissions according to § 63.6620; and                      ii. Demonstrating that the catalyst achieves the required percent reduction of CO emissions over the 4-hour averaging period, or that the emission remain at or below the CO concentration limit; and                      iii. Conducting an annual RATA of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.</p>
<p>4. Non-emergency 4SRB stationary RICE &gt;500 HP located at a major source of HAP.</p>	<p>a. Reduce formaldehyde emissions and using NSCR.</p>	<p>i. Collecting the catalyst inlet temperature data according to § 63.6625(b); and                      ii. Reducing these data to 4-hour rolling averages; and                      iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and                      iv. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</p>
<p>5. Non-emergency 4SRB stationary RICE &gt;500 HP located at a major source of HAP.</p>	<p>a. Reduce formaldehyde emissions and not using NSCR.</p>	<p>i. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and</p>

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For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
<p>6. Non-emergency 4SRB stationary RICE with a brake HP <math>\geq 5,000</math> located at a major source of HAP.</p>	<p>a. Reduce formaldehyde emissions .....</p>	<p>ii. Reducing these data to 4-hour rolling averages; and                      iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.                      Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved, or to demonstrate that the average reduction of emissions of THC determined from the performance test is equal to or greater than 30 percent.<sup>a</sup></p>
<p>7. New or reconstructed non-emergency stationary RICE <math>&gt;500</math> HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE <math>250 \leq \text{HP} \leq 500</math> located at a major source of HAP.</p>	<p>a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR.</p>	<p>i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit<sup>a</sup>; and                      ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and                      iii. Reducing these data to 4-hour rolling averages; and                      iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and                      v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</p>
<p>8. New or reconstructed non-emergency stationary RICE <math>&gt;500</math> HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE <math>250 \leq \text{HP} \leq 500</math> located at a major source of HAP.</p>	<p>a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR.</p>	<p>i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit<sup>a</sup>; and                      ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and                      iii. Reducing these data to 4-hour rolling averages; and                      iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</p>

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For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
<p>9. Existing emergency and black start stationary RICE ≤500 HP located at a major source of HAP, existing non-emergency stationary RICE &lt;100 HP located at a major source of HAP, existing emergency and black start stationary RICE located at an area source of HAP, existing non-emergency stationary CI RICE ≤300 HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency stationary SI RICE located at an area source of HAP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, existing non-emergency 4SLB and 4SRB stationary RICE ≤500 HP located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE &gt;500 HP located at an area source of HAP that operate 24 hours or less per calendar year, and existing non-emergency 4SLB and 4SRB stationary RICE &gt;500 HP located at an area source of HAP that are remote stationary RICE.</p>	<p>a. Work or Management practices .....</p>	<p>i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or                      ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.</p>
<p>10. Existing stationary CI RICE &gt;500 HP that are not limited use stationary RICE.</p>	<p>a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and using oxidation catalyst.</p>	<p>i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and                      ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and                      iii. Reducing these data to 4-hour rolling averages; and                      iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and                      v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</p>
<p>11. Existing stationary CI RICE &gt;500 HP that are not limited use stationary RICE.</p>	<p>a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and not using oxidation catalyst.</p>	<p>i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and                      ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and                      iii. Reducing these data to 4-hour rolling averages; and                      iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</p>

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For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
<p>12. Existing limited use CI stationary RICE &gt;500 HP.</p>	<p>a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using an oxidation catalyst.</p>	<p>i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and</p> <p>ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and</p> <p>iii. Reducing these data to 4-hour rolling averages; and</p> <p>iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and</p> <p>v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</p>
<p>13. Existing limited use CI stationary RICE &gt;500 HP.</p>	<p>a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and not using an oxidation catalyst.</p>	<p>i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and</p> <p>ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and</p> <p>iii. Reducing these data to 4-hour rolling averages; and</p> <p>iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</p>
<p>14. Existing non-emergency 4SLB stationary RICE &gt;500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year.</p>	<p>a. Install an oxidation catalyst .....</p>	<p>i. Conducting annual compliance demonstrations as specified in §63.6640(c) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O<sub>2</sub>; and either</p> <p>ii. Collecting the catalyst inlet temperature data according to §63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than 450 °F and less than or equal to 1350 °F for the catalyst inlet temperature; or</p> <p>iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1350 °F.</p>

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For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
15. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year.	a. Install NSCR .....	i. Conducting annual compliance demonstrations as specified in §63.6640(c) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O <sub>2</sub> , or the average reduction of emissions of THC is 30 percent or more; and either ii. Collecting the catalyst inlet temperature data according to §63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than or equal to 750 °F and less than or equal to 1250 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1250 °F.

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semi-annual performance tests.

[78 FR 6715, Jan. 30, 2013]

TABLE 7 TO SUBPART ZZZZ OF PART 63—REQUIREMENTS FOR REPORTS

As stated in §63.6650, you must comply with the following requirements for reports:

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
1. Existing non-emergency, non-black start stationary RICE 100≤HP≤500 located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE >500 HP located at a major source of HAP; existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE >300 HP located at an area source of HAP; new or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP; and new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP.	Compliance report .....	a. If there are no deviations from any emission limitations or operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or  b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in §63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), the information in §63.6650(e); or c. If you had a malfunction during the reporting period, the information in §63.6650(c)(4).	i. Semiannually according to the requirements in §63.6650(b)(1)–(5) for engines that are not limited use stationary RICE subject to numerical emission limitations; and ii. Annually according to the requirements in §63.6650(b)(6)–(9) for engines that are limited use stationary RICE subject to numerical emission limitations.  i. Semiannually according to the requirements in §63.6650(b).  i. Semiannually according to the requirements in §63.6650(b).

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For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
2. New or reconstructed non-emergency stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.	Report .....	a. The fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas or digester gas, is equivalent to 10 percent or more of the gross heat input on an annual basis; and b. The operating limits provided in your federally enforceable permit, and any deviations from these limits; and c. Any problems or errors suspected with the meters.	i. Annually, according to the requirements in § 63.6650.  i. See item 2.a.i.  i. See item 2.a.i.
3. Existing non-emergency, non-black start 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that operate more than 24 hours per calendar year.	Compliance report .....	a. The results of the annual compliance demonstration, if conducted during the reporting period.	i. Semiannually according to the requirements in § 63.6650(b)(1)–(5).
4. Emergency stationary RICE that operate or are contractually obligated to be available for more than 15 hours per year for the purposes specified in § 63.6640(f)(2)(ii) and (iii) or that operate for the purposes specified in § 63.6640(f)(4)(ii).	Report .....	a. The information in § 63.6650(h)(1).	i. annually according to the requirements in § 63.6650(h)(2)–(3).

[78 FR 6719, Jan. 30, 2013]

TABLE 8 TO SUBPART ZZZZ OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART ZZZZ.

As stated in § 63.6665, you must comply with the following applicable general provisions.

General provisions citation	Subject of citation	Applies to sub-part	Explanation
§ 63.1 .....	General applicability of the General Provisions.	Yes.	
§ 63.2 .....	Definitions .....	Yes .....	Additional terms defined in § 63.6675.
§ 63.3 .....	Units and abbreviations .....	Yes.	
§ 63.4 .....	Prohibited activities and circumvention.	Yes.	
§ 63.5 .....	Construction and reconstruction .....	Yes.	
§ 63.6(a) .....	Applicability .....	Yes.	
§ 63.6(b)(1)–(4) .....	Compliance dates for new and reconstructed sources.	Yes.	
§ 63.6(b)(5) .....	Notification .....	Yes.	
§ 63.6(b)(6) .....	[Reserved]		
§ 63.6(b)(7) .....	Compliance dates for new and reconstructed area sources that become major sources.	Yes.	
§ 63.6(c)(1)–(2) .....	Compliance dates for existing sources.	Yes.	
§ 63.6(c)(3)–(4) .....	[Reserved]		
§ 63.6(c)(5) .....	Compliance dates for existing area sources that become major sources.	Yes.	
§ 63.6(d) .....	[Reserved]		
§ 63.6(e) .....	Operation and maintenance .....	No.	
§ 63.6(f)(1) .....	Applicability of standards .....	No.	
§ 63.6(f)(2) .....	Methods for determining compliance	Yes.	
§ 63.6(f)(3) .....	Finding of compliance .....	Yes.	
§ 63.6(g)(1)–(3) .....	Use of alternate standard .....	Yes.	

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General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.6(h)	Opacity and visible emission standards.	No	Subpart ZZZZ does not contain opacity or visible emission standards.
§ 63.6(i)	Compliance extension procedures and criteria.	Yes.	
§ 63.6(j)	Presidential compliance exemption	Yes.	
§ 63.7(a)(1)–(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at §§ 63.6610, 63.6611, and 63.6612.
§ 63.7(a)(3)	CAA section 114 authority	Yes.	
§ 63.7(b)(1)	Notification of performance test	Yes	Except that § 63.7(b)(1) only applies as specified in § 63.6645.
§ 63.7(b)(2)	Notification of rescheduling	Yes	Except that § 63.7(b)(2) only applies as specified in § 63.6645.
§ 63.7(c)	Quality assurance/test plan	Yes	Except that § 63.7(c) only applies as specified in § 63.6645.
§ 63.7(d)	Testing facilities	Yes.	
§ 63.7(e)(1)	Conditions for conducting performance tests.	No.	Subpart ZZZZ specifies conditions for conducting performance tests at § 63.6620.
§ 63.7(e)(2)	Conduct of performance tests and reduction of data.	Yes	Subpart ZZZZ specifies test methods at § 63.6620.
§ 63.7(e)(3)	Test run duration	Yes.	
§ 63.7(e)(4)	Administrator may require other testing under section 114 of the CAA.	Yes.	
§ 63.7(f)	Alternative test method provisions	Yes.	
§ 63.7(g)	Performance test data analysis, recordkeeping, and reporting.	Yes.	
§ 63.7(h)	Waiver of tests	Yes.	
§ 63.8(a)(1)	Applicability of monitoring requirements.	Yes	Subpart ZZZZ contains specific requirements for monitoring at § 63.6625.
§ 63.8(a)(2)	Performance specifications	Yes.	
§ 63.8(a)(3)	[Reserved]		
§ 63.8(a)(4)	Monitoring for control devices	No.	
§ 63.8(b)(1)	Monitoring	Yes.	
§ 63.8(b)(2)–(3)	Multiple effluents and multiple monitoring systems.	Yes.	
§ 63.8(c)(1)	Monitoring system operation and maintenance.	Yes.	
§ 63.8(c)(1)(i)	Routine and predictable SSM	No.	
§ 63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan.	Yes.	
§ 63.8(c)(1)(iii)	Compliance with operation and maintenance requirements.	No.	
§ 63.8(c)(2)–(3)	Monitoring system installation	Yes.	
§ 63.8(c)(4)	Continuous monitoring system (CMS) requirements.	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§ 63.8(c)(5)	COMS minimum procedures	No	Subpart ZZZZ does not require COMS.
§ 63.8(c)(6)–(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.
§ 63.8(d)	CMS quality control	Yes.	
§ 63.8(e)	CMS performance evaluation	Yes	Except for § 63.8(e)(5)(ii), which applies to COMS.
§ 63.8(f)(1)–(5)	Alternative monitoring method	Except that § 63.8(e) only applies as specified in § 63.6645. Yes	Except that § 63.8(f)(4) only applies as specified in § 63.6645.
§ 63.8(f)(6)	Alternative to relative accuracy test	Yes	Except that § 63.8(f)(6) only applies as specified in § 63.6645.
§ 63.8(g)	Data reduction	Yes	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§ 63.6635 and 63.6640.
§ 63.9(a)	Applicability and State delegation of notification requirements.	Yes.	
§ 63.9(b)(1)–(5)	Initial notifications	Yes	Except that § 63.9(b)(3) is reserved.



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General provisions citation	Subject of citation	Applies to subpart	Explanation
		Except that § 63.9(b) only applies as specified in § 63.6645.	
§ 63.9(c) .....	Request for compliance extension .....	Yes .....	Except that § 63.9(c) only applies as specified in § 63.6645.
§ 63.9(d) .....	Notification of special compliance requirements for new sources.	Yes .....	Except that § 63.9(d) only applies as specified in § 63.6645.
§ 63.9(e) .....	Notification of performance test .....	Yes .....	Except that § 63.9(e) only applies as specified in § 63.6645.
§ 63.9(f) .....	Notification of visible emission (VE)/opacity test.	No .....	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(1) .....	Notification of performance evaluation	Yes .....	Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(g)(2) .....	Notification of use of COMS data .....	No .....	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(3) .....	Notification that criterion for alternative to RATA is exceeded.	Yes .....	If alternative is in use.
		Except that § 63.9(g) only applies as specified in § 63.6645.	
§ 63.9(h)(1)–(6) .....	Notification of compliance status .....	Yes .....	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. § 63.9(h)(4) is reserved. Except that § 63.9(h) only applies as specified in § 63.6645.
§ 63.9(i) .....	Adjustment of submittal deadlines .....	Yes.	
§ 63.9(j) .....	Change in previous information .....	Yes.	
§ 63.10(a) .....	Administrative provisions for record-keeping/reporting.	Yes.	
§ 63.10(b)(1) .....	Record retention .....	Yes .....	Except that the most recent 2 years of data do not have to be retained on site.
§ 63.10(b)(2)(i)–(v) .....	Records related to SSM .....	No.	
§ 63.10(b)(2)(vi)–(xi) .....	Records .....	Yes.	
§ 63.10(b)(2)(xii) .....	Record when under waiver .....	Yes.	
§ 63.10(b)(2)(xiii) .....	Records when using alternative to RATA.	Yes .....	For CO standard if using RATA alternative.
§ 63.10(b)(2)(xiv) .....	Records of supporting documentation	Yes.	
§ 63.10(b)(3) .....	Records of applicability determination	Yes.	
§ 63.10(c) .....	Additional records for sources using CEMS.	Yes .....	Except that § 63.10(c)(2)–(4) and (9) are reserved.
§ 63.10(d)(1) .....	General reporting requirements .....	Yes.	
§ 63.10(d)(2) .....	Report of performance test results .....	Yes.	
§ 63.10(d)(3) .....	Reporting opacity or VE observations	No .....	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.10(d)(4) .....	Progress reports .....	Yes.	
§ 63.10(d)(5) .....	Startup, shutdown, and malfunction reports.	No.	
§ 63.10(e)(1) and (2)(i) .....	Additional CMS Reports .....	Yes.	
§ 63.10(e)(2)(ii) .....	COMS-related report .....	No .....	Subpart ZZZZ does not require COMS.
§ 63.10(e)(3) .....	Excess emission and parameter exceedances reports.	Yes. ....	Except that § 63.10(e)(3)(i) (C) is reserved.
§ 63.10(e)(4) .....	Reporting COMS data .....	No .....	Subpart ZZZZ does not require COMS.
§ 63.10(f) .....	Waiver for recordkeeping/reporting ...	Yes.	
§ 63.11 .....	Flares .....	No.	
§ 63.12 .....	State authority and delegations .....	Yes.	
§ 63.13 .....	Addresses .....	Yes.	
§ 63.14 .....	Incorporation by reference .....	Yes.	
§ 63.15 .....	Availability of information .....	Yes.	

[75 FR 9688, Mar. 3, 2010, as amended at 78 FR 6720, Jan. 30, 2013]

APPENDIX A—PROTOCOL FOR USING AN ELECTROCHEMICAL ANALYZER TO DETERMINE OXYGEN AND CARBON MONOXIDE CONCENTRATIONS FROM CERTAIN ENGINES

1.0 SCOPE AND APPLICATION. WHAT IS THIS PROTOCOL?

This protocol is a procedure for using portable electrochemical (EC) cells for meas-

uring carbon monoxide (CO) and oxygen (O<sub>2</sub>) concentrations in controlled and uncontrolled emissions from existing stationary 4-stroke lean burn and 4-stroke rich burn reciprocating internal combustion engines as specified in the applicable rule.

1.1 Analytes. What does this protocol determine?

This protocol measures the engine exhaust gas concentrations of carbon monoxide (CO) and oxygen (O<sub>2</sub>).

Analyte	CAS No.	Sensitivity
Carbon monoxide (CO) .....	630–08–0	Minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.
Oxygen (O <sub>2</sub> ) .....	7782–44–7	

1.2 Applicability. When is this protocol acceptable?

This protocol is applicable to 40 CFR part 63, subpart ZZZZ. Because of inherent cross sensitivities of EC cells, you must not apply this protocol to other emissions sources without specific instruction to that effect.

1.3 Data Quality Objectives. How good must my collected data be?

Refer to Section 13 to verify and document acceptable analyzer performance.

1.4 Range. What is the targeted analytical range for this protocol?

The measurement system and EC cell design(s) conforming to this protocol will determine the analytical range for each gas component. The nominal ranges are defined by choosing up-scale calibration gas concentrations near the maximum anticipated flue gas concentrations for CO and O<sub>2</sub>, or no more than twice the permitted CO level.

1.5 Sensitivity. What minimum detectable limit will this protocol yield for a particular gas component?

The minimum detectable limit depends on the nominal range and resolution of the specific EC cell used, and the signal to noise ratio of the measurement system. The minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.

2.0 SUMMARY OF PROTOCOL

In this protocol, a gas sample is extracted from an engine exhaust system and then conveyed to a portable EC analyzer for measurement of CO and O<sub>2</sub> gas concentrations. This method provides measurement system performance specifications and sampling protocols to ensure reliable data. You may use additions to, or modifications of vendor supplied measurement systems (e.g., heated or

unheated sample lines, thermocouples, flow meters, selective gas scrubbers, etc.) to meet the design specifications of this protocol. Do not make changes to the measurement system from the as-verified configuration (Section 3.12).

3.0 DEFINITIONS

3.1 Measurement System. The total equipment required for the measurement of CO and O<sub>2</sub> concentrations. The measurement system consists of the following major subsystems:

3.1.1 Data Recorder. A strip chart recorder, computer or digital recorder for logging measurement data from the analyzer output. You may record measurement data from the digital data display manually or electronically.

3.1.2 Electrochemical (EC) Cell. A device, similar to a fuel cell, used to sense the presence of a specific analyte and generate an electrical current output proportional to the analyte concentration.

3.1.3 Interference Gas Scrubber. A device used to remove or neutralize chemical compounds that may interfere with the selective operation of an EC cell.

3.1.4 Moisture Removal System. Any device used to reduce the concentration of moisture in the sample stream so as to protect the EC cells from the damaging effects of condensation and to minimize errors in measurements caused by the scrubbing of soluble gases.

3.1.5 Sample Interface. The portion of the system used for one or more of the following: sample acquisition; sample transport; sample conditioning or protection of the EC cell from any degrading effects of the engine exhaust effluent; removal of particulate matter and condensed moisture.

3.2 Nominal Range. The range of analyte concentrations over which each EC cell is operated (normally 25 percent to 150 percent of up-scale calibration gas value). Several nominal ranges can be used for any given

cell so long as the calibration and repeatability checks for that range remain within specifications.

**3.3 Calibration Gas.** A vendor certified concentration of a specific analyte in an appropriate balance gas.

**3.4 Zero Calibration Error.** The analyte concentration output exhibited by the EC cell in response to zero-level calibration gas.

**3.5 Up-Scale Calibration Error.** The mean of the difference between the analyte concentration exhibited by the EC cell and the certified concentration of the up-scale calibration gas.

**3.6 Interference Check.** A procedure for quantifying analytical interference from components in the engine exhaust gas other than the targeted analytes.

**3.7 Repeatability Check.** A protocol for demonstrating that an EC cell operated over a given nominal analyte concentration range provides a stable and consistent response and is not significantly affected by repeated exposure to that gas.

**3.8 Sample Flow Rate.** The flow rate of the gas sample as it passes through the EC cell. In some situations, EC cells can experience drift with changes in flow rate. The flow rate must be monitored and documented during all phases of a sampling run.

**3.9 Sampling Run.** A timed three-phase event whereby an EC cell's response rises and plateaus in a sample conditioning phase, remains relatively constant during a measurement data phase, then declines during a refresh phase. The sample conditioning phase exposes the EC cell to the gas sample for a length of time sufficient to reach a constant response. The measurement data phase is the time interval during which gas sample measurements can be made that meet the acceptance criteria of this protocol. The refresh phase then purges the EC cells with CO-free air. The refresh phase replenishes requisite O<sub>2</sub> and moisture in the electrolyte reserve and provides a mechanism to de-gas or desorb any interference gas scrubbers or filters so as to enable a stable CO EC cell response. There are four primary types of sampling runs: pre-sampling calibrations; stack gas sampling; post-sampling calibration checks; and measurement system repeatability checks. Stack gas sampling runs can be chained together for extended evaluations, providing all other procedural specifications are met.

**3.10 Sampling Day.** A time not to exceed twelve hours from the time of the pre-sampling calibration to the post-sampling calibration check. During this time, stack gas sampling runs can be repeated without repeated recalibrations, providing all other sampling specifications have been met.

**3.11 Pre-Sampling Calibration/Post-Sampling Calibration Check.** The protocols executed at the beginning and end of each sampling day

to bracket measurement readings with controlled performance checks.

**3.12 Performance-Established Configuration.** The EC cell and sampling system configuration that existed at the time that it initially met the performance requirements of this protocol.

#### 4.0 INTERFERENCES.

When present in sufficient concentrations, NO and NO<sub>2</sub> are two gas species that have been reported to interfere with CO concentration measurements. In the likelihood of this occurrence, it is the protocol user's responsibility to employ and properly maintain an appropriate CO EC cell filter or scrubber for removal of these gases, as described in Section 6.2.12.

#### 5.0 SAFETY. [RESERVED]

#### 6.0 EQUIPMENT AND SUPPLIES.

##### 6.1 What equipment do I need for the measurement system?

The system must maintain the gas sample at conditions that will prevent moisture condensation in the sample transport lines, both before and as the sample gas contacts the EC cells. The essential components of the measurement system are described below.

##### 6.2 Measurement System Components.

**6.2.1 Sample Probe.** A single extraction-point probe constructed of glass, stainless steel or other non-reactive material, and of length sufficient to reach any designated sampling point. The sample probe must be designed to prevent plugging due to condensation or particulate matter.

**6.2.2 Sample Line.** Non-reactive tubing to transport the effluent from the sample probe to the EC cell.

**6.2.3 Calibration Assembly (optional).** A three-way valve assembly or equivalent to introduce calibration gases at ambient pressure at the exit end of the sample probe during calibration checks. The assembly must be designed such that only stack gas or calibration gas flows in the sample line and all gases flow through any gas path filters.

**6.2.4 Particulate Filter (optional).** Filters before the inlet of the EC cell to prevent accumulation of particulate material in the measurement system and extend the useful life of the components. All filters must be fabricated of materials that are non-reactive to the gas mixtures being sampled.

**6.2.5 Sample Pump.** A leak-free pump to provide undiluted sample gas to the system at a flow rate sufficient to minimize the response time of the measurement system. If located upstream of the EC cells, the pump must be constructed of a material that is non-reactive to the gas mixtures being sampled.

**6.2.8 Sample Flow Rate Monitoring.** An adjustable rotameter or equivalent device used

to adjust and maintain the sample flow rate through the analyzer as prescribed.

**6.2.9 Sample Gas Manifold (optional).** A manifold to divert a portion of the sample gas stream to the analyzer and the remainder to a by-pass discharge vent. The sample gas manifold may also include provisions for introducing calibration gases directly to the analyzer. The manifold must be constructed of a material that is non-reactive to the gas mixtures being sampled.

**6.2.10 EC cell.** A device containing one or more EC cells to determine the CO and O<sub>2</sub> concentrations in the sample gas stream. The EC cell(s) must meet the applicable performance specifications of Section 13 of this protocol.

**6.2.11 Data Recorder.** A strip chart recorder, computer or digital recorder to make a record of analyzer output data. The data recorder resolution (i.e., readability) must be no greater than 1 ppm for CO; 0.1 percent for O<sub>2</sub>; and one degree (either °C or °F) for temperature. Alternatively, you may use a digital or analog meter having the same resolution to observe and manually record the analyzer responses.

**6.2.12 Interference Gas Filter or Scrubber.** A device to remove interfering compounds upstream of the CO EC cell. Specific interference gas filters or scrubbers used in the performance-established configuration of the analyzer must continue to be used. Such a filter or scrubber must have a means to determine when the removal agent is exhausted. Periodically replace or replenish it in accordance with the manufacturer's recommendations.

#### 7.0 REAGENTS AND STANDARDS. WHAT CALIBRATION GASES ARE NEEDED?

**7.1 Calibration Gases.** CO calibration gases for the EC cell must be CO in nitrogen or CO in a mixture of nitrogen and O<sub>2</sub>. Use CO calibration gases with labeled concentration values certified by the manufacturer to be within ±5 percent of the label value. Dry ambient air (20.9 percent O<sub>2</sub>) is acceptable for calibration of the O<sub>2</sub> cell. If needed, any lower percentage O<sub>2</sub> calibration gas must be a mixture of O<sub>2</sub> in nitrogen.

**7.1.1 Up-Scale CO Calibration Gas Concentration.** Choose one or more up-scale gas concentrations such that the average of the stack gas measurements for each stack gas sampling run are between 25 and 150 percent of those concentrations. Alternatively, choose an up-scale gas that does not exceed twice the concentration of the applicable outlet standard. If a measured gas value exceeds 150 percent of the up-scale CO calibration gas value at any time during the stack gas sampling run, the run must be discarded and repeated.

**7.1.2 Up-Scale O<sub>2</sub> Calibration Gas Concentration.**

Select an O<sub>2</sub> gas concentration such that the difference between the gas concentration and the average stack gas measurement or reading for each sample run is less than 15 percent O<sub>2</sub>. When the average exhaust gas O<sub>2</sub> readings are above 6 percent, you may use dry ambient air (20.9 percent O<sub>2</sub>) for the up-scale O<sub>2</sub> calibration gas.

**7.1.3 Zero Gas.** Use an inert gas that contains less than 0.25 percent of the up-scale CO calibration gas concentration. You may use dry air that is free from ambient CO and other combustion gas products (e.g., CO<sub>2</sub>).

#### 8.0 SAMPLE COLLECTION AND ANALYSIS

##### 8.1 Selection of Sampling Sites.

**8.1.1 Control Device Inlet.** Select a sampling site sufficiently downstream of the engine so that the combustion gases should be well mixed. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.

**8.1.2 Exhaust Gas Outlet.** Select a sampling site located at least two stack diameters downstream of any disturbance (e.g., turbocharger exhaust, crossover junction or recirculation take-off) and at least one-half stack diameter upstream of the gas discharge to the atmosphere. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.

**8.2 Stack Gas Collection and Analysis.** Prior to the first stack gas sampling run, conduct that the pre-sampling calibration in accordance with Section 10.1. Use Figure 1 to record all data. Zero the analyzer with zero gas. Confirm and record that the scrubber media color is correct and not exhausted. Then position the probe at the sampling point and begin the sampling run at the same flow rate used during the up-scale calibration. Record the start time. Record all EC cell output responses and the flow rate during the "sample conditioning phase" once per minute until constant readings are obtained. Then begin the "measurement data phase" and record readings every 15 seconds for at least two minutes (or eight readings), or as otherwise required to achieve two continuous minutes of data that meet the specification given in Section 13.1. Finally, perform the "refresh phase" by introducing dry air, free from CO and other combustion gases, until several minute-to-minute readings of consistent value have been obtained. For each run use the "measurement data phase" readings to calculate the average stack gas CO and O<sub>2</sub> concentrations.

**8.3 EC Cell Rate.** Maintain the EC cell sample flow rate so that it does not vary by more than ±10 percent throughout the pre-sampling calibration, stack gas sampling and post-sampling calibration check. Alternatively, the EC cell sample flow rate can be maintained within a tolerance range that

does not affect the gas concentration readings by more than  $\pm 3$  percent, as instructed by the EC cell manufacturer.

#### 9.0 QUALITY CONTROL (RESERVED)

#### 10.0 CALIBRATION AND STANDARDIZATION

**10.1 Pre-Sampling Calibration.** Conduct the following protocol once for each nominal range to be used on each EC cell before performing a stack gas sampling run on each field sampling day. Repeat the calibration if you replace an EC cell before completing all of the sampling runs. There is no prescribed order for calibration of the EC cells; however, each cell must complete the measurement data phase during calibration. Assemble the measurement system by following the manufacturer's recommended protocols including for preparing and preconditioning the EC cell. Assure the measurement system has no leaks and verify the gas scrubbing agent is not depleted. Use Figure 1 to record all data.

**10.1.1 Zero Calibration.** For both the O<sub>2</sub> and CO cells, introduce zero gas to the measurement system (e.g., at the calibration assembly) and record the concentration reading every minute until readings are constant for at least two consecutive minutes. Include the time and sample flow rate. Repeat the steps in this section at least once to verify the zero calibration for each component gas.

**10.1.2 Zero Calibration Tolerance.** For each zero gas introduction, the zero level output must be less than or equal to  $\pm 3$  percent of the up-scale gas value or  $\pm 1$  ppm, whichever is less restrictive, for the CO channel and less than or equal to  $\pm 0.3$  percent O<sub>2</sub> for the O<sub>2</sub> channel.

**10.1.3 Up-Scale Calibration.** Individually introduce each calibration gas to the measurement system (e.g., at the calibration assembly) and record the start time. Record all EC cell output responses and the flow rate during this "sample conditioning phase" once per minute until readings are constant for at least two minutes. Then begin the "measurement data phase" and record readings every 15 seconds for a total of two minutes, or as otherwise required. Finally, perform the "refresh phase" by introducing dry air, free from CO and other combustion gases, until readings are constant for at least two consecutive minutes. Then repeat the steps in this section at least once to verify the calibration for each component gas. Introduce all gases to flow through the entire sample handling system (i.e., at the exit end of the sampling probe or the calibration assembly).

**10.1.4 Up-Scale Calibration Error.** The mean of the difference of the "measurement data phase" readings from the reported standard gas value must be less than or equal to  $\pm 5$  percent or  $\pm 1$  ppm for CO or  $\pm 0.5$  percent O<sub>2</sub>, whichever is less restrictive, respectively.

The maximum allowable deviation from the mean measured value of any single "measurement data phase" reading must be less than or equal to  $\pm 2$  percent or  $\pm 1$  ppm for CO or  $\pm 0.5$  percent O<sub>2</sub>, whichever is less restrictive, respectively.

**10.2 Post-Sampling Calibration Check.** Conduct a stack gas post-sampling calibration check after the stack gas sampling run or set of runs and within 12 hours of the initial calibration. Conduct up-scale and zero calibration checks using the protocol in Section 10.1. Make no changes to the sampling system or EC cell calibration until all post-sampling calibration checks have been recorded. If either the zero or up-scale calibration error exceeds the respective specification in Sections 10.1.2 and 10.1.4 then all measurement data collected since the previous successful calibrations are invalid and re-calibration and re-sampling are required. If the sampling system is disassembled or the EC cell calibration is adjusted, repeat the calibration check before conducting the next analyzer sampling run.

#### 11.0 ANALYTICAL PROCEDURE

The analytical procedure is fully discussed in Section 8.

#### 12.0 CALCULATIONS AND DATA ANALYSIS

Determine the CO and O<sub>2</sub> concentrations for each stack gas sampling run by calculating the mean gas concentrations of the data recorded during the "measurement data phase".

#### 13.0 PROTOCOL PERFORMANCE

Use the following protocols to verify consistent analyzer performance during each field sampling day.

**13.1 Measurement Data Phase Performance Check.** Calculate the mean of the readings from the "measurement data phase". The maximum allowable deviation from the mean for each of the individual readings is  $\pm 2$  percent, or  $\pm 1$  ppm, whichever is less restrictive. Record the mean value and maximum deviation for each gas monitored. Data must conform to Section 10.1.4. The EC cell flow rate must conform to the specification in Section 8.3.

*Example:* A measurement data phase is invalid if the maximum deviation of any single reading comprising that mean is greater than  $\pm 2$  percent or  $\pm 1$  ppm (the default criteria). For example, if the mean = 30 ppm, single readings of below 29 ppm and above 31 ppm are disallowed).

**13.2 Interference Check.** Before the initial use of the EC cell and interference gas scrubber in the field, and semi-annually thereafter, challenge the interference gas scrubber with NO and NO<sub>2</sub> gas standards that are

generally recognized as representative of diesel-fueled engine NO and NO<sub>2</sub> emission values. Record the responses displayed by the CO EC cell and other pertinent data on Figure 1 or a similar form.

*13.2.1 Interference Response.* The combined NO and NO<sub>2</sub> interference response should be less than or equal to  $\pm 5$  percent of the up-scale CO calibration gas concentration.

*13.3 Repeatability Check.* Conduct the following check once for each nominal range that is to be used on the CO EC cell within 5 days prior to each field sampling program. If a field sampling program lasts longer than 5 days, repeat this check every 5 days. Immediately repeat the check if the EC cell is replaced or if the EC cell is exposed to gas concentrations greater than 150 percent of the highest up-scale gas concentration.

*13.3.1 Repeatability Check Procedure.* Perform a complete EC cell sampling run (all three phases) by introducing the CO calibration gas to the measurement system and record the response. Follow Section 10.1.3. Use Figure 1 to record all data. Repeat the run three times for a total of four complete runs. During the four repeatability check runs, do not adjust the system except where necessary to achieve the correct calibration gas flow rate at the analyzer.

*13.3.2 Repeatability Check Calculations.* Determine the highest and lowest average "measurement data phase" CO concentra-

tions from the four repeatability check runs and record the results on Figure 1 or a similar form. The absolute value of the difference between the maximum and minimum average values recorded must not vary more than  $\pm 3$  percent or  $\pm 1$  ppm of the up-scale gas value, whichever is less restrictive.

14.0 POLLUTION PREVENTION (RESERVED)

15.0 WASTE MANAGEMENT (RESERVED)

16.0 ALTERNATIVE PROCEDURES (RESERVED)

17.0 REFERENCES

(1) "Development of an Electrochemical Cell Emission Analyzer Test Protocol", Topical Report, Phil Juneau, Emission Monitoring, Inc., July 1997.

(2) "Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Emissions from Natural Gas-Fired Engines, Boilers, and Process Heaters Using Portable Analyzers", EMC Conditional Test Protocol 30 (CTM-30), Gas Research Institute Protocol GRI-96/0008, Revision 7, October 13, 1997.

(3) "ICAC Test Protocol for Periodic Monitoring", EMC Conditional Test Protocol 34 (CTM-034), The Institute of Clean Air Companies, September 8, 1999.

(4) "Code of Federal Regulations", Protection of Environment, 40 CFR, Part 60, Appendix A, Methods 1-4; 10.

TABLE 1: APPENDIX A—SAMPLING RUN DATA.

Run Type: (X)	Facility	Engine I.D.	Date	Pre-Sample Calibration	Stack Gas Sample	4 O <sub>2</sub>	4 CO	Time	Scrub. OK	Repeatability Check	Flow-Rate												
Gas	1	O <sub>2</sub>	1	CO	2	O <sub>2</sub>	2	CO	3	O <sub>2</sub>	3	CO	4	CO									
Sample Cond.	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Measurement Data Phase	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Mean	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Refresh Phase	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"

[78 FR 6721, Jan. 30, 2013]

## Appendix E



**Pt. 63, Subpt. WWWW, Table 1**

**40 CFR Ch. I (7-1-14 Edition)**

Citation	Subject	Applies to subpart WWWW	Explanation
§ 63.1(a)(5), (7)–(9) .....	[Reserved].		
§ 63.1(b)(2) .....	[Reserved].		
§ 63.1(c)(1)–(2) .....	Applicability of this part after a relevant standard has been set.	Yes .....	§ 63.10446 of this subpart exempts affected sources from the obligation to obtain title V operating permits for purposes of being subject to this subpart.
§ 63.1(c)(3)–(4) .....	[Reserved].		
§ 63.1(c)(5) .....	Subject to notification requirements.	No.	
§ 63.1(d) .....	[Reserved].		
§ 63.1(e) .....	Emission limitation by permit .....	Yes.	
§ 63.2 .....	Definitions .....	Yes.	
§ 63.3 .....	Units and abbreviations .....	Yes.	
§ 63.4 .....	Prohibited activities .....	Yes.	
§ 63.5 .....	Construction/reconstruction .....	No.	
§ 63.6(a), (b)(1)–(5), (7) .....	Compliance with standards and maintenance requirements.	Yes.	
§ 63.6(b)(6) .....	[Reserved].		Subpart WWWW requires compliance 1 year after the effective date.
§ 63.6(c)(1) .....	Compliance dates for existing sources.	Yes .....	
§ 63.6(c)(2), (5) .....	Compliance dates for CAA section 112(f) standards and for area sources that become major.	No.	
§ 63.6(c)(3)–(4) .....	[Reserved].		
§ 63.6(d) .....	[Reserved].		
§ 63.6(e)–(h) .....	Alternative nonopacity emission standard.	No.	
§ 63.6(i)–(j) .....	Compliance extension .....	Yes.	
§ 63.7 .....	Performance testing requirements.	No.	
§ 63.8 .....	Monitoring requirements .....	No.	
§ 63.9(a) .....	Applicability and initial notifications addressees.	Yes.	
§ 63.9(b) .....	Initial notifications .....	No.	
§ 63.9(c) .....	Request for extension of compliance.	Yes.	
§ 63.9(d)–(j) .....	Other notifications .....	No.	
§ 63.10(a)(1)–(2) .....	Recordkeeping and reporting requirements, applicability.	Yes.	
§ 63.10(a)(3)–(4) .....	General information .....	Yes.	
§ 63.10(a)(5)–(7) .....	Recordkeeping and reporting requirements, reporting schedules.	No.	
§ 63.10(b)(1) .....	Retention time .....	Yes.	
§ 63.10(b)(2)–(f) .....	Recordkeeping and reporting requirements.	No.	
§ 63.11 .....	Control device requirements .....	No.	
§ 63.12 .....	State authority and delegations	Yes.	
§§ 63.13–63.16 .....	Addresses, Incorporations by Reference, availability of information, performance track provisions.	Yes.	

**Subpart XXXXX [Reserved]**

**Subpart YYYYY—National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities**

SOURCE: 72 FR 74111, Dec. 28, 2007, unless otherwise noted.

## Environmental Protection Agency

## § 63.10685

### APPLICABILITY AND COMPLIANCE DATES

#### § 63.10680 Am I subject to this subpart?

(a) You are subject to this subpart if you own or operate an electric arc furnace (EAF) steelmaking facility that is an area source of hazardous air pollutant (HAP) emissions.

(b) This subpart applies to each new or existing affected source. The affected source is each EAF steelmaking facility.

(1) An affected source is existing if you commenced construction or reconstruction of the affected source on or before September 20, 2007.

(2) An affected source is new if you commenced construction or reconstruction of the affected source after September 20, 2007.

(c) This subpart does not apply to research and development facilities, as defined in section 112(c)(7) of the Clean Air Act (CAA).

(d) If you own or operate an area source subject to this subpart, you must have or obtain a permit under 40 CFR part 70 or 40 CFR part 71.

#### § 63.10681 What are my compliance dates?

(a) Except as provided in paragraph (b) of this section, if you own or operate an existing affected source, you must achieve compliance with the applicable provisions of this subpart by no later than June 30, 2008.

(b) If you own or operate an existing affected source, you must achieve compliance with opacity limit in § 63.10686(b)(2) or (c)(2) by no later than December 28, 2010 if you demonstrate to the satisfaction of the permitting authority that additional time is needed to install or modify emission control equipment.

(c) If you start up a new affected source on or before December 28, 2007, you must achieve compliance with the applicable provisions of this subpart by no later than December 28, 2007.

(d) If you start up a new affected source after December 28, 2007, you must achieve compliance with the applicable provisions of this subpart upon startup of your affected source.

### STANDARDS AND COMPLIANCE REQUIREMENTS

#### § 63.10685 What are the requirements for the control of contaminants from scrap?

(a) *Chlorinated plastics, lead, and free organic liquids.* For metallic scrap utilized in the EAF at your facility, you must comply with the requirements in either paragraph (a)(1) or (2) of this section. You may have certain scrap at your facility subject to paragraph (a)(1) of this section and other scrap subject to paragraph (a)(2) of this section provided the scrap remains segregated until charge make-up.

(1) *Pollution prevention plan.* For the production of steel other than leaded steel, you must prepare and implement a pollution prevention plan for metallic scrap selection and inspection to minimize the amount of chlorinated plastics, lead, and free organic liquids that is charged to the furnace. For the production of leaded steel, you must prepare and implement a pollution prevention plan for scrap selection and inspection to minimize the amount of chlorinated plastics and free organic liquids in the scrap that is charged to the furnace. You must submit the scrap pollution prevention plan to the permitting authority for approval. You must operate according to the plan as submitted during the review and approval process, operate according to the approved plan at all times after approval, and address any deficiency identified by the permitting authority within 60 days following disapproval of a plan. You may request approval to revise the plan and may operate according to the revised plan unless and until the revision is disapproved by the permitting authority. You must keep a copy of the plan onsite, and you must provide training on the plan's requirements to all plant personnel with materials acquisition or inspection duties. Each plan must include the information in paragraphs (a)(1)(i) through (iii) of this section:

(i) Specifications that scrap materials must be depleted (to the extent practicable) of undrained used oil filters, chlorinated plastics, and free organic liquids at the time of charging to the furnace.

(ii) A requirement in your scrap specifications for removal (to the extent practicable) of lead-containing components (such as batteries, battery cables, and wheel weights) from the scrap, except for scrap used to produce leaded steel.

(iii) Procedures for determining if the requirements and specifications in paragraph (a)(1) of this section are met (such as visual inspection or periodic audits of scrap providers) and procedures for taking corrective actions with vendors whose shipments are not within specifications.

(iv) The requirements of paragraph (a)(1) of this section do not apply to the routine recycling of baghouse bags or other internal process or maintenance materials in the furnace. These exempted materials must be identified in the pollution prevention plan.

(2) *Restricted metallic scrap.* For the production of steel other than leaded steel, you must not charge to a furnace metallic scrap that contains scrap from motor vehicle bodies, engine blocks, oil filters, oily turnings, machine shop borings, transformers or capacitors containing polychlorinated biphenyls, lead-containing components, chlorinated plastics, or free organic liquids. For the production of leaded steel, you must not charge to the furnace metallic scrap that contains scrap from motor vehicle bodies, engine blocks, oil filters, oily turnings, machine shop borings, transformers or capacitors containing polychlorinated biphenyls, chlorinated plastics, or free organic liquids. This restriction does not apply to any post-consumer engine blocks, post-consumer oil filters, or oily turnings that are processed or cleaned to the extent practicable such that the materials do not include lead components, chlorinated plastics, or free organic liquids. This restriction does not apply to motor vehicle scrap that is charged to recover the chromium or nickel content if you meet the requirements in paragraph (b)(3) of this section.

(b) *Mercury requirements.* For scrap containing motor vehicle scrap, you must procure the scrap pursuant to one of the compliance options in paragraphs (b)(1), (2), or (3) of this section for each scrap provider, contract, or

shipment. For scrap that does not contain motor vehicle scrap, you must procure the scrap pursuant to the requirements in paragraph (b)(4) of this section for each scrap provider, contract, or shipment. You may have one scrap provider, contract, or shipment subject to one compliance provision and others subject to another compliance provision.

(1) *Site-specific plan for mercury switches.* You must comply with the requirements in paragraphs (b)(1)(i) through (v) of this section.

(i) You must include a requirement in your scrap specifications for removal of mercury switches from vehicle bodies used to make the scrap.

(ii) You must prepare and operate according to a plan demonstrating how your facility will implement the scrap specification in paragraph (b)(1)(i) of this section for removal of mercury switches. You must submit the plan to the permitting authority for approval. You must operate according to this plan as submitted during the review and approval process, operate according to the approved plan at all times after approval, and address any deficiency identified by the permitting authority within 60 days following disapproval of a plan. You may request approval to revise the plan and may operate according to the revised plan unless and until the revision is disapproved by the permitting authority. The permitting authority may change the approval status of the plan upon 90-days written notice based upon the semiannual compliance report or other information. The plan must include:

(A) A means of communicating to scrap purchasers and scrap providers the need to obtain or provide motor vehicle scrap from which mercury switches have been removed and the need to ensure the proper management of the mercury switches removed from that scrap as required under the rules implementing subtitle C of the Resource Conservation and Recovery Act (RCRA) (40 CFR parts 261 through 265 and 268). The plan must include documentation of direction to appropriate staff to communicate to suppliers throughout the scrap supply chain the need to promote the removal of mercury switches from end-of-life vehicles.

Upon the request of the permitting authority, you must provide examples of materials that are used for outreach to suppliers, such as letters, contract language, policies for purchasing agents, and scrap inspection protocols;

(B) Provisions for obtaining assurance from scrap providers that motor vehicle scrap provided to the facility meet the scrap specification;

(C) Provisions for periodic inspections or other means of corroboration to ensure that scrap providers and dismantlers are implementing appropriate steps to minimize the presence of mercury switches in motor vehicle scrap and that the mercury switches removed are being properly managed, including the minimum frequency such means of corroboration will be implemented; and

(D) Provisions for taking corrective actions (i.e., actions resulting in scrap providers removing a higher percentage of mercury switches or other mercury-containing components) if needed, based on the results of procedures implemented in paragraph (b)(1)(ii)(C) of this section.

(iii) You must require each motor vehicle scrap provider to provide an estimate of the number of mercury switches removed from motor vehicle scrap sent to your facility during the previous year and the basis for the estimate. The permitting authority may request documentation or additional information at any time.

(iv) You must establish a goal for each scrap provider to remove at least 80 percent of the mercury switches. Although a site-specific plan approved under paragraph (b)(1) of this section may require only the removal of convenience light switch mechanisms, the permitting authority will credit all documented and verifiable mercury-containing components removed from motor vehicle scrap (such as sensors in anti-locking brake systems, security systems, active ride control, and other applications) when evaluating progress towards the 80 percent goal.

(v) For each scrap provider, you must submit semiannual progress reports to the permitting authority that provide the number of mercury switches removed or the weight of mercury recovered from the switches, the estimated

number of vehicles processed, an estimate of the percent of mercury switches removed, and certification that the removed mercury switches were recycled at RCRA-permitted facilities or otherwise properly managed pursuant to RCRA subtitle C regulations referenced in paragraph (b)(1)(ii)(A) of this section. This information can be submitted in aggregated form and does not have to be submitted for each scrap provider, contract, or shipment. The permitting authority may change the approval status of a site-specific plan following 90-days notice based on the progress reports or other information.

(2) *Option for approved mercury programs.* You must certify in your notification of compliance status that you participate in and purchase motor vehicle scrap only from scrap providers who participate in a program for removal of mercury switches that has been approved by the Administrator based on the criteria in paragraphs (b)(2)(i) through (iii) of this section. If you purchase motor vehicle scrap from a broker, you must certify that all scrap received from that broker was obtained from other scrap providers who participate in a program for the removal of mercury switches that has been approved by the Administrator based on the criteria in paragraphs (b)(2)(i) through (iii) of this section. The National Vehicle Mercury Switch Recovery Program and the Vehicle Switch Recovery Program mandated by Maine State law are EPA-approved programs under paragraph (b)(2) of this section unless and until the Administrator disapproves the program (in part or in whole) under paragraph (b)(2)(iii) of this section.

(i) The program includes outreach that informs the dismantlers of the need for removal of mercury switches and provides training and guidance for removing mercury switches;

(ii) The program has a goal to remove at least 80 percent of mercury switches from the motor vehicle scrap the scrap provider processes. Although a program approved under paragraph (b)(2) of this section may require only the removal of convenience light switch mechanisms, the Administrator will credit all documented and verifiable

mercury-containing components removed from motor vehicle scrap (such as sensors in anti-locking brake systems, security systems, active ride control, and other applications) when evaluating progress towards the 80 percent goal; and

(iii) The program sponsor agrees to submit progress reports to the Administrator no less frequently than once every year that provide the number of mercury switches removed or the weight of mercury recovered from the switches, the estimated number of vehicles processed, an estimate of the percent of mercury switches recovered, and certification that the recovered mercury switches were recycled at facilities with permits as required under the rules implementing subtitle C of RCRA (40 CFR parts 261 through 265 and 268). The progress reports must be based on a database that includes data for each program participant; however, data may be aggregated at the State level for progress reports that will be publicly available. The Administrator may change the approval status of a program or portion of a program (e.g., at the State level) following 90-days notice based on the progress reports or on other information.

(iv) You must develop and maintain onsite a plan demonstrating the manner through which your facility is participating in the EPA-approved program.

(A) The plan must include facility-specific implementation elements, corporate-wide policies, and/or efforts coordinated by a trade association as appropriate for each facility.

(B) You must provide in the plan documentation of direction to appropriate staff to communicate to suppliers throughout the scrap supply chain the need to promote the removal of mercury switches from end-of-life vehicles. Upon the request of the permitting authority, you must provide examples of materials that are used for outreach to suppliers, such as letters, contract language, policies for purchasing agents, and scrap inspection protocols.

(C) You must conduct periodic inspections or provide other means of corroboration to ensure that scrap providers are aware of the need for and are implementing appropriate steps to

minimize the presence of mercury in scrap from end-of-life vehicles.

(3) *Option for specialty metal scrap.* You must certify in your notification of compliance status that the only materials from motor vehicles in the scrap are materials recovered for their specialty alloy (including, but not limited to, chromium, nickel, molybdenum, or other alloys) content (such as certain exhaust systems) and, based on the nature of the scrap and purchase specifications, that the type of scrap is not reasonably expected to contain mercury switches.

(4) *Scrap that does not contain motor vehicle scrap.* For scrap not subject to the requirements in paragraphs (b)(1) through (3) of this section, you must certify in your notification of compliance status and maintain records of documentation that this scrap does not contain motor vehicle scrap.

(c) *Recordkeeping and reporting requirements.* In addition to the records required by § 63.10, you must keep records to demonstrate compliance with the requirements for your pollution prevention plan in paragraph (a)(1) of this section and/or for the use of only restricted scrap in paragraph (a)(2) of this section and for mercury in paragraphs (b)(1) through (3) of this section as applicable. You must keep records documenting compliance with paragraph (b)(4) of this section for scrap that does not contain motor vehicle scrap.

(1) If you are subject to the requirements for a site-specific plan for mercury under paragraph (b)(1) of this section, you must:

(i) Maintain records of the number of mercury switches removed or the weight of mercury recovered from the switches and properly managed, the estimated number of vehicles processed, and an estimate of the percent of mercury switches recovered; and

(ii) Submit semiannual reports of the number of mercury switches removed or the weight of mercury recovered from the switches and properly managed, the estimated number of vehicles processed, an estimate of the percent of mercury switches recovered, and a certification that the recovered mercury

switches were recycled at RCRA-permitted facilities. The semiannual reports must include a certification that you have conducted inspections or taken other means of corroboration as required under paragraph (b)(1)(ii)(C) of this section. You may include this information in the semiannual compliance reports required under paragraph (c)(3) of this section.

(2) If you are subject to the option for approved mercury programs under paragraph (b)(2) of this section, you must maintain records identifying each scrap provider and documenting the scrap provider's participation in an approved mercury switch removal program. If you purchase motor vehicle scrap from a broker, you must maintain records identifying each broker and documentation that all scrap provided by the broker was obtained from other scrap providers who participate in an approved mercury switch removal program.

(3) You must submit semiannual compliance reports to the Administrator for the control of contaminants from scrap according to the requirements in § 63.10(e). The report must clearly identify any deviation from the requirements in paragraphs (a) and (b) of this section and the corrective action taken. You must identify which compliance option in paragraph (b) of this section applies to each scrap provider, contract, or shipment.

**§ 63.10686 What are the requirements for electric arc furnaces and argon-oxygen decarburization vessels?**

(a) You must install, operate, and maintain a capture system that collects the emissions from each EAF (including charging, melting, and tapping operations) and argon-oxygen decarburization (AOD) vessel and conveys the collected emissions to a control device for the removal of particulate matter (PM).

(b) Except as provided in paragraph (c) of this section, you must not discharge or cause the discharge into the atmosphere from an EAF or AOD vessel any gases which:

(1) Exit from a control device and contain in excess of 0.0052 grains of PM per dry standard cubic foot (gr/dscf); and

(2) Exit from a melt shop and, due solely to the operations of any affected EAF(s) or AOD vessel(s), exhibit 6 percent opacity or greater.

(c) If you own or operate a new or existing affected source that has a production capacity of less than 150,000 tons per year (tpy) of stainless or specialty steel (as determined by the maximum production if specified in the source's operating permit or EAF capacity and maximum number of operating hours per year), you must not discharge or cause the discharge into the atmosphere from an EAF or AOD vessel any gases which:

(1) Exit from a control device and contain particulate matter (PM) in excess of 0.8 pounds per ton (lb/ton) of steel. Alternatively, the owner or operator may elect to comply with a PM limit of 0.0052 grains per dry standard cubic foot (gr/dscf); and

(2) Exit from a melt shop and, due solely to the operations of any affected EAF(s) or AOD vessel(s), exhibit 6 percent opacity or greater.

(d) Except as provided in paragraph (d)(6) of this section, you must conduct performance tests to demonstrate initial compliance with the applicable emissions limit for each emissions source subject to an emissions limit in paragraph (b) or (c) of this section.

(1) You must conduct each PM performance test for an EAF or AOD vessel according to the procedures in § 63.7 and 40 CFR 60.275a using the following test methods in 40 CFR part 60, appendices A-1, A-2, A-3, and A-4:

(i) Method 1 or 1A of appendix A-1 of 40 CFR part 60 to select sampling port locations and the number of traverse points in each stack or duct. Sampling sites must be located at the outlet of the control device (or at the outlet of the emissions source if no control device is present) prior to any releases to the atmosphere.

(ii) Method 2, 2A, 2C, 2D, 2F, or 2G of appendix A-1 of 40 CFR part 60 to determine the volumetric flow rate of the stack gas.

(iii) Method 3, 3A, or 3B of appendix A-3 of 40 CFR part 60 to determine the dry molecular weight of the stack gas. You may use ANSI/ASME PTC 19.10-1981, "Flue and Exhaust Gas Analyses"

(incorporated by reference—see § 63.14) as an alternative to EPA Method 3B.

(iv) Method 4 of appendix A-3 of 40 CFR part 60 to determine the moisture content of the stack gas.

(v) Method 5 or 5D of appendix A-3 of 40 CFR part 60 to determine the PM concentration. Three valid test runs are needed to comprise a PM performance test. For EAF, sample only when metal is being melted and refined. For AOD vessels, sample only when the operation(s) are being conducted.

(2) You must conduct each opacity test for a melt shop according to the procedures in § 63.6(h) and Method 9 of appendix A-4 of 40 CFR part 60. When emissions from any EAF or AOD vessel are combined with emissions from emission sources not subject to this subpart, you must demonstrate compliance with the melt shop opacity limit based on emissions from only the emission sources subject to this subpart.

(3) During any performance test, you must monitor and record the information specified in 40 CFR 60.274a(h) for all heats covered by the test.

(4) You must notify and receive approval from the Administrator for procedures that will be used to determine compliance for an EAF or AOD vessel when emissions are combined with those from facilities not subject to this subpart.

(5) To determine compliance with the PM emissions limit in paragraph (c) of this section for an EAF or AOD vessel in a lb/ton of steel format, compute the process-weighted mass emissions ( $E_p$ ) for each test run using Equation 1 of this section:

$$E_p = \frac{C \times Q \times T}{P \times K} \quad (\text{Eq. 1})$$

Where:

$E_p$  = Process-weighted mass emissions of PM, lb/ton;

C = Concentration of PM or total metal HAP, gr/dscf;

Q = Volumetric flow rate of stack gas, dscf/hr;

T = Total time during a test run that a sample is withdrawn from the stack during steel production cycle, hr;

P = Total amount of metal produced during the test run, tons; and

K = Conversion factor, 7,000 grains per pound.

(6) If you own or operate an existing affected source that is subject to the emissions limits in paragraph (b) or (c) of this section, you may certify initial compliance with the applicable emission limit for one or more emissions sources based on the results of a previous performance test for that emissions source in lieu of the requirement for an initial performance test provided that the test(s) were conducted within 5 years of the compliance date using the methods and procedures specified in paragraph (d)(1) or (2) of this section; the test(s) were for the affected facility; and the test(s) were representative of current or anticipated operating processes and conditions. Should the permitting authority deem the prior test data unacceptable to demonstrate compliance with an applicable emissions limit, the owner or operator must conduct an initial performance test within 180 days of the compliance date or within 90 days of receipt of the notification of disapproval of the prior test, whichever is later.

OTHER INFORMATION AND REQUIREMENTS

**§ 63.10690 What parts of the General Provisions apply to this subpart?**

(a) You must comply with the requirements of the NESHAP General Provisions (40 CFR part 63, subpart A) as provided in Table 1 of this subpart.

(b) The notification of compliance status required by § 63.9(h) must include each applicable certification of compliance, signed by a responsible official, in paragraphs (b)(1) through (6) of this section.

(1) For the pollution prevention plan requirements in § 63.10685(a)(1): “This facility has submitted a pollution prevention plan for metallic scrap selection and inspection in accordance with § 63.10685(a)(1)”;

(2) For the restrictions on metallic scrap in § 63.10685(a)(2): “This facility complies with the requirements for restricted metallic scrap in accordance with § 63.10685(a)(2)”;

(3) For the mercury requirements in § 63.10685(b):

(i) “This facility has prepared a site-specific plan for mercury switches in accordance with § 63.10685(b)(1)”;

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(ii) “This facility participates in and purchases motor vehicle scrap only from scrap providers who participate in a program for removal of mercury switches that has been approved by the EPA Administrator in accordance with § 63.10685(b)(2)” and has prepared a plan demonstrating how the facility participates in the EPA-approved program in accordance with § 63.10685(b)(2)(iv);

(iii) “The only materials from motor vehicles in the scrap charged to an electric arc furnace at this facility are materials recovered for their specialty alloy content in accordance with § 63.10685(b)(3) which are not reasonably expected to contain mercury switches”; or

(iv) “This facility complies with the requirements for scrap that does not contain motor vehicle scrap in accordance with § 63.10685(b)(4).”

(4) This certification of compliance for the capture system requirements in § 63.10686(a), signed by a responsible official: “This facility operates a capture system for each electric arc furnace and argon-oxygen decarburization vessel that conveys the collected emissions to a PM control device in accordance with § 63.10686(a)”.

(5) If applicable, this certification of compliance for the performance test requirements in § 63.10686(d)(6): “This facility certifies initial compliance with the applicable emissions limit in § 63.10686(a) or (b) based on the results of a previous performance test in accordance with § 63.10686(d)(6)”.

(6) This certification of compliance for the monitoring requirements in § 63.10686(e), signed by a responsible official: “This facility has developed and submitted proposed monitoring information in accordance with 40 CFR part 64”.

### § 63.10691 Who implements and enforces this subpart?

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

gated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator and are not transferred to the State, local, or tribal agency.

(c) The authorities that will not be delegated to State, local, or tribal agencies are listed in paragraphs (c)(1) through (6) of this section.

(1) Approval of an alternative non-opacity emissions standard under 40 CFR 63.6(g).

(2) Approval of an alternative opacity emissions standard under § 63.6(h)(9).

(3) Approval of a major change to test methods under § 63.7(e)(2)(ii) and (f). A “major change to test method” is defined in 40 CFR 63.90.

(4) Approval of major change to monitoring under 40 CFR 63.8(f). A “major change to monitoring” is defined in 40 CFR 63.90.

(5) Approval of a major change to recordkeeping/reporting under 40 CFR 63.10(f). A “major change to recordkeeping/reporting” is defined in 40 CFR 63.90.

(6) Approval of a program for the removal of mercury switches under § 63.10685(b)(2).

### § 63.10692 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act, in § 63.2, and in this section as follows:

*Argon-oxygen decarburization (AOD) vessel* means any closed-bottom, refractory-lined converter vessel with submerged tuyeres through which gaseous mixtures containing argon and oxygen or nitrogen may be blown into molten steel for further refining.

*Capture system* means the equipment (including ducts, hoods, fans, dampers, etc.) used to capture or transport emissions generated by an electric arc furnace or argon-oxygen decarburization vessel to the air pollution control device.

*Chlorinated plastics* means solid polymeric materials that contain chlorine in the polymer chain, such as polyvinyl chloride (PVC) and PVC copolymers.



*Control device* means the air pollution control equipment used to remove particulate matter from the effluent gas stream generated by an electric arc furnace or argon-oxygen decarburization vessel.

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

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

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

(3) Fails to meet any emissions limitation in this subpart during startup, shutdown, or malfunction, regardless of whether or not such failure is permitted by this subpart.

*Electric arc furnace (EAF)* means a furnace that produces molten steel and heats the charge materials with electric arcs from carbon electrodes. An electric arc furnace consists of the furnace shell, roof, and the transformer.

*Electric arc furnace (EAF) steelmaking facility* means a steel plant that produces carbon, alloy, or specialty steels using an EAF. This definition excludes EAF steelmaking facilities at steel foundries and EAF facilities used to produce nonferrous metals.

*Free organic liquids* means material that fails the paint filter test by EPA Method 9095B, (revision 2, dated November 1994) (incorporated by reference—see §63.14) after accounting for water using a moisture determination test by ASTM Method D2216-05 (incorporated by reference—see §63.14). If, after conducting a moisture determina-

tion test, if any portion of the material passes through and drops from the filter within the 5-minute test period, the material contains *free organic liquids*.

*Leaded steel* means steel that must meet a minimum specification for lead content (typically 0.25 percent or more) and for which lead is a necessary alloy for that grade of steel.

*Mercury switch* means each mercury-containing capsule or switch assembly that is part of a convenience light switch mechanism installed in a vehicle.

*Motor vehicle* means an automotive vehicle not operated on rails and usually operated with rubber tires for use on highways.

*Motor vehicle scrap* means vehicle or automobile bodies, including automobile body hulks, that have been processed through a shredder. *Motor vehicle scrap* does not include automobile manufacturing bundles, or miscellaneous vehicle parts, such as wheels, bumpers or other components that do not contain mercury switches.

*Nonferrous metals* means any pure metal other than iron or any metal alloy for which an element other than iron is its major constituent by percent in weight.

*Scrap provider* means the person (including a broker) who contracts directly with a steel mill to provide scrap that contains motor vehicle scrap. Scrap processors such as shredder operators or vehicle dismantlers that do not sell scrap directly to a steel mill are not *scrap providers*.

*Specialty steel* means low carbon and high alloy steel other than stainless steel that is processed in an argon-oxygen decarburization vessel.

*Stainless steel* means low carbon steel that contains at least 10.5 percent chromium.

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

As required in §63.10691(a), you must comply with the requirements of the NESHAP General Provisions (40 CFR part 63, subpart A) shown in the following table.

Citation	Subject	Applies to subpart YYYYYY?	Explanation
§ 63.1(a)(1), (a)(2), (a)(3), (a)(4), (a)(6), (a)(10)–(a)(12), (b)(1), (b)(3), (c)(1), (c)(2), (c)(5), (e), (f), (g), (h)(1), (h)(2), (h)(5)–(h)(9), (i), (j).	Applicability .....	Yes.	
§ 63.1(a)(5), (a)(7)–(a)(9), (b)(2), (c)(3), (c)(4), (d).	Reserved .....	No.	
§ 63.2 .....	Definitions .....	Yes.	
§ 63.3 .....	Units and Abbreviations .....	Yes.	
§ 63.4 .....	Prohibited Activities and Circumvention.	Yes.	
§ 63.5 .....	Preconstruction Review and Notification Requirements.	Yes.	
§ 63.6(a), (b)(1)–(b)(5), (b)(7), (c)(1), (c)(2), (c)(5), (e)(1), (e)(3)(i), (e)(3)(iii)–(e)(3)(ix), (f), (g), (h)(1), (h)(2), (h)(5)–(h)(9), (i), (j).	Compliance with Standards and Maintenance Requirements.	Yes.	
§ 63.6(b)(6), (c)(3), (c)(4), (d), (e)(2), (e)(3)(ii), (h)(3), (h)(5)(iv).	Reserved .....	No.	
§ 63.7 .....	Applicability and Performance Test Dates.	Yes.	
§ 63.8(a)(1), (a)(2), (b), (c), (d), (e), (f)(1)–(5), (g).	Monitoring Requirements .....	Yes .....	Requirements apply if a COMS or CEMS is used.
§ 63.8(a)(3) .....	[Reserved] .....	No.	
§ 63.8(a)(4) .....	Additional Monitoring Requirements for Control Devices in § 63.11.	No.	
§ 63.8(c)(4) .....	Continuous Monitoring System Requirements.	Yes .....	Requirements apply if a COMS or CEMS is used.
§ 63.8(f)(6) .....	RATA Alternative .....	Yes .....	Requirements apply if a CEMS is used.
§ 63.9(a), (b)(1), (b)(2), (b)(5), (c), (d), (f), (g), (h)(1)–(h)(3), (h)(5), (h)(6), (i), (j).	Notification Requirements .....	Yes.	
§ 63.9(b)(3), (h)(4) .....	Reserved .....	No.	
§ 63.9(b)(4) .....	Reserved .....	No.	
§ 63.10(a), (b)(1), (b)(2)(i)–(v), (b)(2)(xiv), (b)(3), (c)(1), (c)(5)–(c)(8), (c)(10)–(c)(15), (d), (e)(1)–(e)(4), (f).	Recordkeeping and Reporting Requirements.	Yes .....	Additional records for CMS in § 63.10(c) (1)–(6), (9)–(15), and reports in § 63.10(d)(1)–(2) apply if a COMS or CEMS is used.
§ 63.10(b)(2)(xiii) .....	CMS Records for RATA Alternative.	Yes .....	Requirements apply if a CEMS is used.
§ 63.10(c)(2)–(c)(4), (c)(9) .....	Reserved .....	No.	
§ 63.11 .....	Control Device Requirements .....	No.	
§ 63.12 .....	State Authority and Delegations	Yes.	
§§ 63.13–63.16 .....	Addresses, Incorporations by Reference, Availability of Information, Performance Track Provisions.	Yes.	

**Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources**

SOURCE: 73 FR 252, Jan. 2, 2008, unless otherwise noted.

**APPLICABILITY AND COMPLIANCE DATES**

**§ 63.10880 Am I subject to this subpart?**

(a) You are subject to this subpart if you own or operate an iron and steel

foundry that is an area source of hazardous air pollutant (HAP) emissions.

(b) This subpart applies to each new or existing affected source. The affected source is each iron and steel foundry.

(1) An affected source is existing if you commenced construction or reconstruction of the affected source before September 17, 2007.

(2) An affected source is new if you commenced construction or reconstruction of the affected source on or after September 17, 2007. If an affected

## Appendix F

**§ 63.11110**

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Citation	Subject	Brief description	Applies to subpart BBBBBB
§ 63.10(e)(3)(iv)–(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)–(8) and 63.10(c)(5)–(13).	Yes, § 63.11095 specifies excess emission events for this subpart.
§ 63.10(e)(3)(vi)–(viii) .....	Excess Emissions Report and Summary Report.	Requirements for reporting excess emissions for CMS; requires all of the information in §§ 63.8(c)(7)–(8) and 63.10(c)(5)–(13).	Yes.
§ 63.10(e)(4) .....	Reporting COMS Data	Must submit COMS data with performance test data.	Yes.
§ 63.10(f) .....	Waiver for Record-keeping/Reporting.	Procedures for Administrator to waive .....	Yes.
§ 63.11(b) .....	Flares .....	Requirements for flares .....	Yes, the section references § 63.11(b).
§ 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.

[73 FR 1933, Jan. 10, 2008, as amended at 76 FR 4180, Jan. 24, 2011]

**Subpart CCCCCC—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities**

SOURCE: 73 FR 1945, Jan. 10, 2008, unless otherwise noted.

**WHAT THIS SUBPART COVERS**

**§ 63.11110 What is the purpose of this subpart?**

This subpart establishes national emission limitations and management practices for hazardous air pollutants (HAP) emitted from the loading of gasoline storage tanks at gasoline dispensing facilities (GDF). This subpart also establishes requirements to demonstrate compliance with the emission limitations and management practices.

**§ 63.11111 Am I subject to the requirements in this subpart?**

(a) The affected source to which this subpart applies is each GDF that is located at an area source. The affected source includes each gasoline cargo

tank during the delivery of product to a GDF and also includes each storage tank.

(b) If your GDF has a monthly throughput of less than 10,000 gallons of gasoline, you must comply with the requirements in § 63.11116.

(c) If your GDF has a monthly throughput of 10,000 gallons of gasoline or more, you must comply with the requirements in § 63.11117.

(d) If your GDF has a monthly throughput of 100,000 gallons of gasoline or more, you must comply with the requirements in § 63.11118.

(e) An affected source shall, upon request by the Administrator, demonstrate that their monthly throughput is less than the 10,000-gallon or the 100,000-gallon threshold level, as applicable. For new or reconstructed affected sources, as specified in § 63.11112(b) and (c), recordkeeping to document monthly throughput must begin upon startup of the affected source. For existing sources, as specified in § 63.11112(d), recordkeeping to document monthly throughput must begin on January 10, 2008. For existing sources that are subject to this subpart only because they load gasoline into fuel tanks other than those in motor

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vehicles, as defined in § 63.11132, record-keeping to document monthly throughput must begin on January 24, 2011. Records required under this paragraph shall be kept for a period of 5 years.

(f) If you are an owner or operator of affected sources, as defined in paragraph (a) of this section, you are not required 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 must still 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 71.3(a) and (b).

(g) 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.

(h) Monthly throughput is the total volume of gasoline loaded into, or dispensed from, all the gasoline storage tanks located at a single affected GDF. If an area source has two or more GDF at separate locations within the area source, each GDF is treated as a separate affected source.

(i) If your affected source's throughput ever exceeds an applicable throughput threshold, 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.

(j) The dispensing of gasoline from a fixed gasoline storage tank at a GDF into a portable gasoline tank for the on-site delivery and subsequent dispensing of the gasoline into the fuel tank of a motor vehicle or other gasoline-fueled engine or equipment used within the area source is only subject to § 63.11116 of this subpart.

(k) 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, record-keeping, and reporting. You must identify the affected source and provisions with which you will comply in your Notification of Compliance Status required under § 63.11124. 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, and 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.

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4181, Jan. 24, 2011]

### § 63.11112 What parts of my affected source does this subpart cover?

(a) The emission sources to which this subpart applies are gasoline storage tanks and associated equipment components in vapor or liquid gasoline service at new, reconstructed, or existing GDF that meet the criteria specified in § 63.11111. Pressure/Vacuum vents on gasoline storage tanks and the equipment necessary to unload product from cargo tanks into the storage tanks at GDF are covered emission sources. The equipment used for the refueling of motor vehicles is not covered by 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 § 63.11111 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.

### § 63.11113 When do I have to comply with this subpart?

(a) 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, except as specified in paragraph (d) of this section.

(1) If you start up your affected source before January 10, 2008, you

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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) 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 monthly throughput, as specified in §63.11111(c) or §63.11111(d), 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) If you have a new or reconstructed affected source and you are complying with Table 1 to this subpart, you must comply according to paragraphs (d)(1) and (2) of this section.

(1) If you start up your affected source from November 9, 2006 to September 23, 2008, you must comply no later than September 23, 2008.

(2) If you start up your affected source after September 23, 2008, you must comply upon startup of your affected source.

(e) The initial compliance demonstration test required under §63.11120(a)(1) and (2) must be conducted as specified in paragraphs (e)(1) and (2) of this section.

(1) If you have a new or reconstructed affected source, you must conduct the initial compliance test upon installation of the complete vapor balance system.

(2) If you have an existing affected source, you must conduct the initial compliance test as specified in paragraphs (e)(2)(i) or (e)(2)(ii) of this section.

(i) For vapor balance systems installed on or before December 15, 2009, you must test no later than 180 days after the applicable compliance date specified in paragraphs (b) or (c) of this section.

(ii) For vapor balance systems installed after December 15, 2009, you must test upon installation of the complete vapor balance system.

(f) If your GDF is subject to the control requirements in this subpart only because it loads gasoline into fuel tanks other than those in motor vehicles, as defined in §63.11132, you must comply with the standards in this subpart as specified in paragraphs (f)(1) or (f)(2) of this section.

(1) If your GDF is an existing facility, you must comply by January 24, 2014.

(2) If your GDF is a new or reconstructed facility, you must comply by the dates specified in paragraphs (f)(2)(i) and (ii) of this section.

(i) If you start up your GDF after December 15, 2009, but before January 24, 2011, you must comply no later than January 24, 2011.

(ii) If you start up your GDF after January 24, 2011, you must comply upon startup of your GDF.

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 35944, June 25, 2008; 76 FR 4181, Jan. 24, 2011]

### EMISSION LIMITATIONS AND MANAGEMENT PRACTICES

#### §63.11115 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) and (b) 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. 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 keep applicable records and submit reports as specified in §63.11125(d) and §63.11126(b).

[76 FR 4182, Jan. 24, 2011]

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## § 63.11118

### § 63.11116 Requirements for facilities with monthly throughput of less than 10,000 gallons of gasoline.

(a) 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;

(4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

(b) You are not required to submit notifications or reports as specified in § 63.11125, § 63.11126, or subpart A of this part, but you must have records available within 24 hours of a request by the Administrator to document your gasoline throughput.

(c) You must comply with the requirements of this subpart by the applicable dates specified in § 63.11113.

(d) Portable gasoline containers that meet the requirements of 40 CFR part 59, subpart F, are considered acceptable for compliance with paragraph (a)(3) of this section.

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4182, Jan. 24, 2011]

### § 63.11117 Requirements for facilities with monthly throughput of 10,000 gallons of gasoline or more.

(a) You must comply with the requirements in section § 63.11116(a).

(b) Except as specified in paragraph (c) of this section, you must only load gasoline into storage tanks at your facility by utilizing submerged filling, as defined in § 63.11132, and as specified in paragraphs (b)(1), (b)(2), or (b)(3) of this section. The applicable distances in paragraphs (b)(1) and (2) 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.

(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 (b)(1) or (b)(2) of this section are allowed if the owner or operator can demonstrate that the liquid level in the 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.

(c) Gasoline storage tanks with a capacity of less than 250 gallons are not required to comply with the submerged fill requirements in paragraph (b) of this section, but must comply only with all of the requirements in § 63.11116.

(d) You must have records available within 24 hours of a request by the Administrator to document your gasoline throughput.

(e) You must submit the applicable notifications as required under § 63.11124(a).

(f) You must comply with the requirements of this subpart by the applicable dates contained in § 63.11113.

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 12276, Mar. 7, 2008; 76 FR 4182, Jan. 24, 2011]

### § 63.11118 Requirements for facilities with monthly throughput of 100,000 gallons of gasoline or more.

(a) You must comply with the requirements in §§ 63.11116(a) and 63.11117(b).

(b) Except as provided in paragraph (c) of this section, you must meet the requirements in either paragraph (b)(1) or paragraph (b)(2) of this section.

(1) Each management practice in Table 1 to this subpart that applies to your GDF.

(2) If, prior to January 10, 2008, you satisfy the requirements in both paragraphs (b)(2)(i) and (ii) of this section, you will be deemed in compliance with this subsection.

(i) You operate a vapor balance system at your GDF that meets the requirements of either paragraph (b)(2)(i)(A) or paragraph (b)(2)(i)(B) of this section.

(A) Achieves emissions reduction of at least 90 percent.

(B) Operates using management practices at least as stringent as those in Table 1 to this subpart.

(i) Your gasoline dispensing facility is in compliance with an enforceable State, local, or tribal rule or permit that contains requirements of either paragraph (b)(2)(i)(A) or paragraph (b)(2)(i)(B) of this section.

(c) The emission sources listed in paragraphs (c)(1) through (3) of this section are not required to comply with the control requirements in paragraph (b) of this section, but must comply with the requirements in §63.11117.

(1) Gasoline storage tanks with a capacity of less than 250 gallons that are constructed after January 10, 2008.

(2) Gasoline storage tanks with a capacity of less than 2,000 gallons that were constructed before January 10, 2008.

(3) Gasoline storage tanks equipped with floating roofs, or the equivalent.

(d) Cargo tanks unloading at GDF must comply with the management practices in Table 2 to this subpart.

(e) You must comply with the applicable testing requirements contained in §63.11120.

(f) You must submit the applicable notifications as required under §63.11124.

(g) You must keep records and submit reports as specified in §§63.11125 and 63.11126.

(h) You must comply with the requirements of this subpart by the applicable dates contained in §63.11113.

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 12276, Mar. 7, 2008]

TESTING AND MONITORING  
REQUIREMENTS

**§63.11120 What testing and monitoring requirements must I meet?**

(a) Each owner or operator, at the time of installation, as specified in §63.11113(e), of a vapor balance system required under §63.11118(b)(1), and every 3 years thereafter, must comply with the requirements in paragraphs (a)(1) and (2) of this section.

(1) You must demonstrate compliance with the leak rate and cracking pressure requirements, specified in

item 1(g) of Table 1 to this subpart, for pressure-vacuum vent valves installed on your gasoline storage tanks using the test methods identified in paragraph (a)(1)(i) or paragraph (a)(1)(ii) of this section.

(i) 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 (incorporated by reference, see §63.14).

(ii) Use alternative test methods and procedures in accordance with the alternative test method requirements in §63.7(f).

(2) You must demonstrate compliance with the static pressure performance requirement specified in item 1(h) of Table 1 to this subpart for your vapor balance system by conducting a static pressure test on your gasoline storage tanks using the test methods identified in paragraphs (a)(2)(i), (a)(2)(ii), or (a)(2)(iii) of this section.

(i) 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 (incorporated by reference, see §63.14).

(ii) Use alternative test methods and procedures in accordance with the alternative test method requirements in §63.7(f).

(iii) Bay Area Air Quality Management District Source Test Procedure ST-30—Static Pressure Integrity Test—Underground Storage Tanks, adopted November 30, 1983, and amended December 21, 1994 (incorporated by reference, see §63.14).

(b) Each owner or operator choosing, under the provisions of §63.6(g), to use a vapor balance system other than that described in Table 1 to this subpart must demonstrate to the Administrator or delegated authority under paragraph §63.11131(a) of this subpart, the equivalency of their vapor balance system to that described in Table 1 to this subpart using the procedures specified in paragraphs (b)(1) through (3) of this section.

(1) You must demonstrate initial compliance by conducting an initial performance test on the vapor balance



system to demonstrate that the vapor balance system achieves 95 percent reduction using the 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, (incorporated by reference, see § 63.14).

(2) You must, during the initial performance test required under paragraph (b)(1) of this section, determine and document alternative acceptable values for the leak rate and cracking pressure requirements specified in item 1(g) of Table 1 to this subpart and for the static pressure performance requirement in item 1(h) of Table 1 to this subpart.

(3) You must comply with the testing requirements specified in paragraph (a) of this section.

(c) Conduct of performance tests. 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. 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.

(d) Owners and operators of gasoline cargo tanks subject to the provisions of Table 2 to this subpart must conduct annual certification testing according to the vapor tightness testing requirements found in § 63.11092(f).

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4182, Jan. 24, 2011]

#### NOTIFICATIONS, RECORDS, AND REPORTS

##### § 63.11124 What notifications must I submit and when?

(a) Each owner or operator subject to the control requirements in § 63.11117 must comply with paragraphs (a)(1) through (3) of this section.

(1) You must submit an Initial Notification that you are subject to this subpart by May 9, 2008, or at the time you become subject to the control requirements in § 63.11117, unless you meet the requirements in paragraph (a)(3) of this

section. If your affected source is subject to the control requirements in § 63.11117 only because it loads gasoline into fuel tanks other than those in motor vehicles, as defined in § 63.11132, you must submit the Initial Notification by May 24, 2011. The Initial Notification must contain the information specified in paragraphs (a)(1)(i) through (iii) of this section. The notification must be submitted to the applicable EPA Regional Office and delegated State authority as specified in § 63.13.

(i) The name and address of the owner and the operator.

(ii) The address (*i.e.*, physical location) of the GDF.

(iii) A statement that the notification is being submitted in response to this subpart and identifying the requirements in paragraphs (a) through (c) of § 63.11117 that apply to you.

(2) You must submit a Notification of Compliance Status to the applicable EPA Regional Office and the delegated State authority, as specified in § 63.13, within 60 days of the applicable compliance date specified in § 63.11113, unless you meet the requirements in paragraph (a)(3) of this section. The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy, must indicate whether the source has complied with the requirements of this subpart, and must indicate whether the facilities' monthly throughput is calculated based on the volume of gasoline loaded into all storage tanks or on the volume of gasoline dispensed from all storage tanks. If your facility is in compliance with the requirements of this subpart at the time the Initial Notification required under paragraph (a)(1) 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 (a)(1) of this section.

(3) 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 § 63.11117(b), you are not required to submit an Initial Notification or a Notification of Compliance Status under paragraph (a)(1) or paragraph (a)(2) of this section.

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(b) Each owner or operator subject to the control requirements in § 63.11118 must comply with paragraphs (b)(1) through (5) of this section.

(1) You must submit an Initial Notification that you are subject to this subpart by May 9, 2008, or at the time you become subject to the control requirements in § 63.11118. If your affected source is subject to the control requirements in § 63.11118 only because it loads gasoline into fuel tanks other than those in motor vehicles, as defined in § 63.11132, you must submit the Initial Notification by May 24, 2011. The Initial Notification must contain the information specified in paragraphs (b)(1)(i) through (iii) of this section. The notification must be submitted to the applicable EPA Regional Office and delegated State authority as specified in § 63.13.

(i) The name and address of the owner and the operator.

(ii) The address (i.e., physical location) of the GDF.

(iii) A statement that the notification is being submitted in response to this subpart and identifying the requirements in paragraphs (a) through (c) of § 63.11118 that apply to you.

(2) You must submit a Notification of Compliance Status to the applicable EPA Regional Office and the delegated State authority, as specified in § 63.13, in accordance with the schedule specified in § 63.9(h). The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy, must indicate whether the source has complied with the requirements of this subpart, and must indicate whether the facility's throughput is determined based on the volume of gasoline loaded into all storage tanks or on the volume of gasoline dispensed from all storage tanks. If your facility is in compliance with the requirements of this subpart at the time the Initial Notification required under paragraph (b)(1) 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 (b)(1) of this section.

(3) If, prior to January 10, 2008, you satisfy the requirements in both paragraphs (b)(3)(i) and (ii) of this section,

you are not required to submit an Initial Notification or a Notification of Compliance Status under paragraph (b)(1) or paragraph (b)(2) of this subsection.

(i) You operate a vapor balance system at your gasoline dispensing facility that meets the requirements of either paragraphs (b)(3)(i)(A) or (b)(3)(i)(B) of this section.

(A) Achieves emissions reduction of at least 90 percent.

(B) Operates using management practices at least as stringent as those in Table 1 to this subpart.

(ii) Your gasoline dispensing facility is in compliance with an enforceable State, local, or tribal rule or permit that contains requirements of either paragraphs (b)(3)(i)(A) or (b)(3)(i)(B) of this section.

(4) You must submit a Notification of Performance Test, as specified in § 63.9(e), prior to initiating testing required by § 63.11120(a) and (b).

(5) You must submit additional notifications specified in § 63.9, as applicable.

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 12276, Mar. 7, 2008; 76 FR 4182, Jan. 24, 2011]

### § 63.11125 What are my recordkeeping requirements?

(a) Each owner or operator subject to the management practices in § 63.11118 must keep records of all tests performed under § 63.11120(a) and (b).

(b) Records required under paragraph (a) of this section shall be kept for a period of 5 years and shall be made available for inspection by the Administrator's delegated representatives during the course of a site visit.

(c) Each owner or operator of a gasoline cargo tank subject to the management practices in Table 2 to this subpart must keep records documenting vapor tightness testing for a period of 5 years. Documentation must include each of the items specified in § 63.11094(b)(2)(i) through (viii). Records of vapor tightness testing must be retained as specified in either paragraph (c)(1) or paragraph (c)(2) of this section.

(1) The owner or operator must keep all vapor tightness testing records with the cargo tank.

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(2) As an alternative to keeping all records with the cargo tank, the owner or operator may comply with the requirements of paragraphs (c)(2)(i) and (ii) of this section.

(i) The owner or operator may keep records of only the most recent vapor tightness test with the cargo tank, and keep records for the previous 4 years at their office or another central location.

(ii) Vapor tightness testing records that are kept at a location other than with the cargo tank must be instantly available (*e.g.*, via e-mail or facsimile) to the Administrator's delegated representative during the course of a site visit or within a mutually agreeable time frame. Such records must be an exact duplicate image of the original paper copy record with certifying signatures.

(d) Each owner or operator of an affected source under this subpart shall keep records as specified in paragraphs (d)(1) and (2) of this section.

(1) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.

(2) Records of actions taken during periods of malfunction to minimize emissions in accordance with § 63.11115(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4183, Jan. 24, 2011]

### § 63.11126 What are my reporting requirements?

(a) Each owner or operator subject to the management practices in § 63.11118 shall report to the Administrator the results of all volumetric efficiency tests required under § 63.11120(b). Reports submitted under this paragraph must be submitted within 180 days of the completion of the performance testing.

(b) Each owner or operator of an affected source under this subpart shall report, by March 15 of each year, the number, duration, and a brief description of each type of malfunction which occurred during the previous calendar year and which caused or may have

caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with § 63.11115(a), including actions taken to correct a malfunction. No report is necessary for a calendar year in which no malfunctions occurred.

[76 FR 4183, Jan. 24, 2011]

## OTHER REQUIREMENTS AND INFORMATION

### § 63.11130 What parts of the General Provisions apply to me?

Table 3 to this subpart shows which parts of the General Provisions apply to you.

### § 63.11131 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 contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or tribal agency.

(c) The authorities that cannot be delegated to State, local, or tribal agencies are as specified in paragraphs (c)(1) through (3) of this section.

(1) Approval of alternatives to the requirements in §§ 63.11116 through 63.11118 and 63.11120.

(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 recordkeeping and reporting under

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§ 63.10(f), as defined in § 63.90, and as required in this subpart.

**§ 63.11132 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), or in subparts A and BBBBBB of this part. For purposes of this subpart, definitions in this section supersede definitions in other parts or subparts.

*Dual-point vapor balance system* means a type of vapor balance system in which the storage tank is equipped with an entry port for a gasoline fill pipe and a separate exit port for a vapor connection.

*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 cargo tank* means a delivery tank truck or railcar which is loading or unloading gasoline, or which has loaded or unloaded gasoline on the immediately previous load.

*Gasoline dispensing facility (GDF)* means any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or nonroad engine, including a nonroad vehicle or nonroad engine used solely for competition. These facilities include, but are not limited to, facilities that dispense gasoline into on- and off-road, street, or highway motor vehicles, lawn equipment, boats, test engines, landscaping equipment, generators, pumps, and other gasoline-fueled engines and equipment.

*Monthly throughput* means the total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at each GDF during a month. Monthly throughput is calculated by summing the volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the current day, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF

during the previous 364 days, and then dividing that sum by 12.

*Motor vehicle* means any self-propelled vehicle designed for transporting persons or property on a street or highway.

*Nonroad engine* means an internal combustion engine (including the fuel system) that is not used in a motor vehicle or a vehicle used solely for competition, or that is not subject to standards promulgated under section 7411 of this title or section 7521 of this title.

*Nonroad vehicle* means a vehicle that is powered by a nonroad engine, and that is not a motor vehicle or a vehicle used solely for competition.

*Submerged filling* means, for the purposes of this subpart, the filling of a gasoline storage tank through a submerged fill pipe whose discharge is no more than the applicable distance specified in § 63.11117(b) from the bottom of the tank. Bottom filling of gasoline storage tanks is included in this definition.

*Vapor balance system* means a combination of pipes and hoses that create a closed system between the vapor spaces of an unloading gasoline cargo tank and a receiving storage tank such that vapors displaced from the storage tank are transferred to the gasoline cargo tank being unloaded.

*Vapor-tight* means equipment that allows no loss of vapors. Compliance with vapor-tight requirements can be determined by checking to ensure that the concentration at a potential leak source is not equal to or greater than 100 percent of the Lower Explosive Limit when measured with a combustible gas detector, calibrated with propane, at a distance of 1 inch from the source.

*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) of this part.

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4183, Jan. 24, 2011]

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Pt. 63, Subpt. CCCCC, Table 2

TABLE 1 TO SUBPART CCCCC OF PART 63—APPLICABILITY CRITERIA AND MANAGEMENT PRACTICES FOR GASOLINE DISPENSING FACILITIES WITH MONTHLY THROUGHPUT OF 100,000 GALLONS OF GASOLINE OR MORE<sup>1</sup>

If you own or operate	Then you must
1. A new, reconstructed, or existing GDF subject to §63.11118.	Install and operate a vapor balance system on your gasoline storage tanks that meets the design criteria in paragraphs (a) through (h). (a) All vapor connections and lines on the storage tank shall be equipped with closures that seal upon disconnect. (b) The vapor line from the gasoline storage tank to the gasoline cargo tank shall be vapor-tight, as defined in §63.11132. (c) The vapor balance system shall be designed such that the pressure in the tank truck does not exceed 18 inches water pressure or 5.9 inches water vacuum during product transfer. (d) The vapor recovery and product adaptors, and the method of connection with the delivery elbow, shall be designed so as to prevent the over-tightening or loosening of fittings during normal delivery operations. (e) If a gauge well separate from the fill tube is used, it shall be provided with a submerged drop tube that extends the same distance from the bottom of the storage tank as specified in §63.11117(b). (f) Liquid fill connections for all systems shall be equipped with vapor-tight caps. (g) Pressure/vacuum (PV) vent valves shall be installed on the storage tank vent pipes. The pressure specifications for PV vent valves shall be: a positive pressure setting of 2.5 to 6.0 inches of water and a negative pressure setting of 6.0 to 10.0 inches of water. The total leak rate of all PV vent valves at an affected facility, including connections, shall not exceed 0.17 cubic foot per hour at a pressure of 2.0 inches of water and 0.63 cubic foot per hour at a vacuum of 4 inches of water. (h) The vapor balance system shall be capable of meeting the static pressure performance requirement of the following equation: $Pf = 2e^{-500.887/v}$ Where: Pf = Minimum allowable final pressure, inches of water. v = Total ullage affected by the test, gallons. e = Dimensionless constant equal to approximately 2.718. 2 = The initial pressure, inches water.
2. A new or reconstructed GDF, or any storage tank(s) constructed after November 9, 2006, at an existing affected facility subject to §63.11118.	Equip your gasoline storage tanks with a dual-point vapor balance system, as defined in §63.11132, and comply with the requirements of item 1 in this Table.

<sup>1</sup>The management practices specified in this Table are not applicable if you are complying with the requirements in §63.11118(b)(2), except that if you are complying with the requirements in §63.11118(b)(2)(i)(B), you must operate using management practices at least as stringent as those listed in this Table.

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 35944, June 25, 2008; 76 FR 4184, Jan. 24, 2011]

TABLE 2 TO SUBPART CCCCC OF PART 63—APPLICABILITY CRITERIA AND MANAGEMENT PRACTICES FOR GASOLINE CARGO TANKS UNLOADING AT GASOLINE DISPENSING FACILITIES WITH MONTHLY THROUGHPUT OF 100,000 GALLONS OF GASOLINE OR MORE

If you own or operate	Then you must
A gasoline cargo tank .....	Not unload gasoline into a storage tank at a GDF subject to the control requirements in this subpart unless the following conditions are met: (i) All hoses in the vapor balance system are properly connected, (ii) The adaptors or couplers that attach to the vapor line on the storage tank have closures that seal upon disconnect, (iii) All vapor return hoses, couplers, and adaptors used in the gasoline delivery are vapor-tight, (iv) All tank truck vapor return equipment is compatible in size and forms a vapor-tight connection with the vapor balance equipment on the GDF storage tank, and (v) All hatches on the tank truck are closed and securely fastened. (vi) The filling of storage tanks at GDF shall be limited to unloading from vapor-tight gasoline cargo tanks. Documentation that the cargo tank has met the specifications of EPA Method 27 shall be carried with the cargo tank, as specified in §63.11125(c).

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4184, Jan. 24, 2011]

TABLE 3 TO SUBPART CCCCC OF PART 63—APPLICABILITY OF GENERAL PROVISIONS

Citation	Subject	Brief description	Applies to subpart CCCCC
§ 63.1	Applicability	Initial applicability determination; applicability after standard established; permit requirements; extensions, notifications.	Yes, specific requirements given in § 63.11111.
§ 63.1(c)(2)	Title V Permit	Requirements for obtaining a title V permit from the applicable permitting authority.	Yes, § 63.11111(f) of subpart CCCCC exempts identified area sources from the obligation to obtain title V operating permits.
§ 63.2	Definitions	Definitions for part 63 standards	Yes, additional definitions in § 63.11132.
§ 63.3	Units and Abbreviations	Units and abbreviations for part 63 standards	Yes.
§ 63.4	Prohibited Activities and Circumvention.	Prohibited activities; Circumvention, severability	Yes.
§ 63.5	Construction/Reconstruction.	Applicability; applications; approvals	Yes, except that these notifications are not required for facilities subject to § 63.11116
§ 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)–(4)	Compliance Dates for New and Reconstructed Sources.	Standards apply at effective date; 3 years after effective date; upon startup; 10 years after construction or reconstruction commences for CAA section 112(f).	Yes.
§ 63.6(b)(5)	Notification	Must notify if commenced construction or reconstruction after proposal.	Yes.
§ 63.6(b)(6)	[Reserved].		
§ 63.6(b)(7)	Compliance Dates for New and Reconstructed Area Sources That Become Major.	Area sources that become major must comply with major source standards immediately upon becoming major, regardless of whether required to comply when they were an area source.	No.
§ 63.6(c)(1)–(2)	Compliance Dates for Existing Sources.	Comply according to date in this subpart, which must be no later than 3 years after effective date; for CAA section 112(f) standards, comply within 90 days of effective date unless compliance extension.	No, § 63.11113 specifies the compliance dates.
§ 63.6(c)(3)–(4)	[Reserved].		
§ 63.6(c)(5)	Compliance Dates for Existing Area Sources That Become Major.	Area sources That become major must comply with major source standards by date indicated in 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 § 63.11115 for general duty requirement.
63.6(e)(1)(ii)	Requirement to correct malfunctions ASAP.	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)–(3)	Methods for Determining Compliance.	Compliance based on performance test, operation and maintenance plans, records, inspection.	Yes.
§ 63.6(g)(1)–(3)	Alternative Standard	Procedures for getting an alternative standard	Yes.
§ 63.6(h)(1)	Compliance with Opacity/Visible Emission (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 of part 60 of this chapter and EPA Method 22 for VE in appendix A of part 60 of this chapter.	No.
§ 63.6(h)(2)(ii)	[Reserved].		

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Citation	Subject	Brief description	Applies to subpart CCCCC
§ 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), (iii)–(v)	Conducting Opacity/VE Observations.	Dates and schedule for conducting opacity/VE observations.	No.
§ 63.6(h)(5)(ii)	Opacity Test Duration and Averaging Times.	Must have at least 3 hours of observation with 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 rule 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 observation shows otherwise. Requirements for COMS to be probable evidence-proper maintenance, meeting Performance Specification 1 in appendix B of part 60 of this chapter, and data have not been altered.	No.
§ 63.6(h)(8)	Determining Compliance with Opacity/VE Standards.	Administrator will use all COMS, EPA Method 9 (in appendix A of part 60 of this chapter), and EPA Method 22 (in appendix A of 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)–(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)	CAA Section 114 Authority.	Administrator may require a performance test under CAA section 114 at any time.	Yes.
§ 63.7(b)(1)	Notification of Performance Test.	Must notify Administrator 60 days before the test.	Yes.
§ 63.7(b)(2)	Notification of Rescheduling.	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.
§ 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, § 63.11120(c) specifies conditions for conducting performance tests.

Citation	Subject	Brief description	Applies to subpart CCCCC
§ 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.
§ 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.
§ 63.7(h) .....	Waiver of Tests .....	Procedures for Administrator to waive performance test.	Yes.
§ 63.8(a)(1) .....	Applicability of Monitoring Requirements.	Subject to all monitoring requirements in standard.	Yes.
§ 63.8(a)(2) .....	Performance Specifications.	Performance Specifications in appendix B of 40 CFR part 60 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)–(3) .....	Multiple Effluents and Multiple Monitoring Systems.	Specific requirements for installing monitoring systems; must install on each 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.	No.
§ 63.8(c)(1) .....	Monitoring System Operation and Maintenance.	Maintain monitoring system in a manner consistent with good air pollution control practices.	No.
§ 63.8(c)(1)(i)–(iii) .....	Operation and Maintenance of Continuous Monitoring Systems (CMS).	Must maintain and operate each CMS as specified in § 63.6(e)(1); must keep parts for routine repairs readily available; must develop a written SSM plan for CMS, as specified in § 63.6(e)(3).	No.
§ 63.8(c)(2)–(8) .....	CMS Requirements .....	Must install to get representative emission or parameter measurements; must verify operational status before or at performance test.	No.
§ 63.8(d) .....	CMS Quality Control .....	Requirements for CMS quality control, including calibration, etc.; must keep quality control plan on record for 5 years; keep old versions for 5 years after revisions.	No.
§ 63.8(e) .....	CMS Performance Evaluation.	Notification, performance evaluation test plan, reports.	No.
§ 63.8(f)(1)–(5) .....	Alternative Monitoring Method.	Procedures for Administrator to approve alternative monitoring.	No.
§ 63.8(f)(6) .....	Alternative to Relative Accuracy Test.	Procedures for Administrator to approve alternative relative accuracy tests for continuous emissions monitoring system (CEMS).	No.
§ 63.8(g) .....	Data Reduction .....	COMS 6-minute averages calculated over at least 36 evenly spaced data points; CEMS 1 hour averages computed over at least 4 equally spaced data points; data that cannot be used in average.	No.
§ 63.9(a) .....	Notification Requirements.	Applicability and State delegation .....	Yes.
§ 63.9(b)(1)–(2), (4)–(5) .....	Initial Notifications .....	Submit notification within 120 days after effective date; notification of intent to construct/reconstruct, notification of commencement of construction/reconstruction, notification of startup; contents of each.	Yes.
§ 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.



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Citation	Subject	Brief description	Applies to subpart CCCCC
§ 63.9(d)	Notification of Special Compliance Requirements for New Sources.	For sources that commence construction between proposal and promulgation and want to comply 3 years after effective date.	Yes.
§ 63.9(e)	Notification of Performance Test.	Notify Administrator 60 days prior	Yes.
§ 63.9(f)	Notification of VE/Opa- city 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)–(6)	Notification of Compli- ance 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, however, there are no opacity standards.
§ 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 In- formation.	Must submit within 15 days after the change	Yes.
§ 63.10(a)	Recordkeeping/Report- ing.	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/Report- ing.	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 § 63.1125(d) for recordkeeping of (1) occurrence and duration and (2) ac- tions taken during malfunction.
§ 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)–(xi)	CMS Records	Malfunctions, inoperative, out-of-control periods	No.
§ 63.10(b)(2)(xii)	Records	Records when under waiver	Yes.
§ 63.10(b)(2)(xiii)	Records	Records when using alternative to relative accu- racy 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.
§ 63.10(d)(1)	General Reporting Re- quirements.	Requirement to report	Yes.
§ 63.10(d)(2)	Report of Performance Test Results.	When to submit to Federal or State authority	Yes.
§ 63.10(d)(3)	Reporting Opacity or VE Observations.	What to report and when	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. See § 63.1126(b) for malfunction report- ing requirements.
§ 63.10(e)(1)–(2)	Additional CMS Reports	Must report results for each CEMS on a unit; written copy of CMS performance evaluation; two-three copies of COMS performance eval- uation.	No.
§ 63.10(e)(3)(i)–(iii)	Reports	Schedule for reporting excess emissions	No.

Citation	Subject	Brief description	Applies to subpart CCCCC
§ 63.10(e)(3)(iv)–(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)–(8) and 63.10(c)(5)–(13).	No.
§ 63.10(e)(3)(iv)–(v) .....	Excess Emissions Reports.	Requirement to revert to quarterly submission if there is an excess emissions and parameter monitor 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)–(8) and 63.10(c)(5)–(13).	No, § 63.11130(K) specifies excess emission events for this subpart.
§ 63.10(e)(3)(vi)–(viii) .....	Excess Emissions Report and Summary Report.	Requirements for reporting excess emissions for CMS; requires all of the information in §§ 63.10(c)(5)–(13) and 63.8(c)(7)–(8).	No.
§ 63.10(e)(4) .....	Reporting COMS Data	Must submit COMS data with performance test data.	No.
§ 63.10(f) .....	Waiver for Record-keeping/Reporting.	Procedures for Administrator to waive .....	Yes.
§ 63.11(b) .....	Flares .....	Requirements for flares .....	No.
§ 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.

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4184, Jan. 24, 2011]

**Subpart DDDDDD—National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources**

SOURCE: 72 FR 2943, Jan. 23, 2007, unless otherwise noted.

**APPLICABILITY AND COMPLIANCE DATES**

**§ 63.11140 Am I subject to this subpart?**

(a) On or before April 17, 2012, you are subject to this subpart if you own or operate a plant specified in § 61.61(c) of this chapter that produces polyvinyl chloride (PVC) or copolymers and is an area source of hazardous air pollutant (HAP) emissions. After April 17, 2012,

you are subject to the requirements in this subpart if you own or operate one or more polyvinyl chloride and copolymers process units (PVCPUs), as defined in § 63.12005, that are located at, or are part of, an area source of HAP.

(b) On or before April 17, 2012, this subpart applies to each new or existing affected source. The affected source is the collection of all equipment and activities in vinyl chloride service necessary to produce PVC and copolymers. An affected source does not include portions of your PVC and copolymers production operations that meet the criteria in § 61.60(b) or (c) of this chapter. After April 17, 2012, this subpart applies to each polyvinyl chloride and copolymers production affected source. The polyvinyl chloride and copolymers production affected source is the facility-wide collection of PVCPUs, storage vessels, heat exchange systems, surge control vessels, and wastewater and