ADEQ

ARKANSAS
Department of Environmental Quality

July 1, 2015

Thomas Holte
Environmental Manager
Green Bay Packaging Inc. - Arkansas Kraft Division
338 Highway 113
Morrilton, AR 72110

Dear Mr. Holte:

The enclosed Permit No. 0224-AOP-R17 is your authority to construct, operate, and maintain the equipment and/or control apparatus as set forth in your application initially received on 11/4/2014.

After considering the facts and requirements of A.C.A. §8-4-101 et seq. as referenced by §8-4-304, and implementing regulations, I have determined that Permit No. 0224-AOP-R17 for the construction and operation of equipment at Green Bay Packaging Inc. - Arkansas Kraft Division shall be issued and effective on the date specified in the permit, unless a Commission review has been properly requested under Arkansas Department of Pollution Control & Ecology Commission's Administrative Procedures, Regulation 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, Administrative Procedures, Arkansas Pollution Control and Ecology Commission. Such a request shall be in the form and manner required by Regulation 8.603, including filing a written Request for Hearing with the APC&E Commission Secretary at 101 E. Capitol Ave., Suite 205, Little Rock, Arkansas 72201. If you have any questions about filing the request, please call the Commission at 501-682-7890.

Sincerely,

Stuart Spencer
Chief, Air Division

Enclosure: Final Permit

# ADEQ
# OPERATING
# AIR PERMIT

Pursuant to the Regulations of the Arkansas Operating Air Permit Program, Regulation 26:

Permit No. : 0224-AOP-R17

IS ISSUED TO:

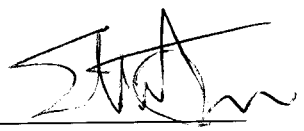
Green Bay Packaging Inc. - Arkansas Kraft Division
338 Highway 113 South
Morrilton, AR 72110
Conway County
AFIN: 15-00001

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:

April 18, 2011 AND April 17, 2016

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

Signed:



Stuart Spencer
Chief, Air Division

July 1, 2015
Date

Green Bay Packaging Inc. - Arkansas Kraft Division
Permit #: 0224-AOP-R17
AFIN: 15-00001

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List of Acronyms and Abbreviations

| | |
|---|---|
| A.C.A. | Arkansas Code Annotated |
| AFIN | ADEQ 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 |
| $NO_x$ | Nitrogen Oxide |
| PM | Particulate Matter |
| $PM_{10}$ | Particulate Matter Smaller Than Ten Microns |
| SNAP | Significant New Alternatives Program (SNAP) |
| $SO_2$ | Sulfur Dioxide |
| SSM | Startup, Shutdown, and Malfunction Plan |
| Tpy | Tons Per Year |
| UTM | Universal Transverse Mercator |
| VOC | Volatile Organic Compound |

## SECTION I: FACILITY INFORMATION

| | |
|---|---|
| PERMITTEE: | Green Bay Packaging Inc. - Arkansas Kraft Division |
| AFIN: | 15-00001 |
| PERMIT NUMBER: | 0224-AOP-R17 |
| FACILITY ADDRESS: | 338 Highway 113 South<br>Morrilton, AR 72110 |
| MAILING ADDRESS: | 338 Highway 113<br>Morrilton, AR 72110 |
| COUNTY: | Conway County |
| CONTACT NAME: | Thomas Holte |
| CONTACT POSITION: | Environmental Manager |
| TELEPHONE NUMBER: | (501) 354-9289 |
| REVIEWING ENGINEER: | Kimberly O'Guinn |
| UTM North South (Y): | Zone 15: 3883770.60 m |
| UTM East West (X): | Zone 15: 523684.37 m |

## SECTION II: INTRODUCTION

### Summary of Permit Activity

Green Bay Packaging, Inc.-Arkansas Kraft Division (AKD) of 338 Highway 113, Morrilton, Conway County, Arkansas 72110 has owned and operated a fully integrated kraft pulp and paper mill in Oppelo, near Morrilton, since 1965. This modification is to replace the wet press section of the #1 Paper Machine (SN-25A), replace structural steel components in the dryer section, upgrade the electrical drive system, upgrade the stock prep area of the machine and install an automated felt wash system. The modifications will be made in phases with the replacement of the press section being the first and predominant change. The modifications will allow for an increase in the annual production from the #1 Paper Machine but these changes will not exceed the current production limit of 301,750 tons (12-month rolling total).

The source description of the Slaker/Causticizers (SN-36) was also revised to better define the emissions.

HAP permitted emission limits associated with the emergency engines (SN-41, SN-42, SN-43, SN-45 and SN-47) have been rounded to the nearest one-hundredth place to adhere to ADEQ's rounding guidelines.

Total permitted emissions will increase by 5.6 tons/year PM and16.6 tpy $PM_{10}$. VOC total permitted emission will decrease by 66.9 tpy and total HAPs will decrease by 17.38 tpy.

### Process Description

#### Chip Handling System

Wood chips are brought into the mill and unloaded by hydraulic dump. The chips are then conveyed to the chip piles. The wood chips from the chip pile are reclaimed, sized, conditioned, and then conveyed to the batch digesters.

#### Digesting and Washing

Wood chips and sawdust are loaded into one of five batch digesters, along with an aqueous solution of sodium hydroxide and sodium sulfide (white liquor). Each loaded digester is then placed under high temperature and pressure using steam. The chipped wood is cooked to separate the wood fibers from the lignin that binds the fibers together. The cycle time for each batch is one to two hours. During cooking, some gases are vented into the turpentine recovery system which is described below.

Once the cooking time is complete, the resulting mixture is released (blown) to atmospheric pressure in blow tanks. The pressure reduction helps to separate the wood materials. Vent gases from the blow tanks are fed to the blow heat recovery system. The pulp and liquor mixture is then processed through fibrilizers to break up large particles.

After passing through the fibrilizers, the pulp is refined and screened. Rejects from the screening operation are returned to the rejects tanks, then to the blow tanks, and the remaining pulp is fed to the pulp washers.

The pulp is washed using counter current drum washers to remove organic and inorganic chemicals (black liquor); defoamers and $CO_2$ are also added. This is accomplished by introducing shower water in the last stage of washing. Filtrate from each drum gravity flows to a tank and is used on the prior stage as shower liquid. The recovered chemicals are pumped from the #1 seal tanks, filtered to remove fiber, and sent to weak liquor storage. Washed pulp is stored in the base Hi-D and top Hi-D tanks for use in the paper machine area.

Non-condensable gases are passed through the two control systems, LVHC (Low Volume High Concentration) and HVLC (High Volume Low Concentration). Pulping wood releases numerous HAP compounds that do not condense out in other processes. In the LVHC system, the non-condensable gases are conditioned in a white liquor scrubber and then combusted in the #2 Lime Kiln (SN-08) or the NCG Incinerator (SN-22).

The HVLC Collection System collects vapors from the brownstock washers, tanks associated with the washers, and the Condensate Collection Tank. It consists of hoods that cover the drums of the washers, lines from the hoods and tanks, a condenser to reduce moisture, a fan and a line into the incineration control device. The incineration occurs at the #3 Wood Waste Boiler (SN-04) and the #3 Package Boiler (SN-46) as a backup.

**Blow Heat Recovery**

Gases from the blow tanks pass to the primary separator to remove any entrained black liquor. The gases then enter the accumulator where they are cooled by recirculating water. The uncondensed vapor is passed to the secondary condenser. The remaining non-condensable gases (NCGs) are transported to the lime kiln for incineration. In the event that the NCGs can not be burned in the lime kiln, they are routed to the NCG flare for destruction.

The water in the accumulator is cooled by heat exchangers and returned to the accumulator. The cooling water for the heat exchangers is circulated through a cooling tower and then sent to the recycle fiber system or returned to the heat exchangers.

**Black Liquor and Chemical Recovery**

Black liquor containing sodium sulfate, organic and inorganic sulfur compounds, sodium hydroxide and lignin is pumped from weak black liquor storage to the evaporator train where the excess water is removed to increase the black liquor solids content. Black liquor entering the chemical recovery area contains approximately 13 percent solids and is evaporated to between 65 and 80 percent solids in a multiple effect evaporator train.

At the optimum point, tall oil soap is removed from the black liquor by a skimmer and pumped to the tall oil plant. A vacuum is created on the evaporators by surface condensers and the resulting warm water is sent to various areas throughout the plant. Under upset conditions, hogging jets are used to pull vacuum for the evaporators. The concentrated black liquor is stored in tanks and used as fuel for the recovery boiler.

In the recovery boiler, the concentrated black liquor is burned to create heat and steam for various plant processes. Inorganic salts fall to the floor of the furnace as a molten smelt. This smelt flows from the furnace and is combined with weak wash from the recausticizing area to form a mixture of sodium carbonate and sodium sulfide known as green liquor. The green liquor is pumped back to the recausticizing area.

**Recausticizing and Lime Recovery**

Green liquor from the chemical recovery operation is pumped to a blend tank and then to green liquor clarifiers. The clarifiers remove dregs from the green liquor. The dregs are stored in a storage tank before being washed and removed from the system. The green liquor is stored in green liquor storage tanks before being pumped to the slaker.

In the slaker, the green liquor is combined with fresh lime and/or reburned lime from the lime kiln to form a sodium hydroxide and calcium carbonate mixture. The mixture is transferred to the white liquor clarifiers where the lime mud precipitates. The white liquor is then stored in the white liquor storage tanks before being added to the digesters for the chip cooking process. Rejects from the system are washed and removed from the system.

The lime mud is removed from the white liquor clarifiers by underflow and sent to the mud washers. In the mud washers, the lime mud is washed with water and the resulting filtrate (weak wash) is sent to the weak wash storage tanks to be used for dissolving smelt to form green liquor. The washed lime mud is pumped to the lime mud storage tanks to be fed to the lime mud filter. After passing over the lime mud filter, the lime mud is conveyed into the lime kiln to be calcined to form quick lime. Lime from the lime kiln is stored in silos before being combined with green liquor in the slaker to form white liquor.

**Turpentine Recovery Plant**

Vent gases from the digesters enter a separator to remove entrained black liquor and moisture. Removed liquid is returned to the blow tanks and the gases pass to a condenser. From the condenser, the turpentine/water mixture flows to the turpentine decanter. Any non-condensable gases from the condenser are collected in the LVHC System and are transported to the lime kiln or flare for incineration. The turpentine/water mixture in the decanter separates, and the turpentine is removed for storage. The turpentine is loaded for shipment and the water is sent to the accumulator in the blow heat recovery system or burned in the #2 Lime Kiln (SN-08).

**Tall Oil Plant**

Tall oil soap from the black liquor recovery cycle is stored in soap storage tanks. The soap is then transferred to the reactor with water and mixed with acid and steam. The mixture is transferred to the decanters and tall oil and brine are allowed to separate. After separation, tall oil is stored in the crude tall oil storage tanks. The brine solution is pumped from the decanters to the #1 Brine Storage for pH adjustment, passed to the #2 Brine Storage, and pumped to the black liquor recovery system. The tall oil is pumped from the storage for shipment.

**Boiler Complex**

Steam is generated using several boilers. The recovery boiler has already been described as using spent cooking liquor as its primary fuel source and natural gas for backup fuel. The power boiler (SN-15) use natural gas as its primary fuel with fuel oil for backup fuel. The wood waste boiler (SN-04) uses wood waste as the primary fuel and natural gas as the backup fuel. Wood waste is delivered by truck to the mill and unloaded by hydraulic dump onto a wood waste pile. The wood waste is reclaimed from the wood waste pile by conveyor and transported to the wood waste boilers. The new boiler (#3 Package Boiler) uses natural gas as the primary fuel with fuel oil for backup fuel.

**Paper Machines**

Virgin pulp fiber that has been pulped and washed to remove cooking liquors, is stored. Pulp is transferred from storage to the level chest. The first stage of refining takes place between the level chest and the machine chest. In the machine chest, fan pump, or head box, the pulp may be mixed with various recycled fibers and additives that aid in the manufacture of paper, to form the furnish for the paper machine. The resulting furnish is pumped from the machine chest, through a second stage of refining and to the head box. The head box delivers the dilute furnish on to an endless moving mesh fabric. Excess water is removed from the furnish as it travels with the moving fabric.

A second furnish is created by using either virgin or recycled pulp. Either virgin pulp from storage or recycled pulp is transferred to the level chest. After the level chest, the pulp is refined and conveyed to the machine chest. From the machine chest the furnish is refined a second time and transferred into the secondary head box. Final dilution of the furnish is applied prior to delivery by the secondary head box onto the traveling mesh fabric. Excess water is removed.

As the water is removed from the traveling fabric, the fibers of the furnish are formed into a cohesive web. The web is pressed between rollers. Following the pressing operation, the web is dried by passing over metal vessels heated with steam. After drying is complete, the dry web of paper is wound into a large parent roll, cut to order, and shipped. The paper mill generates several grades of paper from the two paper machines.

Water that has been removed from the furnish is recycled into the process for reuse on the paper machine, and/or sent to the recycling area, and/or sewered. Excess water from the paper mill is discharged to the wastewater treatment system.

**Recycling Area**

Post consumer recycle material in the form of cardboard, newspaper, printers waste, and office waste are mixed with water to produce a slurry of paper fiber, contaminants, and water in the pulpers of the recycling plants. After slurrying, the pulp is diluted prior to the screening and cleaning operations. Cleaned pulp is thickened prior to storage. Water removed from the pulp during thickening is cleaned and recycled into the process or sewered to the wastewater treatment system.

Thickened pulp is stored in one of the two high density storage chests for transport to the paper machines. Contaminants removed from the pulp stream are put into the mill waste water system. The recycling area generates several types of pulp furnish for the paper machines.

**Water Treatment**

Water from the Arkansas River is used for mill water supply. Water purchased from Conway County Regional Water Distribution District is used for steam generation in the boilers. The river water is placed in a settling clarifier with polymers and other water clarification aids to assist in settling solids. Disinfection is controlled by the addition of sodium hypochlorite or other disinfectants to the water. The purchased water is processed through demineralizer units.

Liquid urea and phosphoric acid can be added to the waste water to increase the biological development in the aerated settling basin and the hydrographic control basin/post aeration basin.

## Regulations

The following table contains the regulations applicable to this permit.

| Regulations |
|---|
| Arkansas Air Pollution Control Code, Regulation 18, effective June 18, 2010 |
| Regulations of the Arkansas Plan of Implementation for Air Pollution Control, Regulation 19, effective September 13, 2014 |
| Regulations of the Arkansas Operating Air Permit Program, Regulation 26, effective November 18, 2012 |
| 40 C.F.R 60, Subpart Db, New Source Performance Standards for Industrial Steam Generating Units, effective December 16, 1987 |
| 40 C.F.R 60, Subpart BB, New Source Performance Standards for Kraft Pulp Mills, effective May 20, 1986 |
| 40 C.F.R Part 60, Subpart IIII, New Source Performance Standards for Stationary Compression Ignition Internal Combustion Engines |
| 40 C.F.R Part 60, Subpart JJJJ, New Source Performance Standards for Stationary Spark Ignition Internal Combustion Engines |
| 40 C.F.R 61, Subpart M, National Emission Standard for Hazardous Air Pollutants for Renovation/Demolition of Asbestos |
| 40 C.F.R 63, Subpart S, National Emission Standard for Hazardous Air Pollutants from the Pulp and Paper Industry, effective April 15, 1998 |
| 40 C.F.R 63, Subpart MM, National Emission Standard for Hazardous Air Pollutants for Chemical Recovery Combustion Units at Kraft Pulp Mills with a compliance date of 3/12/04. |
| 40 C.F.R 63, Subpart RR, National Emission Standards for Individual Drain Systems, effective July 1, 1996 |
| 40 C.F.R Part 63, Subpart DDDDD, National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters |
| 40 C.F.R Part 63, Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines |
| 40 C.F.R 64, Compliance Assurance Monitoring, effective October 22, 1997 |

This facility is classified as a major source of greenhouse gas emissions.

## 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[1] | | PM | 556.0 | 1033.8 |
| | | $PM_{10}$ | 318.5 | 653.3 |
| | | $SO_2$ | 127.0 | 267.8 |
| | | VOC | 444.4 | 1281.5 |
| | | CO | 1342.3 | 1394.6 |
| | | $NO_X$ | 313.7 | 990.6 |
| | | Lead | 0.06 | 0.27 |

| EMISSION SUMMARY | | | | |
|---|---|---|---|---|
| Source Number | Description | Pollutant | Emission Rates | |
| | | | lb/hr | tpy |
| HAPs<br>* = Not included in VOC or PM total | | Acetaldehyde | 7.78 | 29.93 |
| | | Acrolein | 2.71 | 11.56 |
| | | Benzene | 2.72 | 11.63 |
| | | Biphenyl | 0.63 | 2.45 |
| | | 1,3 Butadiene | 0.05 | 0.05 |
| | | Carbon Disulfide | 0.11 | 0.40 |
| | | Chloroform | 0.09 | 0.33 |
| | | 1,2-Dichlorethylene | 0.34 | 1.27 |
| | | Formaldehyde | 4.04 | 16.91 |
| | | n-Hexane | 0.36 | 1.58 |
| | | Hydrogen Chloride* | 14.65 | 63.17 |
| | | Manganese | 0.98 | 4.3 |
| | | Methanol | 76.59 | 234.26 |
| | | Methyl Isobutyl Ketone | 0.09 | 0.33 |
| | | Methylene Chloride | 0.32 | 1.20 |
| | | Napthalene | 0.28 | 0.91 |
| | | Phenol | 0.31 | 0.91 |
| | | Proprionaldehyde | 0.03 | 0.12 |
| | | Styrene | 1.25 | 5.41 |
| | | Tetrachloroethylene | 0.26 | 0.97 |
| | | Toluene | 0.76 | 3.07 |
| | | 1,2,4 Trichlorobenzene | 0.30 | 1.14 |
| | | 1,1,1-Trichloroethane | 0.08 | 0.26 |
| | | 1,1,2-Trichloroethane | 0.08 | 0.29 |
| | | Trichloroethylene | 0.15 | 0.56 |
| | | m,p Xylene | 0.07 | 0.25 |
| | | o Xylene | 0.06 | 0.22 |
| Air Contaminants *<br>* = Not included in VOC or PM total | | Acetone* | 3.50 | 9.02 |
| | | Butane | 0.42 | 1.85 |
| | | Ammonia* | 11.34 | 44.97 |
| | | Ethane | 0.62 | 2.73 |
| | | Methane | 160.19 | 701.62 |
| | | Pentane | 0.52 | 2.29 |
| | | Propane | 0.32 | 1.41 |
| | | Propylene | 0.03 | 0.03 |
| | | Sulfuric Acid* | 1.08 | 4.38 |
| | | TRS | 66.91 | 203.51 |
| 01 | Wood Waste Dryer | Removed From Service | | |

| EMISSION SUMMARY | | | | |
|---|---|---|---|---|
| Source Number | Description | Pollutant | Emission Rates | |
| | | | lb/hr | tpy |
| 02 | #1 Wood Waste Boiler | PM | 372.0 | 420.0 |
| | | $PM_{10}$ | 191.0 | 215.0 |
| | | $SO_2$ | 4.1 | 18.0 |
| | | VOC | 116.0 | 15.0 |
| | | CO | 956.5 | 326.0 |
| | | $NO_X$ | 57.0 | 15.0 |
| | | Lead | 0.01 | 0.03 |
| | | Acetaldehyde | 0.13 | 0.59 |
| | | Acetone | 0.03 | 0.13 |
| | | Acrolein | 0.65 | 2.84 |
| | | Benzene | 0.68 | 2.98 |
| | | Formaldehyde | 0.71 | 3.12 |
| | | Hydrogen Chloride | 3.08 | 13.50 |
| | | Manganese | 0.26 | 1.14 |
| | | Styrene | 0.31 | 1.35 |
| | | Toluene | 0.15 | 0.65 |
| 03 | #2 Wood Waste Boiler | Removed From Service | | |
| 04 | #3 Wood Waste Boiler | PM | 45.2 | 145.0 |
| | | $PM_{10}$ | 45.2 | 145.0 |
| | | $SO_2$ | 9.6 | 42.0 |
| | | VOC | 22.5 | 40.0 |
| | | CO | 135.6 | 290.0 |
| | | $NO_X$ | 135.6 | 593.9 |
| | | Lead | 0.02 | 0.10 |
| | | Acetaldehyde | 0.38 | 1.64 |
| | | Acetone | 0.09 | 0.38 |
| | | Acrolein | 1.81 | 7.92 |
| | | Benzene | 1.90 | 8.32 |
| | | Formaldehyde | 1.99 | 8.71 |
| | | Hydrogen Chloride | 8.59 | 37.62 |
| | | Manganese | 0.72 | 3.16 |
| | | Napthalene | 0.04 | 0.20 |
| | | Propionaldehyde | 0.03 | 0.12 |
| | | Styrene | 0.86 | 3.76 |
| | | Toluene | 0.42 | 1.82 |

| EMISSION SUMMARY | | | | |
|---|---|---|---|---|
| Source Number | Description | Pollutant | Emission Rates | |
| | | | lb/hr | tpy |
| 05A | Recovery Boiler East/West Stacks<br><br>(Previously SN-05 and SN-06) | PM | 30.0 | 93.2 |
| | | $PM_{10}$ | 12.0 | 38.0 |
| | | $SO_2$ | 60.0 | 157.9 |
| | | VOC | 10.0 | 19.7 |
| | | CO | 223.1 | 674.8 |
| | | $NO_X$ | 80.0 | 280.6 |
| | | Lead | 0.01 | 0.10 |
| | | Benzene | 0.04 | 0.14 |
| | | Fomaldehyde | 0.26 | 1.05 |
| | | Hydrogen Chloride | 2.98 | 12.05 |
| | | Methanol | 2.38 | 9.64 |
| | | Methylene Chloride | 0.03 | 0.11 |
| | | Tetrachloroethylene | 0.03 | 0.11 |
| | | Sulfuric Acid | 1.08 | 4.38 |
| | | 1,2,4-Trichlorobenzene | 0.04 | 0.17 |
| | | TRS | 33.81 | 148.10 |
| 07 | Smelt Dissolving Tank Vent | PM | 8.9 | 35.7 |
| | | $PM_{10}$ | 8.9 | 35.7 |
| | | $SO_2$ | 0.3 | 1.1 |
| | | VOC | 0.6 | 2.2 |
| | | $NO_X$ | 1.1 | 4.4 |
| | | Lead | 0.01 | 0.02 |
| | | Formaldehyde | 0.19 | 0.77 |
| | | Methanol | 0.50 | 2.04 |
| | | Naphthalene | 0.03 | 0.11 |
| | | Ammonia | 6.50 | 26.28 |
| | | TRS | 1.82 | 7.36 |
| 08 | #2 Lime Kiln | PM | 35.2 | 154.2 |
| | | $PM_{10}$ | 35.2 | 154.2 |
| | | $SO_2$ | 0.8 | 15.0 |
| | | VOC | 0.3 | 15.0 |
| | | CO | 4.5 | 21.3 |
| | | $NO_X$ | 8.4 | 45.0 |
| | | Lead | 0.01 | 0.02 |
| | | Methanol | 0.96 | 0.34 |
| | | Naphthalene | 0.16 | 0.55 |
| | | TRS | 6.43 | 28.15 |
| 9 | #1 Lime Kiln | Removed From Service | | |

| EMISSION SUMMARY | | | | |
|---|---|---|---|---|
| Source Number | Description | Pollutant | Emission Rates | |
| | | | lb/hr | tpy |
| 10 | NCG Emergency Vent | Removed From Service | | |
| 11 | Brownstock Washers | Emissions Routed to SN-04 | | |
| 12 | Wastewater Treatment | VOC<br>Acetaldehyde<br>Methanol | 19.3<br>2.05<br>17.22 | 72.9<br>7.76<br>65.16 |
| 13 | #1 Slaker | Removed From Service | | |
| 14 | #1 Package Boiler | Removed From Service | | |
| 15 | #2 Package Boiler | PM<br>$PM_{10}$<br>$SO_2$<br>VOC<br>CO<br>$NO_X$<br>Butane<br>Ethane<br>Hexane<br>Methane<br>Pentane<br>Propane | 1.6<br>1.6<br>1.5<br>1.2<br>16.9<br>13.8<br>0.42<br>0.62<br>0.36<br>0.46<br>0.52<br>0.32 | 6.7<br>6.7<br>6.6<br>4.9<br>74.0<br>39.0<br>1.85<br>2.73<br>1.58<br>2.02<br>2.29<br>1.41 |
| 16 | Blow Heat Emergency Vent | Emergency Use Only.<br>Not a Source. | | |
| 17 | Tall Oil Plant Reactor | VOC<br>Acetone<br>Methanol<br>Phenol<br>TRS | 5.9<br>0.12<br>0.47<br>0.10<br>0.21 | 15.0<br>0.17<br>0.70<br>0.14<br>0.30 |
| 18 | #1 Lime Silo<br>(Sodium Carbonate) | Moved to Insignificant Activities | | |
| 19 | #2 Lime Silo | Moved to Insignificant Activities | | |
| 20 | Starch Silo | Moved to Insignificant Activities | | |
| 21 | Lime Silo-Water Plant | Moved to Insignificant Activities | | |
| 22 | NCG Flare | $SO_2$ | 49.1 | 26.3 |

| EMISSION SUMMARY | | | | |
|---|---|---|---|---|
| Source Number | Description | Pollutant | Emission Rates | |
| | | | lb/hr | tpy |
| 23 | Batch Digesters | VOC | 1.9 | 15.0 |
| | | Acetaldehyde | 0.04 | 0.15 |
| | | Methanol | 0.77 | 2.83 |
| | | TRS | 0.32 | 9.0 |
| 24 | Wood Yard Fugitives | PM | 1.6 | 2.2 |
| | | $PM_{10}$ | 0.8 | 1.0 |
| | | VOC | 202.5 | 887.0 |
| 25A | #1 Paper Machine | PM | 0.8 | 3.1 |
| | | $PM_{10}$ | 2.4 | 9.1 |
| | | VOC | 31.4 | 110.0 |
| | | Acetone | 1.10 | 4.00 |
| | | Acetaldehyde | 2.90 | 10.90 |
| | | Acrolein | 0.13 | 0.48 |
| | | Benzene | 0.03 | 0.09 |
| | | Biphenyl | 0.29 | 1.10 |
| | | Carbon Disulfide | 0.05 | 0.18 |
| | | Chloroform | 0.04 | 0.15 |
| | | 1,2-Dichlorethylene | 0.22 | 0.81 |
| | | Formaldehyde | 0.55 | 2.05 |
| | | Methanol | 23.3 | 87.6 |
| | | Methyl Isobutyl Ketone | 0.06 | 0.21 |
| | | Methylene Chloride | 0.17 | 0.62 |
| | | Phenol | 0.10 | 0.34 |
| | | Styrene | 0.05 | 0.19 |
| | | Tetrachloroethylene | 0.15 | 0.56 |
| | | Toluene | 0.07 | 0.28 |
| | | 1,2,4-Trichlorobenzene | 0.17 | 0.62 |
| | | 1,1,1-Trichloroethane | 0.05 | 0.16 |
| | | 1,1,2-Trichloroethane | 0.05 | 0.19 |
| | | Trichloroethylene | 0.10 | 0.36 |
| | | m,p Xylene | 0.04 | 0.16 |
| | | o Xylene | 0.04 | 0.14 |

| EMISSION SUMMARY | | | | |
|---|---|---|---|---|
| Source Number | Description | Pollutant | Emission Rates | |
| | | | lb/hr | tpy |
| 25 B | #2 Paper Machine | PM | 0.7 | 2.5 |
| | | $PM_{10}$ | 1.9 | 7.5 |
| | | VOC | 26.2 | 83.7 |
| | | Acetone | 0.60 | 2.50 |
| | | Acetaldehyde | 1.64 | 6.55 |
| | | Acrolein | 0.07 | 0.27 |
| | | Benzene | 0.02 | 0.05 |
| | | Biphenyl | 0.34 | 1.35 |
| | | Carbon Disulfide | 0.06 | 0.22 |
| | | Chloroform | 0.05 | 0.18 |
| | | 1,2-Dichlorethylene | 0.12 | 0.46 |
| | | Formaldehyde | 0.29 | 1.16 |
| | | Methanol | 15.56 | 61.90 |
| | | Methyl Isobutyl Ketone | 0.03 | 0.12 |
| | | Methylene Chloride | 0.12 | 0.47 |
| | | Phenol | 0.11 | 0.43 |
| | | Styrene | 0.03 | 0.11 |
| | | Tetrachloroethylene | 0.08 | 0.30 |
| | | Toluene | 0.07 | 0.27 |
| | | 1,2,4-Trichlorobenzene | 0.09 | 0.35 |
| | | 1,1,1-Trichloroethane | 0.03 | 0.10 |
| | | 1,1,2-Trichloroethane | 0.03 | 0.10 |
| | | Trichloroethylene | 0.05 | 0.20 |
| | | m,p Xylene | 0.03 | 0.09 |
| | | o Xylene | 0.02 | 0.08 |
| 26 | Basement Air Make-up Heater #1 | PM | 0.1 | 0.4 |
| | | $PM_{10}$ | 0.1 | 0.4 |
| | | $SO_2$ | 0.1 | 0.1 |
| | | VOC | 0.1 | 0.3 |
| | | CO | 0.8 | 3.6 |
| | | $NO_X$ | 1.0 | 4.3 |
| 27 | Basement Air Make-up Heater #2 | PM | 0.1 | 0.4 |
| | | $PM_{10}$ | 0.1 | 0.4 |
| | | $SO_2$ | 0.1 | 0.1 |
| | | VOC | 0.1 | 0.3 |
| | | CO | 0.8 | 3.6 |
| | | $NO_X$ | 1.0 | 4.3 |
| 28 | Pocket Vent System Heater #1 | Moved to Insignificant Activities | | |

| EMISSION SUMMARY | | | | |
|---|---|---|---|---|
| Source Number | Description | Pollutant | Emission Rates | |
| | | | lb/hr | tpy |
| 29 | Pocket Vent System Heater #2 | Moved to Insignificant Activities | | |
| 30 | Landfill | VOC<br>Methane | 1.9<br>159.73 | 8.3<br>699.60 |
| 31 | Weak Black Liquor Tanks | VOC<br>Acetone<br>TRS | 3.5<br>0.07<br>0.44 | 15.4<br>0.28<br>1.93 |
| 32 | Green Liquor Tanks | VOC<br>Acetone<br>TRS | 8.3<br>0.08<br>0.26 | 34.2<br>0.34<br>1.14 |
| 33 | Small Fuel Oil Storage Tanks | Moved to Insignificant Activities | | |
| 34 | Turpentine Storage Tanks | Moved to Insignificant Activities | | |
| 35 | Turpentine Loading Operation | Moved to Insignificant Activities | | |
| 36 | Slaker/Causticizers | VOC<br>Acetaldehyde<br>Acetone<br>Ammonia<br>Methanol | 1.2<br>0.59<br>0.21<br>4.84<br>0.59 | 7.0<br>2.29<br>0.82<br>18.69<br>2.27 |
| 37 | LVHC Collection System | VOC<br>Methanol<br>TRS | 12.9<br>12.92<br>4.90 | 1.1<br>1.13<br>0.43 |
| 38 | HVLC Collection System | VOC<br>Acetone<br>Methanol<br>TRS | 1.9<br>1.20<br>1.92<br>18.72 | 0.7<br>0.40<br>0.65<br>7.10 |
| 39 | Pulping Process Condensate Collection | Recycled To SN-11 as Shower Water | | |
| 40 | Mill Roads | PM<br>$PM_{10}$ | 58.4<br>17.9 | 169.7<br>39.6 |

| EMISSION SUMMARY | | | | |
|---|---|---|---|---|
| Source Number | Description | Pollutant | Emission Rates | |
| | | | lb/hr | tpy |
| 41 | Back-up Fire Water Pump Engine | PM | 0.4 | 0.1 |
| | | $PM_{10}$ | 0.4 | 0.1 |
| | | $SO_2$ | 0.4 | 0.1 |
| | | VOC | 0.4 | 0.1 |
| | | CO | 1.1 | 0.3 |
| | | $NO_X$ | 5.0 | 1.3 |
| | | Acetaldehyde | 0.01 | 0.01 |
| | | Acrolein | 0.01 | 0.01 |
| | | Benzene | 0.01 | 0.01 |
| | | 1,3 Butadiene | 0.01 | 0.01 |
| | | Formaldehyde | 0.01 | 0.01 |
| | | Naphthalene | 0.01 | 0.01 |
| | | Propylene | 0.01 | 0.01 |
| | | Toluene | 0.01 | 0.01 |
| 42 | Emergency Feed Water Pump Engine | PM | 0.5 | 0.2 |
| | | $PM_{10}$ | 0.5 | 0.2 |
| | | $SO_2$ | 0.5 | 0.2 |
| | | VOC | 0.5 | 0.2 |
| | | CO | 1.4 | 0.4 |
| | | $NO_X$ | 6.5 | 1.6 |
| | | Acetaldehyde | 0.01 | 0.01 |
| | | Acrolein | 0.01 | 0.01 |
| | | Benzene | 0.01 | 0.01 |
| | | 1,3 Butadiene | 0.01 | 0.01 |
| | | Formaldehyde | 0.01 | 0.01 |
| | | Naphthalene | 0.01 | 0.01 |
| | | Propylene | 0.01 | 0.01 |
| | | Toluene | 0.01 | 0.01 |

| EMISSION SUMMARY | | | | |
|---|---|---|---|---|
| Source Number | Description | Pollutant | Emission Rates | |
| | | | lb/hr | tpy |
| 43 | Emergency Lime Kiln Drive Engine | PM | 0.2 | 0.1 |
| | | $PM_{10}$ | 0.2 | 0.1 |
| | | $SO_2$ | 0.2 | 0.1 |
| | | VOC | 0.2 | 0.1 |
| | | CO | 0.5 | 0.2 |
| | | $NO_X$ | 2.4 | 0.6 |
| | | Acetaldehyde | 0.01 | 0.01 |
| | | Acrolein | 0.01 | 0.01 |
| | | Benzene | 0.01 | 0.01 |
| | | 1,3 Butadiene | 0.01 | 0.01 |
| | | Formaldehyde | 0.01 | 0.01 |
| | | Naphthalene | 0.01 | 0.01 |
| | | Propylene | 0.01 | 0.01 |
| | | Toluene | 0.01 | 0.01 |
| 44 | UPS Generator – Main Office | PM | 0.1 | 0.1 |
| | | $PM_{10}$ | 0.1 | 0.1 |
| | | $SO_2$ | 0.1 | 0.1 |
| | | VOC | 0.1 | 0.1 |
| | | CO | 0.3 | 0.1 |
| | | $NO_X$ | 1.1 | 0.3 |
| 45 | Emergency IT AC | PM | 0.1 | 0.1 |
| | | $PM_{10}$ | 0.1 | 0.1 |
| | | $SO_2$ | 0.1 | 0.1 |
| | | VOC | 0.1 | 0.1 |
| | | CO | 0.7 | 0.2 |
| | | $NO_X$ | 0.5 | 0.2 |
| | | Acetaldehyde | 0.01 | 0.01 |
| | | Acrolein | 0.01 | 0.01 |
| | | Benzene | 0.01 | 0.01 |
| | | 1,3 Butadiene | 0.01 | 0.01 |
| | | Formaldehyde | 0.01 | 0.01 |
| | | Napthalene | 0.01 | 0.01 |
| | | Toluene | 0.01 | 0.01 |

| EMISSION SUMMARY | | | | |
|---|---|---|---|---|
| Source Number | Description | Pollutant | Emission Rates | |
| | | | lb/hr | tpy |
| 46[1] | #3 Package Boiler | PM | 6.0 | 10.9 |
| | | $PM_{10}$ | 4.2 | 10.4 |
| | | $SO_2$ | 30.9 | 28.1 |
| | | VOC | 2.8 | 12.3 |
| | | CO | 20.2 | 90.8 |
| | | $NO_X$ | 13.7 | 60.0 |
| | | $CO_{2e}$ | XX | 205,283.0 |
| | | Formaldehyde | 0.12 | 0.15 |
| | | n-Hexane | 0.72 | 3.14 |
| 47 | Emergency Air Compressor Engine | PM | 0.1 | 0.1 |
| | | $PM_{10}$ | 0.1 | 0.1 |
| | | $SO_2$ | 0.1 | 0.1 |
| | | VOC | 0.1 | 0.1 |
| | | CO | 0.1 | 0.1 |
| | | $NO_X$ | 0.3 | 0.1 |
| | | Acetaldehyde | 0.01 | 0.01 |
| | | Acrolein | 0.01 | 0.01 |
| | | Benzene | 0.01 | 0.01 |
| | | 1,3 Butadiene | 0.01 | 0.01 |
| | | Formaldehyde | 0.01 | 0.01 |
| | | Naphthalene | 0.01 | 0.01 |
| | | Toluene | 0.01 | 0.01 |

[1] Total Allowable Emissions includes emissions from #1 Wood Waste Boiler (SN-02), which will operate until the startup of #3 Package Boiler (SN-46). SN-46 is not included in the Total Allowable Emissions.

## SECTION III: PERMIT HISTORY

Arkansas Kraft began operations in October 1966, producing 230 tons of linerboard a day.

Air Permit #147-A was issued to Arkansas Kraft Corporation on March 28, 1973. It was issued to replace two existing boilers with a power boiler. The input of fossil fuel was limited to 249 million Btu/hr.

Air Permit #224-A was issued to Arkansas Kraft Corporation in 1973. It was issued to increase pulp capacity from 360 tons per day to 720 tons per day. New equipment added was: two digesters, additional vacuum filters for pulp washing, additional evaporators, a low-odor recovery boiler, a bark boiler, and a lime kiln. The recovery boiler was added to replace the existing unit. Existing control equipment was: an electrostatic precipitator to control recovery boiler emissions, two flash arresters to control bark boiler emissions, and a wet scrubber to control lime kiln emissions. A new thermal combustion system to control sulfur gas emissions from evaporator NCGs and Turpentine condenser vents.

Air Permit #443-A was issued to Arkansas Kraft, Inc. on November 18, 1977. It was issued to rerate the existing #1 bark boiler from 55,000 to 86,000 lbs/hr steam to utilize more wood waste as fuel and to reduce fossil fuel requirements.

Air Permit #224-A (Modification) was issued to Arkansas Kraft Corporation on October 13, 1978. It was issued to allow the facility to place the #1 Recovery Boiler back into service.

Air Permit #224-A (Modification) was issued to Arkansas Kraft Corporation on November 29, 1979. It was issued to permit the installation and operation of a wood waste fuel drying system.

Air Permit #224-A (Modification) was issued to Arkansas Kraft Corporation on October 31, 1980. It was issued to allow the facility to vent the flue gas from the #1 and #2 bark boilers through the bark boilers and a bark dryer.

Air Permit #224-AR-4 was issued to Arkansas Kraft Corporation in 1983. It was issued to permit the burning of fines in the #3 Wood Waste Boiler and to place the emissions under the existing “bubble” for the #3 Wood Waste Boiler, the #1 and #2 Bark Boilers, and the Wood Waste Dryer. The emission limit was 285 lbs PM/hr.

Air Permit #224-AR-5 was issued to Arkansas Kraft Corporation in 1984. It was issued to permit a gas fired turbine generator. The emission limit for this permit was 130 lbs $NO_X$/hr. The gas fired turbine generator was never constructed.

Consolidated Air Permit #224-AR-5 was issued to Green Bay Packaging, Inc.-Arkansas Kraft Division on June 8, 1994. It was issued to consolidate air permits #147-A, #224-AR-4, and #443-A into a single permit and to permit existing sources which were omitted from previous air permits. Modifications permitted were: the installation of a #2 Package Boiler, rebuilding of the #3 Wood Waste Boiler, replacement of the #1 and #2 Wood Waste Boilers with a new #4 Wood Waste Boiler, installation of a condensate stripper, installation of a coloring and bleaching system, installation of a tall oil plant scrubber, rebuilding of electrostatic precipitator, installation of a paper coating process, installation of a distributive control system, and rebuilding of the #2 Digester. Emission limits for this permit were: 2,893.8 tpy $PM_{10}$, 2,496.5 tpy $SO_2$, 1,861.1 tpy VOC, 11,852.2 tpy CO, 1,660.1 tpy $NO_X$, and 223.4 tpy TRS.

Of the permitted modifications at the facility under the June 8, 1994 permit, only the installation of the #2 Package Boiler, rebuilding of the #2 Digester, and partial installation of the Distributive Control System occurred.

Air Permit #224-AOP-R0 was the first operating air permit issued to Green Bay Packaging, Inc., Arkansas Kraft Division under Regulation #26. This permit was also the first Prevention of Significant Deterioration (PSD) permit for Green Bay Packaging. In a previous permit, Permit #224-AR-5, the facility was permitted to install a #2 Package Boiler at a maximum rate of 202 MMBTU/hr. A PSD permit was not required at that time because the emissions increase for the boiler were to be offset by the decreases from the rebuilding the #3 Wood Waste Boiler and the replacement of the #1 and #2 Wood Waste Boilers with a new boiler (#4 Wood Waste Boiler). The facility had accepted federally enforceable permit conditions to stay out of PSD requirements.

The facility is considered a major stationary source under the Prevention of Significant Deterioration (PSD) regulations as found in 40 C.F.R 52.21. As described below and throughout the permit, the facility is subject to PSD requirements. The facility triggered PSD for $NO_X$ only. As the facility installed a 205 MMBTU/hr #2 Package Boiler and the removal of the #1 and #2 Wood Waste Boilers, the addition of the #4 Wood Waste Boiler, and the rebuilding of the #3 Wood Waste Boiler did not take place as previously permitted, the addition of the #2 Package Boiler has retroactively triggered PSD for $NO_X$.

This PSD issue was reviewed in Permit #224-AOP-R0. BACT for the #2 Package Boiler was determined to be low $NO_X$ burners in conjunction with flue gas recirculation at 0.067 lb $NO_X$/MMBTU. The facility did not remove the #2 Wood Waste Boiler as permitted in Permit #224-AR-5; therefore, these emissions decreases were available to be used in permit #224-AOP-R0. For this permitting action, the facility chose to take a federally enforceable limit on $SO_2$ in order to avoid further PSD requirements.

An air dispersion modeling analysis was performed to determine if the modification at the AKD Mill would impact ambient air quality in the vicinity of the Upper Buffalo. The U.S. EPA established special PSD increment values for Class I areas for three of the criteria pollutants ($PM_{10}$, $SO_2$, and NOx). Prior to completing a PSD increment analysis; however, impacts due to increased emissions from the AKD Mill were assessed against a modeling significance level established by the U. S. EPA for Class I Areas (1.0 mg/m3, 24-hour average concentration for all pollutants). Under U. S. EPA guidance, if the results of the initial modeling analysis predict an increase in the 24-hour average pollutant concentration that exceed the 1.0 mg/m3 significance level, further analysis was warranted.

The Industrial Source Complex Short-Term Version 3 (ISCST3) model was utilized to estimate pollutant concentrations in the Upper Buffalo area. The modeling methodologies employed conform to those used in the PSD Air Quality Analysis.

A discrete receptor was placed at UMT coordinates 460.935 km East and 3919.979 km North in order to conservatively estimate pollutant concentrations throughout the area. (At the time it was thought that these coordinates were at the center of the Upper Buffalo Wilderness Area. In fact the Upper Buffalo is 34 km further away.) The receptor elevation was estimated to be 350 feet, based on a United States Geological Survey (USGS) topographical map (Russellville, Arkansas quadrangle).

The incremental 24-hour average impact was less than the 1.0 mg/m3 Class I Modeling Significance Level. Thus, no further dispersion modeling analysis to evaluate impacts in the Upper Buffalo area was warranted.

At that time, there were no PSD increment consuming sources located within the AKD Mill's ROI. Therefore, there were no sources other than those at the AKD Mill included in the PSD increment analysis. Because only sources at the AKD Mill were considered in the increment analysis, the methodology and results are identical to those of the significance analysis. All annual average concentrations were below the annual PSD Increment. Thus, compliance with this requirement was demonstrated.

This artificial limit allowed individual pieces of equipment to be run at differing capacities depending upon the needs of the facility. Emission increases at individual pieces of equipment were to be offset elsewhere in the complex by decreasing emissions at a different piece of equipment. As the complex was created for the purpose of keeping the #3 Wood Waste Boiler and #2 Package Boiler below the significance level in the previous permit and these boilers underwent PSD review in this permit, the significance of the Complex was discounted and then removed in this permitting action.

The combined net emissions $NO_X$ increase for the #3 Wood Waste Boiler and the #2 Package Boiler was 71.6 tpy. BACT for the #2 Package Boiler was determined to be low $NO_X$ burners in conjunction with flue gas recirculation. BACT for the #3 Wood Waste Boiler was determined to be low $NO_X$ burners in conjunction with flue gas recirculation. Flue gas recirculation in #3 Wood Waste Boiler was demonstrated, under controlled conditions, to provide little or no $NO_X$ reduction. Operating experience and CEM results have shown that the $NO_X$ emission limit was met consistently. Operation of FGR is not a $NO_X$ control technology required for #3 Wood Waste Boiler as of the renewal of Permit #224-AOP-R2. For this permitting action, the facility took a limit on $SO_2$ emissions for the two boilers in order to avoid further PSD applicability.

The PSD analysis for $SO_2$ based upon the following.

Proposed Modification Increases:

| | | |
|---|---|---|
| SN-04 | #3 Wood Waste Boiler | +27.0 tpy $SO_2$ |
| SN-15 | #2 Package Boiler | + 0.6 tpy $SO_2$ |
| | | +27.6 tpy $SO_2$ |

PSD permits require an ambient impact analysis. Results of the analysis indicated that increased emissions of NOx resulted in ambient concentrations that exceed the applicable Modeling Significance Level. Therefore, a full impact analysis consisting of a NAAQS analysis and a PSD increment analysis was performed for NOx. The NOx significance output data files were examined to determine the furthest receptor from the AKD Mill with a modeled concentration greater than the 1.0 ug/m3 NOx MSL. This receptor was located 8.18 km from the center of the AKD Mill. Thus, the NOx radius of impact (ROI) was 8.18 km.

Permit #224-AOP-R1 was a modification to the first Title V operating permit. In this permitting action, as required by 40 C.F.R Part 63, Subpart S, a Low Volume High Concentration System (SN-37) and a High Volume Low Concentration System (SN-38) were installed. The increases in facility-wide particulate, sulfur dioxide, and VOC limits were due to calculation error in the last permit. Additionally, a requirement was being added to the #1 Wood Waste Boiler (SN-02) that required Green Bay Packaging to only burn natural gas at this source until a wet scrubber is installed to control particulate emissions. An administrative amendment was submitted on October 12, 2000 that added the Large Fuel Oil Tank to the list of insignificant activities. The tank was installed prior to 1979 so it was not subject to NSPS Subpart Kb and emits only 0.23 tons per year so it met the 5 ton per year requirement under Group A, Number 13 in the activities list.

Permit #224-AOP-R2 was issued on May 13, 2002. This modification defined averaging times for monitoring requirements, lowered permitted annual emissions on most equipment by removing the unneeded safety factors the facility requested in previous applications, allowed wood waste to be burned in the existing #1 Wood Waste Boiler (SN-02) during part of the year, changed control equipment on the Smelt Dissolving Tank Vent (SN-07) from demister pads to a scrubber, and separated the emissions of the #1 and #2 Paper Machines (SN-25A and SN-25B) to prevent future PSD issues.

In the original Title V permit application, Green Bay requested a grouping of the paper machines to provide for ease of record keeping. The potential limit was based on the sum of the very best operating day achieved on each machine extrapolated to a year of operation with a safety factor added. This resulted in a very high level of potential emissions for the source. Any modification to the machines would result in an emissions increase of over 40 tons per year of VOC when calculated by subtracting actual emissions from potential emissions. This modification established a federally enforceable production limit on each paper machine that was closer to actual production rates. This would allow for a future modification to replace the headbox on the #1 Paper Machine (SN-25A).

Permit 224-AOP-R3 was issued to Green Bay Packaging, Inc. – Arkansas Kraft Division on August 24, 2004. This modification was to:

1. Correct emission factors for the Wastewater Treatment (SN-12) and the Landfill (SN-30),
2. Clarify stack testing conditions by removing $NO_X$ testing requirements from SN-04 because it has a $NO_X$ CEM,
3. Increase steam production in the #1 Package Boiler (SN-14) by increasing the permitted limit. This limit was put on the boiler to lower the actual/potential ratio in regards to PSD. There was no physical change to the boiler,
4. Replace the headbox on the #1 Paper Machine (SN-25A),
5. Replace the ESP for the Recovery Boiler (SN-05 and SN-06) with a new ESP (SN-05A) to meet the future MACT MM efficiency requirements,
6. Add the Pocket Vent System Heater #1, the Pocket Vent Heater #2, and the Small Fuel Oil Tanks (SN-33) to the Insignificant Activities Section, and
7. Remove the flue gas recirculation equipment on the #3 Wood Waste Boiler (SN-04). When BACT was originally applied to this source, FGR was thought to lower $NO_X$ emissions in conjunction with low $NO_X$ burners. Testing demonstrated that emissions were not changed by discontinuing use of the fan. This altered a previous BACT determination.

This modification was also the Title V permit renewal.

Permit 0224-AOP-R4 was issued to Green Bay Packaging Inc., Arkansas Kraft Division on July 1, 2005. This modification allowed for the addition of applicable conditions of 40 C.F.R 63 Subpart MM – National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills for sources SN-05, SN-07, and SN-08. The #1 Lime Kiln (SN-09) was removed from service. Recycled sanitary products were added to the list of approved fuels for the Wood Waste Boilers (SN-02 and SN-04). Finally, this modification updated the $PM_{10}$ testing methods for the #3 Wood Waste Boiler (SN-04).

Permit 0224-AOP-R5 was issued to Green Bay Packaging Inc. – Arkansas Kraft Division on October 21, 2005. This modification corrected TRS emission limits on the Recovery Boiler (SN-05A) and the #2 Lime Kiln (SN-08). The limits were a restoration of limits that were previously assigned to these sources. The limits were changed in a previous permit based on information supplied by AKD for other purposes. There were no physical changes to the facility.

Permit 0224-AOP-R6 was issued to Green Bay Packaging Inc. – Arkansas Kraft Division on March 15, 2006. This modification clarified inclusion of $CO_2$ and $O_2$ diluent CEMS at the #3 Wood Waste Boiler (SN-04), the #2 Lime Kiln (SN-08), and the #2 Package Boiler (SN-15). In addition, the following changes were made:

1. Modification of $PM/PM_{10}$ emissions limit for the #2 Lime Kiln (SN-08) based on testing and past data. Before the Title V permit, the emissions were 124.4 tpy, but using AP-42 and NCASI factors, the limit was reduced to 88.0 tpy. Based on stack testing, these factors give a poor estimate of the actual emissions. This modification used stack testing data to give a better estimate of the actuals. There were no physical changes or process increases to account for the increase.

2. Removal of restrictions for burning bark in the #1 Wood Waste Boiler (SN-02). Operating methods for burning wood waste had changed so that the boiler could be successfully operated below the 40% opacity limit. The requirements to install a scrubber, the limitation to burn only during November through March, and the condition allowing greater than 40% opacity during grate cleaning were removed from the permit.

3. Specification of an alternate method for $SO_2$ testing. Specific Conditions #17, #43, and #100 in the previous permit specified using Method 6 for $SO_2$ annual stack testing. This modification changed that method to Method 6C.

4. Recordkeeping requirements for Black Liquor Solids (BLS) combustion at the Recovery Boiler (SN-05A) and the Smelt Dissolving Tank (SN-07). The wording was potentially confusing and the condition that clarified what was being measured.

5. Modification of source testing schedule. Plantwide Condition #8 allowed for the permittee to reduce stack testing from annual testing to once every 5 years if the facility demonstrated compliance with two consecutive stack tests. This modification changed stack testing from annual to once every 5 years for the #1 Wood Waste Boiler (SN-02), the #3 Wood Waste Boiler (SN-04), the Recovery Boiler (SN-05A) and the #1 Package Boiler (SN-14).

Permit 224-AOP-R7 was issued to Green Bay Packaging, Inc. – Arkansas Kraft Division on May 18, 2006. This minor modification application allowed for burning of Tall Oil in the #2 Lime Kiln (SN-08). To make this change, Green Bay installed a new burner in the Lime Kiln and some piping and mechanical changes to get the tall oil from the processing area to the lime kiln. The burner was a low $NO_X$ burner designed to feed a combination of liquid and gaseous fuel into the kiln. Compared to what was in the kiln, this burner provided some efficiency that reduced total heat requirements by 6% or more. To provide stability, a minimum of 5.8% of the total heat input must come from natural gas. It was not anticipated that this change allowed for an increase in production. It did not cause a change in the rated heat input capacity of the kiln. This project had no impact on Tall Oil production or emissions from the Tall Oil source (SN-17). There were no emissions changes associated with this modification.

Permit 224-AOP-R8 was issued to Green Bay Packaging, Inc. – Arkansas Kraft Division on August 17, 2006. This modification application allowed the facility to change the emissions factors used for criteria pollutants from pounds pollutant per pound of steam to pounds pollutant per ton of black liquor solids (BLS) for the Recovery Boiler (SN-05A). Previous permit limits restricted the amount of steam that could be produced to a level below the steam generating capacity of the boiler and below the capacity of the boiler to process BLS. This modification changed the emission limits to the boiler BLS processing capacity. There were no physical changes to the facility. This source was not regulated by PSD.

Hourly and annual permit limits of the Recovery Boiler (SN-05A) emissions were based on an emission factor times the amount of steam produced. These factors were developed using stack test data. Therefore, the permit limited hourly and annual steam production and also limited the hourly and annual Black Liquor Solids (BLS) throughput.

Industry standard at this time was to base the emission factor on pounds of pollutants per pounds of BLS instead of steam production. Green Bay changed their emission factor basis with this modification. Because emissions were limited by the amount of BLS burned, an annual steam production limit was no longer needed. However, steam production on an hourly basis was conveniently measured. So, compliance with hourly emissions was demonstrated by the original hourly steam limit, and compliance on an annual basis was based on the new BLS limit.

Additionally, this modification incorporated the emissions changes brought about by replacing the electrostatic precipitator as the source control device for the Recovery Boiler in 2003. MACT rules required installation of a new electrostatic precipitator and this was included in Permit #224-AOP-R3. The ESP was installed in 2003 and stack testing was done three times after installation.
No projects were done to cause or enable an increase in BLS processing. These permit changes reduced the permitted PM by 816.8 tpy, reduced the permitted $PM_{10}$ by 482.0 tpy, reduced the permitted $SO_2$ by 336.1 tpy, reduced the permitted VOC by 42.0 tpy, increased the permitted CO by 20.8 tpy and increased the permitted $NO_X$ by 74.6 tpy. Actual emissions increases were not anticipated.

Permit #224-AOP-R9 was issued on June 4, 2007. This permitting action allowed the facility to modify VOC emission factors and production limits for the #1 and #2 Paper Machines (SN-25A & SN-25B). The increase in production did not constitute a Prevention of Significant Deterioration (PSD) modification because there was no physical change or change in the method of operation at SN-25A & SN-25B. Lastly, this modification allowed the permittee to increase the short term CO emissions from the #3 Wood Waste Boiler (SN-04). The current permitted short term CO emission limit was based on an inaccurate heat input capacity (396.5 MMBTU/hr) for the #3 Wood Waste Boiler. The heat input capacity was corrected in 224-AOP-R3 (452 MMBTU/hr); however the CO limit was not changed. Permitted VOC, Manganese, Acetone, Hazardous Air Pollutants (HAPs) and Air Containments emissions decreased by 188.6 tons/year (tpy), 0.28 tpy, 2.57 tpy, 113.70 tpy, and 69.82 tpy, respectively.

Permit #224-AOP-R10 was issued on April 14, 2008. This permitting action incorporated the following administrative amendments and modifications:

- Removed the Boiler MACT reference in the Source Description area for #1 Package Boiler, SN-14.
- Replaced Specific Condition #19 of Air Permit #224-AOP-R8 which was mistakenly removed from Permit #224-AOP-R9.
- Corrected the referenced condition in Specific Condition #183 of Permit #224-AOP-R9. The condition should reference Specific Condition #184 (A-G); not #167 Permit #224-AOP-R9. However, with this modification the referenced specific condition is now Specific Condition #184 with a reference to Specific Condition #185 (A-G).
- Corrected the referenced condition in Specific Condition #85D. The condition should reference Specific Condition #166; not #173. However, with this modification the referenced specific condition is now Specific Condition #86D with a reference to Specific Condition #167.
- Granted an 18-month extension for the construction of a modification to the #2 Lime Kiln (SN-08) to burn Tall Oil as fuel in the kiln. The facility originally received authorization to modify the kiln in Permit #224-AOP-R7, issued May 18, 2006; which provided a deadline to have work completed by November 18, 2007. This modification granted an extension to have work completed by May 18, 2009.
- Changed emission monitoring parameters for emissions from the Waste Treatment System (SN-12). The specific condition for this source specified monitoring finished paper production, but emission factors were actually based on water flow into the system. Therefore, the condition was revised to limit Kraft pulp processed at the facility.

Permitted emissions for VOC and Methyl Ethyl Ketone decreased by 51.8 tons/year (tpy) and 98.13 tpy, respectively. Permitted emissions for Acetaldehyde and Methanol increased by 9.98 tpy and 36.31 tpy, respectively. These emission changes were due to the revised emission factors for the Waste Treatment System (SN-12).

Permit #224-AOP-11 was issued on October 14, 2008. This permitting action was to reroute the HVLC emissions from the #1 Package Boiler (SN-14) to the #1 Wood Waste Boiler (SN-02). Actual emissions from the #1 Wood Waste Boiler were significantly less than permitted emissions therefore there were not any changes in the permitted emission rates for SN-02. Also this modification established an alternate operating scenario to change the pH control from the paper machines back into the Pulp Mill. This operating scenario involved turning on $CO_2$ going into the final washing stage of each of the Brown Stock Washer lines (SN-11) and reducing the amount of pH controlling chemicals (alum, sulfuric acid and $CO_2$) used on the paper machines. Permitted emission rates remained unchanged.

Permit #224-AOP-R12 was issued on April 18, 2011. This permitting action was to renew the facility's existing permit. During this modification, emission factors were updated and some previously permitted sources were re-listed as insignificant activities. Emissions from paved and unpaved roads (SN-40) were included in this permit and methane emissions associated with the landfill (SN-30) were reduced.

On January 21, 2009, the facility submitted an application for a minor modification to the existing permit. The modification was to allow the use of low sulfur diesel fuel as a fuel in the Recovery Boiler (SN-05A). A draft permit was issued June 2009. However, the permit was not issued final. Instead the permit was held and rolled into the renewal application. During this period, the facility's need for this modification had passed and the facility no longer needed this to be included in the permit.

On August 14, 2009, the facility submitted a letter to the Department requesting to add "used oil" into the fuel oil storage tank and to be burned in the #2 Package Boiler (SN-15).

On September 9, 2009, the facility submitted a request to remove the Alternate Operating Scenario for SN-15.

On June 9, 2010, the facility submitted a request to modify Specific Conditions #7 and #19 of Permit #224-AOP-R11. These conditions specified the material that may be used as fuel in the #1 and #3 Wood Waste Boilers (SN-02 and SN-04). One of the permitted fuels was for waste polyethylene pellets. The facility requested to change this name to "scrap non-halogenated plastics". Also the facility requested that the scrap non-halogenated plastic be limited to 15% by weight of the total fuel burned on an annual basis.

Permitted emission limits were changed as follows:

| POLLUTANT | TONS/YEAR (TPY) |
|---|---|
| PM | +96.5 |
| $PM_{10}$ | -23.6 |
| $SO_2$ | -32.2 |
| VOC | -287.8 |
| CO | -366.3 |
| NOx | -45.2 |
| Lead | +0.10 |
| Total HAPs | -6.37 |
| Total Air Contaminants | -2506.85 |

Permit #224-AOP-R13 was issued on February 14, 2012. This modification was to make permanent an alternate operating scenario for the Brownstock Washers (SN-11). Permitted emissions remained unchanged.

Permit #224-AOP-R14 was issued on November 8, 2012. This modification was to replace the steam quench tank with a spray scrubber on the Slaker/Causticizers, SN-36. This revision did not cause any increase in emissions from SN-36. However, permitted emissions changed to reflect a change in the permitted capacity of the lime kiln that took place with Permit #0224-AOP-R12 but the effect of that change was not calculated into SN-36. Emissions were reduced to correspond to that production reduction. Also the modification was to correct a calculation error that was submitted during the Title V renewal application. Based on the emission factor and the annual production for the Tall Oil Plant, SN-17, the emission rate listed in the application (0.18 tons Methanol/yr) was inaccurate. This modification permitted the source for the actual emission rate of 0.70 tons Methanol/yr. Total permitted HAPs emissions increased by 0.16 tons/year (tpy) and total air contaminants decreased by 1.46 tpy.

Permit #224-AOP-R15 was issued on October 21, 2013. This modification was to revise Specific Conditions #149 & #158 to remove language referencing the exclusion of SSM for SN-37, LVHC Collection System, and SN-38, HVLC Collection System, under 40 C.F.R 63 Subpart S due to recent final rule changes by EPA. Also this modification allowed the addition of three emergency RICE engines to the permit under 40 C.F.R Part 60 Subpart ZZZZ (SN-41, SN-42, and SN-43). Lastly the modification replaced the headbox on the #2 Paper Machine (SN-25B). Since replacing the headbox is not a routine maintenance activity, evaluation of the emissions from the source for PSD applicability was required. The facility submitted a PSD evaluation which demonstrated replacing the headbox was less than the PSD significance level for VOC. Therefore, PSD permitting was not required. Permitted emissions rates increased as follows: 0.4 tons/year (tpy) $PM/PM_{10}$, 1.6 tpy $SO_2$, 0.4 tpy VOC, 0.9 tpy CO, 3.5 tpy NOx and 0.048 tpy of total HAPs.

Permit #224-AOP-R16 was issued on January 30, 2015. This modification was to add an emergency diesel engine (SN-44) to the permit under 40 C.F.R Part 63 Subpart ZZZZ and an emergency natural gas engine (SN-45) to the permit under 40 C.F.R Part 60 Subpart JJJJ.

In December 2013 the facility submitted a PSD modification to allow for the construction and operation of a new natural gas fired package boiler, #3 Package Boiler (SN-46). The project included the permanent shutdown of an existing wood fired boiler (#1 Wood Waste Boiler, SN-02). The facility was permitted to continue to operate the #1 Wood Waste Boiler until the startup of the #3 Package Boiler. The facility submitted a PSD evaluation for the new boiler (SN-46). NOx and GHGs exceeded the PSD Significant Emission Rates (SERs) threshold. After conducting a netting analysis, the facility determined that only GHG emission increases were significant and must undergo PSD review. However, EPA issued a letter noting the United States Supreme Court's decision addressing the application of stationary source permitting requirements to GHG. In very brief summary, the Supreme Court said the EPA may not treat GHG as an air pollutant for purposes of determining whether a source is a major source required

to obtain a PSD permit. Therefore the facility revised the air permit application to omit the PSD portion for GHG.

In addition to the new package boiler, this modification included existing sources at the facility that were not included in previous permits. The Woodyard (SN-24) PM emission calculations were revised to include the emissions from the Chip Cyclone. The inclusion of these emissions did not require a change in the permitted emission rates at the source. The Fly Ash Bunker was added to the Insignificant Activities list.

This modification also included the reclassification of the Emergency Fire Pump Engine (SN-41) from an emergency use engine to a non-emergency use engine and changed the name of the source to the "Back-up Fire Water Pump Engine". A small new Emergency Air Compressor Engine (SN-47) was also added as a new source and emission calculations for the Emergency IT Generator (SN-45) were revised. The original estimates used emission factors from AP-42 for diesel fired engines rather than natural gas fired engines.

Total permitted emissions increased as follows: 0.3 tons/year (tpy) $PM/PM_{10}$, 0.3 tpy $SO_2$, 0.3 tpy VOC, 0.4 tpy CO, 0.6 tpy NOx and 0.006 tpy total HAPs.

## SECTION IV: SPECIFIC CONDITIONS

SN-01
Wood Waste Dryer

### Source Description

The Wood Waste or Bark Dryer (SN-01) was installed in 1980. This source was removed from service in 1997.

### Specific Conditions

1. The Wood Waste Dryer (SN-01) was removed from service. The Dryer shall not be placed back into service without undergoing appropriate permitting procedures. [40 C.F.R Part 52.21 (b)(3)(viii)]

SN-02
#1 Wood Waste Boiler

## Source Description

The #1 Wood Waste Boiler (SN-02) has a maximum heat input capacity of 162 MMBTU/hr. Wood waste and natural gas are fired in this boiler. The boiler was constructed in 1968 and has not been modified since that time.

HVLC emissions previously routed to the #1 Package Boiler (SN-14) are now routed to #1 Wood Waste Boiler as a backup control device for the HVLC Collection system (SN-38).

## Specific Conditions

2. 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 Conditions #6, #7, and #9. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 191.0 | 215.0 |
| $SO_2$ | 4.1 | 18.0 |
| VOC | 116.0 | 15.0 |
| CO | 956.5 | 326.0 |
| $NO_X$ | 57.0 | 15.0 |
| Lead | 0.01 | 0.03 |

3. 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 Conditions #6, #7, and #10. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 372.0 | 420.0 |
| Acetaldehyde | 0.13 | 0.59 |
| Acetone | 0.03 | 0.13 |
| Acrolein | 0.65 | 2.84 |
| Benzene | 0.68 | 2.98 |
| Formaldehyde | 0.71 | 3.12 |
| Hydrogen Chloride | 3.08 | 13.50 |
| Manganese | 0.26 | 1.14 |
| Styrene | 0.31 | 1.35 |
| Toluene | 0.15 | 0.65 |

4. Visible emissions may not exceed the limits specified in the following table of this permit as measured by EPA Reference Method 9. [40 C.F.R Part 52, Subpart E]

| SN | Limit | Regulatory Citation |
|---|---|---|
| 02 | 40% | §19.503 |

5. The permittee shall conduct daily 6-minute opacity readings on SN-02 in accordance with EPA Reference Method #9 whenever wood waste is being used as fuel. The results of these readings shall be recorded in a log which shall be kept on site and made available for inspection upon request. [§19.502 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

6. Steam generation in the #1 Wood Waste Boiler (SN-02) shall not exceed 100,000 pounds of steam per hour during boiler operation based on a 24 hour rolling average. Maximum annual steam production will not exceed 225,000,000 pounds, determined on a 12 month rolling total. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

7. Untreated wood waste, scrap materials from mill processes, agricultural residues, furniture manufacturing waste, recycled sanitary products, scrap non-halogenated plastics, natural gas, and/or other approved fuels shall be used to fire this boiler. Usage of furniture manufacturing waste shall be limited to 3% of total fuel consumption (based on tons of fuel purchased) on a twelve month rolling total. Usage of scrap non-halogenated plastics shall be limited to 15% by weight of the total fuel burned on an annual rate. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

8. The permittee shall maintain monthly records which demonstrate compliance with Specific Conditions #6 and #7. Records shall be updated by the fifteenth day of the month following the month to which the records pertain. These records shall be kept on site, provided to Department personnel upon request and may be used by the Department for enforcement purposes. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

9. The #1 Wood Waste Boiler (SN-02) shall be tested for $PM_{10}$, VOC, CO, and $NO_X$ emissions using EPA Reference Method 201 or Method 201A for $PM_{10}$, Method 25A for VOC, Method 10 for CO, and Method 7E for $NO_X$. Each test shall consist of at least 3 sampling periods at a minimum of 1 hour each. Compliance testing shall be conducted while the equipment being tested is operating within 90% of its permitted capacity. If equipment does not attain 90% of permitted capacity during testing, the operating rate during testing will be 90% of the maximum operating rate until the next test is completed. This testing is to be completed once in the first year of every 5 year permit period. This test data shall be used for determination of compliance with the conditions set forth in this permit. [§19.702 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

10. The #1 Wood Waste Boiler will be the backup control device for reducing the HAP emissions from the HVLC system (SN-38). The HAP emissions stream shall be introduced into the combustion air going to the boiler. The wood waste boiler will not be used more than 1,000 hours in any 12 month period to incinerate emissions collected in the HVLC system. [§19.304 of Regulation #19 and 40 C.F.R 63.443(d)(4)]

11. The facility shall maintain records of the time that the #1 Wood Waste Boiler is being used as a backup control device. Records are to be maintained on an hourly basis. Such records shall be maintained on site and made available to the Department upon request. Failure to comply with these conditions shall be considered a violation of the mass emissions limit. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

12. The permittee shall not operate the #1 Wood Waste Boiler, SN-02, upon startup of the #3 Package Boiler (SN-46). [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

SN-03
#2 Wood Waste Boiler

## Source Description

The #2 Wood Waste Boiler (SN-03) has a maximum heat input capacity of 162 MMBTU/hr. Wood waste and natural gas are fired in this boiler. The boiler produces a maximum of 100,000 pounds of 600 psi steam hourly. The boiler was constructed in 1974 and has not been modified since that time.

## Specific Conditions

13. The #2 Wood Waste Boiler (SN-03) was removed from service. The boiler shall not be placed back into service without undergoing appropriate permitting procedures. [40 C.F.R Part 52.21 (b)(3)(viii)]

SN-04
#3 Wood Waste Boiler

**Source Description**

The #3 Wood Waste Boiler was originally installed as a recovery boiler in 1965. It was shut down in 1975. In 1979, the recovery boiler was refurbished and became the #3 Wood Waste Boiler.

The #3 Wood Waste Boiler (SN-04) has an estimated heat input capacity of 452 MMBTU/hr. The heat input capacity was increased from 206.5 MMBTU/hr in permit #224-AOP-R1. Wood waste and natural gas are fired in this boiler. BACT for this piece of equipment was determined to be low $NO_X$ burners in conjunction with flue gas recirculation. Testing has demonstrated that emissions are not changed by discontinuing use of the FGR. Therefore, FGR is no longer required at this source. In permit # 224-AOP-R0, the facility chose to take a limit on $SO_2$ emissions from the #3 Wood Waste and #2 Package boilers in order to avoid further PSD requirements.

The #3 Wood Waste Boiler emits PM that is controlled by multiclones built into the flue gas exit path and by a wet scrubber. The PM emissions from the #3 Wood Waste Boiler would be greater than 100 tons per year without the multiclones and wet scrubber in place. Therefore, it is a listed unit for CAM. While there are no indicators that can be used to monitor the performance of the multiclones in the flue gas exit path, indicators for the operation of the wet scrubber shall be monitored. These indicators are pressure drop across the scrubber and scrubbing liquid circulation rate.

The #3 Wood Waste Boiler is also a control device to reduce total HAP emissions from the HVLC system (SN-38). The routing of HAPs from SN-38 to the #3 Wood Waste boiler causes the boiler to be included in the NESHAP requirements under 40 C.F.R Part 63, Subpart S. These requirements are covered within the Specific Conditions for the HVLC system (Specific Condition #151 through #159). Emissions listed here reflect the incineration of the vapors that are routed from the HVLC system.

**Specific Conditions**

14. 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 Conditions #18, #19, #20, and #23. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 45.2 | 145.0 |
| $SO_2$ | 9.6 | 42.0 |
| VOC | 22.5 | 40.0 |
| CO | 135.6 | 290.0 |
| Lead | 0.02 | 0.10 |

15. 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 Conditions #19, #20, #23 and #24. [§19.901 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $NO_X$ | 135.6 | 593.9 |

16. 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 Conditions #18, #19, #20, and #23. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 45.2 | 145.0 |
| Acetaldehyde | 0.38 | 1.64 |
| Acetone | 0.09 | 0.38 |
| Acrolein | 1.81 | 7.92 |
| Benzene | 1.90 | 8.32 |
| Formaldehyde | 1.99 | 8.71 |
| Hydrogen Chloride | 8.59 | 37.62 |
| Manganese | 0.72 | 3.16 |
| Napthalene | 0.04 | 0.20 |
| Propionaldehyde | 0.03 | 0.12 |
| Styrene | 0.86 | 3.76 |
| Toluene | 0.42 | 1.82 |

17. The source shall not emit any gases that exhibit greater than 20% opacity (6-minute average), except for one 6-minute period per hour of not more than 27% opacity as measured in accordance with EPA Reference Method 9. Continuing compliance with this Specific Condition shall be demonstrated by compliance with Specific Condition #22. [§19.502 of Regulation #19 and §60.43b(f)]

18. The #3 Wood Waste Boiler (SN-04) shall be tested for $PM_{10}$, $SO_2$, VOC, and CO emissions. Method 5 and Method 202 shall be used for $PM_{10}$ with all emissions being reported as $PM_{10}$. Method 6C shall be used for $SO_2$. Method 25A shall be used for VOC. Method 10 shall be used for CO. Each test shall consist of at least 3 sampling periods at a minimum of 1 hour each. Compliance testing shall be conducted while the equipment being tested is operating within 90% of its permitted capacity. If equipment does not attain 90% of permitted capacity during testing, the operating rate during testing will be 90% of maximum operating rate until the next test is completed. This testing is to be completed once in the first year of every 5 year permit period. This test data shall be used for determination of compliance with the conditions set forth in this permit. [§19.702 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

19. Steam generation in the #3 Wood Waste Boiler (SN-04) shall not exceed 270,000 pounds per hour of steam during boiler operation based on a 24 hour rolling average. Maximum annual steam production shall not exceed 2,100,000,000 pounds, determined on a 12 month rolling total. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

20. Untreated wood waste, scrap materials from mill processes, agricultural residues, furniture manufacturing waste, recycled sanitary products, scrap non-halogenated plastics, natural gas, and/or other approved fuels shall be used to fire this boiler. Usage of furniture manufacturing waste shall be limited to 3% of total fuel consumption (based on tons of fuel purchased) on a twelve month rolling total. Usage of scrap non-halogenated plastics shall be limited to 15% by weight of the total fuel burned on an annual rate. Multiclones in series with a venturi scrubber shall be used at all times when this unit is operating and burning any fuel other than 100% natural gas. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

21. The permittee shall maintain monthly records which demonstrate compliance with Specific Conditions #19 and #20. Records shall be updated by the fifteenth day of the month following the month to which the records pertain. These records shall be kept on site, provided to Department personnel upon request and may be used by the Department for enforcement purposes. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

22. The liquid flow to the scrubber and the differential pressure across the scrubber for the #3 Wood Waste Boiler shall be maintained at or above the flow rate and the differential pressure measured during any previously successful stack test for $PM_{10}$ in which the stack test is designed to demonstrate the minimum flow and minimum differential pressure required to attain compliance with the $PM_{10}$ emission limit. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

23. The facility shall continuously monitor and record once per hour or continuously (by strip chart or electronically) the pressure drop across the scrubber and the liquid flow to the scrubber. The flow rate and pressure drop compliance demonstration measurements are based on a 3 hour rolling average. Scrubber flow and pressure drop do not have to be measured when SN-04 is not producing steam or steaming only with natural gas as fuel. These records shall be kept on site and shown to Department personnel upon request. [§19.703 of Regulation #19, 40 C.F.R Part 52, Subpart E, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

24. The #3 Wood Waste Boiler is an affected source of 40 C.F.R 60, Subpart Db. [§19.304 of Regulation #19 and 40 C.F.R 60, Subpart Db]

    A. Pursuant to §60.46b(b) and (d), within 60 days after achieving the maximum production rate, but not later than 180 days after the initial startup of the reworked #3 Wood Waste Boiler, the facility shall determine compliance with the particulate matter emission standards as required in §60.43b.

    B. Pursuant to §60.43b(c)(1), after the initial performance test for particulate matter (which was performed on May 19, 1998) for the #3 Wood Waste boiler is completed or required to be completed, whichever date comes first, the facility shall not emit particulate matter in excess of 0.10 lb/MMBTU.

    C. Pursuant to §60.43b(f), after the initial performance test for particulate matter for the #3 Wood Waste Boiler is completed or is required to be completed, whichever date comes first, the facility shall not emit any gases that exhibit greater than 20% opacity (6-minute average), except for one 6-minute period per hour of not more than 27% opacity.

    D. Pursuant to §60.44b(d), after the initial performance test for $NO_X$ for the #3 Wood Waste Boiler is completed or is required to be completed, whichever date comes first, the facility shall not emit any gases that contain $NO_X$ in excess of 0.30 lb/MMBTU based on a 30 day rolling average as specified in §60.44b(a).

    E. Pursuant to §60.43b(g) and §60.46b(a), the particulate matter and opacity standards of §60.43b(c)(1) and §60.43b(f) apply for the #3 Wood Waste Boiler at all times, except during periods of startup, shutdown, or malfunction. Compliance with these requirements shall be determined as specified in §60.46b(d).

    F. Pursuant to §60.46b(a), the $NO_X$ emission standards under §60.44b apply at all times. Compliance with these requirements shall be determined as specified in §60.46b(e).

    G. Pursuant to §60.48b (a) and (e)(1), the facility is required to install, calibrate, maintain, and operate a continuous monitoring system for measuring the opacity of emissions discharged to the atmosphere from the #3 Wood Waste Boiler and record the output of the system. As per 40 C.F.R 60.13(b), the installation date of the CEM shall be no later than thirty days from the date of start-up of the source. The facility has requested a variance to this NSPS requirement. In a letter dated July 11, 2002, EPA approved the request for alternate monitoring to the COMs, by:

1. Monitoring the scrubber water circulation flow and maintain flow above a minimum rate determined by performance testing; and
2. Monitoring the pressure drop across the scrubber and maintain pressure drop above a minimum determined by performance testing.

These requirements are addressed as Specific Condition #23.

H. Pursuant to §60.48b(b), the facility shall install, calibrate, maintain, and operate a continuous monitoring system for measuring $NO_X$ emissions to the atmosphere, the diluent $CO_2$ emissions, and record the output of the system as per the requirements of §60.48b(c), (d), and (f). The CEM may be taken off line when the boiler is out of service longer than 24 hours. The CEM for measuring $NO_X$ shall be in continuous operation (except as noted above) and shall meet minimum frequency of operation requirements of 95% up-time for each quarter for each pollutant measured. Failure to maintain operation time shall also constitute a violation of the CEMs conditions.

I. Pursuant to §60.49b, the facility is required to notify the Department of the initial startup of the reworked #3 Wood Waste Boiler. As per §60.49b(a)(1), the facility has notified the Department that the design heat input capacity of the boiler is to be 452 MMBTU/hr. The fuels to be combusted are wood waste and natural gas. As per §60.49b(a)(3), the facility is also to notify the Department of the annual capacity factor at which the facility anticipates operating the boiler based upon all the fuels fired and each individual fuel fired.

J. Pursuant to §60.49b(b), the facility shall submit the performance test data for particulate matter from the initial performance test and performance evaluation of the CEMs for the #3 Wood Waste Boiler to the Department. The applicable performance specifications in 40 C.F.R Part 60, Appendix B shall be used. The facility has submitted this information to ADEQ on July 14, 1998.

K. Pursuant to §60.49b(d), the facility shall record and maintain records of the amounts of each fuel combusted during each day for the #3 Wood Waste Boiler and calculate the annual capacity factor individually for natural gas and wood waste for each calendar quarter. The annual capacity factor is to be determined on a twelve month rolling average basis with a new capacity factor calculated at the end of each calendar month.

L. Pursuant to §60.49b(f), the facility shall maintain records of opacity for the #3 Wood Waste Boiler as required under the opacity standard of §60.43b or a federally approved variance or the interim variance approved by the Department in Specific Condition #23G.

M. Pursuant to §60.49b(g), the facility shall maintain records for the #3 Wood Waste boiler for each steam generating unit operating day. As per §60.48g(i), the facility shall submit a quarterly report containing a summary of these records. These records shall be submitted to the Department and shall be postmarked by the 30th day following the end of each calendar quarter.

N. Pursuant to §60.49b(h) (1) and (3), the facility is required to submit excess emission reports for any calendar quarter during which there are excess emissions from the #3 Wood Waste Boiler. If there are no excess emissions during the calendar quarter, the facility shall submit a semiannual report stating that no excess emissions occurred during the semiannual reporting period. Excess emissions are defined as all 6 minute periods during which the average opacity exceeds the opacity standards of §60.43b(f).

O. Pursuant to 60.49b(o), the facility shall retain all required records for a period of two years following the date of such record.

25. The #3 Wood Waste Boiler is a control device for reducing the HAP emissions from the HVLC system (SN-38). The HAP emission stream is introduced into the combustion air going to the boiler. This requirement came into effect April 16, 2001. [§19.304 of Regulation #19 and 40 C.F.R 60, Subpart S §63.443(d)(4)]

SN-05A
Recovery Boiler

## Source Description

The Recovery Boiler can fire up to 730 MMBTU/hr of black liquor. The boiler itself was installed in 1975 and has not been modified since that time. The electrostatic precipitator was replaced in May 2003, and all flue gases were routed through one stack.

The Recovery Boiler uses an ESP to control emissions of particulate. Without the ESP in operation, PM emissions would be greater than 100 tons per year. Therefore, this is a listed unit for CAM. However, the Recovery Boiler is subject to 40 C.F.R Part 63, Subpart MM with a compliance date of March 13, 2004. This rule was finalized after November 15, 1990. Therefore, the Recovery Boiler is exempt from the requirements of CAM.

## Specific Conditions

26. 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 Conditions #34, #35, #37, #39, #42, #43, #44, and #45. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 12.0 | 38.0 |
| $SO_2$ | 60.0 | 157.9 |
| VOC | 10.0 | 19.7 |
| CO | 223.1 | 674.8 |
| $NO_X$ | 80.0 | 280.6 |
| Lead | 0.01 | 0.10 |
| TRS | 33.81 | 148.10 |

27. 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 Conditions #34, #35, #39, #42, #44, and #45. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 30.0 | 93.2 |
| Benzene | 0.04 | 0.14 |
| Formaldehyde | 0.26 | 1.05 |
| Hydrogen Chloride | 2.98 | 12.05 |
| Methanol | 2.38 | 9.64 |
| Methylene Chloride | 0.03 | 0.11 |
| Sulfuric Acid | 1.08 | 4.38 |
| Tetrachloroethylene | 0.03 | 0.11 |
| 1,2,4-Trichlorobenzene | 0.04 | 0.17 |

28. The permittee shall comply with the opacity and monitoring standards of 40 C.F.R, Subpart MM for the recovery boiler. Compliance with this specific condition shall be demonstrated through Specific Conditions #30, #32 and #33. [§19.503 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

29. The permittee shall calibrate, maintain, and operate a Continuous Opacity Monitoring System (COMS) according to the provision in §§63.6(h), 63.8, and 63.864(d)(1-4). Operation of this COMS is not required when the Recovery Boiler is not in operation. [40 C.F.R 63.864(d) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

30. The permittee shall develop, implement, and maintain a written startup, shutdown, and malfunction plan as described in §63.6(e)(3) that describes procedures for operating and maintaining the Recovery Boiler during periods of startup, shutdown, and malfunction to minimize HAP emissions and a program of corrective action for malfunctioning of the electrostatic precipitator or the COMS. [40 C.F.R 63.866(a) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

31. The permittee shall implement the corrective action specified in the SSM Plan when the average of ten consecutive 6-minute averages results in a measurement greater than 20% opacity. [40 C.F.R 63.864(k)(1)(i) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

32. If opacity measured by the COMS is greater than 35% for 6% or more of the operating time within any quarterly period, the Recovery Boiler is in violation of the standards of Specific Condition #44 and 40 C.F.R 63.862. [40 C.F.R 63.864(k)(2)(i) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

33. A quarterly excess emissions report containing the information specified in §63.10 and §63.867(c) shall be submitted to EPA and to the Department if the conditions of Specific Conditions #31 or #32 occur. If those conditions do not occur, semi-annual reporting to indicate such is required. [40 C.F.R 63.867(c) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

34. Steam generation in the recovery boiler shall be limited to 394,000 pounds of steam per hour during boiler operation based on a 24 hour rolling average. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

35. The only fuels to be used in the Recovery Boiler (SN-05A) shall be black liquor solids and natural gas. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

36. The permittee shall maintain monthly records which demonstrate compliance with Specific Conditions #34 and #35. Records shall be updated by the fifteenth day of the month following the month to which the records pertain. These records shall be kept on site, provided to Department personnel upon request and may be used by the Department for enforcement purposes. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

37. The TRS concentration at the recovery boiler shall be limited to 40 ppm. This limit shall be measured as $H_2S$ on a dry basis and on a 12 hour average, corrected to 8% volume oxygen. During periods when the recovery boiler is down and the oxygen content is greater than 19%, the TRS concentration shall not be corrected for oxygen. [§19.804 of Regulation #19 and §111d of the Clean Air Act]

38. The facility shall continue to calibrate, maintain, and operate a monitoring device (CEMS) that continuously monitors and records the total reduced sulfur (TRS) and $O_2$ concentration of gases leaving the recovery boiler through the stack. The TRS monitor shall be operated in accordance with Performance Specification #5. The $O_2$ monitor shall be operated in accordance with Performance Specification #3. Both Performance Specifications may be found in 40 C.F.R Part 60, Appendix B. The CEM may be taken off line when the boiler is out of service longer than 24 hours. The CEM shall meet minimum frequency of operation requirements of 95% up-time for each quarter for each pollutant measured. Failure to maintain operation time shall constitute a violation of the CEMs conditions. [§19.703 of Regulation #19, 40 C.F.R Part 52, Subpart E, and A.C.A. §8- 4-203 as referenced by §8-4-304 and §8-4-311]

39. The throughput of black liquor solids in the recovery boiler shall be limited to 438,000 tons per consecutive twelve month period. The black liquor solid firing rate shall be calculated by measuring the flow of strong black liquor and multiplying this flow by the measured weight concentration of solids in the liquor. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

40. The flow of strong black liquor shall be measured with a flow meter and shall be recorded at least once per hour while burning BLS. The weight concentrations of solids in the liquor shall be measured and recorded at least once per 8 hour period while burning BLS. The black liquor solids firing rate shall be calculated by multiplying the flow by the weight concentration of solids in the liquor. The facility shall maintain a daily and monthly log of the tons of BLS fired in the Recovery Boiler. Records for the annual throughput of BLS are to be maintained on a twelve month rolling total, updated monthly. Such records shall be maintained on site and made available to the Department upon request. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. Failure to comply with these conditions shall be considered a violation of the mass emission limit. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

41. Records shall be maintained of black liquor solids firing rate in tons per day. These records shall be kept on site, provided to Department personnel upon request and may be used by the Department for enforcement purposes. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. [40 C.F.R 63.866(c)(1) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

42. The electrostatic precipitator (ESP) shall not be bypassed during required ESP maintenance as long as black liquor solids are being combusted in the boiler and within one hour after flow of black liquor has been stopped. Gases from combustion of black liquor solids in the recovery boiler shall not be vented to the atmosphere unless the ESP is operating. The ESP may be bypassed during required ESP maintenance if the only fuel in the boiler is natural gas. [§19.303 of Regulation #19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

43. The Recovery Boiler (SN-05A) shall be tested for $PM_{10}$, $SO_2$, VOC, CO, and $NO_X$ emissions using EPA Reference Method 201 or Method 201A for $PM_{10}$, Method 6C for $SO_2$, Method 25A for VOC, Method 10 for CO, and Method 7E for $NO_X$. Each test shall consist of at least 3 sampling periods at a minimum of 1 hour each. Compliance testing shall be conducted while the equipment being tested is operating within 90% of its permitted capacity. If equipment does not attain 90% of permitted capacity during testing, the operating rate during testing will be 90% of the maximum operating rate until the next test is completed. This testing is to be completed once in the first year of every 5 year permit period. This test data shall be used for determination of compliance with the conditions set forth in this permit. [§19.702 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

44. The permittee shall establish an overall PM emission limit for the Recovery Boiler, using the methods in §63.865(a)(1) and (2), such that the sum of PM emissions from the Recovery Boiler (SN-05), the Smelt Dissolving Tank (SN-07), and the #2 Lime Kiln (SN-08) do not exceed the sum of individual units listed in §63.862(a)(1)(i). [40 C.F.R 63.862(a)(1)(ii) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

45. The permittee shall conduct an initial performance test on PM emissions from the Recovery Boiler by September 9, 2004 using the test methods and procedures listed in §63.7 and §63.865(b). Testing was performed from July 21 through July 26, 2004. [40 C.F.R 63.865 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

SN-07
Smelt Dissolving Tank Vent

## Source Description

Two smelt dissolving tanks are located on the east and west side of the Recovery Boiler. Emissions from these tanks are emitted through a single vent (SN-07). A venturi scrubber is used for the control of particulate matter. This source was installed in 1975.

A venturi scrubber system was installed in the Spring of 2002 to meet the requirements of 40 C.F.R Part 63, Subpart MM. Without the scrubber in operation, PM emissions would be greater than 100 tons per year. Therefore, this is a listed unit for CAM. However, the Smelt Dissolving Tank Vent is subject to 40 C.F.R Part 63, Subpart MM with a compliance date of March 13, 2004. This rule was finalized after November 15, 1990. Therefore, the Smelt Dissolving Tank Vent is exempt from the requirements of CAM.

## Specific Conditions

46. 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 Conditions #50, #51, #53, #61, and #62. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 8.9 | 35.7 |
| $SO_2$ | 0.3 | 1.1 |
| VOC | 0.6 | 2.2 |
| $NO_X$ | 1.1 | 4.4 |
| Lead | 0.01 | 0.02 |
| TRS | 1.82 | 7.36 |

47. 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 Conditions #51, #53, #61, and #62. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 8.9 | 35.7 |
| Formaldehyde | 0.19 | 0.77 |
| Methanol | 0.50 | 2.04 |
| Naphthalene | 0.03 | 0.11 |
| Ammonia | 6.50 | 26.28 |

48. The permittee shall comply with the opacity and monitoring standards of 40 C.F.R Part 63, Subpart MM for the smelt dissolving tank vent. Compliance with this specific condition shall be demonstrated through Specific Conditions #53, #56, and #57.

49. The facility shall measure the particulate emissions from the smelt dissolving tank. Method 5 and Method 202 shall be used for $PM_{10}$ with all emissions being reported as $PM_{10}$. Testing is to be completed once in the first year of every 5 year permit period. [§19.702 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

50. The TRS emission rates from the Smelt Dissolving Tank (SN-07) shall not exceed 0.0168 g/kg BLS. Compliance with this condition will be demonstrated by Specific Condition #52. [§19.804 of Regulation #19 and §111d of the Clean Air Act]

51. Operation of the smelt dissolving tank shall be limited by the firing of black liquor solids in the Recovery Boiler. Black liquor solids firing in the boiler are limited to 438,000 tons per consecutive twelve month period. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

52. The flow of strong black liquor shall be measured with a flow meter and shall be recorded at least once per hour while burning BLS. The weight concentrations of solids in the liquor shall be measured and recorded at least once per 8 hour period while burning BLS. The black liquor solids firing rate shall be calculated by multiplying the flow by the weight concentration of solids in the liquor. The facility shall maintain a daily and monthly log of the tons of BLS fired in the Recovery Boiler. Records for the annual throughput of BLS are to be maintained on a twelve month rolling total, updated monthly. Such records shall be maintained on site and made available to the Department upon request. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. Failure to comply with these conditions shall be considered a violation of the mass emission limit. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

53. The scrubber shall be operated at or above the minimum flow rate and at or above the minimum pressure differential as determined during the initial performance test. [§19.703 of Regulation 19, 40 C.F.R Part 52, Subpart E, 40 C.F.R 63.864(e)(10) and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

54. The permittee shall install, calibrate, maintain, and operate a CPMS that can be used to determine and record the pressure drop across the scrubber and the scrubbing liquid flow rate at least once every successive 15 minute period. [40 C.F.R 63.864(e)(10) and 40 C.F.R 63.8(c) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

55. The permittee shall develop, implement, and maintain a written startup, shutdown, and malfunction plan as described in §63.6(e)(3) that describes procedures for operating and maintaining the Smelt Dissolving Tank during periods of startup, shutdown, and malfunction to minimize HAP emissions and a program of corrective action for malfunctioning of the scrubber or the CPMS. [40 C.F.R 63.866(a) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

56. The permittee shall implement the corrective action specified in the SSM Plan when any 3-hour average parameter value is outside the range of values established in the initial performance test. [40 C.F.R 63.864(k)(1)(ii) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

57. When six or more 3-hour average parameter values within any 6-month reporting period are outside the range of values established in the initial performance test, the Smelt Dissolving Tank is in violation of the standards of Specific Condition #61 and 40 C.F.R 63.862. [40 C.F.R 63.864(k)(2)(iii) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

58. No more than one exceedance will be attributed to any given 24-hour period. [40 C.F.R 63.864(k)(3) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

59. A quarterly excess emissions report containing the information specified in §63.10 and §63.867(c) shall be submitted to EPA and to the Department if the conditions of Specific Conditions #56 or #57 occur. If those conditions do not occur, semi-annual reporting to indicate such is required.

60. The permittee shall maintain continuous records which demonstrate compliance with Specific Condition #53. Readings will be recorded every 15 minutes and averaged over three hours. Records shall clearly indicate when liquor is being added to the Recovery Boiler. Measurement of liquid flow and pressure drop is not required after liquor flow to the Recovery Boiler has been stopped for at least one hour. These records shall be kept on site, provided to Department personnel upon request, and may be used by the Department for enforcement purposes. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

61. The permittee shall establish an overall PM emission limit for the Smelt Dissolving Tank, using the methods in §63.865(a)(1) and (2), such that the sum of PM emissions from the Recovery Boiler (SN-05), the Smelt Dissolving Tank (SN-07), and the #2 Lime Kiln (SN-08) do not exceed the sum of individual units listed in §63.862(a)(1)(i). [40 C.F.R 63.862(a)(1)(ii) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

62. The permittee shall conduct an initial performance test on PM emissions from the Smelt Dissolving Tank by September 9, 2004 using the test methods and procedures listed in §63.7 and §63.865(b). Testing was performed from July 21 through July 26, 2004. [40 C.F.R 63.865 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

SN-08 and SN-22
#2 Lime Kiln and NCG Incinerator

## Source Description

The maximum firing rate of the #2 Lime Kiln (SN-08) is 60 MMBTU/hr. NCGs are combusted in the #2 Lime Kiln. The #2 Lime Kiln was constructed in 1975 and has not been modified since that time. The #2 Lime Kiln uses only natural gas or tall oil as fuel, and is equipped with a wet venturi scrubber.

Permit #224-AR-5 required the installation of a back-up incineration unit for the purpose of incinerating NCGs. In accordance with this provision, an NCG flare (SN-22) was installed in December 1994. This flare did not perform reliably. The facility constructed a new flare that was started up in May 1996.

The NCG flare serves to incinerate NCGs when the #2 Lime Kiln is not operating. The flare is supplemented with natural gas and has a firing rate of 4.5 MMBTU/hr.

The #2 Lime Kiln uses a wet scrubber to control emissions of particulate. Without the scrubber in operation, PM emissions would be greater than 100 tons per year. Therefore, this is a listed unit for CAM. However, the #2 Lime Kiln is subject to 40 C.F.R Part 63, Subpart MM with a compliance date of March 12, 2004. This rule was finalized after November 15, 1990. Therefore, the #2 Lime Kiln is exempt from the requirements of CAM.

The #2 Lime Kiln and the NGC Incinerator are subject to 40 C.F.R Part 63, Subpart S-National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry. They are used as control devices to reduce total HAP emissions for the LVHC system (SN-37). Emissions that are listed for SN-08 and SN-22 reflect the incineration of gases that are routed from the LVHC system.

**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 Conditions #68, #70, #73, #74, #76, #77, #78, #87, #88, and #89. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| SN | Pollutant | lb/hr | tpy |
|---|---|---|---|
| 08 | $PM_{10}$ | 35.2 | 154.2 |
| | $SO_2$ | 0.8 | 15.0 |
| | VOC | 0.3 | 15.0 |
| | CO | 4.5 | 21.3 |
| | $NO_X$ | 8.4 | 45.0 |
| | Lead | 0.01 | 0.02 |
| 22 | $SO_2$ | 49.1 | 26.3 |
| 08 and 22 combined | TRS | 6.43 | 28.15 |

64. 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 Conditions #70, #73, #74, #76, #77, #78, #87, #88, and #89. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| SN | Pollutant | lb/hr | tpy |
|---|---|---|---|
| 08 | PM | 35.2 | 154.2 |
| | Methanol | 0.96 | 0.34 |
| | Naphthalene | 0.16 | 0.55 |

65. Visible emissions from SN-08 shall not exceed 20% opacity as measured by EPA Reference Method 9. [§19.503 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

66. The permittee shall comply with the opacity and monitoring standards of 40 C.F.R Part 63, Subpart MM for the lime kiln. Compliance with this specific condition shall be demonstrated through Specific Conditions #77, #78, and #82. [§19.503 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

67. Visible emissions from SN-22 shall not exceed 20% opacity as measured by EPA Reference Method 9. Compliance with this condition will be burning only natural gas. [§19.503 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

68. The TRS emission rates from the #2 Lime Kiln (SN-08) shall not exceed 40 ppm. This limit shall be measured as $H_2S$ on a dry basis and on a 12 hour average, corrected to 10% volume oxygen. During periods when the #2 Lime Kiln is down and the oxygen content is greater than 19%, the TRS concentration shall not be corrected for oxygen. [§19.804 of Regulation #19 and §111d of the Clean Air Act]

69. The facility shall continue to calibrate, maintain, and operate a monitoring device (CEMS) that continuously monitors and records the total reduced sulfur (TRS) concentration of gases leaving the #2 Lime Kiln (SN-08) and the $O_2$ concentration. The CEM may be taken off line when the kiln is out of service longer than 24 hours. The CEM shall meet minimum frequency of operation requirements of 95% up-time for each quarter and for each pollutant measured. Failure to maintain operation time shall constitute a violation of the CEMs conditions. [§19.703 of Regulation #19, 40 C.F.R Part 52, Subpart E, and A.C.A. §8- 4-203 as referenced by §8-4-304 and §8-4-311]

70. The total throughput of lime through the #2 Lime Kiln (SN-08) shall be limited to 84,950 tons per consecutive rolling twelve month total. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

71. The permittee shall maintain records of CaO production for the #2 Lime Kiln in units of tons per day. [40 C.F.R 63.866(c)(2) and A.C.A. §8- 4-203 as referenced by §8-4-304 and §8-4-311]

72. The facility shall maintain monthly records of the lime throughput through the #2 Lime Kiln. Records of this throughput are to be maintained on a twelve month rolling total. Such records shall be maintained on site and made available to the Department upon request. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

73. The NCG Incinerator (SN-22) shall be used at all times when NCGs are not incinerated in the #2 Lime Kiln (SN-08). The facility shall maintain effective incineration of NCGs at a minimum temperature of 1200°F for at least 0.5 second. [§19.804 of Regulation #19 and 111(d) of the Clean Air Act]

74. Operation of the NCG Incinerator shall not exceed 1000 hours on a consecutive 12 month basis. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

75. The facility shall maintain records of all hours of operation and minimum temperature for the NCG Incinerator updated daily. These records shall be kept on site and shall be provided to Department personnel on request. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

76. The #2 Lime Kiln (SN-08) shall use only natural gas as fuel. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

77. Particulate emissions from the #2 Lime Kiln (SN-08) shall be controlled by a wet scrubber. The wet scrubber shall be used at all times when the #2 Lime Kiln is processing lime. [§19.303 of Regulation #19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

78. The liquid flow to the scrubber and differential pressure across the scrubber for the #2 Lime Kiln (SN-08) shall be maintained at or above the flow rate and the differential pressure measured, based on a three hour rolling average, as determined during the initial performance test. [§19.703 of Regulation #19, 40 C.F.R Part 52, Subpart E, 40 C.F.R 864(e)(10), and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

79. The facility shall continuously monitor and record once per hour or continuously (by strip chart or electronically) the pressure drop across the scrubber (SN-08) and the liquid flow to the scrubber. The flow rate and pressure drop compliance demonstration measurements are based on a three hour rolling average. Scrubber flow and pressure drop do not have to be measured when the source is not processing lime. These records shall be maintained on site and provided to Department personnel upon request. [§19.703 of Regulation #19, 40 C.F.R Part 52, Subpart E, and A.C.A. §8- 4-203 as referenced by §8-4-304 and §8-4-311]

80. The permittee shall install, calibrate, maintain, and operate a CPMS that can be used to determine and record the pressure drop across the scrubber and the scrubbing liquid flow rate at least once every successive 15 minute period. [40 C.F.R 63.864(e)(10), 40 C.F.R 63.8(c) and A.C.A. §8- 4-203 as referenced by §8-4-304 and §8-4-311]

81. The permittee shall develop, implement, and maintain a written startup, shutdown, and malfunction plan as described in §63.6(e)(3) that describes procedures for operating and maintaining the #2 Lime Kiln during periods of startup, shutdown, and malfunction to minimize HAP emissions and a program of corrective action for malfunctioning of the scrubber or the CPMS. [40 C.F.R 63.866(a) and A.C.A. §8- 4-203 as referenced by §8-4-304 and §8-4-311]

82. The permittee shall implement the corrective action specified in the SSM Plan when any 3-hour average parameter value is outside the range of values established in the initial performance test. [40 C.F.R 63.864(k)(1)(ii) and A.C.A. §8- 4-203 as referenced by §8-4-304 and §8-4-311]

83. When six or more 3-hour average parameter values within any 6-month reporting period are outside the range of values established in the initial performance test, the #2 Lime Kiln is in violation of the standards of Specific Condition #88 and 40 C.F.R 63.862. [40 C.F.R 63.864(k)(2)(iii) and A.C.A. §8- 4-203 as referenced by §8-4-304 and §8-4-311]

84. No more than one exceedance will be attributed to any given 24-hour period. [40 C.F.R 63.864(k)(3) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

85. A quarterly excess emissions report containing the information specified in §63.10 and §63.867(c) shall be submitted to EPA and to the Department if the conditions of Specific Conditions #82 or #83 occur. If those conditions do not occur, semi-annual reporting to indicate such is required. [40 C.F.R 63.867(c) and A.C.A. §8- 4-203 as referenced by §8-4-304 and §8-4-311]

86. The total HAP emissions routed from the LVHC system shall be controlled no later than April 16, 2001. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.443(a)(1)(i) and §63.440(d)]

87. The #2 Lime Kiln (SN-08) and the NCG Incinerator (SN-22) are the control devices for reducing the HAP emissions from the LVHC system (SN-37). [§19.304 of Regulation #19 and 40 C.F.R 60, Subpart S §63.443(d)(3) and (4)]

    A. The HAP emission stream shall be introduced into the flame zone of the lime kiln. [§63.443(d)(4)]

    B. The NCG Incinerator shall be operated at a minimum of 871$^{o}$C (1600$^{o}$F) and a minimum residence time of 0.75 seconds. [§63.443(d)(3)]

    C. A continuous monitoring device shall be installed in the NCG Incinerator to continuously measure and record the temperature in the firebox or in the ductwork immediately downstream of the firebox while HAPs are being burned. [§63.453(b)]

        1. A record of NCG Incinerator temperature will be kept in a form suitable for inspection upon request for a period of at least five years. [§63.10(b)(2)(vii)]

        2. A record of each period during which the temperature probe is malfunctioning or inoperative shall be kept. [§63.10(b)(2)(vi)]

        3. A record shall be kept of all calibration checks, maintenance, and adjustments of the temperature probe. [§63.10(b)(2)(x) and (xi)]

    D. Operation of the NCG Incinerator (SN-22) below 871$^{o}$C (1600$^{o}$F) while burning HAPs shall constitute a violation of the emissions standard of Subpart S and shall be reported as a period of excess emissions as outlined in Specific Condition #149. [§63.453(o), except as provided in §63.443(e)]

88. The permittee shall establish an overall PM emission limit for the #2 Lime Kiln, using the methods in §63.865(a)(1) and (2), such that the sum of PM emissions from the Recovery Boiler (SN-05), the Smelt Dissolving Tank (SN-07), and the #2 Lime Kiln (SN-08) do not exceed the sum of individual units listed in §63.862(a)(1)(i). [40 C.F.R 63.862(a)(1)(ii) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

89. The permittee shall conduct an initial performance test on PM emissions from the #2 Lime Kiln by September 9, 2004 using the test methods and procedures listed in §63.7 and §63.865(b). Testing was performed from July 21 through July 26, 2004. [40 C.F.R 63.865 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

90. [RESERVED]

SN-11
Brownstock Washers

## Source Description

Three sets of rotary-drum vacuum type Brownstock Washer Systems are used to separate pulp from spent black liquor. There are a total of eight individual Brownstock washer units. The A-Line and C-Line washers consist of three washers in series. The B-washers consist of two washers in series. Previously, open hoods captured emissions generated by each washing unit and vented through individual exhaust stacks. Pursuant to 40 C.F.R Part 63, Subpart S, the emissions from the washers are collected and passed to the HVLC system (SN-38) and taken to the #3 Wood Waste Boiler (SN-04) or #1 Wood Waste Boiler (SN-02) for control.

## Specific Conditions

91. Emissions generated by the Brownstock Washers (SN-11) are collected in the HVLC Collection System (SN-38) thus eliminating emissions from SN-11. The washers cannot (based on the scope of the HVLC Collection System) be vented into the atmosphere. [40 C.F.R Part 52.21 (b)(3)(viii)]

92. The permittee may add $CO_2$ to the shower water of each Brownstock washer line (SN-11) to control pH at a specified level based on demand on the Paper machines (SN-25A and SN-25B). This replaces most of the pH control requirements at the Paper machines. [A.C.A §8-4-203 as referenced by §8-4-304 and §8-4-311]

SN-12
Aerated Settling Basin and Post Aerated Stabilization Basin

## Source Description

The Aerated Settling Basin and Post Aerated Stabilization Basin are part of the wastewater treatment for this facility. This source was introduced in 1965.

## Specific Conditions

93. 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 #95. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| VOC | 19.3 | 72.9 |

94. 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 #95. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| Acetaldehyde | 2.05 | 7.76 |
| Methanol | 17.22 | 65.16 |

95. The permittee shall not exceed 310,333 bone dried tons of Kraft pulp during any consecutive twelve month period. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

96. The facility shall maintain records of the tons of bone dried Kraft pulp produced. Records for these annual rates are to be maintained on a twelve month rolling total, updated monthly. Such records shall be maintained on site and made available to the Department upon request. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. Failure to comply with these conditions shall be considered a violation of the mass emissions limit. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

SN-15
#2 Package Boiler

## Source Description

The #2 Package Boiler (SN-15) has a maximum heat input capacity of 205 MMBTU/hr. Natural gas is fired in the boiler. Fuel oil is fired in the boiler under emergency situations such as natural gas curtailment. The boiler was constructed in 1996 and began operation in February 1997.

## Specific Conditions

97. 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 Conditions #101, #102, and #105. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 1.6 | 6.7 |
| $SO_2$ | 1.5 | 6.6 |
| VOC | 1.2 | 4.9 |
| CO | 16.9 | 74.0 |
| $NO_X$ | 13.8 | 39.0 |

98. 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 Conditions #101 and #102. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 1.6 | 6.7 |
| Butane | 0.42 | 1.85 |
| Ethane | 0.62 | 2.73 |
| Hexane | 0.36 | 1.58 |
| Methane | 0.46 | 2.02 |
| Pentane | 0.52 | 2.29 |
| Propane | 0.32 | 1.41 |

99. Visible emissions from SN-15 shall not exceed 20% opacity as measured by EPA Reference Method 9. Compliance shall be demonstrated by complying with Specific Condition #100. [§19.503 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

100. The permittee shall conduct daily 6-minute opacity readings on SN-15 in accordance with EPA Reference Method #9 each day the boiler burns oil. The results of these readings shall be recorded in a log which shall be kept on site and made available for inspection upon request. [§19.702 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

101. The #2 Package Boiler shall only burn natural gas as fuel. Fuel oil shall only be burned in the event of natural gas curtailment or for short periods, upon notification of the Department, to test boiler fuel oil combustion controls. Used oil may be added to the fuel oil during gas curtailment provided that the used oil meets the exemption criteria listed in Regulation 23 §279.11. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

102. Steam generation in the boiler shall not exceed 199,000 pounds of steam per hour based on a 24 hour rolling average. Maximum annual steam production shall not exceed 1,700,000,000 pounds, determined on a 12 month rolling total. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

103. The facility shall maintain records of the steam generation at SN-15. Records for the hourly rate are to be maintained on a 24 hour rolling average, updated hourly. Records for the annual steam production are to be maintained on a twelve month rolling total, updated monthly. Such records shall be maintained on site and made available to the Department upon request. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. Failure to comply with these conditions shall be considered a violation of the mass emissions limit. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

104. The facility accepted limits on $SO_2$ in order to avoid further PSD requirements in permit #224-AOP-R0. Within 60 days after the date of issuance of this permit, the #2 Package Boiler (SN-15) was tested for $SO_2$ using EPA Reference Method 6. A written report of the results of the completed tests was furnished to the Compliance Section of the Department within 30 days of test completion (October 1, 1997). [§19.901 et seq. of Regulation #19, and 40 C.F.R Part 52, Subpart E]

105. The #2 Package Boiler is an affected source of 40 C.F.R Part 60, Subpart Db-Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units. [§19.304 of Regulation #19 and 40 C.F.R Part 60, Subpart Db]

    A. The facility shall not emit any gases from the #2 Package Boiler that contain $NO_X$ in excess of 0.20 lb/MMBTU based on a 30 day rolling average. [§60.44b(a)]

B. The $NO_X$ emission standards under §60.44b for the #2 Package Boiler apply at all times. Compliance with these requirements shall be determined as specified in §60.46b(c) and (e). [§60.46b(a)]

C. The facility shall install, calibrate, maintain, and operate a continuous monitoring system for measuring $NO_X$ emissions and the diluent $CO_2$ emissions from the #2 Package Boiler to the atmosphere and record the output of the system as per the requirements of §60.48b(c), (d), (e), (f), and (g). The CEM may be taken off line when the boiler is out of service longer than 24 hours. The CEM shall meet minimum frequency of operation requirements of 95% up-time for each quarter for each pollutant measured. Failure to maintain operation time shall constitute a violation of the CEMs conditions. [§60.48b(b)]

D. The facility has notified the Department of the February 15, 1997, initial startup of the #2 Package Boiler. As per §60.49b(a)(1), the facility has notified the Department that the design heat input capacity of the boiler is to be 205 MMBTU/hr. The fuel to be combusted is natural gas. Fuel Oil will be used in the event of natural gas curtailment. As per §60.49b(a)(3), the facility has notified the Department of the annual capacity factor at which the facility anticipates operating the boiler based upon all the fuels fired and each individual fuel fired. [§60.49b]

E. The facility shall submit the performance test data for $NO_X$ from the initial performance test and performance evaluation of the CEMs for the #2 Package Boiler to the Air Division Compliance Section. The applicable performance specifications in 40 C.F.R Part 60, Appendix B shall be used. The facility submitted this report on November 2, 1997. [§60.49b(b)]

F. The facility shall record and maintain records of the amounts of each fuel combusted during each day for the #2 Package Boiler and calculate the annual capacity factor individually for natural gas and oil for each calendar quarter. The annual capacity factor is to be determined on a 12 month rolling average basis with a new capacity factor calculated at the end of each calendar month. [§60.49b(d)]

G. The facility shall maintain records for the #2 Package Boiler for each steam generating unit operating day. As per §60.49b(i), the facility shall submit a quarterly report containing these records. These records shall be submitted to the Air Division Compliance Section and shall be postmarked by the 30th day following the end of each calendar quarter. [§60.49b(g)]

H. The facility is required to submit excess emission reports for any calendar quarter during which there are excess emissions from the #2 Package Boiler. If there are no excess emissions during the calendar quarter, the facility shall submit a semiannual report stating that no excess emissions occurred during the semiannual reporting period. [§60.49b(h)(2)]

I. The facility shall retain all required records for the #2 Package Boiler for a period of 2 years following the date of such record. [60.49b(o)]

SN-17
Tall Oil Plant Reactor

## Source Description

The tall oil reactor operates on a batch basis. Each batch takes about 1 hour to cook and 3 hours to transfer. Maximum tall oil production is 5 tons/hr. This source was installed in 1982.

## Specific Conditions

106. 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 #108. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| VOC | 5.9 | 15.0 |
| TRS | 0.21 | 0.30 |

107. 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 #108. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| Acetone | 0.12 | 0.17 |
| Methanol | 0.47 | 0.70 |
| Phenol | 0.10 | 0.14 |

108. The production or processing of Tall Oil shall be limited to 15,012 tons per consecutive twelve month period. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

109. The facility shall maintain records of production or processing of Tall Oil to demonstrate compliance with Specific Condition #108. Records for these annual rates are to be maintained on a twelve month rolling total and updated monthly. Such records shall be maintained on site and made available to the Department upon request. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. Failure to comply with these conditions shall be considered a violation of the mass emission limit. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

SN-23
Blow Heat Emergency Vent, Batch Digesters

## Source Description

Product and pressured gases from the digesters are released to atmospheric pressure in the blow tanks. The emergency vent was previously permitted as SN-16; however, as releases from this source are made only in emergency situations, it is not a normal source of emissions.

There are five Batch Digesters located at the facility. Batch Digesters #1 and #2 were installed in 1965, #3 and #4 in 1974, and #5 in 1987. Batch Digester #2 was repaired in 1996. In the Batch Digesters, wood chips and sawdust are cooked to separate the wood fiber from the lignin that binds the fibers together.

The Batch Digesters use the NCG/LVHC Collection System to control emissions of VOC. Without the NCG/LVHC Collection System in operation, VOC emissions would be greater than 100 tons per year. Therefore, this is a listed unit for CAM. However, the Batch Digesters are subject to 40 C.F.R Part 63, Subpart S with an effective date of April 15, 2001. Therefore, the Batch Digesters are exempt from the requirements of CAM.

## Specific Conditions

110. 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 Conditions #112 and #135. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| VOC | 1.9 | 15.0 |
| TRS | 0.32 | 9.0 |

111. 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 Conditions #112 and #135. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| Acetaldehyde | 0.04 | 0.15 |
| Methanol | 0.77 | 2.83 |

112. Batch Digester #5 is an affected source of 40 C.F.R Part 60, Subpart BB-Standards of Performance for Kraft Pulp Mills. [§19.304 of Regulation #19 and 40 C.F.R Part 60, Subpart BB]

A. The gases from the #5 Batch Digestor shall be combusted with other waste gases in the incinerator, lime kiln, or recovery furnace. They shall be incinerated at a minimum temperature of 1200°F for a minimum of 0.5 seconds. [§60.283(a)(1)(iii)]

B. The facility shall install, calibrate, maintain and operate a continuous monitoring device for the digester (SN-23) which measures and records the combustion temperature at the point of incineration of effluent gases which are emitted from the digester system. The monitoring device is to be certified by the manufacturer to be accurate within ±1 percent of the temperature being measured. [§60.284(b)(1)]

C. The facility shall report semiannually periods of excess emissions. For the digester system, periods of excess emissions are all periods in excess of 5 minutes and their duration during which the combustion temperature at the point of incineration is less than 1200°F. As in §60.284(e)(2), excess emissions reported shall not be a violation of §60.11(d) provided that the affected facility, including air pollution control equipment, is maintained and operated in a manner which is consistent with good air pollution control practice for minimizing emissions during periods of excess emissions. [§60.284(d)(3)(ii)]

SN-24
Wood Yard Fugitives

## Source Description

Wood yard activities at the mill are classified as the unloading of wood chips and wood waste at the two receiving dumps, material drop points, stacking and removing material to and from storage piles, wind erosion from storage piles, and road emissions. Chips are sent to the semicircular chip pile by means of a belt conveyor. Then, chips are recovered with a reclaim conveyor that follows the contour of the pile. The chips will go through a chip thickness screening system which consists of a scalping screen, a primary screen, an air density separator, chip conditioner, and a fines screen. After the screening system, the chips will be conveyed to a chip silo, to the digester, or to the chip pad.

## Specific Conditions

113. 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 Conditions #117 and #121. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 0.8 | 1.0 |
| VOC | 202.5 | 887.0 |

114. 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 Conditions #117 and #121. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 1.6 | 2.2 |

SN-25A
#1 Paper Machine

**Source Description**

The #1 Paper Machine was installed in 1965. At the paper machine, pulp is formed into a sheet, drained and pressed for dewatering, and then dried with steam heated dryers.

**Specific Conditions**

115. 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 #117. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 2.4 | 9.1 |
| VOC | 31.4 | 110.0 |

116. 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 Conditions #117. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 0.8 | 3.1 |
| Acetone | 1.10 | 4.00 |
| Acetaldehyde | 2.90 | 10.90 |
| Acrolein | 0.13 | 0.48 |
| Benzene | 0.03 | 0.09 |
| Biphenyl | 0.29 | 1.10 |
| Carbon Disulfide | 0.05 | 0.18 |
| Chloroform | 0.04 | 0.15 |
| 1,2-Dichlorethylene | 0.22 | 0.81 |
| Formaldehyde | 0.55 | 2.05 |
| Methanol | 23.3 | 87.6 |
| Methyl Isobutyl Ketone | 0.06 | 0.21 |

| Pollutant | lb/hr | tpy |
|---|---|---|
| Methylene Chloride | 0.17 | 0.62 |
| Phenol | 0.10 | 0.34 |
| Styrene | 0.05 | 0.19 |
| Tetrachloroethylene | 0.15 | 0.56 |
| Toluene | 0.07 | 0.28 |
| 1,2,4-Trichlorobenzene | 0.17 | 0.62 |
| 1,1,1-Trichloroethane | 0.05 | 0.16 |
| 1,1,2-Trichloroethane | 0.05 | 0.19 |
| Trichloroethylene | 0.10 | 0.36 |
| m,p Xylene | 0.04 | 0.16 |
| o Xylene | 0.04 | 0.14 |

117. The yearly production rate of the #1 Paper Machine shall be limited to 301,750 air dried tons of finished paper and the use of 186,200 tons of bone dried kraft pulp (60% of 310,333 bone dried tons pulp) based on a rolling twelve month total. The amount of kraft tons each month will be a calculated amount from the total amount of kraft pulp sent to either paper machine (SN-25A & SN-25B). [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

118. The permittee shall maintain records of the production rate and kraft pulp use of the #1 Paper Machine. These records shall be updated at least monthly, shall be kept on site, and shall be provided to Department personnel upon request. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

SN-25B
#2 Paper Machine

**Source Description**

The #2 Paper Machine was installed in 1978 and modified in 1998. At the paper machine, pulp is formed into a sheet, drained and pressed for dewatering, and then dried with steam heated dryers.

**Specific Conditions**

119. 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 #121. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 1.9 | 7.5 |
| VOC | 26.2 | 83.7 |

120. 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 #121. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 0.7 | 2.5 |
| Acetone | 0.60 | 2.50 |
| Acetaldehyde | 1.64 | 6.55 |
| Acrolein | 0.07 | 0.27 |
| Benzene | 0.02 | 0.05 |
| Biphenyl | 0.34 | 1.35 |
| Carbon Disulfide | 0.06 | 0.22 |
| Chloroform | 0.05 | 0.18 |
| 1,2-Dichlorethylene | 0.12 | 0.46 |
| Formaldehyde | 0.29 | 1.16 |
| Methanol | 15.56 | 61.90 |
| Methyl Isobutyl Ketone | 0.03 | 0.12 |

| Pollutant | lb/hr | tpy |
|---|---|---|
| Methylene Chloride | 0.12 | 0.47 |
| Phenol | 0.11 | 0.43 |
| Styrene | 0.03 | 0.11 |
| Tetrachloroethylene | 0.08 | 0.30 |
| Toluene | 0.07 | 0.27 |
| 1,2,4-Trichlorobenzene | 0.09 | 0.35 |
| 1,1,1-Trichloroethane | 0.03 | 0.10 |
| 1,1,2-Trichloroethane | 0.03 | 0.10 |
| Trichloroethylene | 0.05 | 0.20 |
| m,p Xylene | 0.03 | 0.09 |
| o Xylene | 0.02 | 0.08 |

121. The yearly production rate of the #2 Paper Machine shall be limited to 248,500 air dried tons of finished paper and the use of 124,133 tons of bone dried kraft pulp (40% of 310,333 tons of bone dried pulp) based on a rolling twelve month total. The amount of kraft tons each month will be a calculated amount from the total amount of kraft pulp sent to either paper machine (SN-25A & SN-25B). [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

122. The permittee shall maintain records of the production rate and kraft pulp use of the #2 Paper Machine. These records shall be updated at least monthly, shall be kept on site, and shall be provided to Department personnel upon request. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

SN-26 and SN-27
Basement Air Make-up Heaters #1 and #2

## Source Description

The Basement Air Make-up Heaters #1 and #2 (SN-26 and SN-27) are both 10 MMBTU/hr natural gas fired heaters. They were installed in 1967.

## Specific Conditions

123. 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 #126. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| SN | Pollutant | lb/hr | tpy |
|---|---|---|---|
| 26 | $PM_{10}$ | 0.1 | 0.4 |
| | $SO_2$ | 0.1 | 0.1 |
| | VOC | 0.1 | 0.3 |
| | CO | 0.8 | 3.6 |
| | $NO_X$ | 1.0 | 4.3 |
| 27 | $PM_{10}$ | 0.1 | 0.4 |
| | $SO_2$ | 0.1 | 0.1 |
| | VOC | 0.1 | 0.3 |
| | CO | 0.8 | 3.6 |
| | $NO_X$ | 1.0 | 4.3 |

124. 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 Conditions #126. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| SN | Pollutant | lb/hr | tpy |
|---|---|---|---|
| 26 | PM | 0.1 | 0.4 |
| 27 | PM | 0.1 | 0.4 |

125. Visible emissions from these sources shall not exceed 5% opacity as measured by EPA Reference Method 9. Compliance will be demonstrated by only burning natural gas. [§18.501 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R Part 52, Subpart E]

126. The #1 and #2 Basement Air Make-Up Heaters shall only use natural gas as a fuel source. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

SN-30
Landfill

## Source Description

The landfill at Green Bay is separated into two areas. Landfill 2 (Area I and II), which operated from 1981 to 1999, has a design capacity of 1,121,750 $yd^3$. Landfill 3, Phase 1 has a design capacity of 449,000 $yd^3$. It was filled in 2002. Landfill 3, Phase 2 was filled in 2008. It has a design capacity of 425,000 $yd^3$. Landfill 3, Phase 3 has a capacity of 376,000 $yd^3$. Currently, waste is being put into Landfill 3 Phase 3. Phase 4 will be used when Phase 3 is filled. Pulp mill landfills provide a poor environment for formation and release of gases because of low nitrogen content, high moisture and waste with high pH levels.

## Specific Conditions

127. 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 #129. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| VOC | 1.9 | 8.3 |

128. 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 #129. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| Methane | 159.73 | 699.60 |

129. Annual waste acceptance rate for the landfill shall not exceed 489,000 cubic yards uncompacted waste per year as calculated on a twelve month rolling total. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

130. The facility shall record the amounts of waste received in the landfill. The records shall be updated on a monthly basis. These records shall be kept on site, provided to Department personnel upon request and may be used by the Department for enforcement purposes. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

131. Landfill 2 (Area I and II) and Landfill 3, Phase 1 and Phase 2 are filled and covered and shall no longer accept waste. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311 and 40 C.F.R Part 52, Subpart E]

132. The landfill is not an affected facility of 40 C.F.R Part 60, Subpart WWW-Standards of Performance for Municipal Solid Waste Landfills because it does not contain household waste. [§19.304 of Regulation #19 and 40 C.F.R Part 60, Subpart WWW]

SN-31
Weak Black Liquor Tanks

## Source Description

Weak Black Liquor is a product of the pulping process. It consists of compounds of dissolved and reacted lignin, organic and inorganic compounds that contain sulfur, and unreacted sodium hydroxide and sodium sulfide. Weak Black Liquor is contained in the vessels listed in the table below.

| Equipment Number | Vessel | Capacity (gallon) |
|---|---|---|
| 0467 | Weak Black Liquor Boil Out Tank | 750,000 |
| 0470 | Blend Tank | 18,426 |
| 0472 | Screen Accepts Tank | 18,426 |
| 0474 | Weak Black Liquor Storage Tank | 1,055,016 |

## Specific Conditions

133. 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 #135. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| VOC | 3.5 | 15.4 |
| TRS | 0.44 | 1.93 |

134. 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 #135. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| Acetone | 0.07 | 0.28 |

135. A throughput limit of 310,333 bone dried tons of Kraft pulp at the facility per consecutive twelve month period shall be considered compliance with emission limits for this source. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

136. The permittee shall maintain records of the throughput of bone dried Kraft pulp at the facility. Records shall be updated monthly, maintained on site and made available to the Department upon request. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. Failure to comply with these conditions shall be considered a violation of the mass emissions limit. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

SN-32
Green Liquor Tanks

**Source Description**

Green Liquor is formed from the dissolved molten salts or smelt from the recovery boiler. It is contained in the vessels listed in the table below.

| Equipment Number | Vessel | Capacity (gallons) |
|---|---|---|
| 0786 | #1 Green Liquor Clarfier (North) | 47,377 |
| 0724 | #2 Green Liquor Clarifier (South) | 47,377 |
| 0729A | #1 Green Liquor Storage Tank (North) | 54,147 |
| 0729B | #2 Green Liquor Storage Tank (South) | 54,147 |
| 0709 | Green Liquor Blend Tank | 26,632 |
| 0743 | Extra Clarfier/Washer Tank | 69,177 |

**Specific Conditions**

137. 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 #135. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| VOC | 8.3 | 34.2 |
| TRS | 0.26 | 1.14 |

138. 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 #135. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| Acetone | 0.08 | 0.34 |

SN-36
Slaker/Causticizers

## Source Description

Green liquor from the Green Liquor Clarifier and lime from the Lime Silos are mixed together in the Slaker. The solution of lime and green liquor from the Slaker overflows into two Causticizers in series. In these Causticizers, calcium hydroxide reacts with sodium carbonate to form sodium hydroxide and calcium carbonate. These components are pumped to the white liquor clarifier. The insoluble calcium carbonate settles out and is sent back to the lime kiln for conversion to calcium oxide. The liquid portion in the clarifier is white liquor that goes to the digesters to digest wood chips. The Slaker is equipped with a scrubber consisting of spray nozzles which scrubs the vapors produced from the slacker with a spray of weak wash. The emissions exit the scrubber through a dedicated stack. Emissions from the Causticizers are emitted through vents on the Causticizers and through a standpipe that the overflow from the Causticizers flows into. Emissions from the Slaker and Causticizers are combined for a single emission rate for SN-36.

## Specific Conditions

139. 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 #141. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| VOC | 1.2 | 7.0 |

140. 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 #141. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| Acetaldehyde | 0.59 | 2.29 |
| Acetone | 0.21 | 0.82 |
| Ammonia | 4.84 | 18.69 |
| Methanol | 0.59 | 2.27 |

141. The throughput of lime through the Slaker system shall not exceed 84,950 tons during any consecutive twelve month period. Compliance for this condition is shown by maintaining records of lime usage outlined in Specific Condition #72. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

SN-37
LVHC Collection System

## Source Description

Pulping wood releases numerous HAP compounds that do not condense out in other processes. The non-condensable gases are collected and sent to the #2 Lime Kiln (SN-09) or to the NCG Incinerator (SN-22) for incineration. The LVHC system collects HAPs from the Turpentine Recovery process, the Digester Blow System, and the Evaporator System. Emissions listed for this source are from releases due to the opening of the bypass vent. Emissions listed for this system include releases from the system due to startup, shutdown and malfunction conditions in the LVHC System, from the LVHC Collection System and from the control equipment used to reduce total HAP emissions, and 1% of process time as provided at §63.443(e)(1). The remaining emissions are sent to the control devices and incinerated.

The LVHC/NCG Collection System collects all of the non-condensable gases emitted from the digester system, the turpentine recovery system, and the evaporator system. These gases are transported through the collection system to be incinerated in the #2 Lime Kiln (SN-09) and the NCG Flare (SN-22). Without the use of the kiln and flare as control devices, the emission of HAPs and TRS gases would exceed the 25 ton per year threshold for HAPs and the 100 tons per year for VOCs. Therefore, this is a listed unit for CAM. However, the LVHC/NCG Collection System is subject to 40 C.F.R Part 63, Subpart S with an effective date of April 15, 2001. Therefore, the LVHC/NCG Collection System is exempt from the requirements of CAM.

## Specific Conditions

142. 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 Conditions #147 and #148. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| VOC | 12.9 | 1.1 |
| TRS | 4.90 | 0.43 |

143. 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 Conditions #145, #147 and #148. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| Methanol | 12.92 | 1.13 |

144. The total HAP emissions from this source shall be controlled no later than April 16, 2001. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.443(a)(1)(i) and §63.440(d)]

145. The LVHC System sources shall be enclosed and vented into a closed-vent system and routed to a control device that reduces total HAP emissions using the #2 Lime Kiln (SN-08) and/or the NCG Incinerator (SN-22). [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.443(c) and §63.443(d)(4)]

146. A record will be kept of all required maintenance activities performed on the LVHC System control devices. [§63.10(b)(2)(iii)]

147. The enclosures and closed-vent system shall meet the requirements specified in §63.450-Standards For Enclosures and Closed-Vent Systems; §63.453(k)-Monitoring Requirements; and §63.454(b)-Recordkeeping Requirements. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.443(c)]

A. Each enclosure shall maintain negative pressure at each enclosure or hood opening as demonstrated by the procedures specified in §63.457(e). Each enclosure or hood opening closed during the initial performance test specified in §63.457(a) shall be maintained in the same closed and sealed position as during the performance test at all times except when necessary to use the opening for sampling, inspection, maintenance, or repairs. [§63.450(b)]

B. Each component of the closed-vent system that is operated at positive pressure and located prior to a control device shall be designed for and operated with no detectable leaks as indicated by an instrument reading of less than 500 parts per million by volume above background, as measured by the procedures specified in §63.457(d). [§63.450(c)]

C. Each bypass line in the closed-vent system that could divert vent streams containing HAP to the atmosphere without meeting the emission limitations shall comply with either of the following requirements: [§63.450(d)]

1. On each bypass line, the owner or operator shall install, calibrate, maintain, and operate according to manufacturer's specifications, a flow indicator that provides a record of the presence of gas stream flow in the bypass line at least once every 15 minutes. The flow indicator shall be installed in the bypass line in such a way as to indicate flow in the bypass line. In loop seals, temperature measurement is an acceptable method of demonstrating gas flow.

2. For bypass line valves that are not computer controlled, the owner or operator shall maintain the bypass line valve in the closed position with a car seal or a seal placed on the valve or closure mechanism in such a way that valve or closure mechanism cannot be opened without breaking the seal.

D. The closed-vent LVHC Collection System shall comply with the following requirements: [§63.453(k)]

1. For each enclosure opening, a visual inspection of the closure mechanism shall be performed at least once every 30 days to ensure the opening is maintained in the closed position and sealed. Inspections shall be conducted once during each calendar month, with any two consecutive inspections being at least 21 calendar days apart. [§63.453(k)(1)]

2. Each closed-vent system shall be visually inspected every 30 days and at other times as requested by the Administrator. The visual inspection shall include inspection of ductwork, piping, enclosures, and connections to covers for visible evidence of defects. Inspections shall be conducted once during each calendar month, with any two consecutive inspections being at least 21 calendar days apart. [§63.453(k)(2)]

3. For positive pressure closed-vent systems or portions of closed-vent systems, demonstrate no detectable leaks measured initially and annually by complying with the following procedures found in §63.457(d): [§63.453(k)(3)]

    a. Method 21, of Part 60, Appendix A;

    b. The instrument specified in Method 21 shall be calibrated before use according to the procedures specified in Method 21 on each day that leak checks are performed. The following calibration gases shall be used;

        1. Zero air (less than 10 parts per million by volume of hydrocarbon in air) and;

        2. A mixture of methane or n-hexane and air at a concentration of approximately, but less than, 10,000 parts per million by volume methane or n-hexane.

4. Demonstrate initially and annually that each enclosure opening is maintained at negative pressure by using one of the following procedures found in §63.457(e): [§63.453(k)(4)]

    a. An anemometer to demonstrate flow into the enclosure opening;

    b. Measure the static pressure across the opening;

    c. Smoke tubes to demonstrate flow into the enclosure opening;

    d. Any other industrial ventilation test method demonstrated to the Administrator's satisfaction.

5. The valve or closure mechanism shall be inspected at least once every 30 days to ensure that the valve is maintained in the closed position and the emission point gas stream is not diverted through the bypass line. Inspections shall be conducted once during each calendar month, with any two consecutive inspections being at least 21 calendar days apart. [§63.453(k)(5)]

6. If an inspection identifies visible defects in ductwork, piping, enclosures or connections to covers, or if an instrument reading of 500 parts per million by volume or greater above background is measured, or if enclosure openings are not maintained at negative pressure, then the following corrective actions shall be taken as soon as practicable: [§63.453(k)(6)]

    a. A first effort to repair or correct the closed-vent system shall be made as soon as practicable but no later than 5 calendar days after the problem is identified.

    b. The repair or corrective action shall be completed no later than 15 calendar days after the problem is identified. Delays in corrective repairs beyond 15 calendar days are allowed in cases where the corrective actions or repairs are technically infeasible without a process unit shutdown or where the emissions resulting from immediate repair would be greater than the emissions likely to result from the delay of the repair. Repair of such equipment shall be completed by the end of the next process unit shutdown.

7. Closed vent systems, fixed roofs, covers, or enclosures are exempt from the 30 day and annual inspection requirements, provided that the source or operator determines:

    a. Persons conducting the inspection would be exposed to an imminent or potential danger, or

b. Equipment could not be inspected without elevating the individual higher than 6 feet above or beyond the work platform, walkway, or catwalk.

The source or operator shall identify all exempted equipment and explain how the equipment will be inspected during safe-to-inspect periods. The inspection frequency shall be at least once every five calendar years.

E. For each applicable enclosure opening, closed-vent system, and closed collection system under Specific Condition #147(D), the owner or operator shall prepare and maintain a site-specific inspection plan including a drawing or schematic of the components of applicable affected equipment and shall record the following information for each inspection: [§63.454(b),]

a. Date of inspection;

b. The equipment type and identification;

c. Results of negative pressure tests for enclosures;

d. Results of leak detection tests;

e. The nature of the defect or leak and the method of detection (i.e. visual inspection or instrument detection);

f. The date the defect or leak was detected and the date of each attempt to repair the defect or leak;

g. Repair methods applied in each attempt to repair the defect or leak;

h. The reason for the delay if the defect or leak is not repaired within 15 days after discovery;

i. The expected date of successful repair of the defect or leak if the repair is not completed within 15 days;

j. The date of successful repair of the defect or leak;

k. The position and duration of the opening of bypass line valves and the condition of any valve seals; and

l. The duration of the use of bypass valves on computer controlled valves.

148. Operation of the control device below minimum operating parameter values or above maximum operating parameter values established under this subpart or failure to perform procedures required by this subpart shall constitute a violation of the applicable emission standard of this subpart and be reported as a period of excess emissions. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.453(o), except as provided in §63.443(e)]

149. An excess emission and continuous monitoring system performance report shall be submitted to the EPA and to the Department semi-annually. For the LVHC system, this report will include: [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.10(e)(3)(i)]

    A. Periods when any bypass valve is open while the vented source is in operation;

    B. Periods when the temperature in the NCG Incinerator falls below 1600$^{o}$F while combusting HAPs.

150. Periods of excess emissions at the LVHC System shall not be a violation provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed one percent. If the one percent limit is exceeded, the release is considered an Upset Condition under Regulation #19 and must be reported immediately. These periods are detailed in Specific Condition #149. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.443(e)(1)]

SN-38
HVLC Collection System

## Source Description

The HVLC Collection System collects vapors from the Brownstock washers, all of the required tanks associated with the washers, and the Condensate Collection Tank. It consists of hoods that cover the drums of the washers, lines from the hoods and tanks, a condenser to reduce moisture, a fan and a line into the incineration control device. The incineration occurs at the #3 Wood Waste Boiler (SN-04) with the #1 Wood Waste Boiler (SN-02) as a backup. Emissions listed for this system include releases from the system due to startup, shutdown and malfunction conditions in the HVLC System, from the HVLC Collection System and from the control equipment used to reduce total HAP emissions and 4% of process time as provided at §63.443(e)(2). The remaining emissions are sent to the control devices and incinerated.

The HVLC Collection System collects all of the non-condensable gases emitted from the Brownstock Washer system and portions of the condensate collection system. These gases are transported through the collection system to be incinerated in the #3 Wood Waste Boiler (SN-04) and the #1 Wood Waste Boiler (SN-02). Without the use of the two boilers as control devices, the emissions of HAPS and VOC gases would exceed the 25 ton per year threshold for HAPs and the 100 tons per year for VOCs. Therefore, this is a listed unit for CAM. However, the HVLC Collection System is subject to 40 C.F.R Part 63, Subpart S with an effective date of April 15, 2001. Therefore, the HVLC Collection System is exempt from the requirements of CAM.

## Specific Conditions

151. 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 Conditions #156 and #157. [§19.501 et seq. of Regulation #19 and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| VOC | 1.9 | 0.7 |
| TRS | 18.72 | 7.10 |

152. 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 Conditions #156 and #157. [§18.801 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| Acetone | 1.20 | 0.40 |
| Methanol | 1.92 | 0.65 |

153. The compliance date for the HVLC system shall be no later than April 16, 2006. However, since it is being used to meet the requirements of §63.446(e)(1), the total HAP emissions from the HVLC system shall be controlled no later than April 16, 2001. [§19.304 of Regulation #19 and 40 C.F.R Part 60, Subpart S, §63.440(d)(1) and §63.443(a)(1)(ii)(A) and (iii)]

154. The HVLC System sources shall be enclosed and vented into a closed-vent system and routed to a control device that reduces total HAP emissions using the #3 Wood Waste Boiler (SN-04) and the #1 Wood Waste Boiler (SN-02). [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.443(c) and §63.443(d)(4)]

155. A record will be kept of all required maintenance activities performed on the HVLC System control devices. [§63.10(b)(2)(iii)]

156. The enclosures and closed-vent system shall meet the requirements specified in §63.450-Standards For Enclosures and Closed-Vent Systems; §63.453(k)-Monitoring Requirements; and §63.454(b)-Recordkeeping Requirements. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.443(c)]

A. Each enclosure shall maintain negative pressure at each enclosure or hood opening as demonstrated by the procedures specified in §63.457(e). Each enclosure or hood opening closed during the initial performance test specified in §63.457(a) shall be maintained in the same closed and sealed position as during the performance test at all times except when necessary to use the opening for sampling, inspection, maintenance, or repairs. [§63.450(b)]

B. Each component of the closed-vent system that is operated at positive pressure and located prior to a control device shall be designed for and operated with no detectable leaks as indicated by an instrument reading of less than 500 parts per million by volume above background, as measured by the procedures specified in §63.457(d). [§63.450(c)]

C. Each bypass line in the closed-vent system that could divert vent streams containing HAP to the atmosphere without meeting the emission limitations shall comply with either of the following requirements: [§63.450(d)]

1. On each bypass line, the owner or operator shall install, calibrate, maintain, and operate according to manufacturer's specifications, a flow indicator that provides a record of the presence of gas stream flow in the bypass line at least once every 15 minutes. The flow indicator shall be installed in the bypass line in such a way as to indicate flow in the bypass line. In loop seals, temperature measurement is an acceptable method of demonstrating gas flow.

2. For bypass line valves that are not computer controlled, the owner or operator shall maintain the bypass line valve in the closed position with a car seal or a seal placed on the valve or closure mechanism in such a way that valve or closure mechanism cannot be opened without breaking the seal.

D. The closed-vent HVLC Collection System shall comply with the following requirements: [§63.453(k)]

1. For each enclosure opening, a visual inspection of the closure mechanism shall be performed at least once every 30 days to ensure the opening is maintained in the closed position and sealed. Inspections shall be conducted once during each calendar month, with any two consecutive inspections being at least 21 calendar days apart. [§63.453(k)(1)]

2. Each closed-vent system shall be visually inspected every 30 days and at other times as requested by the Administrator. The visual inspection shall include inspection of ductwork, piping, enclosures, and connections to covers for visible evidence of defects. Inspections shall be conducted once during each calendar month, with any two consecutive inspections being at least 21 calendar days apart. [§63.453(k)(2)]

3. For positive pressure closed-vent systems or portions of closed-vent systems, demonstrate no detectable leaks measured initially and annually by complying with the following procedures found in §63.457(d): [§63.453(k)(3)]

a. Method 21, of Part 60, Appendix A;

b. The instrument specified in Method 21 shall be calibrated before use according to the procedures specified in Method 21 on each day that leak checks are performed. The following calibration gases shall be used;

1. Zero air (less than 10 parts per million by volume of hydrocarbon in air) and;

2. A mixture of methane or n-hexane and air at a concentration of approximately, but less than, 10,000 parts per million by volume methane or n-hexane.

4. Demonstrate initially and annually that each enclosure opening is maintained at negative pressure by using one of the following procedures found in §63.457(e): [§63.453(k)(4)]

   a. An anemometer to demonstrate flow into the enclosure opening;

   b. Measure the static pressure across the opening;

   c. Smoke tubes to demonstrate flow into the enclosure opening;

   d. Any other industrial ventilation test method demonstrated to the Administrator's satisfaction.

5. The valve or closure mechanism shall be inspected at least once every 30 days to ensure that the valve is maintained in the closed position and the emission point gas stream is not diverted through the bypass line. Inspections shall be conducted once during each calendar month, with any two consecutive inspections being at least 21 calendar days apart. [§63.453(k)(5)]

6. If an inspection identifies visible defects in ductwork, piping, enclosures or connections to covers, or if an instrument reading of 500 parts per million by volume or greater above background is measured, or if enclosure openings are not maintained at negative pressure, then the following corrective actions shall be taken as soon as practicable: [§63.453(k)(6)]

   a. A first effort to repair or correct the closed-vent system shall be made as soon as practicable but no later than 5 calendar days after the problem is identified.

   b. The repair or corrective action shall be completed no later than 15 calendar days after the problem is identified. Delays in corrective repairs beyond 15 calendar days are allowed in cases where the corrective actions or repairs are technically infeasible without a process unit shutdown or where the emissions resulting from immediate repair would be greater than the emissions likely to result from the delay of the repair. Repair of such equipment shall be completed by the end of the next process unit shutdown.

7. Closed vent systems, fixed roofs, covers, or enclosures are exempt from the 30 day and annual inspection requirements, provided that the source or operator determines:

    a. Persons conducting the inspection would be exposed to an imminent or potential danger, or

    b. Equipment could not be inspected without elevating the individual higher than 6 feet above or beyond the work platform, walkway, or catwalk.

    The source or operator shall identify all exempted equipment and explain how the equipment will be inspected during safe-to-inspect periods. The inspection frequency shall be at least once every five calendar years.

E. For each applicable enclosure opening, closed-vent system, and closed collection system under Specific Condition #156(D), the owner or operator shall prepare and maintain a site-specific inspection plan including a drawing or schematic of the components of applicable affected equipment and shall record the following information for each inspection: [§63.454(b)]

    a. Date of inspection;

    b. The equipment type and identification;

    c. Results of negative pressure tests for enclosures;

    d. Results of leak detection tests;

    e. The nature of the defect or leak and the method of detection (i.e. visual inspection or instrument detection);

    f. The date the defect or leak was detected and the date of each attempt to repair the defect or leak;

    g. Repair methods applied in each attempt to repair the defect or leak;
    h. The reason for the delay if the defect or leak is not repaired within 15 days after discovery;

    i. The expected date of successful repair of the defect or leak if the repair is not completed within 15 days;

    j. The date of successful repair of the defect or leak;

k. The position and duration of the opening of bypass line valves and the condition of any valve seals; and

l. The duration of the use of bypass valves on computer controlled valves.

157. Operation of the control device below minimum operating parameter values or above maximum operating parameter values established under this subpart or failure to perform procedures required by this subpart shall constitute a violation of the applicable emission standard of this subpart and be reported as a period of excess emissions. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.453(o), except as provided in §63.443(e)(2)]

158. An excess emission and continuous monitoring system performance report shall be submitted to the EPA and to the Department semi-annually. For the HVLC system, this report will include: [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.10(e)(3)(i)]
A. Periods when any bypass valve is open while the vented source is in operation.

159. Periods of excess emissions at the HVLC System shall not be a violation provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed four percent. If the four percent limit is exceeded, the release is considered an Upset Condition under Regulation #19 and must be reported immediately. These periods are detailed in Specific Condition #158. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.443(e)(2)]

SN-39
Pulping Process Condensate Collection

## Source Description

The Pulping Process Condensate Collection System collects the condensates and recycles them while the gases are sent through a closed system for control. The treatment system here is to recycle the condensates to the Brownstock Washers (SN-11) as shower water as required under 40 C.F.R Part 63, Subpart S, §63.446(e)(1). Because the condensate is recycled to SN-11, and the non-condensable gases are sent to HVLC system for control, there are no emissions from this source.

The Condensate Collection System collects process condensates containing large concentrations of HAPs and VOCs. The condensates are recycled to the Brown Stock Wasters where emissions are controlled through the HVLC Collection System. Emissions from the Condensate Collection Tank are also controlled through the HVLC Collection System. Without the use of the HVLC Collection System as a control device, the emissions of HAPS and VOC gases would exceed the 25 ton per year threshold for HAPs and the 100 tons per year for VOCs. Therefore, this is a listed unit for CAM. However, the Pulping Process Condensate Collection System is subject to 40 C.F.R Part 63, Subpart S with an effective date of April 15, 2001. Therefore, the HVLC Collection System is exempt from the requirements of CAM.

## Specific Conditions

160. The pulping process condensates from the following equipment systems shall be treated to meet the requirements set forth in Specific Condition #161 through #168: [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.446(b)]

A. Each digester system;

B. Each turpentine recovery system;

C. Each evaporator stage where weak liquor is introduced (feed stages) in the evaporator system;

D. Each HVLC collection system;

E. Each LVHC collection system; and

F. The evaporator vacuum system.

161. Pulping process condensates from equipment systems listed in Specific Condition #160 shall be collected in a sufficient amount where the total HAP mass is at least 7.2 pounds of total HAP per ton of oven dried pulp based on the averaging period developed in Specific Condition #168. Testing will be performed in accordance with Specific Condition #162. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.446(c)(3)]

162. The owner or operator shall measure the total HAP concentration as methanol using EPA Reference Method #305 or NCASI Direct Injection Method DI/MOE 94.02. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.457(g)]

163. An initial performance test is required for the condensate collection system in order to demonstrate compliance with Specific Condition #161. The test must be conducted before October 16, 2001. Notification of the test date will be given to the EPA and to the Department within 60 days before the test is scheduled to begin. This report was submitted to ADEQ on November 16, 2001. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.457(a)]

164. The condensate tank located within the closed collection system must meet the following requirements: [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.446(d)(2)]

    A. The fixed roof and all openings (e.g. access hatches, sampling ports, gauge wells) shall be designed and operated with no detectable leaks as indicated with an instrument reading of less than 500 parts per million above background, and vented into a closed-vent system that meets the requirements of Specific Condition #147 for the HVLC system and routed to a control device that meets the conditions of Specific Condition #24 for the #3 Wood Waste Boiler and/or Specific Condition #234 for the #3 Package Boiler (SN-46).

    B. Each opening shall be maintained in a closed, sealed position (e.g. covered by a lid that is gasketed and latched) at all times that the tank contains pulping process condensates or any HAP removed from a pulping process condensate stream except when it is necessary to use the opening for sampling, removal, or for equipment inspection, maintenance, or repair.

165. The closed condensate system shall meet the requirements specified in §63.453(a) CMS Requirements; §63.453(k)-Monitoring Requirements; and §63.454(b)-Recordkeeping Requirements. The closed condensate system consists of the lines, pumps, meters, valves and drains between the condensate storage tank and the Brownstock washer showers. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.453(l)]

A. The condensate collection tank shall maintain negative pressure at each enclosure or hood opening as demonstrated by the procedures specified in §63.457(e). Each enclosure closed during the initial performance test specified in §63.457(a) shall be maintained in the same closed and sealed position as during the performance test at all times except when necessary to use the opening for sampling, inspection, maintenance, or repairs. [§63.450(b)]

B. Each component of the closed condensate system that is operated at positive pressure and located prior to a control device shall be designed for and operated with no detectable leaks as indicated by an instrument reading of less than 500 parts per million by volume above background, as measured by the procedures specified in §63.457(d). [§63.450(c)]

C. Each drain valve or loop seal in the closed condensate system that could divert vent streams containing HAP to the atmosphere without meeting the emission limitations shall comply with either of the following requirements: [§63.450(d)]

1. On each drain valve or loop seal, the owner or operator shall install, calibrate, maintain, and operate according to manufacturer's specifications, a flow indicator that provides a record of the presence of gas stream flow in the line at least once every 15 minutes. The flow indicator shall be installed in the line in such a way as to indicate flow in the line. In loop seals, temperature measurement is an acceptable method of demonstrating gas flow.

2. For drain valves that are not computer controlled, the owner or operator shall maintain the drain valve in the closed position with a car seal or a seal placed on the valve or closure mechanism in such a way that valve or closure mechanism cannot be opened without breaking the seal.

3. A continuous record shall be kept of valve position. This record shall be kept in a form suitable for review upon request and shall be kept for at least five years.

D. The condensate collection system shall comply with the following requirements: [§63.453(k)]

1. For each enclosure opening, a visual inspection of the closure mechanism shall be performed at least once every 30 days to ensure the opening is maintained in the closed position and sealed. Inspections shall be conducted once during each calendar month, with any two consecutive inspections being at least 21 calendar days apart. [§63.453(k)(1)]

2. Each collection system shall be visually inspected every 30 days and at other times as requested by the Administrator. The visual inspection shall include inspection of ductwork, piping, enclosures, and connections to covers for visible evidence of defects. Inspections shall be conducted once during each calendar month, with any two consecutive inspections being at least 21 calendar days apart. [§63.453(k)(2)]

3. Each opening and line in the condensate collection system shall demonstrate no detectable leaks measured initially and annually by complying with the following procedures found in §63.457(d): [§63.453(k)(3)]

    a. Method 21, of Part 60, Appendix A;

    b. The instrument specified in Method 21 shall be calibrated before use according to the procedures specified in Method 21 on each day that leak checks are performed. The following calibration gases shall be used;

        1. Zero air (less than 10 parts per million by volume of hydrocarbon in air) and;

        2. A mixture of methane or n-hexane and air at a concentration of approximately, but less than, 10,000 parts per million by volume methane or n-hexane.

4. Demonstrate initially and annually that each condensate collection tank opening is maintained at negative pressure by using one of the following procedures found in §63.457(e): [§63.453(k)(4)]

    a. An anemometer to demonstrate flow into the enclosure opening;

    b. Measure the static pressure across the opening;

    c. Smoke tubes to demonstrate flow into the enclosure opening;

    d. Any other industrial ventilation test method demonstrated to the Administrator’s satisfaction.

5. The valve or closure mechanism shall be inspected at least once every 30 days to ensure that the valve is maintained in the closed position and the emission point gas stream is not diverted through the bypass line. Inspections shall be conducted once during each calendar month, with any two consecutive inspections being at least 21 calendar days apart. [§63.453(k)(5)]

6. If an inspection identifies visible defects in ductwork, piping, enclosures or connections to covers, or if an instrument reading of 500 parts per million by volume or greater above background is measured, or if enclosure openings are not maintained at negative pressure, then the following corrective actions shall be taken as soon as practicable: [§63.453(k)(6)]

   a. A first effort to repair or correct the closed-vent system shall be made as soon as practicable but no later than 5 calendar days after the problem is identified.

   b. The repair or corrective action shall be completed no later than 15 calendar days after the problem is identified. Delays in corrective repairs beyond 15 calendar days are allowed in cases where the corrective actions or repairs are technically infeasible without a process unit shutdown or where the emissions resulting from immediate repair would be greater than the emissions likely to result from the delay of the repair. Repair of such equipment shall be completed by the end of the next process unit shutdown.

7. Closed vent systems, fixed roofs, covers, or enclosures are exempt from the 30 day and annual inspection requirements, provided that the source or operator determines:

   a. Persons conducting the inspection would be exposed to an imminent or potential danger, or

   b. Equipment could not be inspected without elevating the individual higher than 6 feet above or beyond the work platform, walkway, or catwalk.

   The source or operator shall identify all exempted equipment and explain how the equipment will be inspected during safe-to-inspect periods. The inspection frequency shall be at least once every five calendar years.

E. For each applicable enclosure opening, closed-vent system, and closed collection system under Specific Condition #165(D), the owner or operator shall prepare and maintain a site-specific inspection plan including a drawing or schematic of the components of applicable affected equipment and shall record the following information for each inspection: [§63.454(b)]

a. Date of inspection;

b. The equipment type and identification;

c. Results of negative pressure tests for enclosures;

d. Results of leak detection tests;

e. The nature of the defect or leak and the method of detection, i.e. visual inspection or instrument detection;

f. The date the defect or leak was detected and the date of each attempt to repair the defect or leak;

g. Repair methods applied in each attempt to repair the defect or leak;

h. The reason for the delay if the defect or leak is not repaired within 15 days after discovery;

i. The expected date of successful repair of the defect or leak if the repair is not completed within 15 days;

j. The date of successful repair of the defect or leak;

k. The position and duration of the opening of bypass line valves and the condition of any valve seals; and

l. The duration of the use of bypass valves on computer controlled valves.

166. In order to meet the requirements of Specific Condition #167 (A-G), the owner or operator shall install, calibrate, certify, operate and maintain according to the manufacturer's specifications, a continuous monitoring system. The CMS shall include a continuous recorder. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.453(a)]

167. A CMS shall be operated to measure the flow of collected condensate streams, flow of pulp and pulp consistency. The flows to be measured, monitored and recorded with a CMS are the ones tested in the Initial Performance Test and used to demonstrate collection of 7.2 pounds of HAP per ton of oven dried pulp produced. This includes: [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.453(i) and (n)]

A. Condensate from the condensate collection tank to the Brown Stock washer showers;

B. Fresh water flow into the condensate collection tank;

C. Flow of pulp stock to the Brownstock washers;

D. Consistency of pulp to the Brownstock washers will be measured once a day manually, or by installing a continuous consistency meter that outputs to a continuous recorder;

E. Mass (in pounds) of HAP to the Brownstock washers;

F. Mass (in tons) of oven dried pulp produced (in order to calculate the daily oven dried pulp production, a daily rolling average using pulp consistency will be used);

G. Mass (in pounds) of HAP treated per bone dried ton of pulp produced.

168. The permittee shall maintain daily records which demonstrate compliance with Specific Condition #167(A-G). A rolling average of each parameter in Specific Condition #167(A-G) shall be used to calculate daily compliance of collection and treatment of 7.2 pounds of HAP per bone dry tons of pulp. The averaging period for each calculation will be based on the results from the Initial Performance Test and any subsequent tests. Records shall be updated by the fifteenth day of the month following the month to which the records pertain and shall be kept on site, and shall be made available to Department personnel upon request. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

169. Operation of the condensate collection system below minimum operation parameter values or above maximum operating parameter values established under Subpart S or failure to perform procedures required in Specific Conditions #160 through #168 shall constitute a violation of the applicable emission standard of this subpart and be reported as a period of excess emissions. [§19.304 of Regulation #19 and 40 C.F.R Part 63, Subpart S, §63.453(o)]

SN-40
Mill Road Fugitives

**Source Description**

Traffic on paved and unpaved roadways on the site property can create fugitive dust emissions as $PM_{10}$. These emissions are calculated based on vehicular traffic, the actual distance traveled, site operating hours and control measures (i.e. water of roads).

**Specific Conditions**

170. 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 #172. [Regulation 19, §19.501 et seq. and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 17.9 | 39.6 |

171. 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 #172. [Regulation 18, §18.801, and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 58.4 | 169.7 |

172. Nothing in this permit shall be construed to authorize a violation of the Arkansas Water and Air Pollution Control Act or the federal National Pollutant Discharge Elimination System (NPDES). [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN-41
Back-up Fire Water Pump Engine

**Source Description**

The Back-up Fire Water Pump Engine is a 160-hp compression ignition engine using diesel fuel. The engine was built in 1984 by Detroit Diesel Allison Division. The engine is subject to 40 C.F.R 63, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE) (Subpart ZZZZ).

**Specific Conditions**

173. 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 #176 and #180. [Regulation 19 §19.501 et seq. and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 0.4 | 0.1 |
| $SO_2$ | 0.4 | 0.1 |
| VOC | 0.4 | 0.1 |
| CO | 1.1 | 0.3 |
| $NO_x$ | 5.0 | 1.3 |

174. 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 #176. [Regulation 18 §18.801 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 0.4 | 0.1 |
| Acetaldehyde | 0.01 | 0.01 |
| Acrolein | 0.01 | 0.01 |
| Benzene | 0.01 | 0.01 |
| 1,3 Butadiene | 0.01 | 0.01 |
| Formaldehyde | 0.01 | 0.01 |
| Naphthalene | 0.01 | 0.01 |
| Propylene | 0.01 | 0.01 |
| Toluene | 0.01 | 0.01 |

175. The permittee shall not exceed 20% opacity from SN-41as measured by EPA Reference Method 9. Compliance with this Specific Condition shall be demonstrated by compliance with Specific Condition #178. [§19.503 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

176. The permittee shall not operate the emergency generator SN-41 in excess of 500 total hours (emergency and non-emergency) per calendar year in order to demonstrate compliance with the annual emission rate limits. Emergency operation in excess of these hours may be allowable but shall be reported and will be evaluated in accordance with Reg.19.602 and other applicable regulations. [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]

177. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition #176. The permittee shall update these records by the fifteenth day of the month following the month to which the records pertain. The calendar year 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]

178. The permittee shall conduct annual visible emissions observations as a method of compliance verification for the opacity limit assigned for SN-41. Observations shall be conducted by someone trained in EPA Reference Method 9. If during the observations, visible emissions are detected which appear to be in excess of the permitted opacity limit, the permittee shall:
    a. Take immediate action to identify the cause of the visible emissions,
    b. Implement corrective action, and
    c. If excessive visible emissions are still detected, an opacity reading shall be conducted in accordance with EPA Reference Method 9 for point sources and in accordance with EPA Method 22 for non-point sources. This reading shall be conducted by a person trained and certified in the reference method. If the opacity reading exceeds the permitted limit, further corrective measures shall be taken.
    d. If no excessive visible emissions are detected, the incident shall be noted in the records as described below.

179. The permittee shall maintain records related to all visible emission observations and Method 9 readings. These records shall be updated on an as-performed basis. These records shall be kept on site and made available to Department personnel upon request. These records shall contain:
    a. The time and date of each observation/reading,
    b. Any observance of visible emissions appearing to be above permitted limits or any Method 9 reading which indicates exceedance,
    c. The cause of any observed exceedance of opacity limits, corrective actions taken, and results of the reassessment, and
    d. The name of the person conducting the observation/reading.

180. The permittee shall limit concentration of CO in SN-41 exhaust to 230 ppmvd or less at 15% $O_2$. Compliance 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 of Subpart ZZZZ. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6602]

181. The permittee shall be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply at all times. The permittee shall operate and maintain any affected source 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 Department 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. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6605]

182. The permittee shall conduct an initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply within 180 days after the compliance date that is specified for SN-41 in §63.6595 and according to the provisions in §63.7(a)(2). [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6612(a)]

183. The permittee is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in §63.6612(b)(1) through (4).
    a. The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.
    b. The test must not be older than 2 years.
    c. The test must be received and accepted by the Department.
    d. Either no process or equipment changes must have been made since the test was performed, or the permittee must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

    [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6612]

184. The permittee shall minimize SN-41 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 Table 2c of Subpart ZZZZ. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6625(h)]

SN-42, SN-43
Recovery Elevator Drive Engine
Emergency Lime Kiln Drive Engine

**Source Description**

SN-42 is a 207-hp, diesel fired, emergency Recovery Elevator drive engine built by Cummins Engine in 1989. SN-43 is a 75-hp, diesel fired, emergency lime kiln drive engine built by Deutz in 2006. Each engine is subject to 40 C.F.R 63, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal combustion Engines (RICE) (Subpart ZZZZ).

**Specific Conditions**

185. 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 Conditions #188 and #198. [Regulation 19 §19.501 et seq. and 40 C.F.R Part 52, Subpart E]

| SN | Pollutant | lb/hr | tpy |
|---|---|---|---|
| 42 | $PM_{10}$ | 0.5 | 0.2 |
| | $SO_2$ | 0.5 | 0.2 |
| | VOC | 0.5 | 0.2 |
| | CO | 1.4 | 0.4 |
| | $NO_x$ | 6.5 | 1.6 |
| 43 | $PM_{10}$ | 0.2 | 0.1 |
| | $SO_2$ | 0.2 | 0.1 |
| | VOC | 0.2 | 0.1 |
| | CO | 0.5 | 0.2 |
| | $NO_x$ | 2.4 | 0.6 |

186. 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 Conditions #188 and #198. [Regulation 18 §18.801 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| SN | Pollutant | lb/hr | tpy |
|---|---|---|---|
| 42 | PM | 0.5 | 0.2 |
| | Acetaldehyde | 0.01 | 0.01 |
| | Acrolein | 0.01 | 0.01 |
| | Benzene | 0.01 | 0.01 |
| | 1,3 Butadiene | 0.01 | 0.01 |
| | Formaldehyde | 0.01 | 0.01 |
| | Naphthalene | 0.01 | 0.01 |
| | Propylene | 0.01 | 0.01 |
| | Toluene | 0.01 | 0.01 |
| 43 | PM | 0.2 | 0.1 |
| | Acetaldehyde | 0.01 | 0.01 |
| | Acrolein | 0.01 | 0.01 |
| | Benzene | 0.01 | 0.01 |
| | 1,3 Butadiene | 0.01 | 0.01 |
| | Formaldehyde | 0.01 | 0.01 |
| | Naphthalene | 0.01 | 0.01 |
| | Propylene | 0.01 | 0.01 |
| | Toluene | 0.01 | 0.01 |

187. The permittee shall not exceed 20% opacity from SN-42 and SN-43 as measured by EPA Reference Method 9. Compliance with this Specific Condition shall be demonstrated by compliance with Specific Condition 190. [§19.503 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

188. The permittee shall not operate the emergency generator SN-42 and SN-43 in excess of 500 total hours (emergency and non-emergency) per calendar year in order to demonstrate compliance with the annual emission rate limits. Emergency operation in excess of these hours may be allowable but shall be reported and will be evaluated in accordance with Regulation 19 §19.602 and other applicable regulations. [Regulation 19 §19.705, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

189. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition #188. The permittee shall update these records by the fifteenth day of the month following the month to which the records pertain. The calendar year 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. [Regulation 19 §19.705 and 40 C.F.R Part 52, Subpart E]

190. The permittee shall conduct annual visible emissions observations as a method of compliance verification for the opacity limit assigned for SN-42 and SN-43. Observations shall be conducted by someone trained in EPA Reference Method 9. If during the observations, visible emissions are detected which appear to be in excess of the permitted opacity limit, the permittee shall:
    a. Take immediate action to identify the cause of the visible emissions,
    b. Implement corrective action, and
    c. If excessive visible emissions are still detected, an opacity reading shall be conducted in accordance with EPA Reference Method 9 for point sources and in accordance with EPA Method 22 for non-point sources. This reading shall be conducted by a person trained and certified in the reference method. If the opacity reading exceeds the permitted limit, further corrective measures shall be taken.
    d. If no excessive visible emissions are detected, the incident shall be noted in the records as described below.

191. The permittee shall maintain records related to all visible emission observations and Method 9 readings. These records shall be updated on an as-performed basis. These records shall be kept on site and made available to Department personnel upon request. These records shall contain:
    a. The time and date of each observation/reading,
    b. Any observance of visible emissions appearing to be above permitted limits or any Method 9 reading which indicates exceedance,
    c. The cause of any observed exceedance of opacity limits, corrective actions taken, and results of the reassessment, and
    d. The name of the person conducting the observation/reading.

192. The permittee shall meet the following requirements of Table 2c of 40 C.F.R Part 63 Subpart ZZZZ:
    a. Change oil and filter every 500 hours of operation or annually, whichever comes first.
    b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first.
    c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

    [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6602]

193. The permittee shall operate and maintain SN-42 and SN-43 according to the manufacturer's emission-related written instructions or develop 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. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6625(e)(2)]

194. The permittee shall install a non-resettable hour meter if one is not already installed at SN-42 and SN-43, by May 3, 2013. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6625(f)]

195. The permittee shall minimize the engines (SN-42 and SN-43) time spent at idle during startup and minimize the engines startup time to a period needed for appropriate and safe loading of the engines, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Table 2c of 40 C.F.R Part 63 Subpart ZZZZ apply. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6625(h)]

196. The permittee may operate the emergency stationary RICE (SN-42 and SN-43) 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. SN-42 and SN-43 may be operated up to 50 hours per year in non-emergency situations, but those hours per year are counted towards the 100 hours per year provided for maintenance and testing. The hours cannot be used for peak shaving or to generate income for the facility to supply power to the electric grid or otherwise supply power as part of a financial arrangement with another entity. There are no time limits for the use of an emergency stationary RICE in emergency situations. The engines may not be operated for more than 30 minutes prior to the time when the emergency conditions expected to occur, and the engines operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6640(f)(1)(i, ii, iii)]

197. The permittee shall keep records of the maintenance conducted on SN-42 and SN-43 in order to demonstrate that they were operated and maintained according to the maintenance plan. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6655(e)(2)]

198. The permittee shall keep records of the hours of operation of the engines that is recorded through the non-resettable hour meter. The permittee 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 engines are used for demand response operation, records of notification of the emergency situation, and the time the engines were operated as part of demand response. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6655(f)(1)]

199. The permittee shall maintain files of all information required by 40 C.F.R Part 63 Subpart ZZZZ recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6660]

SN-44
Emergency UPS Generator- Main Office

**Source Description**

SN-44 is a 34-hp, 4 stroke compression ignition, diesel fired emergency fire pump engine built by Deutz. The engine is subject to 40 C.F.R 63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal combustion Engines (RICE) (Subpart ZZZZ).

**Specific Conditions**

200. 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 Conditions #204 and #206 through #212. [Regulation 19 §19.501 et seq. and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 0.1 | 0.1 |
| $SO_2$ | 0.1 | 0.1 |
| VOC | 0.1 | 0.1 |
| CO | 0.3 | 0.1 |
| $NO_x$ | 1.1 | 0.3 |

201. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by Specific Conditions #204 and #206 through #212. [Regulation 18 §18.801 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 0.1 | 0.1 |

202. The permittee shall not exceed 20% opacity from SN-44 as measured by EPA Reference Method 9. Compliance with this Specific Condition shall be demonstrated by compliance with Specific Condition #203. [§19.503 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

203. Annual observations of the opacity from SN-44 shall be conducted by a person trained but not necessarily certified in EPA Reference Method 9. If visible emissions in excess of the permitted levels are detected, the permittee shall immediately take action to identify the cause of the visible emissions in excess of the permit limit, implement corrective action, and document that visible emissions did not appear to be in excess of the permitted opacity following the corrective action. The permittee shall maintain records which contain the following items in order to demonstrate compliance with this specific condition. These records shall be updated annually, kept on site, and made available to Department personnel upon request.
    a. The date and time of the observation.
    b. If visible emissions which appeared to be above the permitted limit were detected.
    c. If visible emissions which appeared to be above the permitted limit were detected, the cause of the exceedance of the opacity limit, the corrective action taken, and if the visible emissions appeared to be below the permitted limit after the corrective action was taken.
    d. The name of the person conducting the opacity observations.

204. The permittee shall not operate the emergency generator SN-44 in excess of 500 total hours (emergency and non-emergency) per calendar year in order to demonstrate compliance with the annual emission rate limits. Emergency operation in excess of these hours may be allowable but shall be reported and will be evaluated in accordance with Regulation 19 §19.602 and other applicable regulations. [Regulation 19 §19.705, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

205. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition #204. The permittee shall update these records by the fifteenth day of the month following the month to which the records pertain. The calendar year 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. [Regulation 19 §19.705 and 40 C.F.R Part 52, Subpart E]

206. The permittee shall meet the following requirements, except during periods of startup.

    a. Change oil and filter every 500 hours of operation or annually, whichever comes first.
    b. Inspect air cleaner 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.

    [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6602]

207. The permittee shall operate and maintain SN-44 according to the manufacturer's emission-related written instructions or develop a 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. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6625(e)(2)]

208. The permittee shall install a non-resettable hour meter if one is not already installed. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6625(f)]

209. The permittee shall minimize the engine's time spent at idle during startup time and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6625(h)]

210. The permittee have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Specific Condition #206. [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6625(i)]

211. The permittee shall operate SN-44 according to the following requirements:

    a. There is no time limit on the use of SN-44 in emergency situations.

    b. The permittee may operate SN-44 a maximum of 100 hours per calendar year for any combination of purposes as specified in §63.6640(f)(2)(i) through (iii)

    c. The permittee may operate SN-44 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.

    [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6640(f)]

212. The permittee shall keep the following records in a form suitable and readily available for expeditious review. Records must be kept for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record in hard copy or electronic form.

    a. Records of the occurrence and duration of each malfunction of operation.

    b. Records of performance tests and performance evaluations.

    c. Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process to its normal or usual manner of operation.

    d. Records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE.

    e. Records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The permittee shall 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 §63.40(f)(4)(ii), the permittee must keep records of the notification of the emergency situation, and the date, start time, and end time of the engine operation for these purposes.

    [Regulation No. 19 §19.304 and 40 C.F.R Part 63, Subpart ZZZZ, §63.6655 and §63.6660]

SN-45
Emergency IT AC Backup

**Source Description**

SN-45 is a 23.6-hp, 4 stroke spark ignition, natural gas fired emergency fire pump engine built by Kohler. The engine is subject to 40 C.F.R 60, Standards for Performance for Stationary Spark Ignition Internal Combustion Engines (Subpart JJJJ).

**Specific Conditions**

213. 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 #216 and #218 through #222. [Regulation 19 §19.501 et seq. and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 0.1 | 0.1 |
| $SO_2$ | 0.1 | 0.1 |
| VOC | 0.1 | 0.1 |
| CO | 0.7 | 0.2 |
| $NO_x$ | 0.5 | 0.2 |

214. 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 #216 and #218 through #222. [Regulation 18 §18.801 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 0.1 | 0.1 |
| Acetaldehyde | 0.01 | 0.01 |
| Acrolein | 0.01 | 0.01 |
| Benzene | 0.01 | 0.01 |
| 1,3 Butadiene | 0.01 | 0.01 |
| Formaldehyde | 0.01 | 0.01 |
| Napthalene | 0.01 | 0.01 |
| Toluene | 0.01 | 0.01 |

215. The permittee shall not exceed 5% opacity from SN-45 as measured by EPA Reference Method 9. Compliance will be demonstrated by only burning natural gas. [Regulation 18, §18.501, and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

216. The permittee shall not operate the emergency generator SN-45 in excess of 500 total hours (emergency and non-emergency) per calendar year in order to demonstrate compliance with the annual emission rate limits. Emergency operation in excess of these hours may be allowable but shall be reported and will be evaluated in accordance with Regulation 19 §19.602 and other applicable regulations. [Regulation 19 §19.705, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

217. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition #216. The permittee shall update these records by the fifteenth day of the month following the month to which the records pertain. The calendar year 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. [Regulation 19 §19.705 and 40 C.F.R Part 52, Subpart E]

218. The permittee shall comply with the emissions standards in §60.4231(a) for SN-45 over the entire life of the engine. [Regulation No. 19 §19.304 and 40 C.F.R Part 60, Subpart JJJJ, §60.4233, §60.4234]

219. The permittee shall install a non-resettable hour meter upon startup of SN-45. [Regulation No. 19 §19.304 and 40 C.F.R Part 60, Subpart JJJJ, §60.4237(c)]

220. The permittee shall keep records of conducted maintenance to demonstrate compliance, but no performance testing is required. The permittee shall also meet the requirements as specified in 40 C.F.R Part 1068, subparts A through D, as applicable. If the permittee adjust engine settings according to and consistent with the manufacturer's instruction, the engine will not be considered out of compliance. Otherwise the engine will be considered a non-certified engine, and the permittee must demonstrate compliance according to §60.4243(a)(2)(i) through (iii), as appropriate. [Regulation No. 19 §19.304 and 40 C.F.R Part 60, Subpart JJJJ, §60.4243(a)(1)]

221. The permittee shall operate SN-45 according to the following requirements. In order for the engine to be considered an emergency stationary ICE 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 §60.4243(d)(1) through (3).

    a. There is no limit on the use of SN-45 in emergency situations.

    b. The permittee may operate SN-45 for any combination of the purposes specified in §60.4243(d)(2)(i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by Specific Condition #221c counts as part of the 100 hours per calendar year allowed.

c. SN-45 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 Specific Condition #221b. Except as provided in paragraph §60.4243(d)(3)(i), 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.

[Regulation No. 19 §19.304 and 40 C.F.R Part 60, Subpart JJJJ, §60.4243(d)]

222. The permittee shall keep the following records of information:
   a. All notifications submitted to comply with 40 C.F.R Part 60 Subpart JJJ and all documentation supporting any notification.
   b. Maintenance conducted on SN-45.
   c. Documentation from the manufacturer that SN-45 is certified to meet the emission standards and information as required in 40 C.F.R Parts 90, 1048, 1054, and 1060, as applicable.

[Regulation No. 19 §19.304 and 40 C.F.R Part 60, Subpart JJJJ, §60.4245(a)]

SN-46
#3 Package Boiler

**Source Description**

The #3 Package Boiler has a maximum heat input capacity of 420 MMBtu/hr. The boiler will be fired by natural gas and will have the capability to fire oil during period of natural gas curtailment or supply interruptions. The #3 package Boiler will replace the #1 Wood Waste Boiler (SN-02) as the back-up incineration device for the HVLC gas stream. The boiler will be of sufficient size to allow the paper machines to fully operate in the event of a scheduled or unscheduled outage of one of the mill's other large boilers, (#3 Wood Waste Boiler or #2 Recovery Boiler).

The #3 Package Boiler is subject to 40 C.F.R Part 60 Subpart Db, *Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units* and 40 C.F.R Part 63 Subpart DDDDD, *National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters.*

**Specific Conditions**

223. 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 Conditions #227, #228, #229, #231, #233, #234 and #237. [Regulation 19 §19. et seq. and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 4.2 | 10.4 |
| $SO_2$ | 30.9 | 28.1 |
| VOC | 2.8 | 12.3 |
| CO | 20.2 | 90.8 |
| $NO_x$ | 13.7 | 60.0 |
| $CO_{2e}$ | 46,868.3 | 205,283 |

224. 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 Conditions #227, #228, #229, #231, and #234. [Regulation 18 §18.801 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 6.0 | 10.9 |
| Formaldehyde | 0.12 | 0.15 |
| n-Hexane | 0.72 | 3.14 |

225. The visible emissions from this source shall not exceed 20% opacity when burning fuel oil and 5% opacity when burning natural gas. Compliance shall be demonstrated through compliance with Specific Condition #226 and #227, respectively. [§18.501 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, §19.503 of Regulation 19 and 40 C.F.R Part 52, Subpart E]

226. The permittee shall conduct daily observations of the opacity from this source during fuel oil combustion and keep a record of these observations. This daily observation may be performed with a continuous opacity monitor during fuel oil combustion if the permittee chooses to do so. If visible emissions that exceed 20% opacity are detected, the permittee shall take corrective action and perform the observation again. If visible emissions above permitted levels are still present, the permittee shall conduct a 6-minute opacity reading in accordance with EPA Reference Method #9. The results of these readings shall be kept on site and made available to Department personnel upon request. [§19.705 of Regulation 19, 40 C.F.R Part 52, Subpart E, and A.C.A. §8-4-203 as referenced by §8 4 304 and §8 4 311]

227. Compliance with the natural gas opacity limit of 5% shall be demonstrated by burning only pipeline natural gas. There is no daily opacity observation required when burning natural gas. [Regulation No. 18 §18.501, and A.C.A. §8 4 203 as referenced by §8 4 304 and §8 4 311]

228. The permittee shall not exceed a throughput of 3,679,200 MMBtu of natural gas and 1,000,000 gallons of #2 fuel oil at SN-46 per rolling 12 month period. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

229. The permittee accepted a limit on the sulfur content in fuel oil of 0.0015% in order to avoid PSD requirements. The permittee shall demonstrate compliance by complying with Specific Condition #233. [§19.901 et seq. of Regulation #19, and 40 C.F.R Part 52, Subpart E]

230. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition #228. 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. §19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

231. Steam generation in the #3 Package Boiler (SN-46) shall not exceed 300,000 pounds per hour of steam during boiler operation based on a 24 hour rolling average. Maximum annual steam production shall not exceed 2,628,000,000 pounds, determined on a 12-month rolling total. [§19.705 of Regulation #19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

232. The permittee shall maintain monthly records which demonstrate compliance with Specific Conditions #231. Records shall be updated by the fifteenth day of the month following the month to which the records pertain. These records shall be kept on site, provided to Department personnel upon request and may be used by the Department for enforcement purposes. A twelve month total and each month's individual data shall be submitted in accordance with General Provision #7. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

233. The #3 Package Boiler (SN-46) shall be tested for $PM_{10}$, $SO_2$, VOC, NOx and CO emissions. PM testing shall be conducted using EPA Reference Methods 5 or 201A and Reference Method 202. The permittee may report all particulate emissions measured using EPA Method 5 and EPA Method 202 as $PM_{10}$ or the permittee may conduct separate $PM_{10}$ testing using Reference Method 201A and Method 202. Method 6C shall be used for $SO_2$. Method 25A shall be used for VOC. Method 10 shall be used for CO and Method 7E for $NO_X$. These tests shall be conducted within 180 days of startup. Each test shall consist of at least 3 sampling periods at a minimum of 1 hour each. Compliance testing shall be conducted while the equipment being tested is operating within 90% of its permitted capacity. If equipment does not attain 90% of permitted capacity during testing, the operating rate during testing will be 90% of maximum operating rate until the next test is completed. This testing is to be completed once in the first year of every 5 year permit period. This test data shall be used for determination of compliance with the conditions set forth in this permit. [§19.702 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

234. The #3 Package Boiler (SN-46) will be the backup control device for reducing the HAP emissions from the HVLC system (SN-38). The HAP emissions stream shall be introduced into the combustion air going to the boiler. The #3 Package Boiler will not be used more than 2,880 hours in any 12 month period to incinerate emissions collected in the HVLC system. [§19.304 of Regulations #19 and 40 C.F.R §63.443(d)(4)]

235. The facility shall maintain records of the time that the #3 Package Boiler is being used as a backup control device. Records are to be maintained on an hourly basis. Such records shall be maintained on site and made available to the Department upon request. Failure to comply with these conditions shall be considered a violation of the mass emissions limit. [§19.705 of Regulation #19 and 40 C.F.R Part 52, Subpart E]

**40 C.F.R Part 60 Subpart Db**

236. The #3 Package Boiler (SN-46) shall comply with all applicable provisions of 40 C.F.R Part 60, Subpart A - *General Provisions* and Subpart Db, *Standards of Performance Industrial - Commercial - Institutional Steam Generating Units*. [§19.304 of Regulation 19 and 40 C.F.R Part 60, Subpart Db]

**$SO_2$**

237. The permittee shall only combust very low sulfur oil and natural gas with a potential $SO_2$ emission rate of 0.32 lb/MMBtu (140 ng/J) heat input or less. The permittee shall demonstrate that the oil meets the definition of very low sulfur oil by complying with Specific Condition #238. [19.502 of Regulation 19 and §60.42b(k)(2)]

238. The permittee shall obtain and maintain at the affected facility fuel receipts (such as a current, valid purchase contract, tariff sheet, or transportation contract) from the fuel supplier that certify that the oil meets the definition of distillate oil and gaseous fuel meets the definition of natural gas as defined in § 60.41b and the applicable sulfur limit. Reports shall be submitted to the Department in accordance with General Provision #7 certifying that only very low sulfur oil meeting this definition, were combusted in the affected facility during the reporting period. [19.502 of Regulation 19, §60.42b(j)(2) and §60.49b(r)]

**PM and Opacity**

239. The permittee is exempt for the PM emission limits in §60.43b(h)(1) providing the permittee only combust oil with a sulfur content that is no more than 0.30 weight percent sulfur. [19.502 of Regulation 19 and §60.43b(h)(5)]

240. The permittee shall not cause to be discharged into the atmosphere any gases that exhibit greater than 20% opacity (6-minute average), except for one 6-minute period per hour of not more than 27% opacity as measured by EPA Reference Method 9. The permittee shall comply with the opacity standards at all times, except during periods of startup, shutdown, or malfunction. [19.502 of Regulation 19 and §60.43b(f) and §60.43b(g)]

241. The permittee shall conduct an initial performance test to demonstrate compliance with the opacity limit within 180 days after initial startup of the #3 Package Boiler, SN-46. Subsequent performance tests shall be conducted using the procedures in §60.48b(a). [19.502 of Regulation 19 and §60.43b(f) and §60.48b(a)]

242. The permittee shall maintain records of opacity. The records shall include the following information:

a. Dates and time intervals of all opacity observation periods;

b. Name, affiliation, and copy of current visible emission reading certification for each visible emission observer participating in the performance test; and

c. Copies of all visible emission observer opacity field data sheets.

[19.502 of Regulation 19 and §60.49b(f)(1)(i) through (iii)]

**NOx**

243. $NO_x$ emissions shall not exceed 0.2 lb/MMBtu heat input. The nitrogen oxides emission standards under §60.44b apply at all times, this includes periods of startup, shutdown, and malfunction. Compliance with the NOx emission limits is determined on a 30-day rolling average. Compliance with this condition shall be demonstrated by complying with Specific Condition #223 and Specific Conditions #244. [40 C.F.R §60.44b(a)(1)(ii), §60.44b(h) and §60.44b(i)]

244. The permittee shall conduct a performance test for NOx using a continuous system for monitoring NOx to determine compliance with emissions limit listed in Specific Condition #243.

a. For the initial compliance test, NOx from SN-46 are monitored for 30 successive steam generating unit operating days and the 30-day average emission rates is used to determine compliance with the NOx emission standards. The 30-day average emission rate is calculated as the average of all hourly emissions data recorded by the monitoring system during the 30-day test period.

b. Following the date on which the initial performance test is completed or required to be completed, whichever date comes first, the permittee shall determine compliance with the NOx standards on a continuous basis through the use of 30-day rolling average emission rate. A new 30-day rolling average emission rate is calculated each steam generating unit operating day as the average of all of the hourly NOx emission data for the preceding 30 steam generating unit operating days.

[19.502 of Regulation 19, §60.46b(e)(1),(3)]

245. The permittee shall install, calibrate, maintain, and operate CEMS for measuring NOx and $O_2$ (or $CO_2$) emissions discharged to the atmosphere, and shall record the output of the system. The continuous monitoring systems shall be operated and data recorded during all periods of operation of the affected facility except for continuous monitoring system breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments. [19.502 of Regulation 19, 40 C.F.R §60.48b(b)(1), (c)]

246. The permittee shall submit to the Department the performance test data from the initial performance test and the performance evaluation of the CEMS using the applicable performance specifications in Appendix B of 40 C.F.R Part 60. [40 C.F.R §60.49b(b)]

247. The permittee shall record and maintain records of the amounts of fuel combusted during each day and calculate the annual capacity factor individually for each calendar quarter. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month. All records shall be maintained by the permittee of the facility for a period of 2 years following the date of such record. A twelve month total and each individual month's data shall be in a spreadsheet, database, or other well-organized format, maintained on site, made available to Department personnel upon request. [40 C.F.R §60.49b(d)]

248. The permittee shall maintain records of the following information for each steam generating unit operating day. The permittee shall submit reports containing the information recorded. All records required under §60.49b shall be maintained by the permittee of the facility for a period of 2 years following the date of such record. [40 C.F.R §60.49b(g), (i)] [40 C.F.R §60.49b(g)]

a. Calendar date.

b. The average hourly nitrogen oxides emission rates (expressed as $NO_2$) (ng/J or lb/million Btu heat input) measured or predicted.

c. The 30-day average nitrogen oxides emission rates (ng/J or lb/million Btu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly nitrogen oxide emission rates for the preceding 30 steam generating unit operating days.

d. Identification of the steam generating unit operating days when the calculated 30-day average nitrogen oxides emission rates are in excess of the nitrogen oxides emissions standards under §60.44b, with the reasons for such excess emissions as well as a description of corrective actions taken.

e. Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.

f. Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data.

g. Identification of "F" factor used for calculations, method of determination, and type of fuel combusted.

h. Identification of the times when the pollutant concentration exceeded full span of the continuous monitoring system.

i. Description of any modifications to the continuous monitoring system that could affect the ability of the continuous monitoring system to comply with Performance Specification 2 or 3.

j. Results of daily CEMS drift tests and quarterly accuracy assessments as required under Appendix F, Procedure 1.

249. The permittee is required to submit excess emission reports for any calendar quarter during which there are excess emissions from the #3 Package Boiler. If there are no excess emissions during the calendar quarter, the facility shall submit a semiannual report stating that no excess emissions occurred during the semiannual reporting period. [40 C.F.R §60.49b(h)]

**40 C.F.R Part 63, Subpart DDDDD**

250. The #3 Package Boiler (SN-46) shall comply with all applicable provisions of 40 C.F.R Part 63, Subpart DDDDD, *National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters* upon startup. Applicable provisions of Subpart Db include, but are not limited to the following: [§19.304 of Regulation 19 and 40 C.F.R Part 63, Subpart DDDDD]

251. The permittee shall operate SN-46 with a continuous oxygen trim systems that maintains an optimum air to fuel ratio. The permittee shall conduct a tune-up every five (5) years of SN-46 to demonstrate continuous compliance as specified as follows:

a. Inspect the burner, and clean or replace any components of the burner as necessary,

b. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame patter. The adjustment should be consistent with the manufacturer's specifications, if available,

c. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly,

d. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NOx requirement to which the unit is subject,

e. Measure the concentration in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made.

f. Maintain on-site and submit, if requested by the Department, an annual report containing the information as follows:

i. The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater;

ii. A description of any corrective actions taken as a part of the tune-up; and

iii. The type and amount of fuel used over the 12 months prior to the tune-up, but only if the unit was physically and legally capable of using more than one type of fuel during that period.

[19.502 of Regulation 19, §63.7540(a)(10)(i)-(vi)]

252. The permittee shall submit annual compliance reports. The first compliance report must cover the period beginning upon startup of SN-46 and ending on July 31 or January 31, whichever date is the first date that occurs at least 180 days after startup. Compliance reports must contain

a. Company and facility name and address

b. Process unit information

c. Date of report and beginning and ending dates of the reporting period

d. Total operating time during the reporting period.

e. Date of the most recent tune-up, burner inspection.

[§63.7550(a),(c)(1)]

253. The permittee must keep records of each notification and report to comply with 40 C.F.R Part 63 Subpart DDDDD. All records must be in a form suitable and readily available for expeditious review. Records must be kept for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report or record. [§63.7560]

SN-47
Emergency Air Compressor Engine

**Source Description**

SN-47 is a 9.2 hp, 4 stroke compression ignition, diesel gas fired certified emergency engine built by Yanmar. The engine is subject to 40 C.F.R 60, Standards for Performance for Stationary Compression Ignition Internal Combustion Engines (Subpart IIII).

**Specific Conditions**

254. 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 #259, #261 and #263. [Regulation 19 §19.501 et seq. and 40 C.F.R Part 52, Subpart E]

| Pollutant | lb/hr | tpy |
|---|---|---|
| $PM_{10}$ | 0.1 | 0.1 |
| $SO_2$ | 0.1 | 0.1 |
| VOC | 0.1 | 0.1 |
| CO | 0.1 | 0.1 |
| $NO_x$ | 0.3 | 0.1 |

255. 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 #259 and #263. [Regulation 18 §18.801 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

| Pollutant | lb/hr | tpy |
|---|---|---|
| PM | 0.1 | 0.1 |
| Acetaldehyde | 0.01 | 0.01 |
| Acrolein | 0.01 | 0.01 |
| Benzene | 0.01 | 0.01 |
| 1,3 Butadiene | 0.01 | 0.01 |
| Formaldehyde | 0.01 | 0.01 |
| Napthalene | 0.01 | 0.01 |
| Toluene | 0.01 | 0.01 |

256. The permittee shall not exceed 20% opacity from SN-47 as measured by EPA Reference Method 9. Compliance with this Specific Condition shall be demonstrated by compliance with Specific Condition #257. [§19.503 of Regulation 19 and 40 C.F.R Part 52, Subpart E]

257. The permittee shall conduct annual visible emissions observations as a method of compliance verification for the opacity limit assigned for SN-47. Observations shall be conducted by someone trained in EPA Reference Method 9. If during the observations, visible emissions are detected which appear to be in excess of the permitted opacity limit, the permittee shall:
    a. Take immediate action to identify the cause of the visible emissions,
    b. Implement corrective action, and
    c. If excessive visible emissions are still detected, an opacity reading shall be conducted in accordance with EPA Reference Method 9 for point sources and in accordance with EPA Method 22 for non-point sources. This reading shall be conducted by a person trained and certified in the reference method. If the opacity reading exceeds the permitted limit, further corrective measures shall be taken.
    d. If no excessive visible emissions are detected, the incident shall be noted in the records as described below.

258. The permittee shall maintain records related to all visible emission observations and Method 9 readings. These records shall be updated on an as-performed basis. These records shall be kept on site and made available to Department personnel upon request. These records shall contain:

    a. The time and date of each observation/reading,

    b. Any observance of visible emissions appearing to be above permitted limits or any Method 9 reading which indicates exceedance,

    c. The cause of any observed exceedance of opacity limits, corrective actions taken, and results of the reassessment, and the name of the person conducting the observation/reading.

259. The permittee shall not operate the emergency generator SN-47 in excess of 500 total hours (emergency and non-emergency) per calendar year in order to demonstrate compliance with the annual emission rate limits. Emergency operation in excess of these hours may be allowable but shall be reported and will be evaluated in accordance with Regulation 19 §19.602 and other applicable regulations. [Regulation 19 §19.705, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 C.F.R 70.6]

260. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition #259. The permittee shall update these records by the fifteenth day of the month following the month to which the records pertain. The calendar year 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. [Regulation 19 §19.705 and 40 C.F.R Part 52, Subpart E]

261. The permittee shall comply with the following emission standards for SN-47. The permittee shall operate and maintain the emission standards over the entire life of the engine.

| NOx + NMHC | CO | PM |
|---|---|---|
| 7.5 g/KW-hr<br>5.6 g/HP-hr | 8.0 g/KW-hr<br>6.0 g/HP-hr | 0.40 g/KW-hr<br>0.30 g/HP-hr |

[Regulation No. 19 §19.304 and 40 C.F.R Part 60, Subpart IIII, §60.4205(b) and §60.4206]

262. The permittee shall purchase diesel fuel that meets the requirements of 40 C.F.R 80.510(b) for nonroad diesel fuel.
    a. Sulfur content: 15 ppm maximum for NR diesel fuel
    b. Cetane index or aromatic content, as follows:
        i. A minimum cetane index of 40; or
        ii. A maximum aromatic content of 35 volume percent

[Regulation No. 19 §19.304 and 40 C.F.R Part 60, Subpart IIII, §60.4207(b)]

263. The permittee shall install a non-resettable hour meter prior to startup of the engine. [Regulation No. 19 §19.304 and 40 C.F.R Part 60, Subpart IIII, §60.4209]

264. The permittee shall operate and maintain SN-47 according to the manufacturer's emission-related written instruction, change only those emission-related settings that are permitted by the manufacturer, and meet the requirements of 40 C.F.R Parts 89, 945 and/or 1068, as they apply. [Regulation No. 19 §19.304 and 40 C.F.R Part 60, Subpart IIII, §60.4211(a)]

265. The permittee may operate SN-47 for the purpose of maintenance checks and readiness testing. Maintenance checks and readiness testing of SN-47 is limited to 100 hours per year. There is no time limit on the use in emergency situations. The permittee may operate SN-47up 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. [Regulation No. 19 §19.304 and 40 C.F.R Part 60, Subpart IIII, §60.4211(f)]

266. The permittee shall keep records of the operation of SN-47 in emergency and non-emergency services that are recorded through the non-resettable hour meter. The permittee must record the time of operation of the engine and the reason the engine was in operation during that time. [Regulation No. 19 §19.304 and 40 C.F.R Part 60, Subpart IIII, §60.4214(b)]

## SECTION V: COMPLIANCE PLAN AND SCHEDULE

Green Bay Packaging Inc. - Arkansas Kraft Division 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. [Regulation 19, §19.704, 40 C.F.R Part 52, Subpart E, and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

2. If the permittee fails to start construction within eighteen months or suspends construction for eighteen months or more, the Director may cancel all or part of this permit. [Regulation 19, §19.410(B) and 40 C.F.R Part 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 Department or within 180 days of permit issuance if no date is specified. The permittee must notify the Department of the scheduled date of compliance testing at least fifteen (15) days in advance of such test. The permittee shall submit the compliance test results to the Department within thirty (30) days after completing the testing. [Regulation 19, §19.702 and/or Regulation 18 §18.1002 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

4. The permittee must provide:
    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.

    [Regulation 19, §19.702 and/or Regulation 18, §18.1002 and A.C.A. §8-4-203 as referenced by A.C.A. §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. [Regulation 19, §19.303 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

6. This permit subsumes and incorporates all previously issued air permits for this facility. [Regulation 26 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

7. The permittee must prepare and implement a Startup, Shutdown, and Malfunction Plan (SSM). If the Department requests a review of the SSM, the permittee will make the SSM available for review. The permittee must keep a copy of the SSM at the source's location and retain all previous versions of the SSM plan for five years. [Regulation 19, §19.304 and 40 C.F.R 63.6(e)(3)]

8. The permittee shall operate all Continuous Emissions Monitors in accordance with the Continuous Emission Monitoring Systems Conditions in Appendix E. [§19.703 of Regulation #19, 40 C.F.R Part 52, Subpart E, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Acid Rain (Title IV)

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

Title VI Provisions

10. The permittee must comply with the standards for labeling of products using ozone-depleting substances. [40 C.F.R Part 82, Subpart E]

    a. All containers containing a class I or class II substance stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced to interstate commerce pursuant to §82.106.
    b. The placement of the required warning statement must comply with the requirements pursuant to §82.108.
    c. The form of the label bearing the required warning must comply with the requirements pursuant to §82.110.
    d. No person may modify, remove, or interfere with the required warning statement except as described in §82.112.

11. The permittee must comply with the standards for recycling and emissions reduction, except as provided for MVACs in Subpart B. [40 C.F.R Part 82, Subpart F]

a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
c. Persons performing maintenance, service repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
d. Persons disposing of small appliances, MVACs, and MVAC like appliances must comply with record keeping requirements pursuant to §82.166. ("MVAC like appliance" as defined at §82.152)
e. Persons owning commercial or industrial process refrigeration equipment must comply with leak repair requirements pursuant to §82.156.
f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.

12. If the permittee manufactures, transforms, destroys, imports, or exports a class I or class II substance, the permittee is subject to all requirements as specified in 40 C.F.R Part 82, Subpart A, Production and Consumption Controls.

13. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 C.F.R part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

    The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air tight sealed refrigeration system used as refrigerated cargo, or the system used on passenger buses using HCFC 22 refrigerant.

14. The permittee can switch from any ozone depleting substance to any alternative listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 C.F.R Part 82, Subpart G.

Permit Shield

15. Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements, as of the date of permit issuance, included in and specifically identified in the following table of this condition. The permit specifically identifies the following as applicable requirements based upon the information submitted by the permittee in an application dated February 6, 2009.

Applicable Regulations

| Source No. | Regulation | Description |
|---|---|---|
| Facility | Regulation 19 | Regulations of the Arkansas Plan of Implementation for Air Pollution Control, Regulation 19, effective October 15, 2007 |
| Facility | Regulation 26 | Regulations of the Arkansas Operating Air Permit Program, Regulation 26, effective September 26, 2002 |
| SN-04, SN-15, SN-46 | 40 C.F.R 60, Subpart Db | New Source Performance Standards for Industrial Steam Generating Units, effective December 16, 1987 |
| Facility | 40 C.F.R 60, Subpart BB | New Source Performance Standards for Kraft Pulp Mills, effective May 20, 1986 |
| Facility | 40 C.F.R 61, Subpart M | National Emission Standard for Hazardous Air Pollutants for Renovation/Demolition of Asbestos |
| Facility | 40 C.F.R 63, Subpart S | National Emission Standard for Hazardous Air Pollutants from the Pulp and Paper Industry, effective April 15, 1998 |
| SN-05, SN-07, and SN-08 | 40 C.F.R 63, Subpart MM | National Emission Standard for Hazardous Air Pollutants for Chemical Recovery Combustion Units at Kraft Pulp Mills with a compliance date of 3/12/04. |
| SN-39 | 40 C.F.R 63, Subpart RR | National Emission Standards for Individual Drain Systems, effective July 1, 1996 |
| SN-02, SN-11, SN-15, SN-23, SN-37, SN-38, and SN-39 | 40 C.F.R 64 | Compliance Assurance Monitoring, effective October 22, 1997 |
| SN-41, SN-42, SN-43, SN-44 | 40 C.F.R Part 63, Subpart ZZZZ | National Emissions Standard for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines |
| SN-45 | 40 C.F.R part 60, Subpart JJJJ | Standards of Performance for Stationary Spark Ignition Internal Combustion Engines |
| SN-46 | 40 C.F.R Part 63, Subpart DDDDD | National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters |
| SN-47 | 40 C.F.R Part 60, Subpart IIII | Standards of Performance for Stationary Compression Ignition Internal Combustion Engines |

The permit specifically identifies the following as inapplicable based upon information submitted by the permittee in an application dated January 25, 2004.

Inapplicable Regulations

| Source No. | Regulation | Description |
|---|---|---|
| Facility | NSPS Subpart K | New Source Performance Standards for Petroleum Storage Tanks Less than 40,000 Gallons with Construction between 6/11/73 and 5/19/78 |
| Facility | NSPS Subpart Ka | New Source Performance Standards for Petroleum Storage Tanks Less than 40,000 Gallons with Construction between 5/18/78 and 7/23/84 |
| Facility | NSPS Subpart Kb | New Source Performance Standards for Petroleum Storage Tanks Less than 40,000 Gallons with Construction After 7/23/84 |
| Facility | NSPS Subpart HH | New Source Performance Standards for Lime Manufacturing |

## SECTION VII: INSIGNIFICANT ACTIVITIES

The following sources are insignificant activities. Any activity that has a state or federal applicable requirement shall be considered a significant activity even if this activity meets the criteria of §26.304 of Regulation 26 or listed in the table below. Insignificant activity determinations rely upon the information submitted by the permittee in an application dated February 6, 2009.

| Description | Category |
|---|---|
| Pocket Vent System Heater #1 (SN-28) | Group A, Number 1 |
| Pocket Vent System Heater #2 (SN-29) | Group A, Number 1 |
| DeFoamer Tank (Pulp Mill) | Group A, Number 3 |
| Used Oil Tank | Group A, Number 3 |
| North Diesel Storage Tank | Group A, Number 3 |
| South Diesel Storage Tank | Group A, Number 3 |
| Diesel Oil Storage Tank | Group A, Number 3 |
| 50% Caustic Storage Tanks Recovery Area | Group A, Number 4 |
| 50% Caustic Storage Tanks Tall Oil Area | Group A, Number 4 |
| 50% Caustic Storage Tanks Secondary Recovery Area | Group A, Number 4 |
| Emissions From Laboratory Vents | Group A, Number 5 |
| Sulfuric Acid Tanks (4) | Group A, Number 13 |
| Small Fuel Oil Tanks (SN-33) | Group A, Number 13 |
| Large Fuel Oil Tank | Group A, Number 13 |
| Intermediate Black Liquor Storage Tanks (2) | Group A, Number 13 |
| Heavy Black Liquor Storage Tanks (3) | Group A, Number 13 |
| White Liquor Storage Tanks (4) | Group A, Number 13 |
| High Density Pulp Storage Tanks (2) | Group A, Number 13 |
| Cooling Towers | Group A, Number 13 |
| Salt Cake Storage Tank | Group A, Number 13 |
| Muriatic Acid Tote Bin | Group A, Number 13 |
| Tall Oil Brine Storage Tanks (3) | Group A, Number 13 |

| Description | Category |
|---|---|
| Calcium Carbonate Storage | Group A, Number 13 |
| Alum Storage | Group A, Number 13 |
| Starch Cooker | Group A, Number 13 |
| Sludge Press Area – Vent Exhaust | Group A, Number 13 |
| Ferric Sulfate Storage | Group A, Number 13 |
| N-Sol 32 Storage | Group A, Number 13 |
| Secondary Fiber Plant | Group A, Number 13 |
| #1 Lime Silos (Sodium Carbonate) (SN-18) | Group A, Number 13 |
| #2 Lime Silos (Sodium Carbonate) (SN-19) | Group A, Number 13 |
| Starch Silo (SN-20) | Group A, Number 13 |
| Lime Silo – Water Plant (SN-21) | Group A, Number 13 |
| Turpentine Storage Tank (SN-34) | Group A, Number 13 |
| Turpentine Loading Operation (SN-35) | Group A, Number 13 |
| Gasoline Storage Tank | Group A, Number 13 |
| Fly Ash Bunker | Group A, Number 13 |

## 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 (A.C.A. §8-4-101 et seq.) as the sole origin of and authority for the terms or conditions are not required under the Clean Air Act or any of its applicable requirements, and are not federally enforceable under the Clean Air Act. Arkansas Pollution Control & Ecology Commission Regulation 18 was adopted pursuant to the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 et seq.). Any terms or conditions included in this permit which specify and reference Arkansas Pollution Control & Ecology Commission Regulation 18 or the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 et seq.) as the origin of and authority for the terms or conditions are enforceable under this Arkansas statute. [40 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 §26.701(B) of the Regulations of the Arkansas Operating Air Permit Program (Regulation 26)]

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 Department takes final action on the renewal application. The Department will not necessarily notify the permittee when the permit renewal application is due. [Regulation 26, §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 Regulation 26, §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 Regulation 26, §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 Regulation 26, §26.701(C)(2)(b)]

7. The permittee must submit reports of all required monitoring every six (6) months. If permit establishes no other reporting period, the reporting period shall end on the last day of the anniversary month of the initial Title V permit. The report is due within thirty (30) days of the end of the reporting period. Although the reports are due every six months, each report shall contain a full year of data. The report must clearly identify all instances of deviations from permit requirements. A responsible official as defined in Regulation No. 26, §26.2 must certify all required reports. The permittee will send the reports to the address below:

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

    [40 C.F.R. 70.6(a)(3)(iii)(A) and Regulation 26, §26.701(C)(3)(a)]

8. The permittee shall report to the Department all deviations from permit requirements, including those attributable to upset conditions as defined in the permit.

    a. For all upset conditions (as defined in Regulation19, § 19.601), the permittee will make an initial report to the Department by the next business day after the discovery of the occurrence. The initial report may be made by telephone and shall include:

        i. The facility name and location;
        ii. The process unit or emission source deviating from the permit limit;
        iii. The permit limit, including the identification of pollutants, from which deviation occurs;
        iv. The date and time the deviation started;
        v. The duration of the deviation;
        vi. The average emissions during the deviation;
        vii. The probable cause of such deviations;
        viii. Any corrective actions or preventive measures taken or being taken to prevent such deviations in the future; and
        ix. The name of the person submitting the report.

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

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

[Regulation 19, §19.601 and §19.602, Regulation 26, §26.701(C)(3)(b), and 40 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), Regulation 26, §26.701(E), and A.C.A. §8-4-203 as referenced by A.C.A. §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 Regulation 26, §26.701(F)(1)]

11. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit. [40 C.F.R 70.6(a)(6)(ii) and Regulation 26, §26.701(F)(2)]

12. The Department may modify, revoke, reopen and reissue the permit or terminate the permit for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [40 C.F.R 70.6(a)(6)(iii) and Regulation 26, §26.701(F)(3)]

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 Regulation 26, §26.701(F)(4)]

14. The permittee must furnish to the Director, within the time specified by the Director, any information that the Director may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee must also furnish to the Director copies of records required by the permit. For information the permittee claims confidentiality, the Department may require the permittee to furnish such records directly to the Director along with a claim of confidentiality. [40 C.F.R 70.6(a)(6)(v) and Regulation 26, §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 Regulation 26, §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 Regulation 26, §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 Regulation 26, §26.701(I)(1)]

18. The Administrator and citizens may enforce under the Act all terms and conditions in this permit, including any provisions designed to limit a source's potential to emit, unless the Department specifically designates terms and conditions of the permit as being federally unenforceable under the Act or under any of its applicable requirements. [40 C.F.R 70.6(b) and Regulation 26, §26.702(A) and (B)]

19. Any document (including reports) required by this permit must contain a certification by a responsible official as defined in Regulation 26, §26.2. [40 C.F.R 70.6(c)(1) and Regulation 26, §26.703(A)]

20. The permittee must allow an authorized representative of the Department, upon presentation of credentials, to perform the following: [40 C.F.R 70.6(c)(2) and Regulation 26, §26.703(B)]

    a. Enter upon the permittee's premises where the permitted source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

    b. Have access to and copy, at reasonable times, any records required under the conditions of this permit;

    c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and

    d. As authorized by the Act, sample or monitor at reasonable times substances or parameters for assuring compliance with this permit or applicable requirements.

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 within 30 days following the last day of the anniversary month of the initial Title V permit. The permittee must also submit the compliance certification to the Administrator as well as to the Department. All compliance certifications required by this permit must include the following: [40 C.F.R 70.6(c)(5) and Regulation 26, §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 Department 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: [Regulation 26, §26.704(C)]

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

23. This permit authorizes only those pollutant emitting activities addressed in this permit. [A.C.A. §8-4-203 as referenced by A.C.A. §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 Department approval. The Department 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.

    [Regulation 18, §18.102(C-D), Regulation 19, §19.103(D), A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311, and 40 C.F.R Part 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 Department approval. Any such emissions shall be included in the facility's total emissions and reported as such. The Department 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 Department 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.

    [Regulation 18, §18.102(C-D), Regulation 19, §19.103(D), A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311, and 40 C.F.R Part 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 Department approval. The Department 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.

    [Regulation 18, §18.102(C-D), Regulation19, §19.103(D), A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311, and 40 C.F.R Part 52, Subpart E]

Appendix A

AUTHENTICATED
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(iii) Copies of all visible emission observer opacity field data sheets;

(2) For each performance test conducted using Method 22 of appendix A–4 of this part, the owner or operator shall keep the records including the information specified in paragraphs (b)(2)(i) through (iv) of this section.

(i) Dates and time intervals of all visible emissions observation periods;

(ii) Name and affiliation for each visible emission observer participating in the performance test;

(iii) Copies of all visible emission observer opacity field data sheets; and

(iv) Documentation of any adjustments made and the time the adjustments were completed to the affected facility operation by the owner or operator to demonstrate compliance with the applicable monitoring requirements.

(3) For each digital opacity compliance system, the owner or operator shall maintain records and submit reports according to the requirements specified in the site-specific monitoring plan approved by the Administrator.

[74 FR 5083, Jan. 28, 2009, as amended at 77 FR 9459, Feb. 16, 2012]

## Subpart Db—Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units

SOURCE: 72 FR 32742, June 13, 2007, unless otherwise noted.

### § 60.40b Applicability and delegation of authority.

(a) The affected facility to which this subpart applies is each steam generating unit that commences construction, modification, or reconstruction after June 19, 1984, and that has a heat input capacity from fuels combusted in the steam generating unit of greater than 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/hr)).

(b) Any affected facility meeting the applicability requirements under paragraph (a) of this section and commencing construction, modification, or reconstruction after June 19, 1984, but on or before June 19, 1986, is subject to the following standards:

(1) Coal-fired affected facilities having a heat input capacity between 29 and 73 MW (100 and 250 MMBtu/hr), inclusive, are subject to the particulate matter (PM) and nitrogen oxides ($NO_X$) standards under this subpart.

(2) Coal-fired affected facilities having a heat input capacity greater than 73 MW (250 MMBtu/hr) and meeting the applicability requirements under subpart D (Standards of performance for fossil-fuel-fired steam generators; § 60.40) are subject to the PM and $NO_X$ standards under this subpart and to the sulfur dioxide ($SO_2$) standards under subpart D (§ 60.43).

(3) Oil-fired affected facilities having a heat input capacity between 29 and 73 MW (100 and 250 MMBtu/hr), inclusive, are subject to the $NO_X$ standards under this subpart.

(4) Oil-fired affected facilities having a heat input capacity greater than 73 MW (250 MMBtu/hr) and meeting the applicability requirements under subpart D (Standards of performance for fossil-fuel-fired steam generators; § 60.40) are also subject to the $NO_X$ standards under this subpart and the PM and $SO_2$ standards under subpart D (§ 60.42 and § 60.43).

(c) Affected facilities that also meet the applicability requirements under subpart J or subpart Ja of this part are subject to the PM and $NO_X$ standards under this subpart and the $SO_2$ standards under subpart J or subpart Ja of this part, as applicable.

(d) Affected facilities that also meet the applicability requirements under subpart E (Standards of performance for incinerators; § 60.50) are subject to the $NO_X$ and PM standards under this subpart.

(e) Steam generating units meeting the applicability requirements under subpart Da (Standards of performance for electric utility steam generating units; § 60.40Da) are not subject to this subpart.

(f) Any change to an existing steam generating unit for the sole purpose of combusting gases containing total reduced sulfur (TRS) as defined under § 60.281 is not considered a modification under § 60.14 and the steam generating unit is not subject to this subpart.

(g) In delegating implementation and enforcement authority to a State under section 111(c) of the Clean Air Act, the following authorities shall be retained by the Administrator and not transferred to a State.

(1) Section 60.44b(f).

(2) Section 60.44b(g).

(3) Section 60.49b(a)(4).

(h) Any affected facility that meets the applicability requirements and is subject to subpart Ea, subpart Eb, subpart AAAA, or subpart CCCC of this part is not subject to this subpart.

(i) Affected facilities (*i.e.*, heat recovery steam generators) that are associated with stationary combustion turbines and that meet the applicability requirements of subpart KKKK of this part are not subject to this subpart. This subpart will continue to apply to all other affected facilities (*i.e.* heat recovery steam generators with duct burners) that are capable of combusting more than 29 MW (100 MMBtu/h) heat input of fossil fuel. If the affected facility (*i.e.* heat recovery steam generator) is subject to this subpart, only emissions resulting from combustion of fuels in the steam generating unit are subject to this subpart. (The stationary combustion turbine emissions are subject to subpart GG or KKKK, as applicable, of this part.)

(j) Any affected facility meeting the applicability requirements under paragraph (a) of this section and commencing construction, modification, or reconstruction after June 19, 1986 is not subject to subpart D (Standards of Performance for Fossil-Fuel-Fired Steam Generators, § 60.40).

(k) Any affected facility that meets the applicability requirements and is subject to an EPA approved State or Federal section 111(d)/129 plan implementing subpart Cb or subpart BBBB of this part is not covered by this subpart.

(l) Affected facilities that also meet the applicability requirements under subpart BB of this part (Standards of Performance for Kraft Pulp Mills) are subject to the $SO_2$ and $NO_X$ standards under this subpart and the PM standards under subpart BB.

(m) Temporary boilers are not subject to this subpart.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5084, Jan. 28, 2009; 77 FR 9459, Feb. 16, 2012]

### § 60.41b Definitions.

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

*Annual capacity factor* means the ratio between the actual heat input to a steam generating unit from the fuels listed in § 60.42b(a), § 60.43b(a), or § 60.44b(a), as applicable, during a calendar year and the potential heat input to the steam generating unit had it been operated for 8,760 hours during a calendar year at the maximum steady state design heat input capacity. In the case of steam generating units that are rented or leased, the actual heat input shall be determined based on the combined heat input from all operations of the affected facility in a calendar year.

*Byproduct/waste* means any liquid or gaseous substance produced at chemical manufacturing plants, petroleum refineries, or pulp and paper mills (except natural gas, distillate oil, or residual oil) and combusted in a steam generating unit for heat recovery or for disposal. Gaseous substances with carbon dioxide ($CO_2$) levels greater than 50 percent or carbon monoxide levels greater than 10 percent are not byproduct/waste for the purpose of this subpart.

*Chemical manufacturing plants* mean industrial plants that are classified by the Department of Commerce under Standard Industrial Classification (SIC) Code 28.

*Coal* means all solid fuels classified as anthracite, bituminous, subbituminous, or lignite by the American Society of Testing and Materials in ASTM D388 (incorporated by reference, see § 60.17), coal refuse, and petroleum coke. Coal-derived synthetic fuels, including but not limited to solvent refined coal, gasified coal not meeting the definition of natural gas, coal-oil mixtures, coke oven gas, and coal-water mixtures, are also included in this definition for the purposes of this subpart.

*Coal refuse* means any byproduct of coal mining or coal cleaning operations with an ash content greater than 50 percent, by weight, and a heating value less than 13,900 kJ/kg (6,000 Btu/lb) on a dry basis.

*Cogeneration*, also known as combined heat and power, means a facility that simultaneously produces both electric (or mechanical) and useful thermal energy from the same primary energy source.

*Coke oven gas* means the volatile constituents generated in the gaseous exhaust during the carbonization of bituminous coal to form coke.

*Combined cycle system* means a system in which a separate source, such as a gas turbine, internal combustion engine, kiln, etc., provides exhaust gas to a steam generating unit.

*Conventional technology* means wet flue gas desulfurization (FGD) technology, dry FGD technology, atmospheric fluidized bed combustion technology, and oil hydrodesulfurization technology.

*Distillate oil* means fuel oils that contain 0.05 weight percent nitrogen or less and comply with the specifications for fuel oil numbers 1 and 2, as defined by the American Society of Testing and Materials in ASTM D396 (incorporated by reference, see § 60.17), diesel fuel oil numbers 1 and 2, as defined by the American Society for Testing and Materials in ASTM D975 (incorporated by reference, see § 60.17), kerosine, as defined by the American Society of Testing and Materials in ASTM D3699 (incorporated by reference, see § 60.17), biodiesel as defined by the American Society of Testing and Materials in ASTM D6751 (incorporated by reference, see § 60.17), or biodiesel blends as defined by the American Society of Testing and Materials in ASTM D7467 (incorporated by reference, see § 60.17).

*Dry flue gas desulfurization technology* means a $SO_2$ control system that is located downstream of the steam generating unit and removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline reagent and water, whether introduced separately or as a premixed slurry or solution and forming a dry powder material. This definition includes devices where the dry powder material is subsequently converted to another form. Alkaline slurries or solutions used in dry flue gas desulfurization technology include but are not limited to lime and sodium.

*Duct burner* means a device that combusts fuel and that is placed in the exhaust duct from another source, such as a stationary gas turbine, internal combustion engine, kiln, etc., to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a steam generating unit.

*Emerging technology* means any $SO_2$ control system that is not defined as a conventional technology under this section, and for which the owner or operator of the facility has applied to the Administrator and received approval to operate as an emerging technology under § 60.49b(a)(4).

*Federally enforceable* means all limitations and conditions that are enforceable by the Administrator, including the requirements of 40 CFR parts 60 and 61, requirements within any applicable State Implementation Plan, and any permit requirements established under 40 CFR 52.21 or under 40 CFR 51.18 and 51.24.

*Fluidized bed combustion technology* means combustion of fuel in a bed or series of beds (including but not limited to bubbling bed units and circulating bed units) of limestone aggregate (or other sorbent materials) in which these materials are forced upward by the flow of combustion air and the gaseous products of combustion.

*Fuel pretreatment* means a process that removes a portion of the sulfur in a fuel before combustion of the fuel in a steam generating unit.

*Full capacity* means operation of the steam generating unit at 90 percent or more of the maximum steady-state design heat input capacity.

*Gaseous fuel* means any fuel that is a gas at ISO conditions. This includes, but is not limited to, natural gas and gasified coal (including coke oven gas).

*Gross output* means the gross useful work performed by the steam generated. For units generating only electricity, the gross useful work performed is the gross electrical output from the turbine/generator set. For cogeneration units, the gross useful work

performed is the gross electrical or mechanical output plus 75 percent of the useful thermal output measured relative to ISO conditions that is not used to generate additional electrical or mechanical output or to enhance the performance of the unit (*i.e.*, steam delivered to an industrial process).

*Heat input* means heat derived from combustion of fuel in a steam generating unit and does not include the heat derived from preheated combustion air, recirculated flue gases, or exhaust gases from other sources, such as gas turbines, internal combustion engines, kilns, etc.

*Heat release rate* means the steam generating unit design heat input capacity (in MW or Btu/hr) divided by the furnace volume (in cubic meters or cubic feet); the furnace volume is that volume bounded by the front furnace wall where the burner is located, the furnace side waterwall, and extending to the level just below or in front of the first row of convection pass tubes.

*Heat transfer medium* means any material that is used to transfer heat from one point to another point.

*High heat release rate* means a heat release rate greater than 730,000 J/sec-$m^3$ (70,000 Btu/hr-$ft^3$).

*ISO Conditions* means a temperature of 288 Kelvin, a relative humidity of 60 percent, and a pressure of 101.3 kilopascals.

*Lignite* means a type of coal classified as lignite A or lignite B by the American Society of Testing and Materials in ASTM D388 (incorporated by reference, see § 60.17).

*Low heat release rate* means a heat release rate of 730,000 J/sec-$m^3$ (70,000 Btu/hr-$ft^3$) or less.

*Mass-feed stoker steam generating unit* means a steam generating unit where solid fuel is introduced directly into a retort or is fed directly onto a grate where it is combusted.

*Maximum heat input capacity* means the ability of a steam generating unit to combust a stated maximum amount of fuel on a steady state basis, as determined by the physical design and characteristics of the steam generating unit.

*Municipal-type solid waste* means refuse, more than 50 percent of which is waste consisting of a mixture of paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustible materials, and noncombustible materials such as glass and rock.

*Natural gas* means:

(1) A naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal constituent is methane; or

(2) Liquefied petroleum gas, as defined by the American Society for Testing and Materials in ASTM D1835 (incorporated by reference, see § 60.17); or

(3) A mixture of hydrocarbons that maintains a gaseous state at ISO conditions. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 34 and 43 megajoules (MJ) per dry standard cubic meter (910 and 1,150 Btu per dry standard cubic foot).

*Noncontinental area* means the State of Hawaii, the Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico, or the Northern Mariana Islands.

*Oil* means crude oil or petroleum or a liquid fuel derived from crude oil or petroleum, including distillate and residual oil.

*Petroleum refinery* means industrial plants as classified by the Department of Commerce under Standard Industrial Classification (SIC) Code 29.

*Potential sulfur dioxide emission rate* means the theoretical $SO_2$ emissions (nanograms per joule (ng/J) or lb/MMBtu heat input) that would result from combusting fuel in an uncleaned state and without using emission control systems. For gasified coal or oil that is desulfurized prior to combustion, the *Potential sulfur dioxide emission rate* is the theoretical $SO_2$ emissions (ng/J or lb/MMBtu heat input) that would result from combusting fuel in a cleaned state without using any post combustion emission control systems.

*Process heater* means a device that is primarily used to heat a material to initiate or promote a chemical reaction in which the material participates as a reactant or catalyst.

*Pulp and paper mills* means industrial plants that are classified by the Department of Commerce under North American Industry Classification System (NAICS) Code 322 or Standard Industrial Classification (SIC) Code 26.

*Pulverized coal-fired steam generating unit* means a steam generating unit in which pulverized coal is introduced into an air stream that carries the coal to the combustion chamber of the steam generating unit where it is fired in suspension. This includes both conventional pulverized coal-fired and micropulverized coal-fired steam generating units. Residual oil means crude oil, fuel oil numbers 1 and 2 that have a nitrogen content greater than 0.05 weight percent, and all fuel oil numbers 4, 5 and 6, as defined by the American Society of Testing and Materials in ASTM D396 (incorporated by reference, see § 60.17).

*Spreader stoker steam generating unit* means a steam generating unit in which solid fuel is introduced to the combustion zone by a mechanism that throws the fuel onto a grate from above. Combustion takes place both in suspension and on the grate.

*Steam generating unit* means a device that combusts any fuel or byproduct/waste and produces steam or heats water or heats any heat transfer medium. This term includes any municipal-type solid waste incinerator with a heat recovery steam generating unit or any steam generating unit that combusts fuel and is part of a cogeneration system or a combined cycle system. This term does not include process heaters as they are defined in this subpart.

*Steam generating unit operating day* means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the steam generating unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

*Temporary boiler* means any gaseous or liquid fuel-fired steam generating unit that is designed to, and is capable of, being carried or moved from one location to another by means of, for example, wheels, skids, carrying handles, dollies, trailers, or platforms. A steam generating unit is not a temporary boiler if any one of the following conditions exists:

(1) The equipment is attached to a foundation.

(2) The steam generating unit or a replacement remains at a location for more than 180 consecutive days. Any temporary boiler that replaces a temporary boiler at a location and performs the same or similar function will be included in calculating the consecutive time period.

(3) The equipment is located at a seasonal facility and operates during the full annual operating period of the seasonal facility, remains at the facility for at least 2 years, and operates at that facility for at least 3 months each year.

(4) The equipment is moved from one location to another in an attempt to circumvent the residence time requirements of this definition.

*Very low sulfur oil* means for units constructed, reconstructed, or modified on or before February 28, 2005, oil that contains no more than 0.5 weight percent sulfur or that, when combusted without $SO_2$ emission control, has a $SO_2$ emission rate equal to or less than 215 ng/J (0.5 lb/MMBtu) heat input. For units constructed, reconstructed, or modified after February 28, 2005 and not located in a noncontinental area, *very low sulfur oil* means oil that contains no more than 0.30 weight percent sulfur or that, when combusted without $SO_2$ emission control, has a $SO_2$ emission rate equal to or less than 140 ng/J (0.32 lb/MMBtu) heat input. For units constructed, reconstructed, or modified after February 28, 2005 and located in a noncontinental area, *very low sulfur oil* means oil that contains no more than 0.5 weight percent sulfur or that, when combusted without $SO_2$ emission control, has a $SO_2$ emission rate equal to or less than 215 ng/J (0.50 lb/MMBtu) heat input.

*Wet flue gas desulfurization technology* means a $SO_2$ control system that is located downstream of the steam generating unit and removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gas with an alkaline slurry or solution and forming a liquid

material. This definition applies to devices where the aqueous liquid material product of this contact is subsequently converted to other forms. Alkaline reagents used in wet flue gas desulfurization technology include, but are not limited to, lime, limestone, and sodium.

*Wet scrubber system* means any emission control device that mixes an aqueous stream or slurry with the exhaust gases from a steam generating unit to control emissions of PM or $SO_2$.

*Wood* means wood, wood residue, bark, or any derivative fuel or residue thereof, in any form, including, but not limited to, sawdust, sanderdust, wood chips, scraps, slabs, millings, shavings, and processed pellets made from wood or other forest residues.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5084, Jan. 28, 2009; 77 FR 9459, Feb. 16, 2012]

### § 60.42b Standard for sulfur dioxide ($SO_2$).

(a) Except as provided in paragraphs (b), (c), (d), or (j) of this section, on and after the date on which the performance test is completed or required to be completed under § 60.8, whichever comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, that combusts coal or oil shall cause to be discharged into the atmosphere any gases that contain $SO_2$ in excess of 87 ng/J (0.20 lb/MMBtu) or 10 percent (0.10) of the potential $SO_2$ emission rate (90 percent reduction) and the emission limit determined according to the following formula:

$$E_s = \frac{(K_a H_a + K_b H_b)}{(H_a + H_b)}$$

Where:

$E_s$ = $SO_2$ emission limit, in ng/J or lb/MMBtu heat input;
$K_a$ = 520 ng/J (or 1.2 lb/MMBtu);
$K_b$ = 340 ng/J (or 0.80 lb/MMBtu);
$H_a$ = Heat input from the combustion of coal, in J (MMBtu); and
$H_b$ = Heat input from the combustion of oil, in J (MMBtu).

For facilities complying with the percent reduction standard, only the heat input supplied to the affected facility from the combustion of coal and oil is counted in this paragraph. No credit is provided for the heat input to the affected facility from the combustion of natural gas, wood, municipal-type solid waste, or other fuels or heat derived from exhaust gases from other sources, such as gas turbines, internal combustion engines, kilns, etc.

(b) On and after the date on which the performance test is completed or required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, that combusts coal refuse alone in a fluidized bed combustion steam generating unit shall cause to be discharged into the atmosphere any gases that contain $SO_2$ in excess of 87 ng/J (0.20 lb/MMBtu) or 20 percent (0.20) of the potential $SO_2$ emission rate (80 percent reduction) and 520 ng/J (1.2 lb/MMBtu) heat input. If coal or oil is fired with coal refuse, the affected facility is subject to paragraph (a) or (d) of this section, as applicable. For facilities complying with the percent reduction standard, only the heat input supplied to the affected facility from the combustion of coal and oil is counted in this paragraph. No credit is provided for the heat input to the affected facility from the combustion of natural gas, wood, municipal-type solid waste, or other fuels or heat derived from exhaust gases from other sources, such as gas turbines, internal combustion engines, kilns, etc.

(c) On and after the date on which the performance test is completed or is required to be completed under § 60.8, whichever comes first, no owner or operator of an affected facility that combusts coal or oil, either alone or in combination with any other fuel, and that uses an emerging technology for the control of $SO_2$ emissions, shall cause to be discharged into the atmosphere any gases that contain $SO_2$ in excess of 50 percent of the potential $SO_2$ emission rate (50 percent reduction) and that contain $SO_2$ in excess of the emission limit determined according to the following formula:

$$E_s = \frac{(K_c H_c + K_d H_d)}{(H_c + H_d)}$$

Where:

$E_s$ = SO2 emission limit, in ng/J or lb/MM Btu heat input;
$K_c$ = 260 ng/J (or 0.60 lb/MMBtu);
$K_d$ = 170 ng/J (or 0.40 lb/MMBtu);
$H_c$ = Heat input from the combustion of coal, in J (MMBtu); and
$H_d$ = Heat input from the combustion of oil, in J (MMBtu).

For facilities complying with the percent reduction standard, only the heat input supplied to the affected facility from the combustion of coal and oil is counted in this paragraph. No credit is provided for the heat input to the affected facility from the combustion of natural gas, wood, municipal-type solid waste, or other fuels, or from the heat input derived from exhaust gases from other sources, such as gas turbines, internal combustion engines, kilns, etc.

(d) On and after the date on which the performance test is completed or required to be completed under § 60.8, whichever comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005 and listed in paragraphs (d)(1), (2), (3), or (4) of this section shall cause to be discharged into the atmosphere any gases that contain $SO_2$ in excess of 520 ng/J (1.2 lb/MMBtu) heat input if the affected facility combusts coal, or 215 ng/J (0.5 lb/MMBtu) heat input if the affected facility combusts oil other than very low sulfur oil. Percent reduction requirements are not applicable to affected facilities under paragraphs (d)(1), (2), (3) or (4) of this section. For facilities complying with paragraphs (d)(1), (2), or (3) of this section, only the heat input supplied to the affected facility from the combustion of coal and oil is counted in this paragraph. No credit is provided for the heat input to the affected facility from the combustion of natural gas, wood, municipal-type solid waste, or other fuels or heat derived from exhaust gases from other sources, such as gas turbines, internal combustion engines, kilns, etc.

(1) Affected facilities that have an annual capacity factor for coal and oil of 30 percent (0.30) or less and are subject to a federally enforceable permit limiting the operation of the affected facility to an annual capacity factor for coal and oil of 30 percent (0.30) or less;

(2) Affected facilities located in a noncontinental area; or

(3) Affected facilities combusting coal or oil, alone or in combination with any fuel, in a duct burner as part of a combined cycle system where 30 percent (0.30) or less of the heat entering the steam generating unit is from combustion of coal and oil in the duct burner and 70 percent (0.70) or more of the heat entering the steam generating unit is from the exhaust gases entering the duct burner; or

(4) The affected facility burns coke oven gas alone or in combination with natural gas or very low sulfur distillate oil.

(e) Except as provided in paragraph (f) of this section, compliance with the emission limits, fuel oil sulfur limits, and/or percent reduction requirements under this section are determined on a 30-day rolling average basis.

(f) Except as provided in paragraph (j)(2) of this section, compliance with the emission limits or fuel oil sulfur limits under this section is determined on a 24-hour average basis for affected facilities that (1) have a federally enforceable permit limiting the annual capacity factor for oil to 10 percent or less, (2) combust only very low sulfur oil, and (3) do not combust any other fuel.

(g) Except as provided in paragraph (i) of this section and § 60.45b(a), the $SO_2$ emission limits and percent reduction requirements under this section apply at all times, including periods of startup, shutdown, and malfunction.

(h) Reductions in the potential $SO_2$ emission rate through fuel pretreatment are not credited toward the percent reduction requirement under paragraph (c) of this section unless:

(1) Fuel pretreatment results in a 50 percent or greater reduction in potential $SO_2$ emissions and

(2) Emissions from the pretreated fuel (without combustion or post-combustion $SO_2$ control) are equal to or

less than the emission limits specified in paragraph (c) of this section.

(i) An affected facility subject to paragraph (a), (b), or (c) of this section may combust very low sulfur oil or natural gas when the $SO_2$ control system is not being operated because of malfunction or maintenance of the $SO_2$ control system.

(j) Percent reduction requirements are not applicable to affected facilities combusting only very low sulfur oil. The owner or operator of an affected facility combusting very low sulfur oil shall demonstrate that the oil meets the definition of very low sulfur oil by: (1) Following the performance testing procedures as described in § 60.45b(c) or § 60.45b(d), and following the monitoring procedures as described in § 60.47b(a) or § 60.47b(b) to determine $SO_2$ emission rate or fuel oil sulfur content; or (2) maintaining fuel records as described in § 60.49b(r).

(k)(1) Except as provided in paragraphs (k)(2), (k)(3), and (k)(4) of this section, on and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts coal, oil, natural gas, a mixture of these fuels, or a mixture of these fuels with any other fuels shall cause to be discharged into the atmosphere any gases that contain $SO_2$ in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 8 percent (0.08) of the potential $SO_2$ emission rate (92 percent reduction) and 520 ng/J (1.2 lb/MMBtu) heat input. For facilities complying with the percent reduction standard and paragraph (k)(3) of this section, only the heat input supplied to the affected facility from the combustion of coal and oil is counted in paragraph (k) of this section. No credit is provided for the heat input to the affected facility from the combustion of natural gas, wood, municipal-type solid waste, or other fuels or heat derived from exhaust gases from other sources, such as gas turbines, internal combustion engines, kilns, etc.

(2) Units firing only very low sulfur oil, gaseous fuel, a mixture of these fuels, or a mixture of these fuels with any other fuels with a potential $SO_2$ emission rate of 140 ng/J (0.32 lb/MMBtu) heat input or less are exempt from the $SO_2$ emissions limit in paragraph (k)(1) of this section.

(3) Units that are located in a noncontinental area and that combust coal, oil, or natural gas shall not discharge any gases that contain $SO_2$ in excess of 520 ng/J (1.2 lb/MMBtu) heat input if the affected facility combusts coal, or 215 ng/J (0.50 lb/MMBtu) heat input if the affected facility combusts oil or natural gas.

(4) As an alternative to meeting the requirements under paragraph (k)(1) of this section, modified facilities that combust coal or a mixture of coal with other fuels shall not cause to be discharged into the atmosphere any gases that contain $SO_2$ in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 10 percent (0.10) of the potential $SO_2$ emission rate (90 percent reduction) and 520 ng/J (1.2 lb/MMBtu) heat input.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5084, Jan. 28, 2009; 76 FR 3523, Jan. 20, 2011]

### § 60.43b Standard for particulate matter (PM).

(a) On and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005 that combusts coal or combusts mixtures of coal with other fuels, shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of the following emission limits:

(1) 22 ng/J (0.051 lb/MMBtu) heat input, (i) If the affected facility combusts only coal, or

(ii) If the affected facility combusts coal and other fuels and has an annual capacity factor for the other fuels of 10 percent (0.10) or less.

(2) 43 ng/J (0.10 lb/MMBtu) heat input if the affected facility combusts coal and other fuels and has an annual capacity factor for the other fuels greater than 10 percent (0.10) and is subject to a federally enforceable requirement

limiting operation of the affected facility to an annual capacity factor greater than 10 percent (0.10) for fuels other than coal.

(3) 86 ng/J (0.20 lb/MMBtu) heat input if the affected facility combusts coal or coal and other fuels and

(i) Has an annual capacity factor for coal or coal and other fuels of 30 percent (0.30) or less,

(ii) Has a maximum heat input capacity of 73 MW (250 MMBtu/hr) or less,

(iii) Has a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor of 30 percent (0.30) or less for coal or coal and other solid fuels, and

(iv) Construction of the affected facility commenced after June 19, 1984, and before November 25, 1986.

(4) An affected facility burning coke oven gas alone or in combination with other fuels not subject to a PM standard under § 60.43b and not using a post-combustion technology (except a wet scrubber) for reducing PM or $SO_2$ emissions is not subject to the PM limits under § 60.43b(a).

(b) On and after the date on which the performance test is completed or required to be completed under § 60.8, whichever comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, and that combusts oil (or mixtures of oil with other fuels) and uses a conventional or emerging technology to reduce $SO_2$ emissions shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 43 ng/J (0.10 lb/MMBtu) heat input.

(c) On and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, and that combusts wood, or wood with other fuels, except coal, shall cause to be discharged from that affected facility any gases that contain PM in excess of the following emission limits:

(1) 43 ng/J (0.10 lb/MMBtu) heat input if the affected facility has an annual capacity factor greater than 30 percent (0.30) for wood.

(2) 86 ng/J (0.20 lb/MMBtu) heat input if (i) The affected facility has an annual capacity factor of 30 percent (0.30) or less for wood;

(ii) Is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor of 30 percent (0.30) or less for wood; and

(iii) Has a maximum heat input capacity of 73 MW (250 MMBtu/hr) or less.

(d) On and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that combusts municipal-type solid waste or mixtures of municipal-type solid waste with other fuels, shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of the following emission limits:

(1) 43 ng/J (0.10 lb/MMBtu) heat input;

(i) If the affected facility combusts only municipal-type solid waste; or

(ii) If the affected facility combusts municipal-type solid waste and other fuels and has an annual capacity factor for the other fuels of 10 percent (0.10) or less.

(2) 86 ng/J (0.20 lb/MMBtu) heat input if the affected facility combusts municipal-type solid waste or municipal-type solid waste and other fuels; and

(i) Has an annual capacity factor for municipal-type solid waste and other fuels of 30 percent (0.30) or less;

(ii) Has a maximum heat input capacity of 73 MW (250 MMBtu/hr) or less;

(iii) Has a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor of 30 percent (0.30) or less for municipal-type solid waste, or municipal-type solid waste and other fuels; and

(iv) Construction of the affected facility commenced after June 19, 1984, but on or before November 25, 1986.

(e) For the purposes of this section, the annual capacity factor is determined by dividing the actual heat input to the steam generating unit during the calendar year from the combustion of coal, wood, or municipal-type

solid waste, and other fuels, as applicable, by the potential heat input to the steam generating unit if the steam generating unit had been operated for 8,760 hours at the maximum heat input capacity.

(f) On and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that combusts coal, oil, wood, or mixtures of these fuels with any other fuels shall cause to be discharged into the atmosphere any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity. An owner or operator of an affected facility that elects to install, calibrate, maintain, and operate a continuous emissions monitoring system (CEMS) for measuring PM emissions according to the requirements of this subpart and is subject to a federally enforceable PM limit of 0.030 lb/MMBtu or less is exempt from the opacity standard specified in this paragraph.

(g) The PM and opacity standards apply at all times, except during periods of startup, shutdown, or malfunction.

(h)(1) Except as provided in paragraphs (h)(2), (h)(3), (h)(4), (h)(5), and (h)(6) of this section, on and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification after February 28, 2005, and that combusts coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 13 ng/J (0.030 lb/MMBtu) heat input,

(2) As an alternative to meeting the requirements of paragraph (h)(1) of this section, the owner or operator of an affected facility for which modification commenced after February 28, 2005, may elect to meet the requirements of this paragraph. On and after the date on which the initial performance test is completed or required to be completed under § 60.8, no owner or operator of an affected facility that commences modification after February 28, 2005 shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of both:

(i) 22 ng/J (0.051 lb/MMBtu) heat input derived from the combustion of coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels; and

(ii) 0.2 percent of the combustion concentration (99.8 percent reduction) when combusting coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels.

(3) On and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that commences modification after February 28, 2005, and that combusts over 30 percent wood (by heat input) on an annual basis and has a maximum heat input capacity of 73 MW (250 MMBtu/h) or less shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 43 ng/J (0.10 lb/MMBtu) heat input.

(4) On and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that commences modification after February 28, 2005, and that combusts over 30 percent wood (by heat input) on an annual basis and has a maximum heat input capacity greater than 73 MW (250 MMBtu/h) shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 37 ng/J (0.085 lb/MMBtu) heat input.

(5) On and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, an owner or operator of an affected facility not located in a noncontinental area that commences construction, reconstruction, or modification after February 28, 2005, and that combusts only oil that contains no more than 0.30 weight percent sulfur, coke oven gas, a mixture of these fuels, or either

fuel (or a mixture of these fuels) in combination with other fuels not subject to a PM standard in § 60.43b and not using a post-combustion technology (except a wet scrubber) to reduce $SO_2$ or PM emissions is not subject to the PM limits in (h)(1) of this section.

(6) On and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, an owner or operator of an affected facility located in a noncontinental area that commences construction, reconstruction, or modification after February 28, 2005, and that combusts only oil that contains no more than 0.5 weight percent sulfur, coke oven gas, a mixture of these fuels, or either fuel (or a mixture of these fuels) in combination with other fuels not subject to a PM standard in § 60.43b and not using a post-combustion technology (except a wet scrubber) to reduce $SO_2$ or PM emissions is not subject to the PM limits in (h)(1) of this section.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5084, Jan. 28, 2009; 77 FR 9459, Feb. 16, 2012]

### § 60.44b Standard for nitrogen oxides ($NO_X$).

(a) Except as provided under paragraphs (k) and (l) of this section, on and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that is subject to the provisions of this section and that combusts only coal, oil, or natural gas shall cause to be discharged into the atmosphere from that affected facility any gases that contain $NO_X$ (expressed as $NO_2$) in excess of the following emission limits:

| Fuel/steam generating unit type | Nitrogen oxide emission limits (expressed as $NO_2$) heat input | |
|---|---|---|
| | ng/J | lb/MMBTu |
| (1) Natural gas and distillate oil, except (4): | | |
| (i) Low heat release rate | 43 | 0.10 |
| (ii) High heat release rate | 86 | 0.20 |
| (2) Residual oil: | | |
| (i) Low heat release rate | 130 | 0.30 |
| (ii) High heat release rate | 170 | 0.40 |
| (3) Coal: | | |
| (i) Mass-feed stoker | 210 | 0.50 |
| (ii) Spreader stoker and fluidized bed combustion | 260 | 0.60 |
| (iii) Pulverized coal | 300 | 0.70 |
| (iv) Lignite, except (v) | 260 | 0.60 |
| (v) Lignite mined in North Dakota, South Dakota, or Montana and combusted in a slag tap furnace | 340 | 0.80 |
| (vi) Coal-derived synthetic fuels | 210 | 0.50 |
| (4) Duct burner used in a combined cycle system: | | |
| (i) Natural gas and distillate oil | 86 | 0.20 |
| (ii) Residual oil | 170 | 0.40 |

(b) Except as provided under paragraphs (k) and (l) of this section, on and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that simultaneously combusts mixtures of only coal, oil, or natural gas shall cause to be discharged into the atmosphere from that affected facility any gases that contain $NO_X$ in excess of a limit determined by the use of the following formula:

$$E_n = \frac{(EL_{go}H_{go}) + (EL_{ro}H_{ro}) + (EL_cH_c)}{(H_{go} + H_{ro} + H_c)}$$

Where:

$E_n$ = $NO_X$ emission limit (expressed as $NO_2$), ng/J (lb/MMBtu);

$EL_{go}$ = Appropriate emission limit from paragraph (a)(1) for combustion of natural gas or distillate oil, ng/J (lb/MMBtu);

$H_{go}$ = Heat input from combustion of natural gas or distillate oil, J (MMBtu);

$EL_{ro}$ = Appropriate emission limit from paragraph (a)(2) for combustion of residual oil, ng/J (lb/MMBtu);

$H_{ro}$ = Heat input from combustion of residual oil, J (MMBtu);

$EL_c$ = Appropriate emission limit from paragraph (a)(3) for combustion of coal, ng/J (lb/MMBtu); and

$H_c$ = Heat input from combustion of coal, J (MMBtu).

(c) Except as provided under paragraph (d) and (l) of this section, on and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that simultaneously combusts coal or oil, natural gas (or any combination of the three), and wood, or any other fuel shall cause to be discharged into the atmosphere any gases that contain $NO_X$ in excess of the emission limit for the coal, oil, natural gas (or any combination of the three), combusted in the affected facility, as determined pursuant to paragraph (a) or (b) of this section. This standard does not apply to an affected facility that is subject to and in compliance with a federally enforceable requirement that limits operation of the affected facility to an annual capacity factor of 10 percent (0.10) or less for coal, oil, natural gas (or any combination of the three).

(d) On and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that simultaneously combusts natural gas and/or distillate oil with a potential $SO_2$ emissions rate of 26 ng/J (0.060 lb/MMBtu) or less with wood, municipal-type solid waste, or other solid fuel, except coal, shall cause to be discharged into the atmosphere from that affected facility any gases that contain $NO_X$ in excess of 130 ng/J (0.30 lb/MMBtu) heat input unless the affected facility has an annual capacity factor for natural gas, distillate oil, or a mixture of these fuels of 10 percent (0.10) or less and is subject to a federally enforceable requirement that limits operation of the affected facility to an annual capacity factor of 10 percent (0.10) or less for natural gas, distillate oil, or a mixture of these fuels.

(e) Except as provided under paragraph (l) of this section, on and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that simultaneously combusts only coal, oil, or natural gas with byproduct/waste shall cause to be discharged into the atmosphere any gases that contain $NO_X$ in excess of the emission limit determined by the following formula unless the affected facility has an annual capacity factor for coal, oil, and natural gas of 10 percent (0.10) or less and is subject to a federally enforceable requirement that limits operation of the affected facility to an annual capacity factor of 10 percent (0.10) or less:

(f) Any owner or operator of an affected facility that combusts byproduct/waste with either natural gas or oil may petition the Administrator within 180 days of the initial startup of the affected facility to establish a $NO_X$ emission limit that shall apply specifically to that affected facility when the byproduct/waste is combusted. The petition shall include sufficient and appropriate data, as determined by the Administrator, such as $NO_X$ emissions from the affected facility, waste composition (including nitrogen content), and combustion conditions to allow the Administrator to confirm that the affected facility is unable to comply with the emission limits in paragraph (e) of this section and to determine the appropriate emission limit for the affected facility.

(l) Any owner or operator of an affected facility petitioning for a facility-specific $NO_X$ emission limit under this section shall:

(i) Demonstrate compliance with the emission limits for natural gas and distillate oil in paragraph (a)(1) of this section or for residual oil in paragraph (a)(2) or (l)(1) of this section, as appropriate, by conducting a 30-day performance test as provided in § 60.46b(e). During the performance test only natural gas, distillate oil, or residual oil shall be combusted in the affected facility; and

(ii) Demonstrate that the affected facility is unable to comply with the

emission limits for natural gas and distillate oil in paragraph (a)(1) of this section or for residual oil in paragraph (a)(2) or (l)(1) of this section, as appropriate, when gaseous or liquid byproduct/waste is combusted in the affected facility under the same conditions and using the same technological system of emission reduction applied when demonstrating compliance under paragraph (f)(1)(i) of this section.

(2) The $NO_X$ emission limits for natural gas or distillate oil in paragraph (a)(1) of this section or for residual oil in paragraph (a)(2) or (l)(1) of this section, as appropriate, shall be applicable to the affected facility until and unless the petition is approved by the Administrator. If the petition is approved by the Administrator, a facility-specific $NO_X$ emission limit will be established at the $NO_X$ emission level achievable when the affected facility is combusting oil or natural gas and byproduct/waste in a manner that the Administrator determines to be consistent with minimizing $NO_X$ emissions. In lieu of amending this subpart, a letter will be sent to the facility describing the facility-specific $NO_X$ limit. The facility shall use the compliance procedures detailed in the letter and make the letter available to the public. If the Administrator determines it is appropriate, the conditions and requirements of the letter can be reviewed and changed at any point.

(g) Any owner or operator of an affected facility that combusts hazardous waste (as defined by 40 CFR part 261 or 40 CFR part 761) with natural gas or oil may petition the Administrator within 180 days of the initial startup of the affected facility for a waiver from compliance with the $NO_X$ emission limit that applies specifically to that affected facility. The petition must include sufficient and appropriate data, as determined by the Administrator, on $NO_X$ emissions from the affected facility, waste destruction efficiencies, waste composition (including nitrogen content), the quantity of specific wastes to be combusted and combustion conditions to allow the Administrator to determine if the affected facility is able to comply with the $NO_X$ emission limits required by this section. The owner or operator of the affected facility shall demonstrate that when hazardous waste is combusted in the affected facility, thermal destruction efficiency requirements for hazardous waste specified in an applicable federally enforceable requirement preclude compliance with the $NO_X$ emission limits of this section. The $NO_X$ emission limits for natural gas or distillate oil in paragraph (a)(1) of this section or for residual oil in paragraph (a)(2) or (l)(1) of this section, as appropriate, are applicable to the affected facility until and unless the petition is approved by the Administrator. (See 40 CFR 761.70 for regulations applicable to the incineration of materials containing polychlorinated biphenyls (PCB's).) In lieu of amending this subpart, a letter will be sent to the facility describing the facility-specific $NO_X$ limit. The facility shall use the compliance procedures detailed in the letter and make the letter available to the public. If the Administrator determines it is appropriate, the conditions and requirements of the letter can be reviewed and changed at any point.

(h) For purposes of paragraph (i) of this section, the $NO_X$ standards under this section apply at all times including periods of startup, shutdown, or malfunction.

(i) Except as provided under paragraph (j) of this section, compliance with the emission limits under this section is determined on a 30-day rolling average basis.

(j) Compliance with the emission limits under this section is determined on a 24-hour average basis for the initial performance test and on a 3-hour average basis for subsequent performance tests for any affected facilities that:

(1) Combust, alone or in combination, only natural gas, distillate oil, or residual oil with a nitrogen content of 0.30 weight percent or less;

(2) Have a combined annual capacity factor of 10 percent or less for natural gas, distillate oil, and residual oil with a nitrogen content of 0.30 weight percent or less; and

(3) Are subject to a federally enforceable requirement limiting operation of the affected facility to the firing of natural gas, distillate oil, and/or residual oil with a nitrogen content of 0.30

weight percent or less and limiting operation of the affected facility to a combined annual capacity factor of 10 percent or less for natural gas, distillate oil, and residual oil with a nitrogen content of 0.30 weight percent or less.

(k) Affected facilities that meet the criteria described in paragraphs (j)(1), (2), and (3) of this section, and that have a heat input capacity of 73 MW (250 MMBtu/hr) or less, are not subject to the $NO_X$ emission limits under this section.

(l) On and after the date on which the initial performance test is completed or is required to be completed under 60.8, whichever date is first, no owner or operator of an affected facility that commenced construction after July 9, 1997 shall cause to be discharged into the atmosphere from that affected facility any gases that contain NOx (expressed as NO2) in excess of the following limits:

(1) 86 ng/J (0.20 lb/MMBtu) heat input if the affected facility combusts coal, oil, or natural gas (or any combination of the three), alone or with any other fuels. The affected facility is not subject to this limit if it is subject to and in compliance with a federally enforceable requirement that limits operation of the facility to an annual capacity factor of 10 percent (0.10) or less for coal, oil, and natural gas (or any combination of the three); or

(2) If the affected facility has a low heat release rate and combusts natural gas or distillate oil in excess of 30 percent of the heat input on a 30-day rolling average from the combustion of all fuels, a limit determined by use of the following formula:

$$E_n = \frac{\left(0.10 \times H_{go}\right) + \left(0.20 \times H_r\right)}{\left(H_{go} + H_r\right)}$$

Where:

$E_n$ = $NO_X$ emission limit, (lb/MMBtu);

$H_{go}$ = 30-day heat input from combustion of natural gas or distillate oil; and

$H_r$ = 30-day heat input from combustion of any other fuel.

(3) After February 27, 2006, units where more than 10 percent of total annual output is electrical or mechanical may comply with an optional limit of 270 ng/J (2.1 lb/MWh) gross energy output, based on a 30-day rolling average. Units complying with this output-based limit must demonstrate compliance according to the procedures of §60.48Da(i) of subpart Da of this part, and must monitor emissions according to §60.49Da(c), (k), through (n) of subpart Da of this part.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5086, Jan. 28, 2009; 77 FR 9459, Feb. 16, 2012]

### §60.45b Compliance and performance test methods and procedures for sulfur dioxide.

(a) The $SO_2$ emission standards in §60.42b apply at all times. Facilities burning coke oven gas alone or in combination with any other gaseous fuels or distillate oil are allowed to exceed the limit 30 operating days per calendar year for $SO_2$ control system maintenance.

(b) In conducting the performance tests required under §60.8, the owner or operator shall use the methods and procedures in appendix A (including fuel certification and sampling) of this part or the methods and procedures as specified in this section, except as provided in §60.8(b). Section 60.8(f) does not apply to this section. The 30-day notice required in §60.8(d) applies only to the initial performance test unless otherwise specified by the Administrator.

(c) The owner or operator of an affected facility shall conduct performance tests to determine compliance with the percent of potential $SO_2$ emission rate (% $P_s$) and the $SO_2$ emission rate ($E_s$) pursuant to §60.42b following the procedures listed below, except as provided under paragraph (d) and (k) of this section.

(1) The initial performance test shall be conducted over 30 consecutive operating days of the steam generating unit. Compliance with the $SO_2$ standards shall be determined using a 30-day average. The first operating day included in the initial performance test shall be scheduled within 30 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of the facility.

(2) If only coal, only oil, or a mixture of coal and oil is combusted, the following procedures are used:

(i) The procedures in Method 19 of appendix A–7 of this part are used to determine the hourly $SO_2$ emission rate ($E_{ho}$) and the 30-day average emission rate ($E_{ao}$). The hourly averages used to compute the 30-day averages are obtained from the CEMS of § 60.47b(a) or (b).

(ii) The percent of potential $SO_2$ emission rate ($\%P_s$) emitted to the atmosphere is computed using the following formula:

$$\%P_s = 100\left(1 - \frac{\%R_g}{100}\right)\left(1 - \frac{\%R_f}{100}\right)$$

Where:

$\%P_s$ = Potential $SO_2$ emission rate, percent;
$\%R_g$ = $SO_2$ removal efficiency of the control device as determined by Method 19 of appendix A of this part, in percent; and
$\%R_f$ = $SO_2$ removal efficiency of fuel pretreatment as determined by Method 19 of appendix A of this part, in percent.

(3) If coal or oil is combusted with other fuels, the same procedures required in paragraph (c)(2) of this section are used, except as provided in the following:

(i) An adjusted hourly $SO_2$ emission rate ($E_{ho}{}^o$) is used in Equation 19–19 of Method 19 of appendix A of this part to compute an adjusted 30-day average emission rate ($E_{ao}{}^o$). The Eho° is computed using the following formula:

$$E_{ho}^o = \frac{E_{ho} - E_w\left(1 - X_k\right)}{X_k}$$

Where:

$E_{ho}{}^o$ = Adjusted hourly $SO_2$ emission rate, ng/J (lb/MMBtu);
$E_{ho}$ = Hourly $SO_2$ emission rate, ng/J (lb/MMBtu);
$E_w$ = $SO_2$ concentration in fuels other than coal and oil combusted in the affected facility, as determined by the fuel sampling and analysis procedures in Method 19 of appendix A of this part, ng/J (lb/MMBtu). The value $E_w$ for each fuel lot is used for each hourly average during the time that the lot is being combusted; and
$X_k$ = Fraction of total heat input from fuel combustion derived from coal, oil, or coal and oil, as determined by applicable procedures in Method 19 of appendix A of this part.

(ii) To compute the percent of potential $SO_2$ emission rate ($\%P_s$), an adjusted $\%R_g$ ($\%R_g{}^o$) is computed from the adjusted $E_{ao}{}^o$ from paragraph (b)(3)(i) of this section and an adjusted average $SO_2$ inlet rate ($E_{ai}{}^o$) using the following formula:

$$\%R_g^o = 100\left(1.0 - \frac{E_{ao}^o}{E_{ai}^o}\right)$$

To compute $E_{ai}{}^o$, an adjusted hourly $SO_2$ inlet rate ($E_{hi}{}^o$) is used. The $E_{hi}{}^o$ is computed using the following formula:

$$E_{hi}^o = \frac{E_{hi} - E_w\left(1 - X_k\right)}{X_k}$$

Where:

$E_{hi}{}^o$ = Adjusted hourly $SO_2$ inlet rate, ng/J (lb/MMBtu); and
$E_{hi}$ = Hourly $SO_2$ inlet rate, ng/J (lb/MMBtu).

(4) The owner or operator of an affected facility subject to paragraph (c)(3) of this section does not have to measure parameters $E_w$ or $X_k$ if the owner or operator elects to assume that $X_k$= 1.0. Owners or operators of affected facilities who assume $X_k$ = 1.0 shall:

(i) Determine $\%P_s$ following the procedures in paragraph (c)(2) of this section; and

(ii) Sulfur dioxide emissions ($E_s$) are considered to be in compliance with $SO_2$ emission limits under § 60.42b.

(5) The owner or operator of an affected facility that qualifies under the provisions of § 60.42b(d) does not have to measure parameters $E_w$ or $X_k$ in paragraph (c)(3) of this section if the owner or operator of the affected facility elects to measure $SO_2$ emission rates of the coal or oil following the fuel sampling and analysis procedures in Method 19 of appendix A–7 of this part.

(d) Except as provided in paragraph (j) of this section, the owner or operator of an affected facility that combusts only very low sulfur oil, natural gas, or a mixture of these fuels, has an annual capacity factor for oil of 10 percent (0.10) or less, and is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor for oil of 10 percent (0.10) or less shall:

(1) Conduct the initial performance test over 24 consecutive steam generating unit operating hours at full load;

(2) Determine compliance with the standards after the initial performance test based on the arithmetic average of the hourly emissions data during each steam generating unit operating day if a CEMS is used, or based on a daily average if Method 6B of appendix A of this part or fuel sampling and analysis procedures under Method 19 of appendix A of this part are used.

(e) The owner or operator of an affected facility subject to §60.42b(d)(1) shall demonstrate the maximum design capacity of the steam generating unit by operating the facility at maximum capacity for 24 hours. This demonstration will be made during the initial performance test and a subsequent demonstration may be requested at any other time. If the 24-hour average firing rate for the affected facility is less than the maximum design capacity provided by the manufacturer of the affected facility, the 24-hour average firing rate shall be used to determine the capacity utilization rate for the affected facility, otherwise the maximum design capacity provided by the manufacturer is used.

(f) For the initial performance test required under §60.8, compliance with the $SO_2$ emission limits and percent reduction requirements under §60.42b is based on the average emission rates and the average percent reduction for $SO_2$ for the first 30 consecutive steam generating unit operating days, except as provided under paragraph (d) of this section. The initial performance test is the only test for which at least 30 days prior notice is required unless otherwise specified by the Administrator. The initial performance test is to be scheduled so that the first steam generating unit operating day of the 30 successive steam generating unit operating days is completed within 30 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of the facility. The boiler load during the 30-day period does not have to be the maximum design load, but must be representative of future operating conditions and include at least one 24-hour period at full load.

(g) After the initial performance test required under §60.8, compliance with the $SO_2$ emission limits and percent reduction requirements under §60.42b is based on the average emission rates and the average percent reduction for $SO_2$ for 30 successive steam generating unit operating days, except as provided under paragraph (d). A separate performance test is completed at the end of each steam generating unit operating day after the initial performance test, and a new 30-day average emission rate and percent reduction for $SO_2$ are calculated to show compliance with the standard.

(h) Except as provided under paragraph (i) of this section, the owner or operator of an affected facility shall use all valid $SO_2$ emissions data in calculating $\%P_s$ and $E_{ho}$ under paragraph (c), of this section whether or not the minimum emissions data requirements under §60.46b are achieved. All valid emissions data, including valid $SO_2$ emission data collected during periods of startup, shutdown and malfunction, shall be used in calculating $\%P_s$ and $E_{ho}$ pursuant to paragraph (c) of this section.

(i) During periods of malfunction or maintenance of the $SO_2$ control systems when oil is combusted as provided under §60.42b(i), emission data are not used to calculate $\%P_s$ or $E_s$ under §60.42b(a), (b) or (c), however, the emissions data are used to determine compliance with the emission limit under §60.42b(i).

(j) The owner or operator of an affected facility that only combusts very low sulfur oil, natural gas, or a mixture of these fuels with any other fuels not subject to an $SO_2$ standard is not subject to the compliance and performance testing requirements of this section if the owner or operator obtains fuel receipts as described in §60.49b(r).

(k) The owner or operator of an affected facility seeking to demonstrate compliance in §§60.42b(d)(4), 60.42b(j), 60.42b(k)(2), and 60.42b(k)(3) (when not burning coal) shall follow the applicable procedures in §60.49b(r).

[72 FR 32742, June 13, 2007, as amended at 74 FR 5086, Jan. 28, 2009]

### § 60.46b Compliance and performance test methods and procedures for particulate matter and nitrogen oxides.

(a) The PM emission standards and opacity limits under § 60.43b apply at all times except during periods of startup, shutdown, or malfunction. The $NO_X$ emission standards under § 60.44b apply at all times.

(b) Compliance with the PM emission standards under § 60.43b shall be determined through performance testing as described in paragraph (d) of this section, except as provided in paragraph (i) of this section.

(c) Compliance with the $NO_X$ emission standards under § 60.44b shall be determined through performance testing under paragraph (e) or (f), or under paragraphs (g) and (h) of this section, as applicable.

(d) To determine compliance with the PM emission limits and opacity limits under § 60.43b, the owner or operator of an affected facility shall conduct an initial performance test as required under § 60.8, and shall conduct subsequent performance tests as requested by the Administrator, using the following procedures and reference methods:

(1) Method 3A or 3B of appendix A–2 of this part is used for gas analysis when applying Method 5 of appendix A–3 of this part or Method 17 of appendix A–6 of this part.

(2) Method 5, 5B, or 17 of appendix A of this part shall be used to measure the concentration of PM as follows:

(i) Method 5 of appendix A of this part shall be used at affected facilities without wet flue gas desulfurization (FGD) systems; and

(ii) Method 17 of appendix A–6 of this part may be used at facilities with or without wet scrubber systems provided the stack gas temperature does not exceed a temperature of 160 °C (320 °F). The procedures of sections 8.1 and 11.1 of Method 5B of appendix A–3 of this part may be used in Method 17 of appendix A–6 of this part only if it is used after a wet FGD system. Do not use Method 17 of appendix A–6 of this part after wet FGD systems if the effluent is saturated or laden with water droplets.

(iii) Method 5B of appendix A of this part is to be used only after wet FGD systems.

(3) Method 1 of appendix A of this part is used to select the sampling site and the number of traverse sampling points. The sampling time for each run is at least 120 minutes and the minimum sampling volume is 1.7 dscm (60 dscf) except that smaller sampling times or volumes may be approved by the Administrator when necessitated by process variables or other factors.

(4) For Method 5 of appendix A of this part, the temperature of the sample gas in the probe and filter holder is monitored and is maintained at 160±14 °C (320±25 °F).

(5) For determination of PM emissions, the oxygen ($O_2$) or $CO_2$ sample is obtained simultaneously with each run of Method 5, 5B, or 17 of appendix A of this part by traversing the duct at the same sampling location.

(6) For each run using Method 5, 5B, or 17 of appendix A of this part, the emission rate expressed in ng/J heat input is determined using:

(i) The $O_2$ or $CO_2$ measurements and PM measurements obtained under this section;

(ii) The dry basis F factor; and

(iii) The dry basis emission rate calculation procedure contained in Method 19 of appendix A of this part.

(7) Method 9 of appendix A of this part is used for determining the opacity of stack emissions.

(e) To determine compliance with the emission limits for $NO_X$ required under § 60.44b, the owner or operator of an affected facility shall conduct the performance test as required under § 60.8 using the continuous system for monitoring $NO_X$ under § 60.48(b).

(1) For the initial compliance test, $NO_X$ from the steam generating unit are monitored for 30 successive steam generating unit operating days and the 30-day average emission rate is used to determine compliance with the $NO_X$ emission standards under § 60.44b. The 30-day average emission rate is calculated as the average of all hourly emissions data recorded by the monitoring system during the 30-day test period.

(2) Following the date on which the initial performance test is completed

or is required to be completed in § 60.8, whichever date comes first, the owner or operator of an affected facility which combusts coal (except as specified under § 60.46b(e)(4)) or which combusts residual oil having a nitrogen content greater than 0.30 weight percent shall determine compliance with the $NO_X$ emission standards in § 60.44b on a continuous basis through the use of a 30-day rolling average emission rate. A new 30-day rolling average emission rate is calculated for each steam generating unit operating day as the average of all of the hourly $NO_X$ emission data for the preceding 30 steam generating unit operating days.

(3) Following the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, the owner or operator of an affected facility that has a heat input capacity greater than 73 MW (250 MMBtu/hr) and that combusts natural gas, distillate oil, or residual oil having a nitrogen content of 0.30 weight percent or less shall determine compliance with the $NO_X$ standards under § 60.44b on a continuous basis through the use of a 30-day rolling average emission rate. A new 30-day rolling average emission rate is calculated each steam generating unit operating day as the average of all of the hourly $NO_X$ emission data for the preceding 30 steam generating unit operating days.

(4) Following the date on which the initial performance test is completed or required to be completed under § 60.8, whichever date comes first, the owner or operator of an affected facility that has a heat input capacity of 73 MW (250 MMBtu/hr) or less and that combusts natural gas, distillate oil, gasified coal, or residual oil having a nitrogen content of 0.30 weight percent or less shall upon request determine compliance with the $NO_X$ standards in § 60.44b through the use of a 30-day performance test. During periods when performance tests are not requested, $NO_X$ emissions data collected pursuant to § 60.48b(g)(1) or § 60.48b(g)(2) are used to calculate a 30-day rolling average emission rate on a daily basis and used to prepare excess emission reports, but will not be used to determine compliance with the $NO_X$ emission standards. A new 30-day rolling average emission rate is calculated each steam generating unit operating day as the average of all of the hourly $NO_X$ emission data for the preceding 30 steam generating unit operating days.

(5) If the owner or operator of an affected facility that combusts residual oil does not sample and analyze the residual oil for nitrogen content, as specified in § 60.49b(e), the requirements of § 60.48b(g)(1) apply and the provisions of § 60.48b(g)(2) are inapplicable.

(f) To determine compliance with the emissions limits for $NO_X$ required by § 60.44b(a)(4) or § 60.44b(l) for duct burners used in combined cycle systems, either of the procedures described in paragraph (f)(1) or (2) of this section may be used:

(1) The owner or operator of an affected facility shall conduct the performance test required under § 60.8 as follows:

(i) The emissions rate (E) of $NO_X$ shall be computed using Equation 1 in this section:

$$E = E_{sg} + \left(\frac{H_g}{H_b}\right)\left(E_{sg} - E_g\right) \qquad \text{(Eq.1)}$$

Where:

E = Emissions rate of $NO_X$ from the duct burner, ng/J (lb/MMBtu) heat input;

$E_{sg}$ = Combined effluent emissions rate, in ng/J (lb/MMBtu) heat input using appropriate F factor as described in Method 19 of appendix A of this part;

$H_g$ = Heat input rate to the combustion turbine, in J/hr (MMBtu/hr);

$H_b$ = Heat input rate to the duct burner, in J/hr (MMBtu/hr); and

$E_g$ = Emissions rate from the combustion turbine, in ng/J (lb/MMBtu) heat input calculated using appropriate F factor as described in Method 19 of appendix A of this part.

(ii) Method 7E of appendix A of this part shall be used to determine the $NO_X$ concentrations. Method 3A or 3B of appendix A of this part shall be used to determine $O_2$ concentration.

(iii) The owner or operator shall identify and demonstrate to the Administrator's satisfaction suitable methods to determine the average hourly heat input rate to the combustion turbine and the average hourly heat input rate to the affected duct burner.

(iv) Compliance with the emissions limits under § 60.44b(a)(4) or § 60.44b(l) is determined by the three-run average (nominal 1-hour runs) for the initial and subsequent performance tests; or

(2) The owner or operator of an affected facility may elect to determine compliance on a 30-day rolling average basis by using the CEMS specified under § 60.48b for measuring $NO_X$ and $O_2$ and meet the requirements of § 60.48b. The sampling site shall be located at the outlet from the steam generating unit. The $NO_X$ emissions rate at the outlet from the steam generating unit shall constitute the $NO_X$ emissions rate from the duct burner of the combined cycle system.

(g) The owner or operator of an affected facility described in § 60.44b(j) or § 60.44b(k) shall demonstrate the maximum heat input capacity of the steam generating unit by operating the facility at maximum capacity for 24 hours. The owner or operator of an affected facility shall determine the maximum heat input capacity using the heat loss method or the heat input method described in sections 5 and 7.3 of the ASME *Power Test Codes* 4.1 (incorporated by reference, see § 60.17). This demonstration of maximum heat input capacity shall be made during the initial performance test for affected facilities that meet the criteria of § 60.44b(j). It shall be made within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial start-up of each facility, for affected facilities meeting the criteria of § 60.44b(k). Subsequent demonstrations may be required by the Administrator at any other time. If this demonstration indicates that the maximum heat input capacity of the affected facility is less than that stated by the manufacturer of the affected facility, the maximum heat input capacity determined during this demonstration shall be used to determine the capacity utilization rate for the affected facility. Otherwise, the maximum heat input capacity provided by the manufacturer is used.

(h) The owner or operator of an affected facility described in § 60.44b(j) that has a heat input capacity greater than 73 MW (250 MMBtu/hr) shall:

(1) Conduct an initial performance test as required under § 60.8 over a minimum of 24 consecutive steam generating unit operating hours at maximum heat input capacity to demonstrate compliance with the $NO_X$ emission standards under § 60.44b using Method 7, 7A, 7E of appendix A of this part, or other approved reference methods; and

(2) Conduct subsequent performance tests once per calendar year or every 400 hours of operation (whichever comes first) to demonstrate compliance with the $NO_X$ emission standards under § 60.44b over a minimum of 3 consecutive steam generating unit operating hours at maximum heat input capacity using Method 7, 7A, 7E of appendix A of this part, or other approved reference methods.

(i) The owner or operator of an affected facility seeking to demonstrate compliance with the PM limit in paragraphs § 60.43b(a)(4) or § 60.43b(h)(5) shall follow the applicable procedures in § 60.49b(r).

(j) In place of PM testing with Method 5 or 5B of appendix A–3 of this part, or Method 17 of appendix A–6 of this part, an owner or operator may elect to install, calibrate, maintain, and operate a CEMS for monitoring PM emissions discharged to the atmosphere and record the output of the system. The owner or operator of an affected facility who elects to continuously monitor PM emissions instead of conducting performance testing using Method 5 or 5B of appendix A–3 of this part or Method 17 of appendix A–6 of this part shall comply with the requirements specified in paragraphs (j)(1) through (j)(14) of this section.

(1) Notify the Administrator one month before starting use of the system.

(2) Notify the Administrator one month before stopping use of the system.

(3) The monitor shall be installed, evaluated, and operated in accordance with § 60.13 of subpart A of this part.

(4) The initial performance evaluation shall be completed no later than 180 days after the date of initial startup of the affected facility, as specified under § 60.8 of subpart A of this part or within 180 days of notification to the

Administrator of use of the CEMS if the owner or operator was previously determining compliance by Method 5, 5B, or 17 of appendix A of this part performance tests, whichever is later.

(5) The owner or operator of an affected facility shall conduct an initial performance test for PM emissions as required under § 60.8 of subpart A of this part. Compliance with the PM emission limit shall be determined by using the CEMS specified in paragraph (j) of this section to measure PM and calculating a 24-hour block arithmetic average emission concentration using EPA Reference Method 19 of appendix A of this part, section 4.1.

(6) Compliance with the PM emission limit shall be determined based on the 24-hour daily (block) average of the hourly arithmetic average emission concentrations using CEMS outlet data.

(7) At a minimum, valid CEMS hourly averages shall be obtained as specified in paragraphs (j)(7)(i) of this section for 75 percent of the total operating hours per 30-day rolling average.

(i) At least two data points per hour shall be used to calculate each 1-hour arithmetic average.

(ii) [Reserved]

(8) The 1-hour arithmetic averages required under paragraph (j)(7) of this section shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the boiler operating day daily arithmetic average emission concentrations. The 1-hour arithmetic averages shall be calculated using the data points required under § 60.13(e)(2) of subpart A of this part.

(9) All valid CEMS data shall be used in calculating average emission concentrations even if the minimum CEMS data requirements of paragraph (j)(7) of this section are not met.

(10) The CEMS shall be operated according to Performance Specification 11 in appendix B of this part.

(11) During the correlation testing runs of the CEMS required by Performance Specification 11 in appendix B of this part, PM and $O_2$ (or $CO_2$) data shall be collected concurrently (or within a 30-to 60-minute period) by both the continuous emission monitors and performance tests conducted using the following test methods.

(i) For PM, Method 5 or 5B of appendix A–3 of this part or Method 17 of appendix A–6 of this part shall be used; and

(ii) For $O_2$ (or $CO_2$), Method 3A or 3B of appendix A–2 of this part, as applicable shall be used.

(12) Quarterly accuracy determinations and daily calibration drift tests shall be performed in accordance with procedure 2 in appendix F of this part. Relative Response Audit's must be performed annually and Response Correlation Audits must be performed every 3 years.

(13) When PM emissions data are not obtained because of CEMS breakdowns, repairs, calibration checks, and zero and span adjustments, emissions data shall be obtained by using other monitoring systems as approved by the Administrator or EPA Reference Method 19 of appendix A of this part to provide, as necessary, valid emissions data for a minimum of 75 percent of total operating hours per 30-day rolling average.

(14) As of January 1, 2012, and within 90 days after the date of completing each performance test, as defined in § 60.8, conducted to demonstrate compliance with this subpart, you must submit relative accuracy test audit (*i.e.*, reference method) data and performance test (*i.e.*, compliance test) data, except opacity data, electronically to EPA's Central Data Exchange (CDX) by using the Electronic Reporting Tool (ERT) (see *http://www.epa.gov/ttn/chief/ert/ert_tool.html/*) or other compatible electronic spreadsheet. Only data collected using test methods compatible with ERT are subject to this requirement to be submitted electronically into EPA's WebFIRE database.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5086, Jan. 28, 2009; 76 FR 3523, Jan. 20, 2011; 77 FR 9460, Feb. 16, 2012]

### § 60.47b Emission monitoring for sulfur dioxide.

(a) Except as provided in paragraphs (b) and (f) of this section, the owner or operator of an affected facility subject to the $SO_2$ standards in § 60.42b shall install, calibrate, maintain, and operate CEMS for measuring $SO_2$ concentrations and either $O_2$ or $CO_2$ concentrations and shall record the output of the systems. For units complying with the

percent reduction standard, the $SO_2$ and either $O_2$ or $CO_2$ concentrations shall both be monitored at the inlet and outlet of the $SO_2$ control device. If the owner or operator has installed and certified $SO_2$ and $O_2$ or $CO_2$ CEMS according to the requirements of §75.20(c)(1) of this chapter and appendix A to part 75 of this chapter, and is continuing to meet the ongoing quality assurance requirements of §75.21 of this chapter and appendix B to part 75 of this chapter, those CEMS may be used to meet the requirements of this section, provided that:

(1) When relative accuracy testing is conducted, $SO_2$ concentration data and $CO_2$ (or $O_2$) data are collected simultaneously; and

(2) In addition to meeting the applicable $SO_2$ and $CO_2$ (or $O_2$) relative accuracy specifications in Figure 2 of appendix B to part 75 of this chapter, the relative accuracy (RA) standard in section 13.2 of Performance Specification 2 in appendix B to this part is met when the RA is calculated on a lb/MMBtu basis; and

(3) The reporting requirements of §60.49b are met. $SO_2$ and $CO_2$ (or $O_2$) data used to meet the requirements of §60.49b shall not include substitute data values derived from the missing data procedures in subpart D of part 75 of this chapter, nor shall the $SO_2$ data have been bias adjusted according to the procedures of part 75 of this chapter.

(b) As an alternative to operating CEMS as required under paragraph (a) of this section, an owner or operator may elect to determine the average $SO_2$ emissions and percent reduction by:

(1) Collecting coal or oil samples in an as-fired condition at the inlet to the steam generating unit and analyzing them for sulfur and heat content according to Method 19 of appendix A of this part. Method 19 of appendix A of this part provides procedures for converting these measurements into the format to be used in calculating the average $SO_2$ input rate, or

(2) Measuring $SO_2$ according to Method 6B of appendix A of this part at the inlet or outlet to the $SO_2$ control system. An initial stratification test is required to verify the adequacy of the Method 6B of appendix A of this part sampling location. The stratification test shall consist of three paired runs of a suitable $SO_2$ and $CO_2$ measurement train operated at the candidate location and a second similar train operated according to the procedures in section 3.2 and the applicable procedures in section 7 of Performance Specification 2. Method 6B of appendix A of this part, Method 6A of appendix A of this part, or a combination of Methods 6 and 3 or 3B of appendix A of this part or Methods 6C and 3A of appendix A of this part are suitable measurement techniques. If Method 6B of appendix A of this part is used for the second train, sampling time and timer operation may be adjusted for the stratification test as long as an adequate sample volume is collected; however, both sampling trains are to be operated similarly. For the location to be adequate for Method 6B of appendix A of this part 24-hour tests, the mean of the absolute difference between the three paired runs must be less than 10 percent.

(3) A daily $SO_2$ emission rate, $E_D$, shall be determined using the procedure described in Method 6A of appendix A of this part, section 7.6.2 (Equation 6A–8) and stated in ng/J (lb/MMBtu) heat input.

(4) The mean 30-day emission rate is calculated using the daily measured values in ng/J (lb/MMBtu) for 30 successive steam generating unit operating days using equation 19–20 of Method 19 of appendix A of this part.

(c) The owner or operator of an affected facility shall obtain emission data for at least 75 percent of the operating hours in at least 22 out of 30 successive boiler operating days. If this minimum data requirement is not met with a single monitoring system, the owner or operator of the affected facility shall supplement the emission data with data collected with other monitoring systems as approved by the Administrator or the reference methods and procedures as described in paragraph (b) of this section.

(d) The 1-hour average $SO_2$ emission rates measured by the CEMS required by paragraph (a) of this section and required under §60.13(h) is expressed in ng/J or lb/MMBtu heat input and is

used to calculate the average emission rates under § 60.42(b). Each 1-hour average $SO_2$ emission rate must be based on 30 or more minutes of steam generating unit operation. The hourly averages shall be calculated according to § 60.13(h)(2). Hourly $SO_2$ emission rates are not calculated if the affected facility is operated less than 30 minutes in a given clock hour and are not counted toward determination of a steam generating unit operating day.

(e) The procedures under § 60.13 shall be followed for installation, evaluation, and operation of the CEMS.

(1) Except as provided for in paragraph (e)(4) of this section, all CEMS shall be operated in accordance with the applicable procedures under Performance Specifications 1, 2, and 3 of appendix B of this part.

(2) Except as provided for in paragraph (e)(4) of this section, quarterly accuracy determinations and daily calibration drift tests shall be performed in accordance with Procedure 1 of appendix F of this part.

(3) For affected facilities combusting coal or oil, alone or in combination with other fuels, the span value of the $SO_2$ CEMS at the inlet to the $SO_2$ control device is 125 percent of the maximum estimated hourly potential $SO_2$ emissions of the fuel combusted, and the span value of the CEMS at the outlet to the $SO_2$ control device is 50 percent of the maximum estimated hourly potential $SO_2$ emissions of the fuel combusted. Alternatively, $SO_2$ span values determined according to section 2.1.1 in appendix A to part 75 of this chapter may be used.

(4) As an alternative to meeting the requirements of requirements of paragraphs (e)(1) and (e)(2) of this section, the owner or operator may elect to implement the following alternative data accuracy assessment procedures:

(i) For all required $CO_2$ and $O_2$ monitors and for $SO_2$ and $NO_X$ monitors with span values greater than or equal to 100 ppm, the daily calibration error test and calibration adjustment procedures described in sections 2.1.1 and 2.1.3 of appendix B to part 75 of this chapter may be followed instead of the CD assessment procedures in Procedure 1, section 4.1 of appendix F to this part.

(ii) For all required $CO_2$ and $O_2$ monitors and for $SO_2$ and $NO_X$ monitors with span values greater than 30 ppm, quarterly linearity checks may be performed in accordance with section 2.2.1 of appendix B to part 75 of this chapter, instead of performing the cylinder gas audits (CGAs) described in Procedure 1, section 5.1.2 of appendix F to this part. If this option is selected: The frequency of the linearity checks shall be as specified in section 2.2.1 of appendix B to part 75 of this chapter; the applicable linearity specifications in section 3.2 of appendix A to part 75 of this chapter shall be met; the data validation and out-of-control criteria in section 2.2.3 of appendix B to part 75 of this chapter shall be followed instead of the excessive audit inaccuracy and out-of-control criteria in Procedure 1, section 5.2 of appendix F to this part; and the grace period provisions in section 2.2.4 of appendix B to part 75 of this chapter shall apply. For the purposes of data validation under this subpart, the cylinder gas audits described in Procedure 1, section 5.1.2 of appendix F to this part shall be performed for $SO_2$ and $NO_X$ span values less than or equal to 30 ppm; and

(iii) For $SO_2$, $CO_2$, and $O_2$ monitoring systems and for $NO_X$ emission rate monitoring systems, RATAs may be performed in accordance with section 2.3 of appendix B to part 75 of this chapter instead of following the procedures described in Procedure 1, section 5.1.1 of appendix F to this part. If this option is selected: The frequency of each RATA shall be as specified in section 2.3.1 of appendix B to part 75 of this chapter; the applicable relative accuracy specifications shown in Figure 2 in appendix B to part 75 of this chapter shall be met; the data validation and out-of-control criteria in section 2.3.2 of appendix B to part 75 of this chapter shall be followed instead of the excessive audit inaccuracy and out-of-control criteria in Procedure 1, section 5.2 of appendix F to this part; and the grace period provisions in section 2.3.3 of appendix B to part 75 of this chapter shall apply. For the purposes of data validation under this subpart, the relative accuracy specification in section 13.2 of Performance Specification 2 in appendix B to this part shall be met on

a lb/MMBtu basis for $SO_2$ (regardless of the $SO_2$ emission level during the RATA), and for $NO_X$ when the average $NO_X$ emission rate measured by the reference method during the RATA is less than 0.100 lb/MMBtu.

(f) The owner or operator of an affected facility that combusts very low sulfur oil or is demonstrating compliance under § 60.45b(k) is not subject to the emission monitoring requirements under paragraph (a) of this section if the owner or operator maintains fuel records as described in § 60.49b(r).

[72 FR 32742, June 13, 2007, as amended at 74 FR 5087, Jan. 28, 2009]

### § 60.48b Emission monitoring for particulate matter and nitrogen oxides.

(a) Except as provided in paragraph (j) of this section, the owner or operator of an affected facility subject to the opacity standard under § 60.43b shall install, calibrate, maintain, and operate a continuous opacity monitoring systems (COMS) for measuring the opacity of emissions discharged to the atmosphere and record the output of the system. The owner or operator of an affected facility subject to an opacity standard under § 60.43b and meeting the conditions under paragraphs (j)(1), (2), (3), (4), (5), or (6) of this section who elects not to use a COMS shall conduct a performance test using Method 9 of appendix A–4 of this part and the procedures in § 60.11 to demonstrate compliance with the applicable limit in § 60.43b by April 29, 2011, within 45 days of stopping use of an existing COMS, or within 180 days after initial startup of the facility, whichever is later, and shall comply with either paragraphs (a)(1), (a)(2), or (a)(3) of this section. The observation period for Method 9 of appendix A–4 of this part performance tests may be reduced from 3 hours to 60 minutes if all 6-minute averages are less than 10 percent and all individual 15-second observations are less than or equal to 20 percent during the initial 60 minutes of observation.

(1) Except as provided in paragraph (a)(2) and (a)(3) of this section, the owner or operator shall conduct subsequent Method 9 of appendix A–4 of this part performance tests using the procedures in paragraph (a) of this section according to the applicable schedule in paragraphs (a)(1)(i) through (a)(1)(iv) of this section, as determined by the most recent Method 9 of appendix A–4 of this part performance test results.

(i) If no visible emissions are observed, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 12 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later;

(ii) If visible emissions are observed but the maximum 6-minute average opacity is less than or equal to 5 percent, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 6 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later;

(iii) If the maximum 6-minute average opacity is greater than 5 percent but less than or equal to 10 percent, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 3 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later; or

(iv) If the maximum 6-minute average opacity is greater than 10 percent, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 45 calendar days from the date that the most recent performance test was conducted.

(2) If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A–4 of this part performance test, the owner or operator may, as an alternative to performing subsequent Method 9 of appendix A–4 of this part performance tests, elect to perform subsequent monitoring using Method 22 of appendix A–7 of this part according to the procedures specified in paragraphs (a)(2)(i) and (ii) of this section.

(i) The owner or operator shall conduct 10 minute observations (during normal operation) each operating day the affected facility fires fuel for which an opacity standard is applicable using

Method 22 of appendix A–7 of this part and demonstrate that the sum of the occurrences of any visible emissions is not in excess of 5 percent of the observation period (*i.e.*, 30 seconds per 10 minute period). If the sum of the occurrence of any visible emissions is greater than 30 seconds during the initial 10 minute observation, immediately conduct a 30 minute observation. If the sum of the occurrence of visible emissions is greater than 5 percent of the observation period (*i.e.*, 90 seconds per 30 minute period), the owner or operator shall either document and adjust the operation of the facility and demonstrate within 24 hours that the sum of the occurrence of visible emissions is equal to or less than 5 percent during a 30 minute observation (*i.e.*, 90 seconds) or conduct a new Method 9 of appendix A–4 of this part performance test using the procedures in paragraph (a) of this section within 45 calendar days according to the requirements in § 60.46d(d)(7).

(ii) If no visible emissions are observed for 10 operating days during which an opacity standard is applicable, observations can be reduced to once every 7 operating days during which an opacity standard is applicable. If any visible emissions are observed, daily observations shall be resumed.

(3) If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A–4 of this part performance test, the owner or operator may, as an alternative to performing subsequent Method 9 of appendix A–4 performance tests, elect to perform subsequent monitoring using a digital opacity compliance system according to a site-specific monitoring plan approved by the Administrator. The observations shall be similar, but not necessarily identical, to the requirements in paragraph (a)(2) of this section. For reference purposes in preparing the monitoring plan, see OAQPS ''Determination of Visible Emission Opacity from Stationary Sources Using Computer-Based Photographic Analysis Systems.'' This document is available from the U.S. Environmental Protection Agency (U.S. EPA); Office of Air Quality and Planning Standards; Sector Policies and Programs Division; Measurement Policy Group (D243–02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emission Measurement Center Preliminary Methods.

(b) Except as provided under paragraphs (g), (h), and (i) of this section, the owner or operator of an affected facility subject to a $NO_X$ standard under § 60.44b shall comply with either paragraphs (b)(1) or (b)(2) of this section.

(1) Install, calibrate, maintain, and operate CEMS for measuring $NO_X$ and $O_2$ (or $CO_2$) emissions discharged to the atmosphere, and shall record the output of the system; or

(2) If the owner or operator has installed a $NO_X$ emission rate CEMS to meet the requirements of part 75 of this chapter and is continuing to meet the ongoing requirements of part 75 of this chapter, that CEMS may be used to meet the requirements of this section, except that the owner or operator shall also meet the requirements of § 60.49b. Data reported to meet the requirements of § 60.49b shall not include data substituted using the missing data procedures in subpart D of part 75 of this chapter, nor shall the data have been bias adjusted according to the procedures of part 75 of this chapter.

(c) The CEMS required under paragraph (b) of this section shall be operated and data recorded during all periods of operation of the affected facility except for CEMS breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments.

(d) The 1-hour average $NO_X$ emission rates measured by the continuous $NO_X$ monitor required by paragraph (b) of this section and required under § 60.13(h) shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the average emission rates under § 60.44b. The 1-hour averages shall be calculated using the data points required under § 60.13(h)(2).

(e) The procedures under § 60.13 shall be followed for installation, evaluation, and operation of the continuous monitoring systems.

(1) For affected facilities combusting coal, wood or municipal-type solid waste, the span value for a COMS shall be between 60 and 80 percent.

(2) For affected facilities combusting coal, oil, or natural gas, the span value for $NO_X$ is determined using one of the following procedures:

(i) Except as provided under paragraph (e)(2)(ii) of this section, $NO_X$ span values shall be determined as follows:

| Fuel | Span values for $NO_X$ (ppm) |
|---|---|
| Natural gas | 500. |
| Oil | 500. |
| Coal | 1,000. |
| Mixtures | 500 (x + y) + 1,000z. |

Where:

x = Fraction of total heat input derived from natural gas;
y = Fraction of total heat input derived from oil; and
z = Fraction of total heat input derived from coal.

(ii) As an alternative to meeting the requirements of paragraph (e)(2)(i) of this section, the owner or operator of an affected facility may elect to use the $NO_X$ span values determined according to section 2.1.2 in appendix A to part 75 of this chapter.

(3) All span values computed under paragraph (e)(2)(i) of this section for combusting mixtures of regulated fuels are rounded to the nearest 500 ppm. Span values computed under paragraph (e)(2)(ii) of this section shall be rounded off according to section 2.1.2 in appendix A to part 75 of this chapter.

(f) When $NO_X$ emission data are not obtained because of CEMS breakdowns, repairs, calibration checks and zero and span adjustments, emission data will be obtained by using standby monitoring systems, Method 7 of appendix A of this part, Method 7A of appendix A of this part, or other approved reference methods to provide emission data for a minimum of 75 percent of the operating hours in each steam generating unit operating day, in at least 22 out of 30 successive steam generating unit operating days.

(g) The owner or operator of an affected facility that has a heat input capacity of 73 MW (250 MMBtu/hr) or less, and that has an annual capacity factor for residual oil having a nitrogen content of 0.30 weight percent or less, natural gas, distillate oil, gasified coal, or any mixture of these fuels, greater than 10 percent (0.10) shall:

(1) Comply with the provisions of paragraphs (b), (c), (d), (e)(2), (e)(3), and (f) of this section; or

(2) Monitor steam generating unit operating conditions and predict $NO_X$ emission rates as specified in a plan submitted pursuant to § 60.49b(c).

(h) The owner or operator of a duct burner, as described in § 60.41b, that is subject to the $NO_X$ standards in § 60.44b(a)(4), § 60.44b(e), or § 60.44b(l) is not required to install or operate a continuous emissions monitoring system to measure $NO_X$ emissions.

(i) The owner or operator of an affected facility described in § 60.44b(j) or § 60.44b(k) is not required to install or operate a CEMS for measuring $NO_X$ emissions.

(j) The owner or operator of an affected facility that meets the conditions in either paragraph (j)(1), (2), (3), (4), (5), (6), or (7) of this section is not required to install or operate a COMS if:

(1) The affected facility uses a PM CEMS to monitor PM emissions; or

(2) The affected facility burns only liquid (excluding residual oil) or gaseous fuels with potential $SO_2$ emissions rates of 26 ng/J (0.060 lb/MMBtu) or less and does not use a post-combustion technology to reduce $SO_2$ or PM emissions. The owner or operator must maintain fuel records of the sulfur content of the fuels burned, as described under § 60.49b(r); or

(3) The affected facility burns coke oven gas alone or in combination with fuels meeting the criteria in paragraph (j)(2) of this section and does not use a post-combustion technology to reduce $SO_2$ or PM emissions; or

(4) The affected facility does not use post-combustion technology (except a wet scrubber) for reducing PM, $SO_2$, or carbon monoxide (CO) emissions, burns only gaseous fuels or fuel oils that contain less than or equal to 0.30 weight percent sulfur, and is operated such that emissions of CO to the atmosphere from the affected facility are maintained at levels less than or equal to 0.15 lb/MMBtu on a steam generating unit operating day average basis. Owners and operators of affected facilities electing to comply with this paragraph

must demonstrate compliance according to the procedures specified in paragraphs (j)(4)(i) through (iv) of this section; or

(i) You must monitor CO emissions using a CEMS according to the procedures specified in paragraphs (j)(4)(i)(A) through (D) of this section.

(A) The CO CEMS must be installed, certified, maintained, and operated according to the provisions in § 60.58b(i)(3) of subpart Eb of this part.

(B) Each 1-hour CO emissions average is calculated using the data points generated by the CO CEMS expressed in parts per million by volume corrected to 3 percent oxygen (dry basis).

(C) At a minimum, valid 1-hour CO emissions averages must be obtained for at least 90 percent of the operating hours on a 30-day rolling average basis. The 1-hour averages are calculated using the data points required in § 60.13(h)(2).

(D) Quarterly accuracy determinations and daily calibration drift tests for the CO CEMS must be performed in accordance with procedure 1 in appendix F of this part.

(ii) You must calculate the 1-hour average CO emissions levels for each steam generating unit operating day by multiplying the average hourly CO output concentration measured by the CO CEMS times the corresponding average hourly flue gas flow rate and divided by the corresponding average hourly heat input to the affected source. The 24-hour average CO emission level is determined by calculating the arithmetic average of the hourly CO emission levels computed for each steam generating unit operating day.

(iii) You must evaluate the preceding 24-hour average CO emission level each steam generating unit operating day excluding periods of affected source startup, shutdown, or malfunction. If the 24-hour average CO emission level is greater than 0.15 lb/MMBtu, you must initiate investigation of the relevant equipment and control systems within 24 hours of the first discovery of the high emission incident and, take the appropriate corrective action as soon as practicable to adjust control settings or repair equipment to reduce the 24-hour average CO emission level to 0.15 lb/MMBtu or less.

(iv) You must record the CO measurements and calculations performed according to paragraph (j)(4) of this section and any corrective actions taken. The record of corrective action taken must include the date and time during which the 24-hour average CO emission level was greater than 0.15 lb/MMBtu, and the date, time, and description of the corrective action.

(5) The affected facility uses a bag leak detection system to monitor the performance of a fabric filter (baghouse) according to the most current requirements in section § 60.48Da of this part; or

(6) The affected facility uses an ESP as the primary PM control device and uses an ESP predictive model to monitor the performance of the ESP developed in accordance and operated according to the most current requirements in section § 60.48Da of this part; or

(7) The affected facility burns only gaseous fuels or fuel oils that contain less than or equal to 0.30 weight percent sulfur and operates according to a written site-specific monitoring plan approved by the permitting authority. This monitoring plan must include procedures and criteria for establishing and monitoring specific parameters for the affected facility indicative of compliance with the opacity standard.

(k) Owners or operators complying with the PM emission limit by using a PM CEMS must calibrate, maintain, operate, and record the output of the system for PM emissions discharged to the atmosphere as specified in § 60.46b(j). The CEMS specified in paragraph § 60.46b(j) shall be operated and data recorded during all periods of operation of the affected facility except for CEMS breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments.

(l) An owner or operator of an affected facility that is subject to an opacity standard under § 60.43b(f) is not required to operate a COMS provided that the unit burns only gaseous fuels and/or liquid fuels (excluding residue oil) with a potential $SO_2$ emissions rate no greater than 26 ng/J (0.060 lb/MMBtu), and the unit operates according to a written site-specific monitoring plan approved by the permitting

authority is not required to operate a COMS. This monitoring plan must include procedures and criteria for establishing and monitoring specific parameters for the affected facility indicative of compliance with the opacity standard. For testing performed as part of this site-specific monitoring plan, the permitting authority may require as an alternative to the notification and reporting requirements specified in §§ 60.8 and 60.11 that the owner or operator submit any deviations with the excess emissions report required under § 60.49b(h).

[72 FR 32742, June 13, 2007, as amended at 74 FR 5087, Jan. 28, 2009; 76 FR 3523, Jan. 20, 2011; 77 FR 9460, Feb. 16, 2012]

### § 60.49b Reporting and recordkeeping requirements.

(a) The owner or operator of each affected facility shall submit notification of the date of initial startup, as provided by § 60.7. This notification shall include:

(1) The design heat input capacity of the affected facility and identification of the fuels to be combusted in the affected facility;

(2) If applicable, a copy of any federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under §§ 60.42b(d)(1), 60.43b(a)(2), (a)(3)(iii), (c)(2)(ii), (d)(2)(iii), 60.44b(c), (d), (e), (i), (j), (k), 60.45b(d), (g), 60.46b(h), or 60.48b(i);

(3) The annual capacity factor at which the owner or operator anticipates operating the facility based on all fuels fired and based on each individual fuel fired; and

(4) Notification that an emerging technology will be used for controlling emissions of $SO_2$. The Administrator will examine the description of the emerging technology and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is subject to the provisions of § 60.42b(a) unless and until this determination is made by the Administrator.

(b) The owner or operator of each affected facility subject to the $SO_2$, PM, and/or $NO_X$ emission limits under §§ 60.42b, 60.43b, and 60.44b shall submit to the Administrator the performance test data from the initial performance test and the performance evaluation of the CEMS using the applicable performance specifications in appendix B of this part. The owner or operator of each affected facility described in § 60.44b(j) or § 60.44b(k) shall submit to the Administrator the maximum heat input capacity data from the demonstration of the maximum heat input capacity of the affected facility.

(c) The owner or operator of each affected facility subject to the $NO_X$ standard in § 60.44b who seeks to demonstrate compliance with those standards through the monitoring of steam generating unit operating conditions in the provisions of § 60.48b(g)(2) shall submit to the Administrator for approval a plan that identifies the operating conditions to be monitored in § 60.48b(g)(2) and the records to be maintained in § 60.49b(g). This plan shall be submitted to the Administrator for approval within 360 days of the initial startup of the affected facility. An affected facility burning coke oven gas alone or in combination with other gaseous fuels or distillate oil shall submit this plan to the Administrator for approval within 360 days of the initial startup of the affected facility or by November 30, 2009, whichever date comes later. If the plan is approved, the owner or operator shall maintain records of predicted nitrogen oxide emission rates and the monitored operating conditions, including steam generating unit load, identified in the plan. The plan shall:

(1) Identify the specific operating conditions to be monitored and the relationship between these operating conditions and $NO_X$ emission rates (*i.e.*, ng/J or lbs/MMBtu heat input). Steam generating unit operating conditions include, but are not limited to, the degree of staged combustion (*i.e.*, the ratio of primary air to secondary and/or tertiary air) and the level of excess air (*i.e.*, flue gas $O_2$ level);

(2) Include the data and information that the owner or operator used to identify the relationship between $NO_X$

emission rates and these operating conditions; and

(3) Identify how these operating conditions, including steam generating unit load, will be monitored under § 60.48b(g) on an hourly basis by the owner or operator during the period of operation of the affected facility; the quality assurance procedures or practices that will be employed to ensure that the data generated by monitoring these operating conditions will be representative and accurate; and the type and format of the records of these operating conditions, including steam generating unit load, that will be maintained by the owner or operator under § 60.49b(g).

(d) Except as provided in paragraph (d)(2) of this section, the owner or operator of an affected facility shall record and maintain records as specified in paragraph (d)(1) of this section.

(1) The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor individually for coal, distillate oil, residual oil, natural gas, wood, and municipal-type solid waste for the reporting period. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.

(2) As an alternative to meeting the requirements of paragraph (d)(1) of this section, the owner or operator of an affected facility that is subject to a federally enforceable permit restricting fuel use to a single fuel such that the facility is not required to continuously monitor any emissions (excluding opacity) or parameters indicative of emissions may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

(e) For an affected facility that combusts residual oil and meets the criteria under §§ 60.46b(e)(4), 60.44b(j), or (k), the owner or operator shall maintain records of the nitrogen content of the residual oil combusted in the affected facility and calculate the average fuel nitrogen content for the reporting period. The nitrogen content shall be determined using ASTM Method D4629 (incorporated by reference, see § 60.17), or fuel suppliers. If residual oil blends are being combusted, fuel nitrogen specifications may be prorated based on the ratio of residual oils of different nitrogen content in the fuel blend.

(f) For an affected facility subject to the opacity standard in § 60.43b, the owner or operator shall maintain records of opacity. In addition, an owner or operator that elects to monitor emissions according to the requirements in § 60.48b(a) shall maintain records according to the requirements specified in paragraphs (f)(1) through (3) of this section, as applicable to the visible emissions monitoring method used.

(1) For each performance test conducted using Method 9 of appendix A–4 of this part, the owner or operator shall keep the records including the information specified in paragraphs (f)(1)(i) through (iii) of this section.

(i) Dates and time intervals of all opacity observation periods;

(ii) Name, affiliation, and copy of current visible emission reading certification for each visible emission observer participating in the performance test; and

(iii) Copies of all visible emission observer opacity field data sheets;

(2) For each performance test conducted using Method 22 of appendix A–4 of this part, the owner or operator shall keep the records including the information specified in paragraphs (f)(2)(i) through (iv) of this section.

(i) Dates and time intervals of all visible emissions observation periods;

(ii) Name and affiliation for each visible emission observer participating in the performance test;

(iii) Copies of all visible emission observer opacity field data sheets; and

(iv) Documentation of any adjustments made and the time the adjustments were completed to the affected facility operation by the owner or operator to demonstrate compliance with the applicable monitoring requirements.

(3) For each digital opacity compliance system, the owner or operator shall maintain records and submit reports according to the requirements

specified in the site-specific monitoring plan approved by the Administrator.

(g) Except as provided under paragraph (p) of this section, the owner or operator of an affected facility subject to the $NO_X$ standards under § 60.44b shall maintain records of the following information for each steam generating unit operating day:

(1) Calendar date;

(2) The average hourly $NO_X$ emission rates (expressed as $NO_2$) (ng/J or lb/MMBtu heat input) measured or predicted;

(3) The 30-day average $NO_X$ emission rates (ng/J or lb/MMBtu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly nitrogen oxide emission rates for the preceding 30 steam generating unit operating days;

(4) Identification of the steam generating unit operating days when the calculated 30-day average $NO_X$ emission rates are in excess of the $NO_X$ emissions standards under § 60.44b, with the reasons for such excess emissions as well as a description of corrective actions taken;

(5) Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken;

(6) Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data;

(7) Identification of ''F'' factor used for calculations, method of determination, and type of fuel combusted;

(8) Identification of the times when the pollutant concentration exceeded full span of the CEMS;

(9) Description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specification 2 or 3; and

(10) Results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1 of this part.

(h) The owner or operator of any affected facility in any category listed in paragraphs (h)(1) or (2) of this section is required to submit excess emission reports for any excess emissions that occurred during the reporting period.

(1) Any affected facility subject to the opacity standards in § 60.43b(f) or to the operating parameter monitoring requirements in § 60.13(i)(1).

(2) Any affected facility that is subject to the $NO_X$ standard of § 60.44b, and that:

(i) Combusts natural gas, distillate oil, gasified coal, or residual oil with a nitrogen content of 0.3 weight percent or less; or

(ii) Has a heat input capacity of 73 MW (250 MMBtu/hr) or less and is required to monitor $NO_X$ emissions on a continuous basis under § 60.48b(g)(1) or steam generating unit operating conditions under § 60.48b(g)(2).

(3) For the purpose of § 60.43b, excess emissions are defined as all 6-minute periods during which the average opacity exceeds the opacity standards under § 60.43b(f).

(4) For purposes of § 60.48b(g)(1), excess emissions are defined as any calculated 30-day rolling average $NO_X$ emission rate, as determined under § 60.46b(e), that exceeds the applicable emission limits in § 60.44b.

(i) The owner or operator of any affected facility subject to the continuous monitoring requirements for $NO_X$ under § 60.48(b) shall submit reports containing the information recorded under paragraph (g) of this section.

(j) The owner or operator of any affected facility subject to the $SO_2$ standards under § 60.42b shall submit reports.

(k) For each affected facility subject to the compliance and performance testing requirements of § 60.45b and the reporting requirement in paragraph (j) of this section, the following information shall be reported to the Administrator:

(1) Calendar dates covered in the reporting period;

(2) Each 30-day average $SO_2$ emission rate (ng/J or lb/MMBtu heat input) measured during the reporting period, ending with the last 30-day period; reasons for noncompliance with the emission standards; and a description of corrective actions taken; For an exceedance due to maintenance of the

$SO_2$ control system covered in paragraph 60.45b(a), the report shall identify the days on which the maintenance was performed and a description of the maintenance;

(3) Each 30-day average percent reduction in $SO_2$ emissions calculated during the reporting period, ending with the last 30-day period; reasons for noncompliance with the emission standards; and a description of corrective actions taken;

(4) Identification of the steam generating unit operating days that coal or oil was combusted and for which $SO_2$ or diluent ($O_2$ or $CO_2$) data have not been obtained by an approved method for at least 75 percent of the operating hours in the steam generating unit operating day; justification for not obtaining sufficient data; and description of corrective action taken;

(5) Identification of the times when emissions data have been excluded from the calculation of average emission rates; justification for excluding data; and description of corrective action taken if data have been excluded for periods other than those during which coal or oil were not combusted in the steam generating unit;

(6) Identification of ''F'' factor used for calculations, method of determination, and type of fuel combusted;

(7) Identification of times when hourly averages have been obtained based on manual sampling methods;

(8) Identification of the times when the pollutant concentration exceeded full span of the CEMS;

(9) Description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specification 2 or 3;

(10) Results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1 of this part; and

(11) The annual capacity factor of each fired as provided under paragraph (d) of this section.

(l) For each affected facility subject to the compliance and performance testing requirements of § 60.45b(d) and the reporting requirements of paragraph (j) of this section, the following information shall be reported to the Administrator:

(1) Calendar dates when the facility was in operation during the reporting period;

(2) The 24-hour average $SO_2$ emission rate measured for each steam generating unit operating day during the reporting period that coal or oil was combusted, ending in the last 24-hour period in the quarter; reasons for noncompliance with the emission standards; and a description of corrective actions taken;

(3) Identification of the steam generating unit operating days that coal or oil was combusted for which $S0_2$ or diluent ($O_2$ or $CO_2$) data have not been obtained by an approved method for at least 75 percent of the operating hours; justification for not obtaining sufficient data; and description of corrective action taken;

(4) Identification of the times when emissions data have been excluded from the calculation of average emission rates; justification for excluding data; and description of corrective action taken if data have been excluded for periods other than those during which coal or oil were not combusted in the steam generating unit;

(5) Identification of ''F'' factor used for calculations, method of determination, and type of fuel combusted;

(6) Identification of times when hourly averages have been obtained based on manual sampling methods;

(7) Identification of the times when the pollutant concentration exceeded full span of the CEMS;

(8) Description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specification 2 or 3; and

(9) Results of daily CEMS drift tests and quarterly accuracy assessments as required under Procedure 1 of appendix F 1 of this part. If the owner or operator elects to implement the alternative data assessment procedures described in §§ 60.47b(e)(4)(i) through (e)(4)(iii), each data assessment report shall include a summary of the results of all of the RATAs, linearity checks, CGAs, and calibration error or drift assessments required by §§ 60.47b(e)(4)(i) through (e)(4)(iii).

(m) For each affected facility subject to the $SO_2$ standards in § 60.42(b) for

which the minimum amount of data required in § 60.47b(c) were not obtained during the reporting period, the following information is reported to the Administrator in addition to that required under paragraph (k) of this section:

(1) The number of hourly averages available for outlet emission rates and inlet emission rates;

(2) The standard deviation of hourly averages for outlet emission rates and inlet emission rates, as determined in Method 19 of appendix A of this part, section 7;

(3) The lower confidence limit for the mean outlet emission rate and the upper confidence limit for the mean inlet emission rate, as calculated in Method 19 of appendix A of this part, section 7; and

(4) The ratio of the lower confidence limit for the mean outlet emission rate and the allowable emission rate, as determined in Method 19 of appendix A of this part, section 7.

(n) If a percent removal efficiency by fuel pretreatment (*i.e.*, $\%R_f$) is used to determine the overall percent reduction (*i.e.*, $\%R_o$) under § 60.45b, the owner or operator of the affected facility shall submit a signed statement with the report.

(1) Indicating what removal efficiency by fuel pretreatment (*i.e.*, $\%R_f$) was credited during the reporting period;

(2) Listing the quantity, heat content, and date each pre-treated fuel shipment was received during the reporting period, the name and location of the fuel pretreatment facility; and the total quantity and total heat content of all fuels received at the affected facility during the reporting period;

(3) Documenting the transport of the fuel from the fuel pretreatment facility to the steam generating unit; and

(4) Including a signed statement from the owner or operator of the fuel pretreatment facility certifying that the percent removal efficiency achieved by fuel pretreatment was determined in accordance with the provisions of Method 19 of appendix A of this part and listing the heat content and sulfur content of each fuel before and after fuel pretreatment.

(o) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of 2 years following the date of such record.

(p) The owner or operator of an affected facility described in § 60.44b(j) or (k) shall maintain records of the following information for each steam generating unit operating day:

(1) Calendar date;

(2) The number of hours of operation; and

(3) A record of the hourly steam load.

(q) The owner or operator of an affected facility described in § 60.44b(j) or § 60.44b(k) shall submit to the Administrator a report containing:

(1) The annual capacity factor over the previous 12 months;

(2) The average fuel nitrogen content during the reporting period, if residual oil was fired; and

(3) If the affected facility meets the criteria described in § 60.44b(j), the results of any $NO_X$ emission tests required during the reporting period, the hours of operation during the reporting period, and the hours of operation since the last $NO_X$ emission test.

(r) The owner or operator of an affected facility who elects to use the fuel based compliance alternatives in § 60.42b or § 60.43b shall either:

(1) The owner or operator of an affected facility who elects to demonstrate that the affected facility combusts only very low sulfur oil, natural gas, wood, a mixture of these fuels, or any of these fuels (or a mixture of these fuels) in combination with other fuels that are known to contain an insignificant amount of sulfur in § 60.42b(j) or § 60.42b(k) shall obtain and maintain at the affected facility fuel receipts (such as a current, valid purchase contract, tariff sheet, or transportation contract) from the fuel supplier that certify that the oil meets the definition of distillate oil and gaseous fuel meets the definition of natural gas as defined in § 60.41b and the applicable sulfur limit. For the purposes of this section, the distillate oil need not meet the fuel nitrogen content specification in the definition of distillate oil. Reports shall be submitted to the Administrator certifying that only very low

sulfur oil meeting this definition, natural gas, wood, and/or other fuels that are known to contain insignificant amounts of sulfur were combusted in the affected facility during the reporting period; or

(2) The owner or operator of an affected facility who elects to demonstrate compliance based on fuel analysis in § 60.42b or § 60.43b shall develop and submit a site-specific fuel analysis plan to the Administrator for review and approval no later than 60 days before the date you intend to demonstrate compliance. Each fuel analysis plan shall include a minimum initial requirement of weekly testing and each analysis report shall contain, at a minimum, the following information:

(i) The potential sulfur emissions rate of the representative fuel mixture in ng/J heat input;

(ii) The method used to determine the potential sulfur emissions rate of each constituent of the mixture. For distillate oil and natural gas a fuel receipt or tariff sheet is acceptable;

(iii) The ratio of different fuels in the mixture; and

(iv) The owner or operator can petition the Administrator to approve monthly or quarterly sampling in place of weekly sampling.

(s) Facility specific $NO_X$ standard for Cytec Industries Fortier Plant's C.AOG incinerator located in Westwego, Louisiana:

(1) *Definitions.*

*Oxidation zone* is defined as the portion of the C.AOG incinerator that extends from the inlet of the oxidizing zone combustion air to the outlet gas stack.

*Reducing zone* is defined as the portion of the C.AOG incinerator that extends from the burner section to the inlet of the oxidizing zone combustion air.

*Total inlet air* is defined as the total amount of air introduced into the C.AOG incinerator for combustion of natural gas and chemical by-product waste and is equal to the sum of the air flow into the reducing zone and the air flow into the oxidation zone.

(2) *Standard for nitrogen oxides.* (i) When fossil fuel alone is combusted, the $NO_X$ emission limit for fossil fuel in § 60.44b(a) applies.

(ii) When natural gas and chemical by-product waste are simultaneously combusted, the $NO_X$ emission limit is 289 ng/J (0.67 lb/MMBtu) and a maximum of 81 percent of the total inlet air provided for combustion shall be provided to the reducing zone of the C.AOG incinerator.

(3) *Emission monitoring.* (i) The percent of total inlet air provided to the reducing zone shall be determined at least every 15 minutes by measuring the air flow of all the air entering the reducing zone and the air flow of all the air entering the oxidation zone, and compliance with the percentage of total inlet air that is provided to the reducing zone shall be determined on a 3-hour average basis.

(ii) The $NO_X$ emission limit shall be determined by the compliance and performance test methods and procedures for $NO_X$ in § 60.46b(i).

(iii) The monitoring of the $NO_X$ emission limit shall be performed in accordance with § 60.48b.

(4) *Reporting and recordkeeping requirements.* (i) The owner or operator of the C.AOG incinerator shall submit a report on any excursions from the limits required by paragraph (a)(2) of this section to the Administrator with the quarterly report required by paragraph (i) of this section.

(ii) The owner or operator of the C.AOG incinerator shall keep records of the monitoring required by paragraph (a)(3) of this section for a period of 2 years following the date of such record.

(iii) The owner of operator of the C.AOG incinerator shall perform all the applicable reporting and recordkeeping requirements of this section.

(t) Facility-specific $NO_X$ standard for Rohm and Haas Kentucky Incorporated's Boiler No. 100 located in Louisville, Kentucky:

(1) *Definitions.*

*Air ratio control damper* is defined as the part of the low $NO_X$ burner that is adjusted to control the split of total combustion air delivered to the reducing and oxidation portions of the combustion flame.

*Flue gas recirculation line* is defined as the part of Boiler No. 100 that recirculates a portion of the boiler flue gas back into the combustion air.

(2) *Standard for nitrogen oxides.* (i) When fossil fuel alone is combusted, the $NO_X$ emission limit for fossil fuel in § 60.44b(a) applies.

(ii) When fossil fuel and chemical by-product waste are simultaneously combusted, the $NO_X$ emission limit is 473 ng/J (1.1 lb/MMBtu), and the air ratio control damper tee handle shall be at a minimum of 5 inches (12.7 centimeters) out of the boiler, and the flue gas recirculation line shall be operated at a minimum of 10 percent open as indicated by its valve opening position indicator.

(3) *Emission monitoring for nitrogen oxides.* (i) The air ratio control damper tee handle setting and the flue gas recirculation line valve opening position indicator setting shall be recorded during each 8-hour operating shift.

(ii) The $NO_X$ emission limit shall be determined by the compliance and performance test methods and procedures for $NO_X$ in § 60.46b.

(iii) The monitoring of the $NO_X$ emission limit shall be performed in accordance with § 60.48b.

(4) *Reporting and recordkeeping requirements.* (i) The owner or operator of Boiler No. 100 shall submit a report on any excursions from the limits required by paragraph (b)(2) of this section to the Administrator with the quarterly report required by § 60.49b(i).

(ii) The owner or operator of Boiler No. 100 shall keep records of the monitoring required by paragraph (b)(3) of this section for a period of 2 years following the date of such record.

(iii) The owner of operator of Boiler No. 100 shall perform all the applicable reporting and recordkeeping requirements of § 60.49b.

(u) *Site-specific standard for Merck & Co., Inc.'s Stonewall Plant in Elkton, Virginia.* (1) This paragraph (u) applies only to the pharmaceutical manufacturing facility, commonly referred to as the Stonewall Plant, located at Route 340 South, in Elkton, Virginia (''site'') and only to the natural gas-fired boilers installed as part of the powerhouse conversion required pursuant to 40 CFR 52.2454(g). The requirements of this paragraph shall apply, and the requirements of §§ 60.40b through 60.49b(t) shall not apply, to the natural gas-fired boilers installed pursuant to 40 CFR 52.2454(g).

(i) The site shall equip the natural gas-fired boilers with low $NO_X$ technology.

(ii) The site shall install, calibrate, maintain, and operate a continuous monitoring and recording system for measuring $NO_X$ emissions discharged to the atmosphere and opacity using a continuous emissions monitoring system or a predictive emissions monitoring system.

(iii) Within 180 days of the completion of the powerhouse conversion, as required by 40 CFR 52.2454, the site shall perform a performance test to quantify criteria pollutant emissions.

(2) [Reserved]

(v) The owner or operator of an affected facility may submit electronic quarterly reports for $SO_2$ and/or $NO_X$ and/or opacity in lieu of submitting the written reports required under paragraphs (h), (i), (j), (k) or (l) of this section. The format of each quarterly electronic report shall be coordinated with the permitting authority. The electronic report(s) shall be submitted no later than 30 days after the end of the calendar quarter and shall be accompanied by a certification statement from the owner or operator, indicating whether compliance with the applicable emission standards and minimum data requirements of this subpart was achieved during the reporting period. Before submitting reports in the electronic format, the owner or operator shall coordinate with the permitting authority to obtain their agreement to submit reports in this alternative format.

(w) The reporting period for the reports required under this subpart is each 6 month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

(x) Facility-specific $NO_X$ standard for Weyerhaeuser Company's No. 2 Power Boiler located in New Bern, North Carolina:

(1) *Standard for nitrogen oxides.* (i) When fossil fuel alone is combusted,

the $NO_X$ emission limit for fossil fuel in § 60.44b(a) applies.

(ii) When fossil fuel and chemical byproduct waste are simultaneously combusted, the $NO_X$ emission limit is 215 ng/J (0.5 lb/MMBtu).

(2) *Emission monitoring for nitrogen oxides.* (i) The $NO_X$ emissions shall be determined by the compliance and performance test methods and procedures for $NO_X$ in § 60.46b.

(ii) The monitoring of the $NO_X$ emissions shall be performed in accordance with § 60.48b.

(3) *Reporting and recordkeeping requirements.* (i) The owner or operator of the No. 2 Power Boiler shall submit a report on any excursions from the limits required by paragraph (x)(2) of this section to the Administrator with the quarterly report required by § 60.49b(i).

(ii) The owner or operator of the No. 2 Power Boiler shall keep records of the monitoring required by paragraph (x)(3) of this section for a period of 2 years following the date of such record.

(iii) The owner or operator of the No. 2 Power Boiler shall perform all the applicable reporting and recordkeeping requirements of § 60.49b.

(y) Facility-specific $NO_X$ standard for INEOS USA's AOGI located in Lima, Ohio:

(1) *Standard for $NO_X$.* (i) When fossil fuel alone is combusted, the $NO_X$ emission limit for fossil fuel in § 60.44b(a) applies.

(ii) When fossil fuel and chemical byproduct/waste are simultaneously combusted, the $NO_X$ emission limit is 645 ng/J (1.5 lb/MMBtu).

(2) *Emission monitoring for $NO_X$.* (i) The $NO_X$ emissions shall be determined by the compliance and performance test methods and procedures for $NO_X$ in § 60.46b.

(ii) The monitoring of the $NO_X$ emissions shall be performed in accordance with § 60.48b.

(3) *Reporting and recordkeeping requirements.* (i) The owner or operator of the AOGI shall submit a report on any excursions from the limits required by paragraph (y)(2) of this section to the Administrator with the quarterly report required by paragraph (i) of this section.

(ii) The owner or operator of the AOGI shall keep records of the monitoring required by paragraph (y)(3) of this section for a period of 2 years following the date of such record.

(iii) The owner or operator of the AOGI shall perform all the applicable reporting and recordkeeping requirements of this section.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5089, Jan. 28, 2009; 77 FR 9461, Feb. 16, 2012]

## Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units

SOURCE: 72 FR 32759, June 13, 2007, unless otherwise noted.

### § 60.40c Applicability and delegation of authority.

(a) Except as provided in paragraphs (d), (e), (f), and (g) of this section, the affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/h)) or less, but greater than or equal to 2.9 MW (10 MMBtu/h).

(b) In delegating implementation and enforcement authority to a State under section 111(c) of the Clean Air Act, § 60.48c(a)(4) shall be retained by the Administrator and not transferred to a State.

(c) Steam generating units that meet the applicability requirements in paragraph (a) of this section are not subject to the sulfur dioxide ($SO_2$) or particulate matter (PM) emission limits, performance testing requirements, or monitoring requirements under this subpart (§§ 60.42c, 60.43c, 60.44c, 60.45c, 60.46c, or 60.47c) during periods of combustion research, as defined in § 60.41c.

(d) Any temporary change to an existing steam generating unit for the purpose of conducting combustion research is not considered a modification under § 60.14.

(e) Affected facilities (*i.e.* heat recovery steam generators and fuel heaters) that are associated with stationary

Appendix B

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(e) When the owner or operator of an EAF or AOD 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.

(f) For the purpose of this subpart, the owner or operator shall conduct the demonstration of compliance with § 60.272a(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 § 60.274a(h) 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.

(g) The owner or operator shall maintain records of all shop opacity observations made in accordance with § 60.273a(d). All shop opacity observations in excess of the emission limit specified in § 60.272a(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).

(h) The owner or operator shall maintain the following records for each bag leak detection system required under § 60.273a(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 43845, Oct. 31, 1984, as amended at 54 FR 6673, Feb. 14, 1989; 64 FR 10111, Mar. 2, 1999; 65 FR 61758, Oct. 17, 2000; 70 FR 8533, Feb. 22, 2005]

## Subpart BB—Standards of Performance for Kraft Pulp Mills

### § 60.280 Applicability and designation of affected facility.

(a) The provisions of this subpart are applicable to the following affected facilities in kraft pulp mills: Digester system, brown stock washer system, multiple-effect evaporator system, recovery furnace, smelt dissolving tank, lime kiln, and condensate stripper system. In pulp mills where kraft pulping is combined with neutral sulfite semichemical pulping, the provisions of this subpart are applicable when any

portion of the material charged to an affected facility is produced by the kraft pulping operation.

(b) Except as noted in § 60.283(a)(1)(iv), any facility under paragraph (a) of this section that commences construction or modification after September 24, 1976, is subject to the requirements of this subpart.

[51 FR 18544, May 20, 1986]

### § 60.281 Definitions.

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

(a) *Kraft pulp mill* means any stationary source which produces pulp from wood by cooking (digesting) wood chips in a water solution of sodium hydroxide and sodium sulfide (white liquor) at high temperature and pressure. Regeneration of the cooking chemicals through a recovery process is also considered part of the kraft pulp mill.

(b) *Neutral sulfite semichemical pulping operation* means any operation in which pulp is produced from wood by cooking (digesting) wood chips in a solution of sodium sulfite and sodium bicarbonate, followed by mechanical defibrating (grinding).

(c) *Total reduced sulfur (TRS)* means the sum of the sulfur compounds hydrogen sulfide, methyl mercaptan, dimethyl sulfide, and dimethyl disulfide, that are released during the kraft pulping operation and measured by Method 16.

(d) *Digester system* means each continuous digester or each batch digester used for the cooking of wood in white liquor, and associated flash tank(s), blow tank(s), chip steamer(s), and condenser(s).

(e) *Brown stock washer system* means brown stock washers and associated knotters, vacuum pumps, and filtrate tanks used to wash the pulp following the digester system. Diffusion washers are excluded from this definition.

(f) *Multiple-effect evaporator system* means the multiple-effect evaporators and associated condenser(s) and hotwell(s) used to concentrate the spent cooking liquid that is separated from the pulp (black liquor).

(g) *Black liquor oxidation system* means the vessels used to oxidize, with air or oxygen, the black liquor, and associated storage tank(s).

(h) *Recovery furnace* means either a straight kraft recovery furnace or a cross recovery furnace, and includes the direct-contact evaporator for a direct-contact furnace.

(i) *Straight kraft recovery furnace* means a furnace used to recover chemicals consisting primarily of sodium and sulfur compounds by burning black liquor which on a quarterly basis contains 7 weight percent or less of the total pulp solids from the neutral sulfite semichemical process or has green liquor sulfidity of 28 percent or less.

(j) *Cross recovery furnace* means a furnace used to recover chemicals consisting primarily of sodium and sulfur compounds by burning black liquor which on a quarterly basis contains more than 7 weight percent of the total pulp solids from the neutral sulfite semichemical process and has a green liquor sulfidity of more than 28 percent.

(k) *Black liquor solids* means the dry weight of the solids which enter the recovery furnace in the black liquor.

(l) *Green liquor sulfidity* means the sulfidity of the liquor which leaves the smelt dissolving tank.

(m) *Smelt dissolving tank* means a vessel used for dissolving the smelt collected from the recovery furnace.

(n) *Lime kiln* means a unit used to calcine lime mud, which consists primarily of calcium carbonate, into quicklime, which is calcium oxide.

(o) *Condensate stripper system* means a column, and associated condensers, used to strip, with air or steam, TRS compounds from condensate streams from various processes within a kraft pulp mill.

[43 FR 7572, Feb. 23, 1978, as amended at 51 FR 18544, May 20, 1986; 65 FR 61758, Oct. 17, 2000]

### § 60.282 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:

(1) From any recovery furnace any gases which:

(i) Contain particulate matter in excess of 0.10 g/dscm (0.044 gr/dscf) corrected to 8 percent oxygen.

(ii) Exhibit 35 percent opacity or greater.

(2) From any smelt dissolving tank any gases which contain particulate matter in excess of 0.1 g/kg black liquor solids (dry weight)[0.2 lb/ton black liquor solids (dry weight)].

(3) From any lime kiln any gases which contain particulate matter in excess of:

(i) 0.15 g/dscm (0.066 gr/dscf) corrected to 10 percent oxygen, when gaseous fossil fuel is burned.

(ii) 0.30 g/dscm (0.13 gr/dscf) corrected to 10 percent oxygen, when liquid fossil fuel is burned.

[43 FR 7572, Feb. 23, 1978, as amended at 65 FR 61758, Oct. 17, 2000]

### § 60.283 Standard for total reduced sulfur (TRS).

(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:

(1) From any digester system, brown stock washer system, multiple-effect evaporator system, or condensate stripper system any gases which contain TRS in excess of 5 ppm by volume on a dry basis, corrected to 10 percent oxygen, unless the following conditions are met:

(i) The gases are combusted in a lime kiln subject to the provisions of paragraph (a)(5) of this section; or

(ii) The gases are combusted in a recovery furnace subject to the provisions of paragraphs (a)(2) or (a)(3) of this section; or

(iii) The gases are combusted with other waste gases in an incinerator or other device, or combusted in a lime kiln or recovery furnace not subject to the provisions of this subpart, and are subjected to a minimum temperature of 650 °C (1200 °F) for at least 0.5 second; or

(iv) It has been demonstrated to the Administrator's satisfaction by the owner or operator that incinerating the exhaust gases from a new, modified, or reconstructed brown stock washer system is technologically or economically unfeasible. Any exempt system will become subject to the provisions of this subpart if the facility is changed so that the gases can be incinerated.

(v) The gases from the digester system, brown stock washer system, or condensate stripper system are controlled by a means other than combustion. In this case, this system shall not discharge any gases to the atmosphere which contain TRS in excess of 5 ppm by volume on a dry basis, uncorrected for oxygen content.

(vi) The uncontrolled exhaust gases from a new, modified, or reconstructed digester system contain TRS less than 0.005 g/kg air dried pulp (ADP) (0.01 lb/ton ADP).

(2) From any straight kraft recovery furnace any gases which contain TRS in excess of 5 ppm by volume on a dry basis, corrected to 8 percent oxygen.

(3) From any cross recovery furnace any gases which contain TRS in excess of 25 ppm by volume on a dry basis, corrected to 8 percent oxygen.

(4) From any smelt dissolving tank any gases which contain TRS in excess of 0.016 g/kg black liquor solids as $H_2S$ (0.033 lb/ton black liquor solids as $H_2S$).

(5) From any lime kiln any gases which contain TRS in excess of 8 ppm by volume on a dry basis, corrected to 10 percent oxygen.

[43 FR 7572, Feb. 23, 1978, as amended at 50 FR 6317, Feb. 14, 1985; 51 FR 18544, May 20, 1986; 65 FR 61758, Oct. 17, 2000]

### § 60.284 Monitoring of emissions and operations.

(a) Any owner or operator subject to the provisions of this subpart shall install, calibrate, maintain, and operate the following continuous monitoring systems:

(1) A continuous monitoring system to monitor and record the opacity of the gases discharged into the atmosphere from any recovery furnace. The span of this system shall be set at 70 percent opacity.

(2) Continuous monitoring systems to monitor and record the concentration of TRS emissions on a dry basis and the percent of oxygen by volume on a dry basis in the gases discharged into the atmosphere from any lime kiln, recovery furnace, digester system, brown

stock washer system, multiple-effect evaporator system, or condensate stripper system, except where the provisions of § 60.283(a)(1) (iii) or (iv) apply. These systems shall be located downstream of the control device(s) and the spans of these continuous monitoring system(s) shall be set:

(i) At a TRS concentration of 30 ppm for the TRS continuous monitoring system, except that for any cross recovery furnace the span shall be set at 50 ppm.

(ii) At 25 percent oxygen for the continuous oxygen monitoring system.

(b) Any owner or operator subject to the provisions of this subpart shall install, calibrate, maintain, and operate the following continuous monitoring devices:

(1) For any incinerator, a monitoring device which measures and records the combustion temperature at the point of incineration of effluent gases which are emitted from any digester system, brown stock washer system, multiple-effect evaporator system, black liquor oxidation system, or condensate stripper system where the provisions of § 60.283(a)(1)(iii) apply. The monitoring device is to be certified by the manufacturer to be accurate within ±1 percent of the temperature being measured.

(2) For any lime kiln or smelt dissolving tank using a scrubber emission control device:

(i) A monitoring device for the continuous measurement of the pressure loss of the gas stream through the control equipment. The monitoring device is to be certified by the manufacturer to be accurate to within a gage pressure of ±500 pascals (ca. ±2 inches water gage pressure).

(ii) A monitoring device for the continuous measurement of the scrubbing liquid supply pressure to the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within ±15 percent of design scrubbing liquid supply pressure. The pressure sensor or tap is to be located close to the scrubber liquid discharge point. The Administrator may be consulted for approval of alternative locations.

(c) Any owner or operator subject to the provisions of this subpart shall, except where the provisions of § 60.283(a)(1)(iii) or (iv) apply, perform the following:

(1) Calculate and record on a daily basis 12-hour average TRS concentrations for the two consecutive periods of each operating day. Each 12-hour average shall be determined as the arithmetic mean of the appropriate 12 contiguous 1-hour average total reduced sulfur concentrations provided by each continuous monitoring system installed under paragraph (a)(2) of this section.

(2) Calculate and record on a daily basis 12-hour average oxygen concentrations for the two consecutive periods of each operating day for the recovery furnace and lime kiln. These 12-hour averages shall correspond to the 12-hour average TRS concentrations under paragraph (c)(1) of this section and shall be determined as an arithmetic mean of the appropriate 12 contiguous 1-hour average oxygen concentrations provided by each continuous monitoring system installed under paragraph (a)(2) of this section.

(3) Using the following equation, correct all 12-hour average TRS concentrations to 10 volume percent oxygen, except that all 12-hour average TRS concentrations from a recovery furnace shall be corrected to 8 volume percent oxygen instead of 10 percent, and all 12-hour average TRS concentrations from a facility to which the provisions of § 60.283(a)(1)(v) apply shall not be corrected for oxygen content:

$$C_{corr} = C_{meas} \times (21 - X/21 - Y)$$

where:

$C_{corr}$ = the concentration corrected for oxygen.

$C_{meas}$ = the concentration uncorrected for oxygen.

$X$ = the volumetric oxygen concentration in percentage to be corrected to (8 percent for recovery furnaces and 10 percent for lime kilns, incinerators, or other devices).

$Y$ = the measured 12-hour average volumetric oxygen concentration.

(4) Record once per shift measurements obtained from the continuous monitoring devices installed under paragraph (b)(2) of this section.

(d) For the purpose of reports required under § 60.7(c), any owner or operator subject to the provisions of this subpart shall report semiannually periods of excess emissions as follows:

(1) For emissions from any recovery furnace periods of excess emissions are:

(i) All 12-hour averages of TRS concentrations above 5 ppm by volume for straight kraft recovery furnaces and above 25 ppm by volume for cross recovery furnaces.

(ii) All 6-minute average opacities that exceed 35 percent.

(2) For emissions from any lime kiln, periods of excess emissions are all 12-hour average TRS concentration above 8 ppm by volume.

(3) For emissions from any digester system, brown stock washer system, multiple-effect evaporator system, or condensate stripper system periods of excess emissions are:

(i) All 12-hour average TRS concentrations above 5 ppm by volume unless the provisions of § 60.283(a)(1) (i), (ii), or (iv) apply; or

(ii) All periods in excess of 5 minutes and their duration during which the combustion temperature at the point of incineration is less than 650 °C (1200 °F), where the provisions of § 60.283(a)(1)(iii) apply.

(e) The Administrator will not consider periods of excess emissions reported under paragraph (d) of this section to be indicative of a violation of § 60.11(d) provided that:

(1) The percent of the total number of possible contiguous periods of excess emissions in a quarter (excluding periods of startup, shutdown, or malfunction and periods when the facility is not operating) during which excess emissions occur does not exceed:

(i) One percent for TRS emissions from recovery furnaces.

(ii) Six percent for average opacities from recovery furnaces.

(2) The Administrator determines that the affected facility, including air pollution control equipment, is maintained and operated in a manner which is consistent with good air pollution control practice for minimizing emissions during periods of excess emissions.

(f) The procedures under § 60.13 shall be followed for installation, evaluation, and operation of the continuous monitoring systems required under this section. All continuous monitoring systems shall be operated in accordance with the applicable procedures under Performance Specifications 1, 3, and 5 of appendix B of this part.

[43 FR 7572, Feb. 23, 1978, as amended at 51 FR 18545, May 20, 1986; 65 FR 61759, Oct. 17, 2000; 71 FR 55127, Sept. 21, 2006]

### § 60.285 Test methods and procedures.

(a) In conducting the performance tests required in § 60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures in this section, except as provided in § 60.8(b). Acceptable alternative methods and procedures are given in paragraph (f) of this section.

(b) The owner or operator shall determine compliance with the particulate matter standards in § 60.282(a) (1) and (3) as follows:

(1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf). Water shall be used as the cleanup solvent instead of acetone in the sample recovery procedure. The particulate concentration shall be corrected to the appropriate oxygen concentration according to § 60.284(c)(3).

(2) The emission rate correction factor, integrated sampling and analysis procedure of Method 3B shall be used to determine the oxygen concentration. The gas sample shall be taken at the same time and at the same traverse points as the particulate sample.

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

(c) The owner or operator shall determine compliance with the particular matter standard in § 60.282(a)(2) as follows:

(1) The emission rate (E) of particulate matter shall be computed for each run using the following equation:

$$E = c_s Q_{sd} / BLS$$

where:

E=emission rate of particulate matter, g/kg (lb/ton) of BLS.

$c_s$ = Concentration of particulate matter, g/dscm (lb/dscf).

$Q_{sd}$=volumetric flow rate of effluent gas, dscm/hr (dscf/hr).

BLS=black liquor solids (dry weight) feed rate, kg/hr (ton/hr).

(2) Method 5 shall be used to determine the particulate matter concentration ($c_s$) and the volumetric flow rate ($Q_{sd}$) of the effluent gas. The sampling time and sample volume shall be at least 60 minutes and 0.90 dscm (31.8 dscf). Water shall be used instead of acetone in the sample recovery.

(3) Process data shall be used to determine the black liquor solids (BLS) feed rate on a dry weight basis.

(d) The owner or operator shall determine compliance with the TRS standards in § 60.283, except § 60.283(a)(1)(vi) and (4), as follows:

(1) Method 16 shall be used to determine the TRS concentration. The TRS concentration shall be corrected to the appropriate oxygen concentration using the procedure in § 60.284(c)(3). The sampling time shall be at least 3 hours, but no longer than 6 hours.

(2) The emission rate correction factor, integrated sampling and analysis procedure of Method 3B shall be used to determine the oxygen concentration. The sample shall be taken over the same time period as the TRS samples.

(3) When determining whether a furnace is a straight kraft recovery furnace or a cross recovery furnace, TAPPI Method T.624 (incorporated by reference—see § 60.17) shall be used to determine sodium sulfide, sodium hydroxide, and sodium carbonate. These determinations shall be made 3 times daily from the green liquor, and the daily average values shall be converted to sodium oxide ($Na_20$) and substituted into the following equation to determine the green liquor sulfidity:

$$GLS = 100\ C_{Na_2S} / \left( C_{Na_2S} C_{NaOH} C_{Na_2CO_3} \right)$$

Where:

GLS=green liquor sulfidity, percent.

$C_{Na2S}$=concentration of $Na_2S$ as $Na_2O$, mg/liter (gr/gal).

$C_{NaOH}$=concentration of NaOH as $Na_2O$, mg/liter (gr/gal).

$C_{Na2CO3}$=concentration of $Na_2CO_3$ as $Na_2O$, mg/liter (gr/gal).

(e) The owner or operator shall determine compliance with the TRS standards in § 60.283(a)(1)(vi) and (4) as follows:

(1) The emission rate (E) of TRS shall be computed for each run using the following equation:

$$E = C_{TRS}\ F\ Q_{sd}/P$$

where:

E=emission rate of TRS, g/kg (lb/ton) of BLS or ADP.

$C_{TRS}$=average combined concentration of TRS, ppm.

F = conversion factor, 0.001417 g $H_2S/m^3$-ppm ($8.846 \times 10^{-8}$ lb $H_2S/ft^3$-ppm).

$Q_{sd}$=volumetric flow rate of stack gas, dscm/hr (dscf/hr).

P=black liquor solids feed or pulp production rate, kg/hr (ton/hr).

(2) Method 16 shall be used to determine the TRS concentration ($C_{TRS}$).

(3) Method 2 shall be used to determine the volumetric flow rate ($Q_{sd}$) of the effluent gas.

(4) Process data shall be used to determine the black liquor feed rate or the pulp production rate (P).

(f) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

(1) For Method 5, Method 17 may be used if a constant value of 0.009 g/dscm (0.004 gr/dscf) is added to the results of Method 17 and the stack temperature is no greater than 204 °C (400 °F).

(2) In place of Method 16, Method 16A or 16B may be used.

[54 FR 6673, Feb. 14, 1989; 54 FR 21344, May 17, 1989, as amended at 55 FR 5212, Feb. 14, 1990; 65 FR 61759, Oct. 17, 2000]

## Subpart CC—Standards of Performance for Glass Manufacturing Plants

### § 60.290 Applicability and designation of affected facility.

(a) Each glass melting furnace is an affected facility to which the provisions of this subpart apply.

(b) Any facility under paragraph (a) of this section that commences construction or modification after June 15, 1979, is subject to the requirements of this subpart.

(c) This subpart does not apply to hand glass melting furnaces, glass melting furnaces designed to produce less than 4.55 Mg (5 tons) of glass per day and all-electric melters.

[45 FR 66751, Oct. 7, 1980, as amended at 65 FR 61759, Oct. 17, 2000]

Appendix C

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this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

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

(1) Approval of alternatives to the requirements in §§ 63.940, 63.942, and 63.943. Where these standards reference subpart DD, the cited provisions will be delegated according to the delegation provisions of subpart DD.

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

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

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

[68 FR 37355, June 23, 2003]

## Subpart RR—National Emission Standards for Individual Drain Systems

SOURCE: 61 FR 34193, July 1, 1996, unless otherwise noted.

### § 63.960 Applicability.

(a) The provisions of this subpart apply to the control of air emissions from individual drain systems for which another subpart of 40 CFR parts 60, 61, or 63 references the use of this subpart for such air emission control. These air emission standards for individual drain systems are placed here for administrative convenience and only apply to those owners and operators of facilities subject to the other subparts that reference this subpart. The provisions of 40 CFR part 63, subpart A—General Provisions do not apply to this subpart except as noted in the subpart that references this subpart.

(b) [Reserved]

### § 63.961 Definitions.

All terms used in this subpart shall have the meaning given to them in the Act and in this section. If a term is defined in both this section and in another subpart that references the use of this subpart, then the definition in this subpart shall take precedence when implementing this subpart.

*Closure device* means a cap, cover, hatch, lid, plug, seal, valve, or other type of fitting that, when the device is secured in the closed position, prevents or reduces air emissions to the atmosphere by blocking an opening to the individual drain system. Closure devices include devices that are detachable (e.g., a plug or manhole cover), manually operated (e.g., a hinged access lid or hatch), or automatically operated (e.g., a spring-loaded pressure relief valve).

*Hard-piping* means pipe or tubing that is manufactured and properly installed in accordance with relevant standards (e.g., ANSI B31–3) and good engineering practices.

*Individual drain system* means a stationary system used to convey regulated-material to a waste management unit or to discharge or disposal. The term includes hard-piping, all drains and junction boxes, together with their associated sewer lines and other junction boxes (e.g., manholes, sumps, and lift stations) conveying regulated-material. For the purpose of this subpart, an individual drain system is not a drain and collection system that is designed and operated for the sole purpose of collecting rainfall runoff (e.g., stormwater sewer system) and is segregated from all other individual drain systems.

*Junction box* means a sump, manhole, or access point to a sewer line or a lift station.

*Regulated-material* means the wastewater streams, residuals, and any other materials specified by the referencing subpart to be managed in accordance with the standards under this subpart.

*Sewer line* means a lateral, trunk line, branch line, or other conduit used to convey regulated-material to a downstream waste management unit. Sewer lines include pipes, grates, and trenches.

*Waste management unit* means the equipment, structure, or device used to convey, store, treat, or dispose of regulated-material. Examples of waste management units include: wastewater

tanks, surface impoundments, individual drain systems, and biological wastewater treatment units. Examples of equipment that may be waste management units include containers, air flotation units, oil-water separators or organic-water separators, or organic removal devices such as decanters, strippers, or thin-film evaporation units.

*Water seal* means a seal pot, p-leg trap, or other type of trap filled with water (e.g., flooded sewers that maintain liquid levels adequate to prevent air flow through the system) that creates a liquid barrier between the sewer line and the atmosphere. The liquid level of the seal must be maintained in the vertical leg of a drain in order to be considered a water seal.

[61 FR 34193, July 1, 1996, as amended at 64 FR 38989, July 20, 1999]

### § 63.962 Standards.

(a) The owner or operator subject to this subpart shall control air emissions from the individual drain system using one or a combination of the following:

(1) Covers, water seals, and other air emission control equipment as specified in paragraph (b) of this section.

(2) Hard-piping.

(3) Venting of the individual drain system through a closed vent system to a control device in accordance with the following requirements:

(i) The individual drain system is designed and operated such that an internal pressure in the vapor headspace in the system is maintained at a level less than atmospheric pressure when the control device is operating, and

(ii) The closed vent system and control device are designed and operated in accordance with the requirements of § 63.693 in 40 CFR part 63, subpart DD—National Emission Standards for Hazardous Air Pollutant Standards from Off-Site Waste and Recovery Operations.

(b) Owners and operators controlling air emissions from an individual drain system in accordance with paragraph (a)(1) of this section shall meet the following requirements:

(1) The individual drain system shall be designed to segregate the organic vapors from regulated material managed in the controlled individual drain system from entering any other individual drain system that is not controlled for air emissions in accordance with the standards specified in this subpart.

(2) *Drain control requirements.* Each drain shall be equipped with either a water seal or a closure device in accordance with the following requirements:

(i) When a water seal is used, the water seal shall be designed such that either:

(A) The outlet to the pipe discharging the regulated-material extends below the liquid surface in the water seal of the drain; or

(B) A flexible shield or other device is installed which restricts wind motion across the open space between the outlet of the pipe discharging the regulated material and the drain.

(ii) When a closure device is used (e.g., securing a cap or plug on a drain that is not receiving regulated-material), the closure device shall be designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the drain opening and the closure device.

(3) *Junction box control requirements.* Each junction box shall be equipped with controls as follows:

(i) The junction box shall be equipped with a closure device (e.g., manhole cover, access hatch) that is designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the junction box opening and the closure device.

(ii) If the junction box is vented, the junction box shall be vented in accordance with the following requirements:

(A) The junction box shall be vented through a closed vent system to a control device except as provided for in paragraph (b)(3)(ii)(B) of this section. The closed vent system and control device shall be designed and operated in accordance with the standards specified in § 63.693.

(B) As an alternative to paragraph (b)(3)(ii)(A) of this section, the owner

or operator may vent the junction box directly to the atmosphere when all of the following conditions are met:

(*1*) The junction box is filled and emptied by gravity flow (i.e., there is no pump) or is operated with no more than slight fluctuations in the liquid level. Large changes in the size of the junction box vapor headspace created by using a pump to repeatedly empty and then refill the junction box do not meet this condition.

(*2*) The vent pipe installed on the junction box shall be at least 90 centimeters in length and no greater than 10 centimeters in nominal inside diameter.

(*3*) Water seals are installed at the liquid entrance(s) to or exit from the junction box to restrict ventilation in the individual drain system and between components in the individual drain system. The owner or operator shall demonstrate (e.g., by visual inspection or smoke test) upon request by the Administrator that the junction box water seal is properly designed and restricts ventilation.

(4) *Sewer line control requirements.* Each sewer line shall not be open to the atmosphere and shall be covered or closed in a manner such that there are no visible cracks, holes, gaps, or other open spaces in the sewer line joints, seals, or other emission interfaces.

(5) *Operating requirements.* The owner or operator shall operate the air emission controls required by paragraphs (b)(2) through (b)(4) of this section in accordance with the following requirements:

(i) Each closure device shall be maintained in a closed position whenever regulated-material is in the individual drain system except when it is necessary to remove or open the closure device for sampling or removing material in the individual drain system, or for equipment inspection, maintenance, or repair.

(ii) Each drain equipped with a water seal and open to the atmosphere shall be operated to ensure that the liquid in the water seal is maintained at the appropriate level. Examples of acceptable means for complying with this provision include but are not limited to using a flow-monitoring device indicating positive flow from a main to a branch water line supplying a trap; continuously dripping water into the trap using a hose; or regular visual observations.

(iii) Each closed-vent system and the control device used to comply with paragraph (b)(3)(ii)(A) of this section shall be operated in accordance with the standards specified in 40 CFR 63.693.

[61 FR 34193, July 1, 1996, as amended at 64 FR 38990, July 20, 1999; 66 FR 1267, Jan. 8, 2001]

### § 63.963 [Reserved]

### § 63.964 Inspection and monitoring requirements.

(a) The owner or operator shall inspect the individual drain system in accordance with the following requirements:

(1) The individual drain system shall be visually inspected by the owner or operator as follows to check for defects that could result in air emissions to the atmosphere.

(i) The owner or operator shall visually inspect each drain as follows:

(A) In the case when the drain is using a water seal to control air emissions, the owner or operator shall verify appropriate liquid levels are being maintained and identify any other defects that could reduce water seal control effectiveness.

(B) In the case when the drain is using a closure device to control air emissions, the owner or operator shall visually inspect each drain to verify that the closure device is in place and there are no defects. Defects include, but are not limited to, visible cracks, holes, or gaps in the closure devices; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing plugs, caps, or other closure devices.

(ii) The owner or operator shall visually inspect each junction box to verify that closure devices are in place and there are no defects. Defects include, but are not limited to, visible cracks, holes, or gaps in the closure devices; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.

(iii) The owner or operator shall visually inspect the unburied portion of each sewer line to verify that all closure devices are in place and there are no defects. Defects include, but are not limited to, visible cracks, holes, gaps, or other open spaces in the sewer line joints, seals, or other emission interfaces.

(iv) The owner or operator shall perform the inspections initially at the time of installation of the water seals and closure devices for the individual drain system and, thereafter, at least once every year.

(v) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (b) of this section.

(vi) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in § 63.965(a) of this subpart.

(2) The owner or operator shall inspect and monitor the closed-vent system and the control device in accordance with the requirements specified in § 63.693 in 40 CFR 63 subpart DD—National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations.

(b) The owner or operator shall repair all detected defects as follows:

(1) The owner or operator shall make first efforts at repair of the defect no later than 5 calendar days after detection and repair shall be completed as soon as possible but no later than 15 calendar days after detection except as provided in paragraph (b)(2) of this section.

(2) Repair of a defect may be delayed beyond 15 calendar days if the owner or operator determines that repair of the defect requires emptying or temporary removal from service of the individual drain system and no alternative capacity is available at the facility site to accept the regulated-material normally managed in the individual drain system. In this case, the owner or operator shall repair the defect the next time the process or unit that is generating the regulated-material managed in the individual drain system stops operation. Repair of the defect shall be completed before the process or unit resumes operation.

(3) The owner or operator shall maintain a record of the defect repair in accordance with the requirements specified in § 63.965(a)(3) of this subpart.

[61 FR 34193, July 1, 1996, as amended at 64 FR 38990, July 20, 1999]

### § 63.965 Recordkeeping requirements.

(a) Each owner or operator complying with § 63.962(a)(1) of this subpart shall prepare and maintain the following records:

(1) A written site-specific individual drain system inspection plan that includes a drawing or schematic of the individual drain system and identifies each drain, junction box, and sewer line location.

(2) A record of the date that each inspection required by § 63.964(a) of this subpart is performed.

(3) When applicable, a record for each defect detected during inspections required by § 63.964(a) of this subpart that includes the following information: the location of the defect, a description of the defect, the date of detection, the corrective action taken to repair the defect, and the date that the corrective action was completed. In the event that repair of the defect is delayed in accordance with the provisions of § 63.964(b)(2) of this section, the owner or operator shall also record the reason for the delay and the date that completion of repair of the defect is expected.

(b) Owners and operators that use a closed-vent system and a control device in accordance with the provisions of § 63.962 shall prepare and maintain the records required for the closed-vent system and control device in accordance with the requirements of § 63.693.

[61 FR 34193, July 1, 1996, as amended at 64 FR 38991, July 20, 1999; 66 FR 1267, Jan. 8, 2001]

### § 63.966 Reporting requirements.

Owners and operators that use a closed-vent system and a control device in accordance with the provisions of § 63.962 shall prepare and submit to the Administrator the reports required for closed-vent systems and control devices in accordance with the requirements of § 63.693.

[66 FR 1267, Jan. 8, 2001]

### § 63.967 Implementation and enforcement.

(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 this subpart is delegated to a State, local, or Tribal agency.

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

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

(1) Approval of alternatives to the requirements in §§ 63.960 and 63.962. Where these standards reference subpart DD, the cited provisions will be delegated according to the delegation provisions subpart DD of this part.

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

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

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

[68 FR 37355, June 23, 2003]

## Subpart SS—National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process

SOURCE: 64 FR 34866, June 29, 1999, unless otherwise noted.

### § 63.980 Applicability.

The provisions of this subpart include requirements for closed vent systems, control devices and routing of air emissions to a fuel gas system or process. These provisions apply when another subpart references the use of this subpart for such air emission control. These air emission standards are placed here for administrative convenience and only apply to those owners and operators of facilities subject to a referencing subpart. The provisions of 40 CFR part 63, subpart A (General Provisions) do not apply to this subpart except as specified in a referencing subpart.

### § 63.981 Definitions.

*Alternative test method* means any method of sampling and analyzing for an air pollutant that is not a reference test or equivalent method, and that has been demonstrated to the Administrator's satisfaction, using Method 301 in appendix A of this part 63, or previously approved by the Administrator prior to the promulgation date of standards for an affected source or affected facility under a referencing subpart, to produce results adequate for the Administrator's determination that it may be used in place of a test method specified in this subpart.

*Boiler* means any enclosed combustion device that extracts useful energy in the form of steam and is not an incinerator or a process heater.

*By compound* means by individual stream components, not carbon equivalents.

*Closed vent system* means a system that is not open to the atmosphere and is composed of piping, ductwork, connections, and, if necessary, flow inducing devices that transport gas or vapor from an emission point to a control device. Closed vent system does not include the vapor collection system that is part of any tank truck or railcar.

*Closed vent system shutdown* means a work practice or operational procedure that stops production from a process unit or part of a process unit during which it is technically feasible to clear process material from a closed vent system or part of a closed vent system consistent with safety constraints and during which repairs can be effected.

Appendix D

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# Subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry

SOURCE: 63 FR 18617, Apr. 15, 1998, unless otherwise noted.

## § 63.440 Applicability.

(a) The provisions of this subpart apply to the owner or operator of processes that produce pulp, paper, or paperboard; that are located at a plant site that is a major source as defined in § 63.2 of subpart A of this part; and that use the following processes and materials:

(1) Kraft, soda, sulfite, or semi-chemical pulping processes using wood; or

(2) Mechanical pulping processes using wood; or

(3) Any process using secondary or non-wood fibers.

(b) The affected source to which the existing sourceprovisions of this subpart apply is as follows:

(1) For the processes specified in paragraph (a)(1) of this section, the affected source is the total of all HAP emission points in the pulping and bleaching systems; or

(2) For the processes specified in paragraphs (a)(2) or (a)(3) of this section, the affected source is the total of all HAP emission points in the bleaching system.

(c) The new source provisions of this subpart apply to the total of all HAP emission points at new or existing sources as follows:

(1) Each affected source defined in paragraph (b)(1) of this section that commences construction or reconstruction after December 17, 1993;

(2) Each pulping system or bleaching system for the processes specified in paragraph (a)(1) of this section that commences construction or reconstruction after December 17, 1993;

(3) Each additional pulping or bleaching line at the processes specified in paragraph (a)(1) of this section, that commences construction after December 17, 1993;

(4) Each affected source defined in paragraph (b)(2) of this section that commences construction or reconstruction after March 8, 1996; or

(5) Each additional bleaching line at the processes specified in paragraphs (a)(2) or (a)(3) of this section, that commences construction after March 8, 1996.

(d) Each existing source shall achieve compliance no later than April 16, 2001, except as provided in paragraphs (d)(1) through (d)(3) of this section.

(1) Each kraft pulping system shall achieve compliance with the pulping system provisions of § 63.443 for the equipment listed in § 63.443(a)(1)(ii) through (a)(1)(v) as expeditiously as practicable, but in no event later than April 17, 2006 and the owners and operators shall establish dates, update dates, and report the dates for the milestones specified in § 63.455(b).

(2) Each dissolving-grade bleaching system at either kraft or sulfite pulping mills shall achieve compliance with the bleach plant provisions of § 63.445 of this subpart as expeditiously as practicable, but in no event later than 3 years after the promulgation of the revised effluent limitation guidelines and standards under 40 CFR 430.14 through 430.17 and 40 CFR 430.44 through 430.47.

(3) Each bleaching system complying with the Voluntary Advanced Technology Incentives Program for Effluent Limitation Guidelines in 40 CFR 430.24, shall comply with the requirements specified in either paragraph (d)(3)(i) or (d)(3)(ii) of this section for the effluent limitation guidelines and standards in 40 CFR 430.24.

(i) Comply with the bleach plant provisions of § 63.445 of this subpart as expeditiously as practicable, but in no event later than April 16, 2001.

(ii) Comply with paragraphs (d)(3)(ii)(A), (d)(3)(ii)(B), and (d)(3)(ii)(C) of this section.

(A) The owner or operator of a bleaching system shall comply with the bleach plant provisions of § 63.445 of this subpart as expeditiously as practicable, but in no event later than April 15, 2004.

(B) The owner or operator of a bleaching system shall comply with the requirements specified in either paragraph (d)(3)(ii)(B)(*1*) or (d)(3)(ii)(B)(*2*) of this section.

(*1*) Not increase the application rate of chlorine or hypochlorite in kilograms (kg) of bleaching agent per megagram of ODP, in the bleaching system above the average daily rates used over the three months prior to June 15, 1998 until the requirements of paragraph (d)(3)(ii)(A) of this section are met and record application rates as specified in § 63.454(c).

(*2*) Comply with enforceable effluent limitations guidelines for 2,3,7,8-tetrachloro-dibenzo-p-dioxin and adsorbable organic halides at least as stringent as the baseline BAT levels set out in 40 CFR 430.24(a)(1) as expeditiously as possible, but in no event later than April 16, 2001.

(C) Owners and operators shall establish dates, update dates, and report the dates for the milestones specified in § 63.455(b).

(e) Each new source, specified as the total of all HAP emission points for the sources specified in paragraph (c) of this section, shall achieve compliance upon start-up or June 15, 1998, whichever is later, as provided in § 63.6(b) of subpart A of this part.

(f) Each owner or operator of an affected source with affected process equipment shared by more than one type of pulping process, shall comply with the applicable requirement in this subpart that achieves the maximum degree of reduction in HAP emissions.

(g) Each owner or operator of an affected source specified in paragraphs (a) through (c) of this section must comply with the requirements of subpart A—General Provisions of this part, as indicated in table 1 to this subpart.

[63 FR 18617, Apr. 15, 1998, as amended at 63 FR 71389, Dec. 28, 1998]

### § 63.441 Definitions.

All terms used in this subpart shall have the meaning given them in the CAA, in subpart A of this part, and in this section as follows:

*Acid condensate storage tank* means any storage tank containing cooking acid following the sulfur dioxide gas fortification process.

*Affirmative defense* means, in the context of an enforcement proceeding, a response or defense put forward by a defendant, regarding which the defendant has the burden of proof, and the merits of which are independently and objectively evaluated in a judicial or administrative proceeding.

*Black liquor* means spent cooking liquor that has been separated from the pulp produced by the kraft, soda, or semi-chemical pulping process.

*Bleaching* means brightening of pulp by the addition of oxidizing chemicals or reducing chemicals.

*Bleaching line* means a group of bleaching stages arranged in series such that bleaching of the pulp progresses as the pulp moves from one stage to the next.

*Bleaching stage* means all process equipment associated with a discrete step of chemical application and removal in the bleaching process including chemical and steam mixers, bleaching towers, washers, seal (filtrate) tanks, vacuum pumps, and any other equipment serving the same function as those previously listed.

*Bleaching system* means all process equipment after high-density pulp storage prior to the first application of oxidizing chemicals or reducing chemicals following the pulping system, up to and including the final bleaching stage.

*Boiler* means any enclosed combustion device that extracts useful energy in the form of steam. A boiler is not considered a thermal oxidizer.

*Chip steamer* means a vessel used for the purpose of preheating or pretreating wood chips prior to the digester, using flash steam from the digester or live steam.

*Closed-vent system* means a system that is not open to the atmosphere and is composed of piping, ductwork, connections, and, if necessary, flow-inducing devices that transport gas or vapor from an emission point to a control device.

*Combustion device* means an individual unit of equipment, including but not limited to, a thermal oxidizer, lime kiln, recovery furnace, process heater, or boiler, used for the thermal oxidation of organic hazardous air pollutant vapors.

*Decker system* means all equipment used to thicken the pulp slurry or reduce its liquid content after the pulp washing system and prior to high-density pulp storage. The decker system

includes decker vents, filtrate tanks, associated vacuum pumps, and any other equipment serving the same function as those previously listed.

*Digester system* means each continuous digester or each batch digester used for the chemical treatment of wood or non-wood fibers. The digester system equipment includes associated flash tank(s), blow tank(s), chip steamer(s) not using fresh steam, blow heat recovery accumulator(s), relief gas condenser(s), prehydrolysis unit(s) preceding the pulp washing system, and any other equipment serving the same function as those previously listed. The digester system includes any of the liquid streams or condensates associated with batch or continuous digester relief, blow, or flash steam processes.

*Emission point* means any part of a stationary source that emits hazardous air pollutants regulated under this subpart, including emissions from individual process vents, stacks, open pieces of process equipment, equipment leaks, wastewater and condensate collection and treatment system units, and those emissions that could reasonably be conveyed through a stack, chimney, or duct where such emissions first reach the environment.

*Evaporator system* means all equipment associated with increasing the solids content and/or concentrating spent cooking liquor from the pulp washing system including pre-evaporators, multi-effect evaporators, concentrators, and vacuum systems, as well as associated condensers, hotwells, and condensate streams, and any other equipment serving the same function as those previously listed.

*Flow indicator* means any device that indicates gas or liquid flow in an enclosed system.

*HAP* means a hazardous air pollutant as defined in § 63.2 of subpart A of this part.

*High volume, low concentration or HVLC collection system* means the gas collection and transport system used to convey gases from the HVLC system to a control device.

*High volume, low concentration or HVLC system* means the collection of equipment including the pulp washing, knotter, screen, decker, and oxygen delignification systems, weak liquor storage tanks, and any other equipment serving the same function as those previously listed.

*Knotter system* means equipment where knots, oversized material, or pieces of uncooked wood are removed from the pulp slurry after the digester system and prior to the pulp washing system. The knotter system equipment includes the knotter, knot drainer tanks, ancillary tanks, and any other equipment serving the same function as those previously listed.

*Kraft pulping* means a chemical pulping process that uses a mixture of sodium hydroxide and sodium sulfide as the cooking liquor.

*Lime kiln* means an enclosed combustion device used to calcine lime mud, which consists primarily of calcium carbonate, into calcium oxide.

*Low volume, high concentration or LVHC collection system* means the gas collection and transport system used to convey gases from the LVHC system to a control device.

*Low volume, high concentration or LVHC system* means the collection of equipment including the digester, turpentine recovery, evaporator, steam stripper systems, and any other equipment serving the same function as those previously listed.

*Mechanical pulping* means a pulping process that only uses mechanical and thermo-mechanical processes to reduce wood to a fibrous mass. The mechanical pulping processes include, but are not limited to, stone groundwood, pressurized groundwood, refiner mechanical, thermal refiner mechanical, thermo-mechanical, and tandem thermomechanical.

*Non-wood pulping* means the production of pulp from fiber sources other than trees. The non-wood fiber sources include, but are not limited to, bagasse, cereal straw, cotton, flax straw, hemp, jute, kenaf, and leaf fibers.

*Oven-dried pulp or ODP* means a pulp sample at zero percent moisture content by weight. Pulp samples for applicability or compliance determinations for both the pulping and bleaching systems shall be unbleached pulp. For purposes of complying with mass emission limits in this subpart, megagram of ODP shall be measured to represent the amount of pulp entering and processed

by the equipment system under the specified mass limit. For equipment that does not process pulp, megagram of ODP shall be measured to represent the amount of pulp that was processed to produce the gas and liquid streams.

*Oxygen delignification system* means the equipment that uses oxygen to remove lignin from pulp after high-density stock storage and prior to the bleaching system. The oxygen delignification system equipment includes the blow tank, washers, filtrate tanks, any interstage pulp storage tanks, and any other equipment serving the same function as those previously listed.

*Primary fuel* means the fuel that provides the principal heat input to the combustion device. To be considered primary, the fuel must be able to sustain operation of the combustion device without the addition of other fuels.

*Process wastewater treatment system* means a collection of equipment, a process, or specific technique that removes or destroys the HAPs in a process wastewater stream. Examples include, but are not limited to, a steam stripping unit, wastewater thermal oxidizer, or biological treatment unit.

*Pulp washing system* means all equipment used to wash pulp and separate spent cooking chemicals following the digester system and prior to the bleaching system, oxygen delignification system, or paper machine system (at unbleached mills). The pulp washing system equipment includes vacuum drum washers, diffusion washers, rotary pressure washers, horizontal belt filters, intermediate stock chests, and their associated vacuum pumps, filtrate tanks, foam breakers or tanks, and any other equipment serving the same function as those previously listed. The pulp washing system does not include deckers, screens, knotters, stock chests, or pulp storage tanks following the last stage of pulp washing.

*Pulping line* means a group of equipment arranged in series such that the wood chips are digested and the resulting pulp progresses through a sequence of steps that may include knotting, refining, washing, thickening, blending, storing, oxygen delignification, and any other equipment serving the same function as those previously listed.

*Pulping process condensates* means any HAP-containing liquid that results from contact of water with organic compounds in the pulping process. Examples of process condensates include digester system condensates, turpentine recovery system condensates, evaporator system condensates, LVHC system condensates, HVLC system condensates, and any other condensates from equipment serving the same function as those previously listed. Liquid streams that are intended for byproduct recovery are not considered process condensate streams.

*Pulping system* means all process equipment, beginning with the digester system, and up to and including the last piece of pulp conditioning equipment prior to the bleaching system, including treatment with ozone, oxygen, or peroxide before the first application of a chemical bleaching agent intended to brighten pulp. The pulping system includes pulping process condensates and can include multiple pulping lines.

*Recovery furnace* means an enclosed combustion device where concentrated spent liquor is burned to recover sodium and sulfur, produce steam, and dispose of unwanted dissolved wood components in the liquor.

*Screen system* means equipment in which oversized particles are removed from the pulp slurry prior to the bleaching or papermaking system washed stock storage.

*Secondary fiber pulping* means a pulping process that converts a fibrous material, that has previously undergone a manufacturing process, into pulp stock through the addition of water and mechanical energy. The mill then uses that pulp as the raw material in another manufactured product. These mills may also utilize chemical, heat, and mechanical processes to remove ink particles from the fiber stock.

*Semi-chemical pulping* means a pulping process that combines both chemical and mechanical pulping processes. The semi-chemical pulping process produces intermediate yields ranging from 55 to 90 percent.

*Soda pulping* means a chemical pulping process that uses sodium hydroxide as the active chemical in the cooking liquor.

*Spent liquor* means process liquid generated from the separation of cooking liquor from pulp by the pulp washing system containing dissolved organic wood materials and residual cooking compounds.

*Steam stripper system* means a column (including associated stripper feed tanks, condensers, or heat exchangers) used to remove compounds from wastewater or condensates using steam. The steam stripper system also contains all equipment associated with a methanol rectification process including rectifiers, condensers, decanters, storage tanks, and any other equipment serving the same function as those previously listed.

*Strong liquor storage tanks* means all storage tanks containing liquor that has been concentrated in preparation for combustion or oxidation in the recovery process.

*Sulfite pulping* means a chemical pulping process that uses a mixture of sulfurous acid and bisulfite ion as the cooking liquor.

*Temperature monitoring device* means a piece of equipment used to monitor temperature and having an accuracy of ±1.0 percent of the temperature being monitored expressed in degrees Celsius or ±0.5 degrees Celsius (( °deg;C), whichever is greater.

*Thermal oxidizer* means an enclosed device that destroys organic compounds by thermal oxidation.

*Turpentine recovery system* means all equipment associated with recovering turpentine from digester system gases including condensers, decanters, storage tanks, and any other equipment serving the same function as those previously listed. The turpentine recovery system includes any liquid streams associated with the turpentine recovery process such as turpentine decanter underflow. Liquid streams that are intended for byproduct recovery are not considered turpentine recovery system condensate streams.

*Weak liquor storage tank* means any storage tank except washer filtrate tanks containing spent liquor recovered from the pulping process and prior to the evaporator system.

[63 FR 18617, Apr. 15, 1998, as amended at 64 FR 17563, Apr. 12, 1999; 77 FR 55710, Sept. 11, 2012]

### § 63.442 [Reserved]

### § 63.443 Standards for the pulping system at kraft, soda, and semi-chemical processes.

(a) The owner or operator of each pulping system using the kraft process subject to the requirements of this subpart shall control the total HAP emissions from the following equipment systems, as specified in paragraphs (c) and (d) of this section.

(1) At existing affected sources, the total HAP emissions from the following equipment systems shall be controlled:

(i) Each LVHC system;

(ii) Each knotter or screen system with total HAP mass emission rates greater than or equal to the rates specified in paragraphs (a)(1)(ii)(A) or (a)(1)(ii)(B) of this section or the combined rate specified in paragraph (a)(1)(ii)(C) of this section.

(A) Each knotter system with emissions of 0.05 kilograms or more of total HAP per megagram of ODP (0.1 pounds per ton).

(B) Each screen system with emissions of 0.10 kilograms or more of total HAP per megagram of ODP (0.2 pounds per ton).

(C) Each knotter and screen system with emissions of 0.15 kilograms or more of total HAP per megagram of ODP (0.3 pounds per ton).

(iii) Each pulp washing system;

(iv) Each decker system that:

(A) Uses any process water other than fresh water or paper machine white water; or

(B) Uses any process water with a total HAP concentration greater than 400 parts per million by weight; and

(v) Each oxygen delignification system.

(2) At new affected sources, the total HAP emissions from the equipment systems listed in paragraphs (a)(1)(i), (a)(1)(iii), and (a)(1)(v) of this section and the following equipment systems shall be controlled:

(i) Each knotter system;

(ii) Each screen system;
(iii) Each decker system; and
(iv) Each weak liquor storage tank.

(b) The owner or operator of each pulping system using a semi-chemical or soda process subject to the requirements of this subpart shall control the total HAP emissions from the following equipment systems as specified in paragraphs (c) and (d) of this section.

(1) At each existing affected source, the total HAP emissions from each LVHC system shall be controlled.

(2) At each new affected source, the total HAP emissions from each LVHC system and each pulp washing system shall be controlled.

(c) Equipment systems listed in paragraphs (a) and (b) of this section shall be enclosed and vented into a closed-vent system and routed to a control device that meets the requirements specified in paragraph (d) of this section. The enclosures and closed-vent system shall meet the requirements specified in § 63.450.

(d) The control device used to reduce total HAP emissions from each equipment system listed in paragraphs (a) and (b) of this section shall:

(1) Reduce total HAP emissions by 98 percent or more by weight; or

(2) Reduce the total HAP concentration at the outlet of the thermal oxidizer to 20 parts per million or less by volume, corrected to 10 percent oxygen on a dry basis; or

(3) Reduce total HAP emissions using a thermal oxidizer designed and operated at a minimum temperature of 871 °C (1600 °F) and a minimum residence time of 0.75 seconds; or

(4) Reduce total HAP emissions using one of the following:

(i) A boiler, lime kiln, or recovery furnace by introducing the HAP emission stream with the primary fuel or into the flame zone; or

(ii) A boiler or recovery furnace with a heat input capacity greater than or equal to 44 megawatts (150 million British thermal units per hour) by introducing the HAP emission stream with the combustion air.

(e) Periods of excess emissions reported under § 63.455 shall not be a violation of § 63.443(c) and (d) provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed the following levels:

(1) One percent for control devices used to reduce the total HAP emissions from the LVHC system; and

(2) Four percent for control devices used to reduce the total HAP emissions from the HVLC system; and

(3) Four percent for control devices used to reduce the total HAP emissions from both the LVHC and HVLC systems.

[63 FR 18617, Apr. 15, 1998, as amended at 64 FR 17563, Apr. 12, 1999; 66 FR 80762, Dec. 22, 2000; 77 FR 55710, Sept. 11, 2012]

### § 63.444 Standards for the pulping system at sulfite processes.

(a) The owner or operator of each sulfite process subject to the requirements of this subpart shall control the total HAP emissions from the following equipment systems as specified in paragraphs (b) and (c) of this section.

(1) At existing sulfite affected sources, the total HAP emissions from the following equipment systems shall be controlled:

(i) Each digester system vent;
(ii) Each evaporator system vent; and
(iii) Each pulp washing system.

(2) At new affected sources, the total HAP emissions from the equipment systems listed in paragraph (a)(1) of this section and the following equipment shall be controlled:

(i) Each weak liquor storage tank;
(ii) Each strong liquor storage tank; and
(iii) Each acid condensate storage tank.

(b) Equipment listed in paragraph (a) of this section shall be enclosed and vented into a closed-vent system and routed to a control device that meets the requirements specified in paragraph (c) of this section. The enclosures and closed-vent system shall meet the requirements specified in § 63.450. Emissions from equipment listed in paragraph (a) of this section that is not necessary to be reduced to meet paragraph (c) of this section is not required to be routed to a control device.

(c) The total HAP emissions from both the equipment systems listed in paragraph (a) of this section and the

vents, wastewater, and condensate streams from the control device used to reduce HAP emissions, shall be controlled as follows.

(1) Each calcium-based or sodium-based sulfite pulping process shall:

(i) Emit no more than 0.44 kilograms of total HAP or methanol per megagram (0.89 pounds per ton) of ODP; or

(ii) Remove 92 percent or more by weight of the total HAP or methanol.

(2) Each magnesium-based or ammonium-based sulfite pulping process shall:

(i) Emit no more than 1.1 kilograms of total HAP or methanol per megagram (2.2 pounds per ton) of ODP; or

(ii) Remove 87 percent or more by weight of the total HAP or methanol.

### § 63.445 Standards for the bleaching system.

(a) Each bleaching system that does not use any chlorine or chlorinated compounds for bleaching is exempt from the requirements of this section. Owners or operators of the following bleaching systems shall meet all the provisions of this section:

(1) Bleaching systems that use chlorine;

(2) Bleaching systems bleaching pulp from kraft, sulfite, or soda pulping processes that use any chlorinated compounds; or

(3) Bleaching systems bleaching pulp from mechanical pulping processes using wood or from any process using secondary or non-wood fibers, that use chlorine dioxide.

(b) The equipment at each bleaching stage, of the bleaching systems listed in paragraph (a) of this section, where chlorinated compounds are introduced shall be enclosed and vented into a closed-vent system and routed to a control device that meets the requirements specified in paragraph (c) of this section. The enclosures and closed-vent system shall meet the requirements specified in § 63.450. If process modifications are used to achieve compliance with the emission limits specified in paragraphs (c)(2) or (c)(3), enclosures and closed-vent systems are not required, unless appropriate.

(c) The control device used to reduce chlorinated HAP emissions (not including chloroform) from the equipment specified in paragraph (b) of this section shall:

(1) Reduce the total chlorinated HAP mass in the vent stream entering the control device by 99 percent or more by weight;

(2) Achieve a treatment device outlet concentration of 10 parts per million or less by volume of total chlorinated HAP; or

(3) Achieve a treatment device outlet mass emission rate of 0.001 kg of total chlorinated HAP mass per megagram (0.002 pounds per ton) of ODP.

(d) The owner or operator of each bleaching system subject to paragraph (a)(2) of this section shall comply with paragraph (d)(1) or (d)(2) of this section to reduce chloroform air emissions to the atmosphere, except the owner or operator of each bleaching system complying with extended compliance under § 63.440(d)(3)(ii) shall comply with paragraph (d)(1) of this section.

(1) Comply with the following applicable effluent limitation guidelines and standards specified in 40 CFR part 430:

(i) Dissolving-grade kraft bleaching systems and lines, 40 CFR 430.14 through 430.17;

(ii) Paper-grade kraft and soda bleaching systems and lines, 40 CFR 430.24(a)(1) and (e), and 40 CFR 430.26 (a) and (c);

(iii) Dissolving-grade sulfite bleaching systems and lines, 40 CFR 430.44 through 430.47; or

(iv) Paper-grade sulfite bleaching systems and lines, 40 CFR 430.54(a) and (c), and 430.56(a) and (c).

(2) Use no hypochlorite or chlorine for bleaching in the bleaching system or line.

[63 FR 18617, Apr. 15, 1998, as amended at 64 FR 17563, Apr. 12, 1999]

### § 63.446 Standards for kraft pulping process condensates.

(a) The requirements of this section apply to owners or operators of kraft processes subject to the requirements of this subpart.

(b) The pulping process condensates from the following equipment systems

shall be treated to meet the requirements specified in paragraphs (c), (d), and (e) of this section:

(1) Each digester system;

(2) Each turpentine recovery system;

(3) Each evaporator system condensate from:

(i) The vapors from each stage where weak liquor is introduced (feed stages); and

(ii) Each evaporator vacuum system for each stage where weak liquor is introduced (feed stages).

(4) Each HVLC collection system; and

(5) Each LVHC collection system.

(c) One of the following combinations of HAP-containing pulping process condensates generated, produced, or associated with the equipment systems listed in paragraph (b) of this section shall be subject to the requirements of paragraphs (d) and (e) of this section:

(1) All pulping process condensates from the equipment systems specified in paragraphs (b)(1) through (b)(5) of this section.

(2) The combined pulping process condensates from the equipment systems specified in paragraphs (b)(4) and (b)(5) of this section, plus pulping process condensate stream(s) that in total contain at least 65 percent of the total HAP mass from the pulping process condensates from equipment systems listed in paragraphs (b)(1) through (b)(3) of this section.

(3) The pulping process condensates from equipment systems listed in paragraphs (b)(1) through (b)(5) of this section that in total contain a total HAP mass of 3.6 kilograms or more of total HAP per megagram (7.2 pounds per ton) of ODP for mills that do not perform bleaching or 5.5 kilograms or more of total HAP per megagram (11.1 pounds per ton) of ODP for mills that perform bleaching.

(d) The pulping process condensates from the equipment systems listed in paragraph (b) of this section shall be conveyed in a closed collection system that is designed and operated to meet the requirements specified in paragraphs (d)(1) and (d)(2) of this section.

(1) Each closed collection system shall meet the individual drain system requirements specified in §§ 63.960, 63.961, and 63.962 of subpart RR of this part, except for closed vent systems and control devices shall be designed and operated in accordance with §§ 63.443(d) and 63.450, instead of in accordance with § 63.693 as specified in § 63.962 (a)(3)(ii), (b)(3)(ii)(A), and (b)(5)(iii); and

(2) If a condensate tank is used in the closed collection system, the tank shall meet the following requirements:

(i) The fixed roof and all openings (e.g., access hatches, sampling ports, gauge wells) shall be designed and operated with no detectable leaks as indicated by an instrument reading of less than 500 parts per million above background, and vented into a closed-vent system that meets the requirements in § 63.450 and routed to a control device that meets the requirements in § 63.443(d); and

(ii) Each opening shall be maintained in a closed, sealed position (e.g., covered by a lid that is gasketed and latched) at all times that the tank contains pulping process condensates or any HAP removed from a pulping process condensate stream except when it is necessary to use the opening for sampling, removal, or for equipment inspection, maintenance, or repair.

(e) Each pulping process condensate from the equipment systems listed in paragraph (b) of this section shall be treated according to one of the following options:

(1) Recycle the pulping process condensate to an equipment system specified in § 63.443(a) meeting the requirements specified in § 63.443(c) and (d); or

(2) Discharge the pulping process condensate below the liquid surface of a biological treatment system and treat the pulping process condensates to meet the requirements specified in paragraph (e)(3), (4), or (5) of this section, and total HAP shall be measured as specified in § 63.457(g); or

(3) Treat the pulping process condensates to reduce or destroy the total HAPs by at least 92 percent or more by weight; or

(4) At mills that do not perform bleaching, treat the pulping process condensates to remove 3.3 kilograms or more of total HAP per megagram (6.6 pounds per ton) of ODP, or achieve a total HAP concentration of 210 parts per million or less by weight at the outlet of the control device; or

(5) At mills that perform bleaching, treat the pulping process condensates to remove 5.1 kilograms or more of total HAP per megagram (10.2 pounds per ton) of ODP, or achieve a total HAP concentration of 330 parts per million or less by weight at the outlet of the control device.

(f) Each HAP removed from a pulping process condensate stream during treatment and handling under paragraphs (d) or (e) of this section, except for those treated according to paragraph (e)(2) of this section, shall be controlled as specified in § 63.443(c) and (d).

(g) For each control device (e.g., steam stripper system or other equipment serving the same function) used to treat pulping process condensates to comply with the requirements specified in paragraphs (e)(3) through (5) of this section, periods of excess emissions reported under § 63.455 shall not be a violation of paragraphs (d), (e)(3) through (5), and (f) of this section provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed 10 percent. The 10 percent excess emissions allowance does not apply to treatment of pulping process condensates according to paragraph (e)(2) of this section (e.g., the biological wastewater treatment system used to treat multiple (primarily non-condensate) wastewater streams to comply with the Clean Water Act).

(h) Each owner or operator of a new or existing affected source subject to the requirements of this section shall evaluate all new or modified pulping process condensates or changes in the annual bleached or non-bleached ODP used to comply with paragraph (i) of this section, to determine if they meet the applicable requirements of this section.

(i) For the purposes of meeting the requirements in paragraph (c)(2) or (3) or paragraph (e)(4) or (5) of this section at mills producing both bleached and unbleached pulp products, owners and operators may meet a prorated mass standard that is calculated by prorating the applicable mass standards (kilograms of total HAP per megagram of ODP) for bleached and unbleached mills specified in paragraph (c)(2) or (3) or paragraph (e)(4) or (5) of this section by the ratio of annual megagrams of bleached and unbleached ODP.

[63 FR 18617, Apr. 15, 1998; 63 FR 42239, Aug. 7, 1998, as amended at 63 FR 49459, Sept. 16, 1998; 64 FR 17563, Apr. 12, 1999; 65 FR 80762, Dec. 22, 2000; 77 FR 55711, Sept. 11, 2012]

### § 63.447 Clean condensate alternative.

As an alternative to the requirements specified in § 63.443(a)(1)(ii) through (a)(1)(v) for the control of HAP emissions from pulping systems using the kraft process, an owner or operator must demonstrate to the satisfaction of the Administrator, by meeting all the requirements below, that the total HAP emissions reductions achieved by this clean condensate alternative technology are equal to or greater than the total HAP emission reductions that would have been achieved by compliance with § 63.443(a)(1)(ii) through (a)(1)(v).

(a) For the purposes of this section only the following additional definitions apply.

(1) *Clean condensate alternative affected source* means the total of all HAP emission points in the pulping, bleaching, causticizing, and papermaking systems (exclusive of HAP emissions attributable to additives to paper machines and HAP emission points in the LVHC system).

(2) *Causticizing system* means all equipment associated with converting sodium carbonate into active sodium hydroxide. The equipment includes smelt dissolving tanks, lime mud washers and storage tanks, white and mud liquor clarifiers and storage tanks, slakers, slaker grit washers, lime kilns, green liquor clarifiers and storage tanks, and dreg washers ending with the white liquor storage tanks prior to the digester system, and any other equipment serving the same function as those previously listed.

(3) *Papermaking system* means all equipment used to convert pulp into paper, paperboard, or market pulp, including the stock storage and preparation systems, the paper or paperboard machines, and the paper machine white water system, broke recovery systems, and the systems involved in calendering, drying, on-machine coating, slitting, winding, and cutting.

(b) Each owner or operator shall install and operate a clean condensate alternative technology with a continuous monitoring system to reduce total HAP emissions by treating and reducing HAP concentrations in the pulping process water used within the clean condensate alternative affected source.

(c) Each owner or operator shall calculate HAP emissions on a kilogram per megagram of ODP basis and measure HAP emissions according to the appropriate procedures contained in §63.457.

(d) Each owner or operator shall determine the baseline HAP emissions for each equipment system and the total of all equipment systems in the clean condensate alternative affected source based on the following:

(1) Process and air pollution control equipment installed and operating on December 17, 1993, and

(2) Compliance with the following requirements that affect the level of HAP emissions from the clean condensate alternative affected source:

(i) The pulping process condensates requirements in §63.446;

(ii) The applicable effluent limitation guidelines and standards in 40 CFR part 430, subparts A, B, D, and E; and

(iii) All other applicable requirements of local, State, or Federal agencies or statutes.

(e) Each owner or operator shall determine the following HAP emission reductions from the baseline HAP emissions determined in paragraph (d) of this section for each equipment system and the total of all equipment systems in the clean condensate alternative affected source:

(1) The HAP emission reduction occurring by complying with the requirements of §63.443(a)(1)(ii) through (a)(1)(v); and

(2) The HAP emissions reduction occurring by complying with the clean condensate alternative technology.

(f) For the purposes of all requirements in this section, each owner or operator may use as an alternative, individual equipment systems (instead of total of all equipment systems) within the clean condensate alternative affected source to determine emissions and reductions to demonstrate equal or greater than the reductions that would have been achieved by compliance with §63.443(a)(1)(ii) through (a)(1)(v).

(g) The initial and updates to the control strategy report specified in §63.455(b) shall include to the extent possible the following information:

(1) A detailed description of:

(i) The equipment systems and emission points that comprise the clean condensate alternative affected source;

(ii) The air pollution control technologies that would be used to meet the requirements of §63.443(a)(1)(ii) through (a)(1)(v); and

(iii) The clean condensate alternative technology to be used.

(2) Estimates and basis for the estimates of total HAP emissions and emission reductions to fulfill the requirements of paragraphs (d), (e), and (f) of this section.

(h) Each owner or operator shall report to the Administrator by the applicable compliance date specified in §63.440(d) or (e) the rationale, calculations, test procedures, and data documentation used to demonstrate compliance with all the requirements of this section.

[63 FR 18617, Apr. 15, 1998; 63 FR 42239, Aug. 7, 1998, as amended at 64 FR 17563, Apr. 12, 1999]

### §§ 63.448–63.449 [Reserved]

### § 63.450 Standards for enclosures and closed-vent systems.

(a) Each enclosure and closed-vent system specified in §§63.443(c), 63.444(b), and 63.445(b) for capturing and transporting vent streams that contain HAP shall meet the requirements specified in paragraphs (b) through (d) of this section.

(b) Each enclosure shall maintain negative pressure at each enclosure or hood opening as demonstrated by the procedures specified in §63.457(e). Each enclosure or hood opening closed during the initial performance test specified in §63.457(a) shall be maintained in the same closed and sealed position as during the performance test at all times except when necessary to use the opening for sampling, inspection, maintenance, or repairs.

(c) Each component of the closed-vent system used to comply with §§63.443(c), 63.444(b), and 63.445(b) that

is operated at positive pressure and located prior to a control device shall be designed for and operated with no detectable leaks as indicated by an instrument reading of less than 500 parts per million by volume above background, as measured by the procedures specified in § 63.457(d).

(d) Each bypass line in the closed-vent system that could divert vent streams containing HAP to the atmosphere without meeting the emission limitations in §§ 63.443, 63.444, or 63.445 shall comply with either of the following requirements:

(1) On each bypass line, the owner or operator shall install, calibrate, maintain, and operate according to the manufacturer's specifications a flow indicator that is capable of taking periodic readings as frequently as specified in § 63.454(e). The flow indicator shall be installed in the bypass line in such a way as to indicate flow in the bypass line; or

(2) For bypass line valves that are not computer controlled, the owner or operator shall maintain the bypass line valve in the closed position with a car seal or a seal placed on the valve or closure mechanism in such a way that valve or closure mechanism cannot be opened without breaking the seal.

[63 FR 18617, Apr. 15, 1998, as amended at 64 FR 17563, Apr. 12, 1999; 68 FR 37348, June 23, 2003]

### §§ 63.451–63.452 [Reserved]

### § 63.453 Monitoring requirements.

(a) Each owner or operator subject to the standards specified in §§ 63.443(c) and (d), 63.444(b) and (c), 63.445(b) and (c), 63.446(c), (d), and (e), 63.447(b) or § 63.450(d), shall install, calibrate, certify, operate, and maintain according to the manufacturer's specifications, a continuous monitoring system (CMS, as defined in § 63.2 of this part) as specified in paragraphs (b) through (m) of this section, except as allowed in paragraph (m) of this section. The CMS shall include a continuous recorder.

(b) A CMS shall be operated to measure the temperature in the firebox or in the ductwork immediately downstream of the firebox and before any substantial heat exchange occurs for each thermal oxidizer used to comply with the requirements of § 63.443(d)(1) through (d)(3). Owners and operators complying with the HAP concentration requirements in § 63.443(d)(2) may install a CMS to monitor the thermal oxidizer outlet total HAP or methanol concentration, as an alternative to monitoring thermal oxidizer operating temperature.

(c) A CMS shall be operated to measure the following parameters for each gas scrubber used to comply with the bleaching system requirements of § 63.445(c) or the sulfite pulping system requirements of § 63.444(c).

(1) The pH or the oxidation/reduction potential of the gas scrubber effluent;

(2) The gas scrubber vent gas inlet flow rate; and

(3) The gas scrubber liquid influent flow rate.

(d) As an option to the requirements specified in paragraph (c) of this section, a CMS shall be operated to measure the chlorine outlet concentration of each gas scrubber used to comply with the bleaching system outlet concentration requirement specified in § 63.445(c)(2).

(e) The owner or operator of a bleaching system complying with 40 CFR 430.24, shall monitor the chlorine and hypochlorite application rates, in kg of bleaching agent per megagram of ODP, of the bleaching system during the extended compliance period specified in § 63.440(d)(3).

(f) A CMS shall be operated to measure the gas scrubber parameters specified in paragraphs (c)(1) through (c)(3) of this section or those site specific parameters determined according to the procedures specified in paragraph (n) of this section to comply with the sulfite pulping system requirements specified in § 63.444(c).

(g) A CMS shall be operated to measure the following parameters for each steam stripper used to comply with the treatment requirements in § 63.446(e)(3), (4), or (5):

(1) The process wastewater feed rate;

(2) The steam feed rate; and

(3) The process wastewater column feed temperature.

(h) As an option to the requirements specified in paragraph (g) of this section, a CMS shall be operated to measure the methanol outlet concentration

to comply with the steam stripper outlet concentration requirement specified in § 63.446 (e)(4) or (e)(5).

(i) A CMS shall be operated to measure the appropriate parameters determined according to the procedures specified in paragraph (n) of this section to comply with the condensate applicability requirements specified in § 63.446(c).

(j) Each owner or operator using an open biological treatment system to comply with § 63.446(e)(2) shall perform the daily monitoring procedures specified in either paragraph (j)(1) or (2) of this section and shall conduct a performance test each quarter using the procedures specified in paragraph (j)(3) of this section.

(1) Comply with the monitoring and sampling requirements specified in paragraphs (j)(1)(i) and (ii) of this section.

(i) On a daily basis, monitor the following parameters for each open biological treatment unit:

(A) Composite daily sample of outlet soluble $BOD_5$ concentration to monitor for maximum daily and maximum monthly average;

(B) Mixed liquor volatile suspended solids;

(C) Horsepower of aerator unit(s);

(D) Inlet liquid flow; and

(E) Liquid temperature.

(ii) If the Inlet and Outlet Concentration Measurement Procedure (Procedure 3) in appendix C of this part is used to determine the fraction of HAP compounds degraded in the biological treatment system as specified in § 63.457(l), conduct the sampling and archival requirements specified in paragraphs (j)(1)(ii)(A) and (B) of this section.

(A) Obtain daily inlet and outlet liquid grab samples from each biological treatment unit to have HAP data available to perform quarterly performance tests specified in paragraph (j)(3) of this section and the compliance tests specified in paragraph (p) of this section.

(B) Store the samples as specified in § 63.457(n) until after the results of the soluble $BOD_5$ test required in paragraph (j)(1)(i)(A) of this section are obtained. The storage requirement is needed since the soluble $BOD_5$ test requires 5 days or more to obtain results. If the results of the soluble $BOD_5$ test are outside of the range established during the initial performance test, then the archive sample shall be used to perform the mass removal or percent reduction determinations.

(2) As an alternative to the monitoring requirements of paragraph (j)(1) of this section, conduct daily monitoring of the site-specific parameters established according to the procedures specified in paragraph (n) of this section.

(3) Conduct a performance test as specified in § 63.457(l) within 45 days after the beginning of each quarter and meet the applicable emission limit in § 63.446(e)(2).

(i) The performance test conducted in the first quarter (annually) shall be performed for total HAP as specified in § 63.457(g) and meet the percent reduction or mass removal emission limit specified in § 63.446(e)(2).

(ii) The remaining quarterly performance tests shall be performed as specified in paragraph (j)(3)(i) of this section except owners or operators may use the applicable methanol procedure in § 63.457(l)(1) or (2) and the value of r determined during the first quarter test instead of measuring the additional HAP to determine a new value of r.

(k) Each enclosure and closed-vent system used to comply with § 63.450(a) shall comply with the requirements specified in paragraphs (k)(1) through (k)(6) of this section.

(1) For each enclosure opening, a visual inspection of the closure mechanism specified in § 63.450(b) shall be performed at least once every 30 days to ensure the opening is maintained in the closed position and sealed.

(2) Each closed-vent system required by § 63.450(a) shall be visually inspected every 30 days and at other times as requested by the Administrator. The visual inspection shall include inspection of ductwork, piping, enclosures, and connections to covers for visible evidence of defects.

(3) For positive pressure closed-vent systems or portions of closed-vent systems, demonstrate no detectable leaks as specified in § 63.450(c) measured initially and annually by the procedures in § 63.457(d).

(4) Demonstrate initially and annually that each enclosure opening is maintained at negative pressure as specified in § 63.457(e).

(5) The valve or closure mechanism specified in § 63.450(d)(2) shall be inspected at least once every 30 days to ensure that the valve is maintained in the closed position and the emission point gas stream is not diverted through the bypass line.

(6) If an inspection required by paragraphs (k)(1) through (k)(5) of this section identifies visible defects in ductwork, piping, enclosures or connections to covers required by § 63.450, or if an instrument reading of 500 parts per million by volume or greater above background is measured, or if enclosure openings are not maintained at negative pressure, then the following corrective actions shall be taken as soon as practicable.

(i) A first effort to repair or correct the closed-vent system shall be made as soon as practicable but no later than 5 calendar days after the problem is identified.

(ii) The repair or corrective action shall be completed no later than 15 calendar days after the problem is identified. Delay of repair or corrective action is allowed if the repair or corrective action is technically infeasible without a process unit shutdown or if the owner or operator determines that the emissions resulting from immediate repair would be greater than the emissions likely to result from delay of repair. Repair of such equipment shall be completed by the end of the next process unit shutdown.

(l) Each pulping process condensate closed collection system used to comply with § 63.446(d) shall comply with the requirements specified in paragraphs (l)(1) through (l)(3) of this section.

(1) Each pulping process condensate closed collection system shall be visually inspected every 30 days and shall comply with the inspection and monitoring requirements specified in § 63.964 of subpart RR of this part, except:

(i) Owners or operators shall comply with the recordkeeping requirements of § 63.454 instead of the requirements specified in § 63.964(a)(1)(vi) and (b)(3) of subpart RR of this part.

(ii) Owners or operators shall comply with the inspection and monitoring requirements for closed-vent systems and control devices specified in paragraphs (a) and (k) of this section instead of the requirements specified in § 63.964(a)(2) of subpart RR of this part.

(2) Each condensate tank used in the closed collection system shall be operated with no detectable leaks as specified in § 63.446(d)(2)(i) measured initially and annually by the procedures specified in § 63.457(d).

(3) If an inspection required by this section identifies visible defects in the closed collection system, or if an instrument reading of 500 parts per million or greater above background is measured, then corrective actions specified in § 63.964(b) of subpart RR of this part shall be taken.

(m) Each owner or operator using a control device, technique or an alternative parameter other than those specified in paragraphs (b) through (l) of this section shall install a CMS and establish appropriate operating parameters to be monitored that demonstrate, to the Administrator's satisfaction, continuous compliance with the applicable control requirements.

(n) To establish or reestablish the value for each operating parameter required to be monitored under paragraphs (b) through (j), (l), and (m) of this section or to establish appropriate parameters for paragraphs (f), (i), (j)(2), and (m) of this section, each owner or operator shall use the following procedures:

(1) During the initial performance test required in § 63.457(a) or any subsequent performance test, continuously record the operating parameter;

(2) Determinations shall be based on the control performance and parameter data monitored during the performance test, supplemented if necessary by engineering assessments and the manufacturer's recommendations;

(3) The owner or operator shall provide for the Administrator's approval the rationale for selecting the monitoring parameters necessary to comply with paragraphs (f), (i), and (m) of this section; and

(4) Provide for the Administrator's approval the rationale for the selected

operating parameter value, and monitoring frequency, and averaging time. Include all data and calculations used to develop the value and a description of why the value, monitoring frequency, and averaging time demonstrate continuous compliance with the applicable emission standard.

(o) Each owner or operator of a control device subject to the monitoring provisions of this section shall operate the control device in a manner consistent with the minimum or maximum (as appropriate) operating parameter value or procedure required to be monitored under paragraphs (a) through (n) of this section and established under this subpart. Except as provided in paragraph (p) of this section, §63.443(e), or §63.446(g), operation of the control device below minimum operating parameter values or above maximum operating parameter values established under this subpart or failure to perform procedures required by this subpart shall constitute a violation of the applicable emission standard of this subpart and be reported as a period of excess emissions.

(p) The procedures of this paragraph apply to each owner or operator of an open biological treatment system complying with paragraph (j) of this section whenever a monitoring parameter excursion occurs, and the owner or operator chooses to conduct a performance test to demonstrate compliance with the applicable emission limit. A monitoring parameter excursion occurs whenever the monitoring parameters specified in paragraphs (j)(1)(i)(A) through (C) of this section or any of the monitoring parameters specified in paragraph (j)(2) of this section are below minimum operating parameter values or above maximum operating parameter values established in paragraph (n) of this section.

(1) As soon as practical after the beginning of the monitoring parameter excursion, the following requirements shall be met:

(i) Before the steps in paragraph (p)(1)(ii) or (iii) of this section are performed, all sampling and measurements necessary to meet the requirements in paragraph (p)(2) of this section shall be conducted.

(ii) Steps shall be taken to repair or adjust the operation of the process to end the parameter excursion period.

(iii) Steps shall be taken to minimize total HAP emissions to the atmosphere during the parameter excursion period.

(2) A parameter excursion is not a violation of the applicable emission standard if the results of the performance test conducted using the procedures in this paragraph demonstrate compliance with the applicable emission limit in §63.446(e)(2).

(i) Conduct a performance test as specified in §63.457 using the monitoring data specified in paragraph (j)(1) or (2) of this section that coincides with the time of the parameter excursion. No maintenance or changes shall be made to the open biological treatment system after the beginning of a parameter excursion that would influence the results of the performance test.

(ii) If the results of the performance test specified in paragraph (p)(2)(i) of this section demonstrate compliance with the applicable emission limit in §63.446(e)(2), then the parameter excursion is not a violation of the applicable emission limit.

(iii) If the results of the performance test specified in paragraph (p)(2)(i) of this section do not demonstrate compliance with the applicable emission limit in §63.446(e)(2) because the total HAP mass entering the open biological treatment system is below the level needed to demonstrate compliance with the applicable emission limit in §63.446(e)(2), then the owner or operator shall perform the following comparisons:

(A) If the value of $f_{bio}$ (MeOH) determined during the performance test specified in paragraph (p)(2)(i) of this section is within the range of values established during the initial and subsequent performance tests approved by the Administrator, then the parameter excursion is not a violation of the applicable standard.

(B) If the value of $f_{bio}$ (MeOH) determined during the performance test specified in paragraph (p)(2)(i) of this section is not within the range of values established during the initial and subsequent performance tests approved

by the Administrator, then the parameter excursion is a violation of the applicable standard.

(iv) The results of the performance test specified in paragraph (p)(2)(i) of this section shall be recorded as specified in § 63.454(f).

(3) If an owner or operator determines that performing the required procedures under paragraph (p)(2) of this section for a nonthoroughly mixed open biological system would expose a worker to dangerous, hazardous, or otherwise unsafe conditions, all of the following procedures shall be performed:

(i) Calculate the mass removal or percent reduction value using the procedures specified in § 63.457(l) except the value for $f_{bio}$ (MeOH) shall be determined using the procedures in appendix E to this part.

(ii) Repeat the procedures in paragraph (p)(3)(i) of this section for every day until the unsafe conditions have passed.

(iii) A parameter excursion is a violation of the standard if the percent reduction or mass removal determined in paragraph (p)(3)(i) of this section is less than the percent reduction or mass removal standards specified in § 63.446(e)(2), as appropriate, unless the value of $f_{bio}$ (MeOH) determined using the procedures in appendix E of this section, as specified in paragraph (p)(3)(i), is within the range of $f_{bio}$ (MeOH) values established during the initial and subsequent performance tests previously approved by the Administrator.

(iv) The determination that there is a condition that exposes a worker to dangerous, hazardous, or otherwise unsafe conditions shall be documented according to requirements in § 63.454(e) and reporting in § 63.455(f).

(v) The requirements of paragraphs (p)(1) and (2) of this section shall be performed and met as soon as practical but no later than 24 hours after the conditions have passed that exposed a worker to dangerous, hazardous, or otherwise unsafe conditions.

(q) At all times, the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. 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.

[63 FR 18617, Apr. 15, 1998, as amended at 64 FR 17563, Apr. 12, 1999; 65 FR 80762, Dec. 22, 2000; 77 FR 55711, Sept. 11, 2012]

### § 63.454 Recordkeeping requirements.

(a) The owner or operator of each affected source subject to the requirements of this subpart shall comply with the recordkeeping requirements of § 63.10, as shown in Table 1 of this subpart, and the requirements specified in paragraphs (b) through (g) of this section for the monitoring parameters specified in § 63.453.

(b) For each applicable enclosure opening, closed-vent system, and closed collection system, the owner or operator shall prepare and maintain a site-specific inspection plan including a drawing or schematic of the components of applicable affected equipment and shall record the following information for each inspection:

(1) Date of inspection;

(2) The equipment type and identification;

(3) Results of negative pressure tests for enclosures;

(4) Results of leak detection tests;

(5) The nature of the defect or leak and the method of detection (i.e., visual inspection or instrument detection);

(6) The date the defect or leak was detected and the date of each attempt to repair the defect or leak;

(7) Repair methods applied in each attempt to repair the defect or leak;

(8) The reason for the delay if the defect or leak is not repaired within 15 days after discovery;

(9) The expected date of successful repair of the defect or leak if the repair is not completed within 15 days;

(10) The date of successful repair of the defect or leak;

(11) The position and duration of opening of bypass line valves and the condition of any valve seals; and

(12) The duration of the use of bypass valves on computer controlled valves.

(c) The owner or operator of a bleaching system complying with §63.440(d)(3)(ii)(B) shall record the daily average chlorine and hypochlorite application rates, in kg of bleaching agent per megagram of ODP, of the bleaching system until the requirements specified in §63.440(d)(3)(ii)(A) are met.

(d) The owner or operator shall record the CMS parameters specified in §63.453 and meet the requirements specified in paragraph (a) of this section for any new affected process equipment or pulping process condensate stream that becomes subject to the standards in this subpart due to a process change or modification.

(e) The owner or operator shall set the flow indicator on each bypass line specified in §63.450(d)(1) to provide a record of the presence of gas stream flow in the bypass line at least once every 15 minutes.

(f) The owner or operator of an open biological treatment system complying with §63.453(p) shall prepare a written record specifying the results of the performance test specified in §63.453(p)(2).

(g) *Recordkeeping of malfunctions.* The owner or operator must maintain the following records of malfunctions:

(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 §63.453(q), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

[63 FR 18617, Apr. 15, 1998, as amended at 65 FR 80763, Dec. 22, 2000; 68 FR 37348, June 23, 2003; 77 FR 55711, Sept. 11, 2012]

### §63.455 Reporting requirements.

(a) Each owner or operator of a source subject to this subpart shall comply with the reporting requirements of subpart A of this part as specified in table 1 and all the following requirements in this section. The initial notification report specified under §63.9(b)(2) of subpart A of this part shall be submitted by April 15, 1999.

(b) Each owner or operator of a kraft pulping system specified in §63.440(d)(1) or a bleaching system specified in §63.440(d)(3)(ii) shall submit, with the initial notification report specified under §63.9(b)(2) of subpart A of this part and paragraph (a) of this section and update every two years thereafter, a non-binding control strategy report containing, at a minimum, the information specified in paragraphs (b)(1) through (b)(3) of this section in addition to the information required in §63.9(b)(2) of subpart A of this part.

(1) A description of the emission controls or process modifications selected for compliance with the control requirements in this standard.

(2) A compliance schedule, including the dates by which each step toward compliance will be reached for each emission point or sets of emission points. At a minimum, the list of dates shall include:

(i) The date by which the major study(s) for determining the compliance strategy will be completed;

(ii) The date by which contracts for emission controls or process modifications will be awarded, or the date by which orders will be issued for the purchase of major components to accomplish emission controls or process changes;

(iii) The date by which on-site construction, installation of emission control equipment, or a process change is to be initiated;

(iv) The date by which on-site construction, installation of emissions control equipment, or a process change is to be completed;

(v) The date by which final compliance is to be achieved;

(vi) For compliance with paragraph §63.440(d)(3)(ii), the tentative dates by which compliance with effluent limitation guidelines and standards intermediate pollutant load effluent reductions and as available, all the dates for the best available technology's milestones reported in the National Pollutant Discharge Elimination System authorized under section 402 of the Clean

Water Act and for the best professional milestones in the Voluntary Advanced Technology Incentives Program under 40 CFR 430.24 (b)(2); and

(vii) The date by which the final compliance tests will be performed.

(3) Until compliance is achieved, revisions or updates shall be made to the control strategy report required by paragraph (b) of this section indicating the progress made towards completing the installation of the emission controls or process modifications during the 2-year period.

(c) The owner or operator of each bleaching system complying with § 63.440(d)(3)(ii)(B) shall certify in the report specified under § 63.10(e)(3) of subpart A of this part that the daily application rates of chlorine and hypochlorite for that bleaching system have not increased as specified in § 63.440(d)(3)(ii)(B) until the requirements of § 63.440(d)(3)(ii)(A) are met.

(d) The owner or operator shall meet the requirements specified in paragraph (a) of this section upon startup of any new affected process equipment or pulping process condensate stream that becomes subject to the standards of this subpart due to a process change or modification.

(e) If the owner or operator uses the results of the performance test required in § 63.453(p)(2) to revise the approved values or ranges of the monitoring parameters specified in § 63.453(j)(1) or (2), the owner or operator shall submit an initial notification of the subsequent performance test to the Administrator as soon as practicable, but no later than 15 days, before the performance test required in § 63.453(p)(2) is scheduled to be conducted. The owner or operator shall notify the Administrator as soon as practicable, but no later than 24 hours, before the performance test is scheduled to be conducted to confirm the exact date and time of the performance test.

(f) To comply with the open biological treatment system monitoring provisions of § 63.453(p)(3), the owner or operator shall notify the Administrator as soon as practicable of the onset of the dangerous, hazardous, or otherwise unsafe conditions that did not allow a compliance determination to be conducted using the sampling and test procedures in § 63.457(l). The notification shall occur no later than 24 hours after the onset of the dangerous, hazardous, or otherwise unsafe conditions and shall include the specific reason(s) that the sampling and test procedures in § 63.457(l) could not be performed.

(g) *Malfunction reporting requirements.* If a malfunction occurred during the reporting period, the 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 § 63.453(q), including actions taken to correct a malfunction.

(h) The owner or operator must submit performance test reports as specified in paragraphs (h)(1) through (4) of this section.

(1) The owner or operator of an affected source shall report the results of the performance test before the close of business on the 60th day following the completion of the performance test, unless approved otherwise in writing by the Administrator. A performance test is ''completed'' when field sample collection is terminated. Unless otherwise approved by the Administrator in writing, results of a performance test shall include the analysis of samples, determination of emissions and raw data. A complete test report must include the purpose of the test; a brief process description; a complete unit description, including a description of feed streams and control devices; sampling site description; pollutants measured; description of sampling and analysis procedures and any modifications to standard procedures; quality assurance procedures; record of operating conditions, including operating parameters for which limits are being set, during the test; record of preparation of standards; record of calibrations; raw data sheets for field sampling; raw data sheets for field and laboratory analyses; chain-of-custody documentation; explanation of laboratory data qualifiers; example calculations of all applicable stack gas parameters,

emission rates, percent reduction rates, and analytical results, as applicable; and any other information required by the test method and the Administrator.

(2) Within 60 days after the date of completing each performance test (defined in § 63.2) as required by this subpart, the owner or operator must submit the results of the performance tests, including any associated fuel analyses, required by this subpart to the EPA's WebFIRE database by using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through the EPA's Central Data Exchange (CDX) (*http://www.epa.gov/cdx*). Performance test data must be submitted in the file format generated through use of the EPA's Electronic Reporting Tool (ERT) (see *http://www.epa.gov/ttn/chief/ert/index.html*). Only data collected using test methods on the ERT Web site are subject to this requirement for submitting reports electronically to WebFIRE. Owners or operators who claim that some of the information being submitted for performance tests is confidential business information (CBI) must submit a complete ERT file including information claimed to be CBI on a compact disk, flash drive or other commonly used electronic storage media to the EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAPQS/CORE CBI Office, Attention: WebFIRE Administrator, MD C404–02, 4930 Old Page Rd., Durham, NC 27703. The same ERT file with the CBI omitted must be submitted to the EPA via CDX as described earlier in this paragraph. At the discretion of the delegated authority, the owner or operator must also submit these reports, including the CBI, to the delegated authority in the format specified by the delegated authority. For any performance test conducted using test methods that are not listed on the ERT Web site, the owner or operator must submit the results of the performance test to the Administrator at the appropriate address listed in § 63.13.

(3) Within 60 days after the date of completing each CEMS performance evaluation test as defined in § 63.2, the owner or operator must submit relative accuracy test audit (RATA) data to the EPA's CDX by using CEDRI in accordance with paragraph (2) of this section. Only RATA pollutants that can be documented with the ERT (as listed on the ERT Web site) are subject to this requirement. For any performance evaluations with no corresponding RATA pollutants listed on the ERT Web site, the owner or operator must submit the results of the performance evaluation to the Administrator at the appropriate address listed in § 63.13.

(4) All reports required by this subpart not subject to the requirements in paragraphs (h)(2) and (3) of this section must be sent to the Administrator at the appropriate address listed in § 63.13. The Administrator or the delegated authority may request a report in any form suitable for the specific case (e.g., by commonly used electronic media such as Excel spreadsheet, on CD or hard copy). The Administrator retains the right to require submittal of reports subject to paragraphs (h)(2) and (3) of this section in paper format

[63 FR 18617, Apr. 15, 1998, as amended at 65 FR 80763, Dec. 22, 2000; 77 FR 55711, Sept. 11, 2012]

### § 63.456 Affirmative defense for violation of emission standards during malfunction.

In response to an action to enforce the standards set forth in §§ 63.443(c) and (d), 63.444(b) and (c), 63.445(b) and (c), 63.446(c), (d), and (e), 63.447(b) or § 63.450(d), the owner or operator may assert an affirmative defense to a claim for civil penalties for violations of such standards that are caused by malfunction, as defined at 40 CFR 63.2. Appropriate penalties may be assessed, however, if the owner or operator fails to meet the burden of proving all of the requirements in the affirmative defense. The affirmative defense shall not be available for claims for injunctive relief.

(a) To establish the affirmative defense in any action to enforce such a standard, the owner or operator must timely meet the reporting requirements in paragraph (b) of this section, and must prove by a preponderance of evidence that:

(1) The violation:

(i) Was caused by a sudden, infrequent, and unavoidable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner, and

(ii) Could not have been prevented through careful planning, proper design or better operation and maintenance practices; and

(iii) Did not stem from any activity or event that could have been foreseen and avoided, or planned for; and

(iv) Was not part of a recurring pattern indicative of inadequate design, operation, or maintenance; and

(2) Repairs were made as expeditiously as possible when a violation occurred. Off-shift and overtime labor were used, to the extent practicable to make these repairs; and

(3) The frequency, amount and duration of the violation (including any bypass) were minimized to the maximum extent practicable; and

(4) If the violation resulted from a bypass of control equipment or a process, then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and

(5) All possible steps were taken to minimize the impact of the violation on ambient air quality, the environment and human health; and

(6) All emissions monitoring and control systems were kept in operation if at all possible, consistent with safety and good air pollution control practices; and

(7) All of the actions in response to the violation were documented by properly signed, contemporaneous operating logs; and

(8) At all times, the affected source was operated in a manner consistent with good practices for minimizing emissions; and

(9) A written root cause analysis has been prepared, the purpose of which is to determine, correct, and eliminate the primary causes of the malfunction and the violation resulting from the malfunction event at issue. The analysis shall also specify, using best monitoring methods and engineering judgment, the amount of any emissions that were the result of the malfunction.

(b) *Report.* The owner or operator seeking to assert an affirmative defense shall submit a written report to the Administrator with all necessary supporting documentation, that it has met the requirements set forth in paragraph (a) of this section. This affirmative defense report shall be included in the first periodic compliance, deviation report or excess emission report otherwise required after the initial occurrence of the violation of the relevant standard (which may be the end of any applicable averaging period). If such compliance, deviation report or excess emission report is due less than 45 days after the initial occurrence of the violation, the affirmative defense report may be included in the second compliance, deviation report or excess emission report due after the initial occurrence of the violation of the relevant standard.

[77 FR 55712, Sept. 11, 2012]

### § 63.457 Test methods and procedures.

(a) *Performance tests.* Initial and repeat performance tests are required for the emissions sources specified in paragraphs (a)(1) and (2) of this section, except for emission sources controlled by a combustion device that is designed and operated as specified in § 63.443(d)(3) or (4).

(1) Conduct an initial performance test for all emission sources subject to the limitations in §§ 63.443, 63.444, 63.445, 63.446, and 63.447.

(2) Conduct repeat performance tests at five-year intervals for all emission sources subject to the limitations in §§ 63.443, 63.444, and 63.445. The first of the 5-year repeat tests must be conducted by September 7, 2015, and thereafter within 60 months from the date of the previous performance test. Five-year repeat testing is not required for the following:

(i) Knotter or screen systems with HAP emission rates below the criteria specified in § 63.443(a)(1)(ii).

(ii) Decker systems using fresh water or paper machine white water, or decker systems using process water with a total HAP concentration less than 400 parts per million by weight as specified in § 63.443(a)(1)(iv).

(b) *Vent sampling port locations and gas stream properties.* For purposes of selecting vent sampling port locations

and determining vent gas stream properties, required in §§ 63.443, 63.444, 63.445, and 63.447, each owner or operator shall comply with the applicable procedures in paragraphs (b)(1) through (b)(6) of this section.

(1) Method 1 or 1A of part 60, appendix A–1, as appropriate, shall be used for selection of the sampling site as follows:

(i) To sample for vent gas concentrations and volumetric flow rates, the sampling site shall be located prior to dilution of the vent gas stream and prior to release to the atmosphere;

(ii) For determining compliance with percent reduction requirements, sampling sites shall be located prior to the inlet of the control device and at the outlet of the control device; measurements shall be performed simultaneously at the two sampling sites; and

(iii) For determining compliance with concentration limits or mass emission rate limits, the sampling site shall be located at the outlet of the control device.

(2) No traverse site selection method is needed for vents smaller than 0.10 meter (4.0 inches) in diameter.

(3) The vent gas volumetric flow rate shall be determined using Method 2, 2A, 2C, or 2D of part 60, appendix A–1, as appropriate.

(4) The moisture content of the vent gas shall be measured using Method 4 of part 60, appendix A–3.

(5) To determine vent gas concentrations, the owner or operator shall conduct a minimum of three test runs that are representative of normal conditions and average the resulting pollutant concentrations using the following procedures.

(i) Method 308 in Appendix A of this part; Method 320 in Appendix A of this part; Method 18 in appendix A–6 of part 60; ASTM D6420–99 (Reapproved 2004) (incorporated by reference in § 63.14(b)(28) of subpart A of this part); or ASTM D6348–03 (incorporated by reference in § 63.14(b)(54) of subpart A of this part) shall be used to determine the methanol concentration. If ASTM D6348–03 is used, the conditions specified in paragraphs (b)(5)(i)(A) though (b)(5)(i)(B) must be met.

(A) The test plan preparation and implementation in the Annexes to ASTM D6348–03, sections A1 through A8 are required.

(B) In ASTM D6348–03 Annex A5 (Analyte Spiking Technique), the percent (%) R must be determined for each target analyte (Equation A5.5 of ASTM D6348–03). In order for the test data to be acceptable for a compound, %R must be between 70 and 130 percent. If the %R value does not meet this criterion for a target compound, the test data is not acceptable for that compound and the test must be repeated for that analyte following adjustment of the sampling or analytical procedure before the retest. The %R value for each compound must be reported in the test report, and all field measurements must be corrected with the calculated %R value for that compound using the following equation: Reported Result = Measured Concentration in the Stack × 100)/%R.

(ii) Except for the modifications specified in paragraphs (b)(5)(ii)(A) through (b)(5)(ii)(K) of this section, Method 26A of part 60, appendix A–8 shall be used to determine chlorine concentration in the vent stream.

(A) *Probe/sampling line.* A separate probe is not required. The sampling line shall be an appropriate length of 0.64 cm (0.25 in) OD Teflon® tubing. The sample inlet end of the sampling line shall be inserted into the stack in such a way as to not entrain liquid condensation from the vent gases. The other end shall be connected to the impingers. The length of the tubing may vary from one sampling site to another, but shall be as short as possible in each situation. If sampling is conducted in sunlight, opaque tubing shall be used. Alternatively, if transparent tubing is used, it shall be covered with opaque tape.

(B) *Impinger train.* Three 30 milliliter (ml) capacity midget impingers shall be connected in series to the sampling line. The impingers shall have regular tapered stems. Silica gel shall be placed in the third impinger as a desiccant. All impinger train connectors shall be glass and/or Teflon®.

(C) *Critical orifice.* The critical orifice shall have a flow rate of 200 to 250 ml/min and shall be followed by a vacuum pump capable of providing a vacuum of 640 millimeters of mercury (mm Hg). A

45 millimeter diameter in-line Teflon 0.8 micrometer filter shall follow the impingers to protect the critical orifice and vacuum pump.

(D) The following are necessary for the analysis apparatus:

(*1*) Wash bottle filled with deionized water;

(*2*) 25 or 50 ml graduated burette and stand;

(*3*) Magnetic stirring apparatus and stir bar;

(*4*) Calibrated pH Meter;

(*5*) 150–250 ml beaker or flask; and

(*6*) A 5 ml pipette.

(E) The procedures listed in paragraphs (b)(5)(ii)(E)(*1*) through (b)(5)(ii)(E)(*7*) of this section shall be used to prepare the reagents.

(*1*) To prepare the 1 molarity (M) potassium dihydrogen phosphate solution, dissolve 13.61 grams (g) of potassium dihydrogen phosphate in water and dilute to 100 ml.

(*2*) To prepare the 1 M sodium hydroxide solution (NaOH), dissolve 4.0 g of sodium hydroxide in water and dilute to 100 ml.

(*3*) To prepare the buffered 2 percent potassium iodide solution, dissolve 20 g of potassium iodide in 900 ml water. Add 50 ml of the 1 M potassium dihydrogen phosphate solution and 30 ml of the 1 M sodium hydroxide solution. While stirring solution, measure the pH of solution electrometrically and add the 1 M sodium hydroxide solution to bring pH to between 6.95 and 7.05.

(*4*) To prepare the 0.1 normality (N) sodium thiosulfate solution, dissolve 25 g of sodium thiosulfate, pentahydrate, in 800 ml of freshly boiled and cooled distilled water in a 1-liter volumetric flask. Dilute to volume. To prepare the 0.01 N sodium thiosulfate solution, add 10.0 ml standardized 0.1 N sodium thiosulfate solution to a 100 ml volumetric flask, and dilute to volume with water.

(*5*) To standardize the 0.1 N sodium thiosulfate solution, dissolve 3.249 g of anhydrous potassium bi-iodate, primary standard quality, or 3.567 g potassium iodate dried at 103 =/−2 degrees Centigrade for 1 hour, in distilled water and dilute to 1000 ml to yield a 0.1000 N solution. Store in a glass-stoppered bottle. To 80 ml distilled water, add, with constant stirring, 1 ml concentrated sulfuric acid, 10.00 ml 0.1000 N anhydrous potassium bi-iodate, and 1 g potassium iodide. Titrate immediately with 0.1 n sodium thiosulfate titrant until the yellow color of the liberated iodine is almost discharged. Add 1 ml starch indicator solution and continue titrating until the blue color disappears. The normality of the sodium thiosulfate solution is inversely proportional to the ml of sodium thiosulfate solution consumed:

$$\text{Normality of SodiumThiosulfate} = \frac{1}{\text{ml Sodium Thiosulfate Consumed}}$$

(*6*) To prepare the starch indicator solution, add a small amount of cold water to 5 g starch and grind in a mortar to obtain a thin paste. Pour paste into 1 L of boiling distilled water, stir, and let settle overnight. Use clear supernate for starch indicator solution.

(*7*) To prepare the 10 percent sulfuric acid solution, add 10 ml of concentrated sulfuric acid to 80 ml water in a 100 ml volumetric flask. Dilute to volume.

(F) The procedures specified in paragraphs (b)(5)(ii)(F)(*1*) through (b)(5)(ii)(F)(*5*) of this section shall be used to perform the sampling.

(*1*) *Preparation of collection train.* Measure 20 ml buffered potassium iodide solution into each of the first two impingers and connect probe, impingers, filter, critical orifice, and pump. The sampling line and the impingers shall be shielded from sunlight.

(*2*) *Leak and flow check procedure.* Plug sampling line inlet tip and turn on pump. If a flow of bubbles is visible in either of the liquid impingers, tighten fittings and adjust connections and impingers. A leakage rate not in excess of 2 percent of the sampling rate is acceptable. Carefully remove the plug

from the end of the probe. Check the flow rate at the probe inlet with a bubble tube flow meter. The flow should be comparable or slightly less than the flow rate of the critical orifice with the impingers off-line. Record the flow and turn off the pump.

(*3*) *Sample collection.* Insert the sampling line into the stack and secure it with the tip slightly lower than the port height. Start the pump, recording the time. End the sampling after 60 minutes, or after yellow color is observed in the second in-line impinger. Record time and remove the tubing from the vent. Recheck flow rate at sampling line inlet and turn off pump. If the flow rate has changed significantly, redo sampling with fresh capture solution. A slight variation (less than 5 percent) in flow may be averaged. With the inlet end of the line elevated above the impingers, add about 5 ml water into the inlet tip to rinse the line into the first impinger.

(*4*) *Sample analysis.* Fill the burette with 0.01 N sodium thiosulfate solution to the zero mark. Combine the contents of the impingers in the beaker or flask. Stir the solution and titrate with thiosulfate until the solution is colorless. Record the volume of the first endpoint (TN, ml). Add 5 ml of the 10 percent sulfuric acid solution, and continue the titration until the contents of the flask are again colorless. Record the total volume of titrant required to go through the first and to the second endpoint (TA, ml). If the volume of neutral titer is less than 0.5 ml, repeat the testing for a longer period of time. It is important that sufficient lighting be present to clearly see the endpoints, which are determined when the solution turns from pale yellow to colorless. A lighted stirring plate and a white background are useful for this purpose.

(*5*) *Interferences.* Known interfering agents of this method are sulfur dioxide and hydrogen peroxide. Sulfur dioxide, which is used to reduce oxidant residuals in some bleaching systems, reduces formed iodine to iodide in the capture solution. It is therefore a negative interference for chlorine, and in some cases could result in erroneous negative chlorine concentrations. Any agent capable of reducing iodine to iodide could interfere in this manner. A chromium trioxide impregnated filter will capture sulfur dioxide and pass chlorine and chlorine dioxide. Hydrogen peroxide, which is commonly used as a bleaching agent in modern bleaching systems, reacts with iodide to form iodine and thus can cause a positive interference in the chlorine measurement. Due to the chemistry involved, the precision of the chlorine analysis will decrease as the ratio of chlorine dioxide to chlorine increases. Slightly negative calculated concentrations of chlorine may occur when sampling a vent gas with high concentrations of chlorine dioxide and very low concentrations of chlorine.

(G) The following calculation shall be performed to determine the corrected sampling flow rate:

$$S_C = S_U\left(\frac{BP - PW}{760}\right)\left(\frac{293}{273 + t}\right)$$

Where:

$S_C$=Corrected (dry standard) sampling flow rate, liters per minute;
$S_U$=Uncorrected sampling flow rate, L/min;
BP=Barometric pressure at time of sampling;
PW=Saturated partial pressure of water vapor, mm Hg at temperature; and
t=Ambient temperature, °C.

(H) The following calculation shall be performed to determine the moles of chlorine in the sample:

$$Cl_2 Moles = 1/8000\left(5\,T_N - T_A\right) \times N_{Thio}$$

Where:

$T_N$=Volume neutral titer, ml;
$T_A$=Volume acid titer (total), ml; and
$N_{Thio}$=Normality of sodium thiosulfate titrant.

(I) The following calculation shall be performed to determine the concentration of chlorine in the sample:

$$Cl_2 ppmv = \frac{3005\left(5\,T_N - T_A\right) \times N_{Thio}}{S_C \times t_S}$$

Where:

$S_C$=Corrected (dry standard) sampling flow rate, liters per minute;
$t_S$=Time sampled, minutes;
$T_N$=Volume neutral titer, ml;
$T_A$=Volume acid titer (total), ml; and

$N_{Thio}$=Normality of sodium thiosulfate titrant.

(J) The following calculation shall be performed to determine the moles of chlorine dioxide in the sample:

$$ClO_2 \text{ Moles} = 1/4000\left(T_A - T_N\right) \times N_{Thio}$$

Where:

$T_A$=Volume acid titer (total), ml;
$T_N$=Volume neutral titer, ml; and
$N_{Thio}$=Normality of sodium thiosulfate titrant.

(K) The following calculation shall be performed to determine the concentration of chlorine dioxide in the sample:

$$ClO_2 \text{ ppmv} = \frac{6010\left(T_A - T_N\right) \times N_{Thio}}{S_C \times t_S}$$

Where:

$S_C$=Corrected (dry standard) sampling flow rate, liters per minute;
$t_S$=Time sampled, minutes;
$T_A$=Volume acid titer (total), ml;
$T_N$=Volume neutral titer, ml; and
$N_{Thio}$=Normality of sodium thiosulfate titrant.

(iii) Any other method that measures the total HAP or methanol concentration that has been demonstrated to the Administrator's satisfaction.

(6) The minimum sampling time for each of the three test runs shall be 1 hour in which either an integrated sample or four grab samples shall be taken. If grab sampling is used, then the samples shall be taken at approximately equal intervals in time, such as 15 minute intervals during the test run.

(c) *Liquid sampling locations and properties.* For purposes of selecting liquid sampling locations and for determining properties of liquid streams such as wastewaters, process waters, and condensates required in §§ 63.444, 63.446, and 63.447, the owner or operator shall comply with the following procedures:

(1) Samples shall be collected using the sampling procedures of the test method listed in paragraph (c)(3) of this section selected to determine liquid stream HAP concentrations;

(i) Where feasible, samples shall be taken from an enclosed pipe prior to the liquid stream being exposed to the atmosphere; and

(ii) When sampling from an enclosed pipe is not feasible, samples shall be collected in a manner to minimize exposure of the sample to the atmosphere and loss of HAP compounds prior to sampling.

(2) The volumetric flow rate of the entering and exiting liquid streams shall be determined using the inlet and outlet flow meters or other methods demonstrated to the Administrator's satisfaction. The volumetric flow rate measurements to determine actual mass removal shall be taken at the same time as the concentration measurements.

(3) The owner or operator shall conduct a minimum of three test runs that are representative of normal conditions and average the resulting pollutant concentrations. The minimum sampling time for each test run shall be 1 hour and the grab or composite samples shall be taken at approximately equally spaced intervals over the 1-hour test run period. The owner or operator shall use one of the following procedures to determine total HAP or methanol concentration:

(i) Method 305 in Appendix A of this part, adjusted using the following equation:

$$\overline{C} = \sum_{i=1}^{n} C_i / fm_i$$

Where:

$\bar{C}$=Pollutant concentration for the liquid stream, parts per million by weight.
$C_i$=Measured concentration of pollutant i in the liquid stream sample determined using Method 305, parts per million by weight.
$fm_i$=Pollutant-specific constant that adjusts concentration measured by Method 305 to actual liquid concentration; the fm for methanol is 0.85. Additional pollutant fm values can be found in table 34, subpart G of this part.
n=Number of individual pollutants, i, summed to calculate total HAP.

(ii) For determining methanol concentrations, NCASI Method DI/MEOH–94.03. This test method is incorporated by reference in § 63.14(f)(1) of subpart A of this part.

(iii) Any other method that measures total HAP concentration that has been demonstrated to the Administrator's satisfaction.

(4) To determine soluble $BOD_5$ in the effluent stream from an open biological treatment unit used to comply with §§ 63.446(e)(2) and 63.453(j), the owner or operator shall use Method 405.1 of part 136 of this chapter with the following modifications:

(i) Filter the sample through the filter paper, into an Erlenmeyer flask by applying a vacuum to the flask sidearm. Minimize the time for which vacuum is applied to prevent stripping of volatile organics from the sample. Replace filter paper as often as needed in order to maintain filter times of less than approximately 30 seconds per filter paper. No rinsing of sample container or filter bowl into the Erlenmeyer flask is allowed.

(ii) Perform Method 405.1 on the filtrate obtained in paragraph (c)(4) of this section. Dilution water shall be seeded with 1 milliliter of final effluent per liter of dilution water. Dilution ratios may require adjustment to reflect the lower oxygen demand of the filtered sample in comparison to the total $BOD_5$. Three BOD bottles and different dilutions shall be used for each sample.

(5) If the test method used to determine HAP concentration indicates that a specific HAP is not detectable, the value determined as the minimum measurement level (MML) of the selected test method for the specific HAP shall be used in the compliance demonstration calculations. To determine the MML for a specific HAP using one of the test methods specified in paragraph (c)(3) of this section, one of the procedures specified in paragraphs (c)(5)(i) and (ii) of this section shall be performed. The MML for a particular HAP must be determined only if the HAP is not detected in the normal working range of the method.

(i) To determine the MML for a specific HAP, the following procedures shall be performed each time the method is set up. Set up is defined as the first time the analytical apparatus is placed in operation, after any shut down of 6 months or more, or any time a major component of the analytical apparatus is replaced.

(A) Select a concentration value for the specific HAP in question to represent the MML. The value of the MML selected shall not be below the calibration standard of the selected test method.

(B) Measure the concentration of the specific HAP in a minimum of three replicate samples using the selected test method. All replicate samples shall be run through the entire analytical procedure. The samples must contain the specific HAP at the selected MML concentration and should be representative of the liquid streams to be analyzed in the compliance demonstration. Spiking of the liquid samples with a known concentration of the target HAP may be necessary to ensure that the HAP concentration in the three replicate samples is at the selected MML. The concentration of the HAP in the spiked sample must be within 50 percent of the proposed MML for the demonstration to be valid. As an alternative to spiking, a field sample above the MML may be diluted to produce a HAP concentration at the MML. To be a valid demonstration, the diluted sample must have a HAP concentration within 20 percent of the proposed MML, and the field sample must not be diluted by more than a factor of five.

(C) Calculate the relative standard deviation (RSD) and the upper confidence limit at the 95 percent confidence level using the measured HAP concentrations determined in paragraph (c)(5)(i)(B) of this section. If the upper confidence limit of the RSD is less than 30 percent, then the selected MML is acceptable. If the upper confidence limit of the RSD is greater than or equal to 30 percent, then the selected MML is too low, and the procedures specified in paragraphs (c)(5)(i)(A) through (C) of this section must be repeated.

(ii) Provide for the Administrator's approval the selected value of the MML for a specific HAP and the rationale for selecting the MML including all data and calculations used to determine the MML. The approved MML must be used in all applicable compliance demonstration calculations.

(6) When using the MML determined using the procedures in paragraph (c)(5)(ii) of this section or when using

the MML determined using the procedures in paragraph (c)(5)(i), except during set up, the analytical laboratory conducting the analysis must perform and meet the following quality assurance procedures each time a set of samples is analyzed to determine compliance.

(i) Using the selected test method, analyze in triplicate the concentration of the specific HAP in a representative sample. The sample must contain the specific HAP at a concentration that is within a factor of two of the MML. If there are no samples in the set being analyzed that contain the specific HAP at an appropriate concentration, then a sample below the MML may be spiked to produce the appropriate concentration, or a sample at a higher level may be diluted. After spiking, the sample must contain the specific HAP within 50 percent of the MML. If dilution is used instead, the diluted sample must contain the specific HAP within 20 percent of the MML and must not be diluted by more than a factor of five.

(ii) Calculate the RSD using the measured HAP concentrations determined in paragraph (c)(6)(i) of this section. If the RSD is less than 20 percent, then the laboratory is performing acceptably.

(d) *Detectable leak procedures.* To measure detectable leaks for closed-vent systems as specified in § 63.450 or for pulping process wastewater collection systems as specified in § 63.446(d)(2)(i), the owner or operator shall comply with the following:

(1) Method 21, of part 60, appendix A–7; and

(2) The instrument specified in Method 21 shall be calibrated before use according to the procedures specified in Method 21 on each day that leak checks are performed. The following calibration gases shall be used:

(i) Zero air (less than 10 parts per million by volume of hydrocarbon in air); and

(ii) A mixture of methane or n-hexane and air at a concentration of approximately, but less than, 10,000 parts per million by volume methane or n-hexane.

(e) *Negative pressure procedures.* To demonstrate negative pressure at process equipment enclosure openings as specified in § 63.450(b), the owner or operator shall use one of the following procedures:

(1) An anemometer to demonstrate flow into the enclosure opening;

(2) Measure the static pressure across the opening;

(3) Smoke tubes to demonstrate flow into the enclosure opening; or

(4) Any other industrial ventilation test method demonstrated to the Administrator's satisfaction.

(f) *HAP concentration measurements.* For purposes of complying with the requirements in §§ 63.443, 63.444, and 63.447, the owner or operator shall measure the total HAP concentration as one of the following:

(1) As the sum of all individual HAPs; or

(2) As methanol.

(g) *Condensate HAP concentration measurement.* For purposes of complying with the kraft pulping condensate requirements in § 63.446, the owner or operator shall measure the total HAP concentration as methanol. For biological treatment systems complying with § 63.446(e)(2), the owner or operator shall measure total HAP as acetaldehyde, methanol, methyl ethyl ketone, and propionaldehyde and follow the procedures in § 63.457(l)(1) or (2).

(h) *Bleaching HAP concentration measurement.* For purposes of complying with the bleaching system requirements in § 63.445, the owner or operator shall measure the total HAP concentration as the sum of all individual chlorinated HAPs or as chlorine.

(i) *Vent gas stream calculations.* To demonstrate compliance with the mass emission rate, mass emission rate per megagram of ODP, and percent reduction requirements for vent gas streams specified in §§ 63.443, 63.444, 63.445, and 63.447, the owner or operator shall use the following:

(1) The total HAP mass emission rate shall be calculated using the following equation:

$$E = K_2 \left[ \sum_{j=1}^{n} C_j M_j \right] Q_s$$

Where:

E=Mass emission rate of total HAP from the sampled vent, kilograms per hour.

$K_2$=Constant, $2.494\times10^{-6}$ (parts per million by volume)$^{-1}$ (gram-mole per standard cubic meter) (kilogram/gram) (minutes/hour), where standard temperature for (gram-mole per standard cubic meter) is 20 °C.
$C_j$=Concentration on a dry basis of pollutant j in parts per million by volume as measured by the test methods specified in paragraph (b) of this section.
$M_j$=Molecular weight of pollutant j, gram/gram-mole.
$Q_s$=Vent gas stream flow rate (dry standard cubic meter per minute) at a temperature of 20 °C as indicated in paragraph (b) of this section.
n=Number of individual pollutants, i, summed to calculate total HAP.

(2) The total HAP mass emission rate per megagram of ODP shall be calculated using the following equation:

$$F = \frac{E}{P}$$

Where:

F=Mass emission rate of total HAP from the sampled vent, in kilograms per megagram of ODP.
E=Mass emission rate of total HAP from the sampled vent, in kilograms per hour determined as specified in paragraph (i)(1) of this section.
P=The production rate of pulp during the sampling period, in megagrams of ODP per hour.

(3) The total HAP percent reduction shall be calculated using the following equation:

$$R = \frac{E_i - E_O}{E_i}(100)$$

Where:

R=Efficiency of control device, percent.
Ei=Inlet mass emission rate of total HAP from the sampled vent, in kilograms of pollutant per hour, determined as specified in paragraph (i)(1) of this section.
$E_o$=Outlet mass emission rate of total HAP from the sampled vent, in kilograms of pollutant per hour, determined as specified in paragraph (i)(1) of this section.

(j) *Liquid stream calculations.* To demonstrate compliance with the mass flow rate, mass per megagram of ODP, and percent reduction requirements for liquid streams specified in § 63.446, the owner or operator shall use the following:

(1) The mass flow rates of total HAP or methanol entering and exiting the treatment process shall be calculated using the following equations:

$$E_b = \frac{K}{n\times10^6}\left(\sum_{i=1}^{n} V_{bi}C_{bi}\right)$$

$$E_a = \frac{K}{n\times10^6}\left(\sum_{i=1}^{n} V_{ai}C_{ai}\right)$$

Where:

$E_b$=Mass flow rate of total HAP or methanol in the liquid stream entering the treatment process, kilograms per hour.
$E_a$=Mass flow rate of total HAP or methanol in the liquid exiting the treatment process, kilograms per hour.
K=Density of the liquid stream, kilograms per cubic meter.
$V_{bi}$=Volumetric flow rate of liquid stream entering the treatment process during each run i, cubic meters per hour, determined as specified in paragraph (c) of this section.
$V_{ai}$=Volumetric flow rate of liquid stream exiting the treatment process during each run i, cubic meters per hour, determined as specified in paragraph (c) of this section.
$C_{bi}$=Concentration of total HAP or methanol in the stream entering the treatment process during each run i, parts per million by weight, determined as specified in paragraph (c) of this section.
$C_{ai}$=Concentration of total HAP or methanol in the stream exiting the treatment process during each run i, parts per million by weight, determined as specified in paragraph (c) of this section.
n=Number of runs.

(2) The mass of total HAP or methanol per megagram ODP shall be calculated using the following equation:

$$F = \frac{E_a}{P}$$

Where:

F=Mass loading of total HAP or methanol in the sample, in kilograms per megagram of ODP.
$E_a$=Mass flow rate of total HAP or methanol in the wastewater stream in kilograms per hour as determined using the procedures in paragraph (j)(1) of this section.
P=The production rate of pulp during the sampling period in megagrams of ODP per hour.

(3) The percent reduction of total HAP across the applicable treatment

process shall be calculated using the following equation:

$$R = \frac{E_b - E_a}{E_b} \times 100$$

Where:

R=Control efficiency of the treatment process, percent.

$E_b$=Mass flow rate of total HAP in the stream entering the treatment process, kilograms per hour, as determined in paragraph (j)(1) of this section.

$E_a$=Mass flow rate of total HAP in the stream exiting the treatment process, kilograms per hour, as determined in paragraph (j)(1) of this section.

(4) Compounds that meet the requirements specified in paragraphs (j)(4)(i) or (4)(ii) of this section are not required to be included in the mass flow rate, mass per megagram of ODP, or the mass percent reduction determinations.

(i) Compounds with concentrations at the point of determination that are below 1 part per million by weight; or

(ii) Compounds with concentrations at the point of determination that are below the lower detection limit where the lower detection limit is greater than 1 part per million by weight.

(k) *Oxygen concentration correction procedures.* To demonstrate compliance with the total HAP concentration limit of 20 ppmv in §63.443(d)(2), the concentration measured using the methods specified in paragraph (b)(5) of this section shall be corrected to 10 percent oxygen using the following procedures:

(1) The emission rate correction factor and excess air integrated sampling and analysis procedures of Methods 3A or 3B of part 60, appendix A–2 shall be used to determine the oxygen concentration. The samples shall be taken at the same time that the HAP samples are taken. As an alternative to Method 3B, ASME PTC 19.10–1981 [Part 10] may be used (incorporated by reference, see §63.14(i)(1)).

(2) The concentration corrected to 10 percent oxygen shall be computed using the following equation:

$$C_c = C_m \left( \frac{10.9}{20.9 - \%O_{2d}} \right)$$

Where:

$C_c$=Concentration of total HAP corrected to 10 percent oxygen, dry basis, parts per million by volume.

$C_m$=Concentration of total HAP dry basis, parts per million by volume, as specified in paragraph (b) of this section.

$\%0_{2d}$=Concentration of oxygen, dry basis, percent by volume.

(l) *Biological treatment system percent reduction and mass removal calculations.* To demonstrate compliance with the condensate treatment standards specified in §63.446(e)(2) and the monitoring requirements specified in §63.453(j)(3) using a biological treatment system, the owner or operator shall use one of the procedures specified in paragraphs (1)(1) and (2) of this section. Owners or operators using a nonthoroughly mixed open biological treatment system shall also comply with paragraph (1)(3) of this section.

(1) *Percent reduction methanol procedure.* For the purposes of complying with the condensate treatment requirements specified in §63.446(e)(2) and (3), the methanol percent reduction shall be calculated using the following equations:

$$R = \frac{f_{bio}(MeOH)}{(1 + 1.087(r))} * 100$$

$$r = \frac{F_{(nonmethanol)}}{F_{(methanol)}}$$

Where:

R = Percent destruction.

$f_{bio}$(MeOH) = The fraction of methanol removed in the biological treatment system. The site-specific biorate constants shall be determined using the appropriate procedures specified in appendix C of this part.

r = Ratio of the sum of acetaldehyde, methyl ethyl ketone, and propionaldehyde mass to methanol mass.

$F_{(nonmethanol)}$ = The sum of acetaldehyde, methyl ethyl ketone, and propionaldehyde mass flow rates (kg/Mg ODP) entering the biological treatment system determined using the procedures in paragraph (j)(2) of this section.

$F_{(methanol)}$ = The mass flow rate (kg/Mg ODP) of methanol entering the system determined using the procedures in paragraph (j)(2) of this section.

(2) *Mass removal methanol procedure.* For the purposes of complying with the condensate treatment requirements

specified in §63.446(e)(2) and (4), or §63.446(e)(2) and (5), the methanol mass removal shall be calculated using the following equation:

$$F = F_b * \left(f_{bio}(MeOH) / \left(1 + 1.087(r)\right)\right)$$

Where:

F = Methanol mass removal (kg/Mg ODP).

$F_b$ = Inlet mass flow rate of methanol (kg/Mg ODP) determined using the procedures in paragraph (j)(2) of this section.

$f_{bio}$(MeOH) = The fraction of methanol removed in the biological treatment system. The site-specific biorate constants shall be determined using the appropriate procedures specified in appendix C of this part.

r = Ratio of the sum of acetaldehyde, methyl ethyl ketone, and propionaldehyde mass to methanol mass determined using the procedures in paragraph (1) of this section.

(3) The owner or operator of a non-thoroughly mixed open biological treatment system using the monitoring requirements specified in §63.453(p)(3) shall follow the procedures specified in section III.B.1 of appendix E of this part to determine the borate constant, Ks, and characterize the open biological treatment system during the initial and any subsequent performance tests.

(m) *Condensate segregation procedures.* The following procedures shall be used to demonstrate compliance with the condensate segregation requirements specified in §63.446(c).

(1) To demonstrate compliance with the percent mass requirements specified in §63.446(c)(2), the procedures specified in paragraphs (m)(1)(i) through (iii) of this section shall be performed.

(i) Determine the total HAP mass of all condensates from each equipment system listed in §63.446 (b)(1) through (b)(3) using the procedures specified in paragraphs (c) and (j) of this section.

(ii) Multiply the total HAP mass determined in paragraph (m)(1)(i) of this section by 0.65 to determine the target HAP mass for the high-HAP fraction condensate stream or streams.

(iii) Compliance with the segregation requirements specified in §63.446(c)(2) is demonstrated if the condensate stream or streams from each equipment system listed in §63.446(b)(1) through (3) being treated as specified in §63.446(e) contain at least as much total HAP mass as the target total HAP mass determined in paragraph (m)(1)(ii) of this section.

(2) To demonstrate compliance with the percent mass requirements specified in §63.446(c)(3), the procedures specified in paragraphs (m)(2)(i) through (ii) of this section shall be performed.

(i) Determine the total HAP mass contained in the high-HAP fraction condensates from each equipment system listed in §63.446(b)(1) through (b)(3) and the total condensates streams from the equipment systems listed in §63.446(b)(4) and (b)(5), using the procedures specified in paragraphs (c) and (j) of this section.

(ii) Compliance with the segregation requirements specified in §63.446(c)(3) is demonstrated if the total HAP mass determined in paragraph (m)(2)(i) of this section is equal to or greater than the appropriate mass requirements specified in §63.446(c)(3).

(n) *Open biological treatment system monitoring sampling storage.* The inlet and outlet grab samples required to be collected in §63.453(j)(1)(ii) shall be stored at 4 °C (40 °F) to minimize the biodegradation of the organic compounds in the samples.

(o) Performance tests shall be conducted under such conditions as the Administrator specifies to the owner or operator based on representative performance of the affected source for the period being tested. 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.

[63 FR 18617, Apr. 15, 1998, as amended at 64 FR 17564, Apr. 12, 1999; 65 FR 80763, Dec. 22, 2000; 66 FR 24269, May 14, 2001; 77 FR 55712, Sept. 11, 2012]

### § 63.458 Implementation and enforcement.

(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 this subpart is delegated to a State, local, or Tribal agency.

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

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

(1) Approval of alternatives to the requirements in §§ 63.440, 63.443 through 63.447 and 63.450. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart.

(2) Approval of alternatives to using §§ 63.457(b)(5)(iii), 63.457(c)(3)(ii) through (iii), and 63.257(c)(5)(ii), and any 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 alternatives using § 64.453(m) and any major alternatives to monitoring under § 63.8(f), as defined in § 63.90, and as required in this subpart.

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

[68 FR 37348, June 23, 2003]

### § 63.459 Alternative standards.

(a) *Flint River Mill.* The owner or operator of the pulping system using the kraft process at the manufacturing facility, commonly called Weyerhaeuser Company Flint River Operations, at Old Stagecoach Road, Oglethorpe, Georgia, (hereafter the Site) shall comply with all provisions of this subpart, except as specified in paragraphs (a)(1) through (a)(5) of this section.

(1) The owner or operator of the pulping system is not required to control total HAP emissions from equipment systems specified in paragraphs (a)(1)(i) and (a)(1)(ii) if the owner or operator complies with paragraphs (a)(2) through (a)(5) of this section.

(i) The brownstock diffusion washer vent and first stage brownstock diffusion washer filtrate tank vent in the pulp washing system specified in § 63.443(a)(1)(iii).

(ii) The oxygen delignification system specified in § 63.443(a)(1)(v).

(2) The owner or operator of the pulping system shall control total HAP emissions from equipment systems listed in paragraphs (a)(2)(i) through (a)(2)(ix) of this section as specified in § 63.443(c) and (d) of this subpart no later than April 16, 2002.

(i) The weak liquor storage tank;

(ii) The boilout tank;

(iii) The utility tank;

(iv) The fifty percent solids black liquor storage tank;

(v) The south sixty-seven percent solids black liquor storage tank;

(vi) The north sixty-seven percent solids black liquor storage tank;

(vii) The precipitator make down tanks numbers one, two and three;

(viii) The salt cake mix tank; and

(ix) The NaSH storage tank.

(3) The owner and operator of the pulping system shall operate the Isothermal Cooking system at the site while pulp is being produced in the continuous digester at any time after April 16, 2002.

(i) The owner or operator shall monitor the following parameters to demonstrate that isothermal cooking is in operation:

(A) Continuous digester dilution factor; and

(B) The difference between the continuous digester vapor zone temperature and the continuous digester extraction header temperature.

(ii) The isothermal cooking system shall be in operation when the continuous digester dilution factor and the temperature difference between the continuous digester vapor zone temperature and the continuous digester extraction header temperature are maintained as set forth in Table 2:

TABLE 2 TO SUBPART S—ISOTHERMAL COOKING SYSTEM OPERATIONAL VALUES

| Parameter | Instrument number | Limit | Units |
|---|---|---|---|
| Digester Dilution Factor | K1DILFAC | >0.0 | None |
| Difference in Digester Vapor Zone Temperature and Digester. | 03TI0311 | <10 | Degrees F. |
| Extraction Header Temperature | 03TI0329. | | |

(iii) The owner or operator shall certify annually the operational status of the isothermal cooking system.

(4) [Reserved]

(5) *Definitions.* All descriptions and references to equipment and emission unit ID numbers refer to equipment at the Site. All terms used in this paragraph shall have the meaning given them in this part and this paragraph. For the purposes of this paragraph only the following additional definitions apply:

*Boilout tank* means the tank that provides tank storage capacity for recovery of black liquor spills and evaporator water washes for return to the evaporators (emission unit ID No. U606);

*Brownstock diffusion washer* means the equipment used to wash pulp from the surge chests to further reduce lignin carryover in the pulp;

*Continuous digester* means the digester system used to chemically and thermally remove the lignin binding the wood chips to produce individual pulp fibers (emission unit ID No. P300);

*Fifty percent solids black liquor storage tank* means the tank used to store intermediate black liquor prior to final evaporation in the 1A, 1B, and 1C Concentrators (emission unit ID No. U605);

*First stage brownstock diffusion washer* means the equipment that receives and stores filtrate from the first stage of washing for return to the pressure diffusion washer;

*Isothermal cooking system* means the 1995–1996 modernization of brownstock pulping process including conversion of the Kamyr continuous vapor phase digester to an extended delignification unit and changes in the knotting, screening, and oxygen stage systems:

*NaSH storage tank* means the tank used to store sodium hydrosulfite solution prior to use as make-up to the liquor system

*North sixty-seven percent solids black liquor storage tank* means one of two tanks used to store black liquor prior to burning in the Recovery Boiler for chemical recovery (emission unit ID No. U501);

*Precipitator make down tank numbers one, two and three* mean tanks used to mix collected particulate from electrostatic precipitator chamber number one with 67% black liquor for recycle to chemical recovery in the Recovery Boiler (emission unit ID Nos. U504, U505 and U506);

*Salt cake mix tank* means the tank used to mix collected particulate from economizer hoppers with black liquor for recycle to chemical recovery in the Recovery Boiler (emission unit ID No. U503);

*South sixty-seven percent solids black liquor storage tank* means one of two tanks used to store black liquor prior to burning in the Recovery Boiler for chemical recovery (emission unit ID No. U502);

*Utility tank* means the tank used to store fifty percent liquor and, during black liquor tank inspections and repairs, to serve as a backup liquor storage tank (emission unit ID No. U611);

*Weak gas system* means high volume, low concentration or HVLC system as defined in § 63.441; and

*Weak liquor storage tank* means the tank that provide surge capacity for weak black liquor from digesting prior to feed to multiple effect evaporators (emission unit ID No. U610).

(b) *Tomahawk Wisconsin Mill*—(1) *Applicability.* (i) The provisions of this paragraph (b) apply to the owner or operator of the stand-alone semi-chemical pulp and paper mill located at N9090 County Road E in Tomahawk, Wisconsin, referred to as the Tomahawk Mill.

(ii) The owner or operator is not required to comply with the provisions of

this paragraph (b) if the owner and operator chooses to comply with the otherwise applicable sections of this subpart and provides the EPA with notice.

(iii) If the owner or operator chooses to comply with the provisions of this paragraph (b) the owner or operator shall comply with all applicable provisions of this part, including this subpart, except the following:

(A) Section 63.443(b);

(B) Section 63.443(c); and

(C) Section 63.443(d).

(2) *Collection and routing of HAP emissions.* (i) The owner or operator shall collect the total HAP emissions from each LVHC system.

(ii) Each LVHC system shall be enclosed and the HAP emissions shall be vented into a closed-vent system. The enclosures and closed-vent system shall meet requirements specified in paragraph (b)(6) of this section.

(iii) The HAP emissions shall be routed as follows:

(A) The HAP emissions collected in the closed-vent system from the digester system shall be routed through the primary indirect contact condenser, secondary indirect contact condenser, and evaporator indirect contact condenser; and

(B) The HAP emissions collected in the closed-vent system from the evaporator system and foul condensate standpipe shall be routed through the evaporator indirect contact condenser.

(3) *Collection and routing of pulping process condensates.* (i) The owner or operator shall collect the pulping process condensates from the following equipment systems:

(A) Primary indirect contact condenser;

(B) Secondary indirect contact condenser; and

(C) Evaporator indirect contact condenser.

(ii) The collected pulping process condensates shall be conveyed in a closed collection system that is designed and operated to meet the requirements specified in paragraph (b)(7) of this section.

(iii) The collected pulping process condensates shall be routed in the closed collection system to the wastewater treatment plant anaerobic basins for biodegradation.

(iv) The pulping process condensates shall be discharged into the wastewater treatment plant anaerobic basins below the liquid surface of the wastewater treatment plant anaerobic basins.

(4) *HAP destruction efficiency requirements of the wastewater treatment plant.* (i) The owner or operator shall achieve a destruction efficiency of at least one pound of HAPs per ton of ODP by biodegradation in the wastewater treatment plant.

(ii) The following calculation shall be performed to determine the HAP destruction efficiency by biodegradation in the wastewater treatment plant:

$$HAP_d = \frac{\left[\left(RME_{fr} \times RME_c\right) + \left(PPC_{fr} \times PPC_c\right) - \left(ABD_{fr} \times ABD_c\right)\right] \times 8.34}{ODP_r}$$

Where:

$HAP_d$ = HAP destruction efficiency of wastewater treatment plant (pounds of HAPs per ton of ODP);

$RME_{fr}$ = flow rate of raw mill effluent (millions of gallons per day);

$RME_c$ = HAP concentration of raw mill effluent (milligrams per liter);

$PPC_{fr}$ = flow rate of pulping process condensates (millions of gallons per day);

$PPC_c$ = HAP concentration of pulping process condensates (milligrams per liter);

$ABD_{fr}$ = flow rate of anaerobic basin discharge (millions of gallons per day);

$ABD_c$ = HAP concentration of anaerobic basin discharge (milligrams per liter); and

$ODP_r$ = rate of production of oven dried pulp (tons per day).

(5) *Monitoring requirements and parameter ranges.* (i) The owner or operator shall install, calibrate, operate, and maintain according to the manufacturer's specifications a continuous monitoring system (CMS, as defined in § 63.2), using a continuous recorder, to monitor the following parameters:

(A) Evaporator indirect contact condenser vent temperature;

(B) Pulping process condensates flow rate;

(C) Wastewater treatment plant effluent flow rate; and

(D) Production rate of ODP.

(ii) The owner or operator shall additionally monitor, on a daily basis, in each of the four anaerobic basins, the ratio of volatile acid to alkalinity (VA/A ratio). The owner or operator shall use the test methods identified for determining acidity and alkalinity as specified in 40 CFR 136.3, Table 1B.

(iii) The temperature of the evaporator indirect contact condenser vent shall be maintained at or below 140 °F on a continuous basis.

(iv) The VA/A ratio in each of the four anaerobic basins shall be maintained at or below 0.5 on a continuous basis.

(A) The owner or operator shall measure the methanol concentration of the outfall of any basin, using NCASI Method DI/MEOH 94.03 (incorporated by reference, see §63.14), when the VA/A ratio of that basin exceeds the following:

(*1*) 0.38, or

(*2*) The highest VA/A ratio at which the outfall of any basin has previously measured non-detect for methanol, using NCASI Method DI/MEOH 94.03 (incorporated by reference, see §63.14).

(B) If the outfall of that basin measures detect for methanol, the owner or operator shall verify compliance with the emission standard specified in paragraph (b)(4) of this section by conducting a performance test pursuant to the requirements specified in paragraph (b)(8) of this section.

(v) The owner or operator may seek to establish or reestablish the parameter ranges, and/or the parameters required to be monitored as provided in paragraphs (b)(5)(i) through (v) of this section, by following the provisions of §63.453(n)(1) through (4).

(6) *Standards and monitoring requirements for each enclosure and closed-vent system.* (i) The owner or operator shall comply with the design and operational requirements specified in paragraphs (b)(6)(ii) through (iv) of this section, and the monitoring requirements of paragraphs (b)(6)(v) through (x) of this section for each enclosure and closed-vent system used for collecting and routing of HAP emissions as specified in paragraph (b)(2) of this section.

(ii) Each enclosure shall be maintained at negative pressure at each enclosure or hood opening as demonstrated by the procedures specified in §63.457(e). Each enclosure or hood opening closed during the initial performance test shall be maintained in the same closed and sealed position as during the performance test at all times except when necessary to use the opening for sampling, inspection, maintenance, or repairs.

(iii) Each component of the closed-vent system that is operated at positive pressure shall be designed for and operated with no detectable leaks as indicated by an instrument reading of less than 500 parts per million by volume above background, as measured by the procedures specified in §63.457(d).

(iv) Each bypass line in the closed-vent system that could divert vent streams containing HAPs to the atmosphere without meeting the routing requirements specified in paragraph (b)(2) of this section shall comply with either of the following requirements:

(A) On each bypass line, the owner or operator shall install, calibrate, maintain, and operate according to the manufacturer's specifications a flow indicator that provides a record of the presence of gas stream flow in the bypass line at least once every 15 minutes. The flow indicator shall be installed in the bypass line in such a way as to indicate flow in the bypass line; or

(B) For bypass line valves that are not computer controlled, the owner or operator shall maintain the bypass line valve in the closed position with a car seal or seal placed on the valve or closure mechanism in such a way that the valve or closure mechanism cannot be opened without breaking the seal.

(v) For each enclosure opening, the owner or operator shall perform, at least once every 30 days, a visual inspection of the closure mechanism specified in paragraph (b)(6)(ii) of this section to ensure the opening is maintained in the closed position and sealed.

(vi) For each closed-vent system required by paragraph (b)(2) of this section, the owner or operator shall perform a visual inspection every 30 days and at other times as requested by the Administrator. The visual inspection shall include inspection of ductwork, piping, enclosures, and connections to covers for visible evidence of defects.

(vii) For positive pressure closed-vent systems, or portions of closed-vent systems, the owner or operator shall demonstrate no detectable leaks as specified in paragraph (b)(6)(iii) of this section, measured initially and annually by the procedures in § 63.457(d).

(viii) For each enclosure that is maintained at negative pressure, the owner or operator shall demonstrate initially and annually that it is maintained at negative pressure as specified in § 63.457(e).

(ix) For each valve or closure mechanism as specified in paragraph (b)(6)(iv)(B) of this section, the owner or operator shall perform an inspection at least once every 30 days to ensure that the valve is maintained in the closed position and the emissions point gas stream is not diverted through the bypass line.

(x) If an inspection required by paragraph (b)(6) of this section identifies visible defects in ductwork, piping, enclosures, or connections to covers required by paragraph (b)(6) of this section, or if an instrument reading of 500 parts per million by volume or greater above background is measured, or if the enclosure openings are not maintained at negative pressure, then the following corrective actions shall be taken as soon as follows:

(A) A first effort to repair or correct the closed-vent system shall be made as soon as practicable but no later than 5 calendar days after the problem is identified.

(B) The repair or corrective action shall be completed no later than 15 calendar days after the problem is identified.

(7) *Standards and monitoring requirements for the pulping process condensates closed collection system.* (i) The owner or operator shall comply with the design and operational requirements specified in paragraphs (b)(7)(ii) through (iii) of this section, and monitoring requirements of paragraph (b)(7)(iv) for the equipment systems in paragraph (b)(3) of this section used to route the pulping process condensates in a closed collection system.

(ii) Each closed collection system shall meet the individual drain system requirements specified in §§ 63.960, 63.961, and 63.962, except that the closed vent systems shall be designed and operated in accordance with paragraph (b)(6) of this section, instead of in accordance with § 63.693 as specified in § 63.692(a)(3)(ii), (b)(3)(ii)(A), and (b)(3)(ii)(B)(5)(iii); and

(iii) If a condensate tank is used in the closed collection system, the tank shall meet the following requirements:

(A) The fixed roof and all openings (e.g., access hatches, sampling ports, gauge wells) shall be designed and operated with no detectable leaks as indicated by an instrument reading of less than 500 parts per million above background, and vented into a closed-vent system that meets the requirements of paragraph (b)(6) of this section and routed in accordance with paragraph (b)(2) of this section; and

(B) Each opening shall be maintained in a closed, sealed position (e.g., covered by a lid that is gasketed and latched) at all times that the tank contains pulping process condensates or any HAPs removed from a pulping process condensate stream except when it is necessary to use the opening for sampling, removal, or for equipment inspection, maintenance, or repair.

(iv) For each pulping process condensate closed collection system used to comply with paragraph (b)(3) of this section, the owner or operator shall perform a visual inspection every 30 days and shall comply with the inspection and monitoring requirements specified in § 63.964 except for the closed-vent system and control device inspection and monitoring requirements specified in § 63.964(a)(2).

(8) *Quarterly performance testing.* (i) The owner or operator shall, within 45 days after the beginning of each quarter, conduct a performance test.

(ii) The owner or operator shall use NCASI Method DI/HAPS–99.01 (incorporated by reference, see § 63.14) to collect a grab sample and determine the

HAP concentration of the Raw Mill Effluent, Pulping Process Condensates, and Anaerobic Basin Discharge for the quarterly performance test conducted during the first quarter each year.

(iii) For each of the remaining three quarters, the owner or operator may use NCASI Method DI/MEOH 94.03 (incorporated by reference, see §63.14) as a surrogate to collect and determine the HAP concentration of the Raw Mill Effluent, Pulping Process Condensates, and Anaerobic Basin Discharge.

(iv) The sample used to determine the HAP or Methanol concentration in the Raw Mill Effluent, Pulping Process Condensates, or Anaerobic Basin Discharge shall be a composite of four grab samples taken evenly spaced over an eight hour time period.

(v) The Raw Mill Effluent grab samples shall be taken from the raw mill effluent composite sampler.

(vi) The Pulping Process Condensates grab samples shall be taken from a line tap on the closed condensate collection system prior to discharge into the wastewater treatment plant.

(vii) The Anaerobic Basic Discharge grab samples shall be taken subsequent to the confluence of the four anaerobic basin discharges.

(viii) The flow rate of the Raw Mill Effluent, Pulping Process Condensates, and Anaerobic Basin Discharge, and the production rate of ODP shall be averaged over eight hours.

(ix) The data collected as specified in paragraphs (b)(5) and (b)(8) of this section shall be used to determine the HAP destruction efficiency of the wastewater treatment plant as specified in paragraph (b)(4)(ii) of this section.

(x) The HAP destruction efficiency shall be at least as great as that specified by paragraph (b)(4)(i) of this section.

(9) *Recordkeeping requirements.* (i) The owner or operator shall comply with the recordkeeping requirements as specified in Table 1 of subpart S of part 63 as it pertains to §63.10.

(ii) The owner or operator shall comply with the recordkeeping requirements as specified in §63.454(b).

(iii) The owner or operator shall comply with the recordkeeping requirements as specified in §63.453(d).

(10) *Reporting requirements.* (i) Each owner or operator shall comply with the reporting requirements as specified in Table 1 of §63.10.

(ii) Each owner or operator shall comply with the reporting requirements as specified in §63.455(d).

(11) *Violations.* (i) Failure to comply with any applicable provision of this part shall constitute a violation.

(ii) Periods of excess emissions shall not constitute a violation provided the time of excess emissions divided by the total process operating time in a semiannual reporting period does not exceed one percent. All periods of excess emission shall be reported, and shall include:

(iii) Notwithstanding paragraph (b)(11)(ii) of this section, any excess emissions that present an imminent threat to public health or the environment, or may cause serious harm to public health or the environment, shall constitute a violation.

[66 FR 34124, June 27, 2001, as amended at 66 FR 52538, Oct. 16, 2001; 69 FR 19740, Apr. 13, 2004; 77 FR 55713, Sept. 11, 2012]

TABLE 1 TO SUBPART S OF PART 63—GENERAL PROVISIONS APPLICABILITY TO SUBPART S [A]

| Reference | Applies to subpart S | Comment |
|---|---|---|
| 63.1(a)(1)–(3) | Yes. | |
| 63.1(a)(4) | Yes | Subpart S (this table) specifies applicability of each paragraph in subpart A to subpart S. |
| 63.1(a)(5) | No | Section reserved. |
| 63.1(a)(6) | Yes. | |
| 63.1(a)(7)–(9) | No | Sections reserved. |
| 63.1(a)(10) | No | Subpart S and other cross-referenced subparts specify calendar or operating day. |
| 63.1(a)(11)–(12) | Yes. | |
| 63.1(b)(1) | No | Subpart S specifies its own applicability. |
| 63.1(b)(2) | No | Section reserved. |

| Reference | Applies to subpart S | Comment |
|---|---|---|
| 63.1(b)(3) | Yes. | |
| 63.1(c)(1)–(2) | Yes. | |
| 63.1(c)(3)–(4) | No | Sections reserved. |
| 63.1(c)(5) | Yes. | |
| 63.1(d) | No | Section reserved. |
| 63.1(e) | Yes. | |
| 63.2 | Yes. | |
| 63.3 | Yes. | |
| 63.4(a)(1)–(2) | Yes. | |
| 63.4(a)(3)–(5) | No | Sections reserved. |
| 63.4(b) | Yes. | |
| 63.4(c) | Yes. | |
| 63.5(a) | Yes. | |
| 63.5(b)(1) | Yes. | |
| 63.5(b)(2) | No | Section reserved. |
| 63.5(b)(3)–(4) | Yes. | |
| 63.5(b)(5) | No | Section reserved. |
| 63.5(b)(6) | Yes. | |
| 63.5(c) | No | Section reserved. |
| 63.5(d) | Yes. | |
| 63.5(e) | Yes. | |
| 63.5(f) | Yes. | |
| 63.6(a) | Yes. | |
| 63.6(b)(1)–(5) | No | Subpart S specifies compliance dates for sources subject to subpart S. |
| 63.6(b)(6) | No | Section reserved. |
| 63.6(b)(7) | No | Subpart S specifies compliance dates for sources subject to subpart S. |
| 63.6(c)(1)–(2) | No | Subpart S specifies compliance dates for sources subject to subpart S. |
| 63.6(c)(3)–(4) | No | Sections reserved. |
| 63.6(c)(5) | No | Subpart S specifies compliance dates for sources subject to subpart S. |
| 63.6(d) | No | Section reserved. |
| 63.6(e)(1)(i) | No | See §63.453(q) for general duty requirement. |
| 63.6(e)(1)(ii) | No. | |
| 63.6(e)(1)(iii) | Yes. | |
| 63.6(e)(2) | No | Section reserved. |
| 63.6(e)(3) | No. | |
| 63.6(f)(1) | No. | |
| 63.6(f)(2)–(3) | Yes. | |
| 63.6(g) | Yes. | |
| 63.6(h)(1)–(2) | No | Pertains to continuous opacity monitors that are not part of this standard. |
| 63.6(h)(3) | No | Section reserved. |
| 63.6(h)(4)–(9) | No | Pertains to continuous opacity monitors that are not part of this standard. |
| 63.6(i)(1)–(14) | Yes. | |
| 63.6(i)(15) | No | Section reserved. |
| 63.6(i)(16) | Yes. | |
| 63.6(j) | Yes. | |
| 63.7(a) | Yes. | |
| 63.7(b) | Yes. | |
| 63.7(c) | Yes. | |
| 63.7(d) | Yes. | |
| 63.7(e)(1) | No | Replaced with §63.457(o), which specifies performance testing conditions under subpart S. |
| 63.7(e)(2)–(4) | Yes. | |
| 63.7(f) | Yes. | |
| 63.7(g)(1) | Yes. | |
| 63.7(g)(2) | No | Section reserved. |
| 63.7(g)(3) | Yes. | |
| 63.7(h) | Yes. | |
| 63.8(a)(1)–(2) | Yes. | |
| 63.8(a)(3) | No | Section reserved. |
| 63.8(a)(4) | Yes. | |
| 63.8(b)(1) | Yes. | |
| 63.8(b)(2) | No | Subpart S specifies locations to conduct monitoring. |
| 63.8(b)(3) | Yes. | |
| 63.8(c)(1)–(c)(1)(i) | No | See §63.453(q) for general duty requirement (which includes monitoring equipment). |
| 63.8(c)(1)(ii) | Yes. | |
| 63.8(c)(1)(iii) | No. | |

| Reference | Applies to subpart S | Comment |
|---|---|---|
| 63.8(c)(2)–(3) | Yes. | |
| 63.8(c)(4) | No | Subpart S allows site specific determination of monitoring frequency in §63.453(n)(4). |
| 63.8(c)(5) | No | Pertains to continuous opacity monitors that are not part of this standard. |
| 63.8(c)(6)–(8) | Yes. | |
| 63.8(d)(1)–(2) | Yes. | |
| 63.8(d)(3) | Yes, except for last sentence, which refers to an SSM plan. | SSM plans are not required |
| 63.8(e) | Yes. | |
| 63.8(f)(1)–(5) | Yes. | |
| 63.8(f)(6) | No | Subpart S does not specify relative accuracy test for CEMs. |
| 63.8(g) | Yes. | |
| 63.9(a) | Yes. | |
| 63.9(b)(1)–(2) | Yes | Initial notifications must be submitted within one year after the source becomes subject to the relevant standard. |
| 63.9(b)(3) | No | Section reserved. |
| 63.9(b)(4)–(5) | Yes. | |
| 63.9(c) | Yes. | |
| 63.9(d) | No | Special compliance requirements are only applicable to kraft mills. |
| 63.9(e) | Yes. | |
| 63.9(f) | No | Pertains to continuous opacity monitors that are not part of this standard. |
| 63.9(g)(1) | Yes. | |
| 63.9(g)(2) | No | Pertains to continuous opacity monitors that are not part of this standard. |
| 63.9(g)(3) | No | Subpart S does not specify relative accuracy tests, therefore no notification is required for an alternative. |
| 63.9(h)(1)–(3) | Yes. | |
| 63.9(h)(4) | No | Section reserved. |
| 63.9(h)(5)–(6) | Yes. | |
| 63.9(i) | Yes. | |
| 63.9(j) | Yes. | |
| 63.10(a) | Yes. | |
| 63.10(b)(1) | Yes. | |
| 63.10(b)(2)(i) | No. | |
| 63.10(b)(2)(ii) | No | See §63.454(g) for recordkeeping of (1) occurrence and duration and (2) actions taken during malfunction. |
| 63.10(b)(2)(iii) | Yes. | |
| 63.10(b)(2)(iv)–(v) | No. | |
| 63.10(b)(2)(vi)–(xiv) | Yes. | |
| 63.10(b)(3) | Yes. | |
| 63.10(c)(1) | Yes. | |
| 63.10(c)(2)–(4) | No | Sections reserved. |
| 63.10(c)(5)–(8) | Yes. | |
| 63.10(c)(9) | No | Section reserved. |
| 63.10(c)(10)–(11) | No | See §63.454(g) for malfunction recordkeeping requirements. |
| 63.10(c)(12)–(14) | Yes. | |
| 63.10(c)(15) | No. | |
| 63.10(d)(1)–(2) | Yes. | |
| 63.10(d)(3) | No | Pertains to continuous opacity monitors that are not part of this standard. |
| 63.10(d)(4) | Yes. | |
| 63.10(d)(5) | No | See §63.455(g) for malfunction reporting requirements. |
| 63.10(e)(1) | Yes. | |
| 63.10(e)(2)(i) | Yes. | |
| 63.10(e)(2)(ii) | No | Pertains to continuous opacity monitors that are not part of this standard. |
| 63.10(e)(3) | Yes. | |
| 63.10(e)(4) | No | Pertains to continuous opacity monitors that are not part of this standard. |
| 63.10(f) | Yes. | |
| 63.11–63.15 | Yes. | |

[a] Wherever subpart A specifies ''postmark'' dates, submittals may be sent by methods other than the U.S. Mail (e.g., by fax or courier). Submittals shall be sent by the specified dates, but a postmark is not required.

[77 FR 55713, Sept. 11, 2012]

Appendix E

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APPENDIX A TO SUBPART LL OF PART 63—APPLICABILITY OF GENERAL PROVISIONS

[40 CFR part 63, subpart A]

| General provisions citation | Requirement | Applies to subpart LL | Comment |
|---|---|---|---|
| 63.1(c)(2) | | No | All are major sources. |
| 63.2 Definition of "reconstruction" | | No | Subpart LL defines "reconstruction." |
| 63.6(c)(1) | Compliance date for existing sources. | No | Subpart LL specifies compliance date for existing sources. |
| 63.6(h) | Opacity/VE standards | Only in § 63.845 | Opacity standards applicable only when incorporating the NSPS requirements under § 63.845. |
| 63.7(a)(2)(ii) and (iii) | Performance testing requirements | No | Subpart LL specifies performance test dates. |
| 63.8(c)(4)–(c)(8) | CMS operation and maintenance | No | Subpart LL does not require COMS/CMS or CMS performance specifications. |
| 63.8(d) | Quality control | No | Subpart LL does not require CMS or CMS performance evaluation. |
| 63.8(e) | Performance evaluation for CMS | No | |
| 63.9(b)(1)–(5) | Initial notifications | Yes, except as noted in "comment" column. | § 63.850(a)(9) includes requirement for startup of an existing affected source that has been shut down. |
| 63.9(e) | Notification of performance test | No | Subpart LL specifies notification of performance tests. |
| 63.9(f) | Notification of VE or opacity test | Only in § 63.845 | Notification is required only when incorporating the NSPS requirements under § 63.845. |
| 63.9(g) | Additional CMS notification | No | |
| 63.10(d)(2) | Performance test reports | No | Subpart LL specifies performance test reporting. |
| 63.10(d)(3) | Reporting VE/opacity observations. | Only in § 63.845 | Reporting is required only when incorporating the NSPS requirements under § 63.845. |
| 63.10(e)(2) | Reporting performance evaluations. | No | Subpart LL does not require performance evaluation for CMS. |
| 63.11(a)–(b) | Control device requirements | No | Flares not applicable. |

[62 FR 52407, Oct. 7, 1997, as amended at 70 FR 66285, Nov. 2, 2005]

# Subpart MM—National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills

SOURCE: 66 FR 3193, Jan. 12, 2001, unless otherwise noted.

## § 63.860 Applicability and designation of affected source.

(a) The requirements of this subpart apply to the owner or operator of each kraft, soda, sulfite, or stand-alone semichemical pulp mill that is a major source of hazardous air pollutants (HAP) emissions as defined in § 63.2.

(b) *Affected sources.* The requirements of this subpart apply to each new or existing affected source listed in paragraphs (b)(1) through (7) of this section:

(1) Each existing chemical recovery system (as defined in § 63.861) located at a kraft or soda pulp mill.

(2) Each new nondirect contact evaporator (NDCE) recovery furnace and associated smelt dissolving tank(s) located at a kraft or soda pulp mill.

(3) Each new direct contact evaporator (DCE) recovery furnace system (as defined in § 63.861) and associated smelt dissolving tank(s) located at a kraft or soda pulp mill.

(4) Each new lime kiln located at a kraft or soda pulp mill.

(5) Each new or existing sulfite combustion unit located at a sulfite pulp mill, except such existing units at Weyerhaeuser Paper Company's Cosmopolis, Washington facility (Emission Unit no. AP–10).

(6) Each new or existing semichemical combustion unit located at a stand-alone semichemical pulp mill.

(7) The requirements of the alternative standard in § 63.862(d) apply to the hog fuel dryer at Weyerhaeuser Paper Company's Cosmopolis, Washington facility (Emission Unit no. HD–14).

(c) The requirements of the General Provisions in subpart A of this part that apply to the owner or operator subject to the requirements of this subpart are identified in Table 1 to this subpart.

[66 FR 3193, Jan. 12, 2001, as amended at 68 FR 7713, Feb. 18, 2003]

### § 63.861 Definitions.

All terms used in this subpart are defined in the Clean Air Act, in subpart A of this part, or in this section. For the purposes of this subpart, if the same term is defined in subpart A or any other subpart of this part and in this section, it must have the meaning given in this section.

*Bag leak detection system* means an instrument that is capable of monitoring PM loadings in the exhaust of a fabric filter in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, light transmittance, or other principle to monitor relative PM loadings.

*Black liquor* means spent cooking liquor that has been separated from the pulp produced by the kraft, soda, or semichemical pulping process.

*Black liquor gasification* means the thermochemical conversion of black liquor into a combustible gaseous product.

*Black liquor oxidation (BLO) system* means the vessels used to oxidize the black liquor, with air or oxygen, and the associated storage tank(s).

*Black liquor solids (BLS)* means the dry weight of the solids in the black liquor that enters the recovery furnace or semichemical combustion unit.

*Black liquor solids firing rate* means the rate at which black liquor solids are fed to the recovery furnace or the semichemical combustion unit.

*Chemical recovery combustion source* means any source in the chemical recovery area of a kraft, soda, sulfite or stand-alone semichemical pulp mill that is an NDCE recovery furnace, a DCE recovery furnace system, a smelt dissolving tank, a lime kiln, a sulfite combustion unit, or a semichemical combustion unit.

*Chemical recovery system* means all existing DCE and NDCE recovery furnaces, smelt dissolving tanks, and lime kilns at a kraft or soda pulp mill. Each existing recovery furnace, smelt dissolving tank, or lime kiln is considered a process unit within a chemical recovery system.

*Direct contact evaporator (DCE) recovery furnace* means a kraft or soda recovery furnace equipped with a direct contact evaporator that concentrates strong black liquor by direct contact between the hot recovery furnace exhaust gases and the strong black liquor.

*Direct contact evaporator (DCE) recovery furnace system* means a direct contact evaporator recovery furnace and any black liquor oxidation system, if present, at the pulp mill.

*Dry electrostatic precipitator (ESP) system* means an electrostatic precipitator with a dry bottom (*i.e.*, no black liquor, water, or other fluid is used in the ESP bottom) and a dry particulate matter return system (*i.e.*, no black liquor, water, or other fluid is used to transport the collected PM to the mix tank).

*Fabric filter* means an air pollution control device used to capture PM by filtering a gas stream through filter media; also known as a baghouse.

*Hazardous air pollutants (HAP) metals* means the sum of all emissions of antimony, arsenic, beryllium, cadmium, chromium, cobalt, lead, manganese, mercury, nickel, and selenium as measured by EPA Method 29 (40 CFR part 60, appendix A) and with all nondetect data treated as one-half of the method detection limit.

*Hog fuel dryer* means the equipment that combusts fine particles of wood waste (hog fuel) in a fluidized bed and directs the heated exhaust stream to a rotary dryer containing wet hog fuel to be dried prior to combustion in the hog fuel boiler at Weyerhaeuser Paper

Company's Cosmopolis, Washington facility. The hog fuel dryer at Weyerhaeuser Paper Company's Cosmopolis, Washington facility is Emission Unit no. HD–14.

*Kraft pulp mill* means any stationary source that produces pulp from wood by cooking (digesting) wood chips in a solution of sodium hydroxide and sodium sulfide. The recovery process used to regenerate cooking chemicals is also considered part of the kraft pulp mill.

*Kraft recovery furnace* means a recovery furnace that is used to burn black liquor produced by the kraft pulping process, as well as any recovery furnace that burns black liquor produced from both the kraft and semichemical pulping processes, and includes the direct contact evaporator, if applicable. Includes black liquor gasification.

*Lime kiln* means the combustion unit (*e.g.*, rotary lime kiln or fluidized-bed calciner) used at a kraft or soda pulp mill to calcine lime mud, which consists primarily of calcium carbonate, into quicklime, which is calcium oxide (CaO).

*Lime production rate* means the rate at which dry lime, measured as CaO, is produced in the lime kiln.

*Method detection limit* means the minimum concentration of an analyte that can be determined with 99 percent confidence that the true value is greater than zero.

*Modification* means, for the purposes of § 63.862(a)(1)(ii)(E)(*1*), any physical change (excluding any routine part replacement or maintenance) or operational change (excluding any operational change that occurs during a start-up, shutdown, or malfunction) that is made to the air pollution control device that could result in an increase in PM emissions.

*Nondetect data* means, for the purposes of this subpart, any value that is below the method detection limit.

*Nondirect contact evaporator (NDCE) recovery furnace* means a kraft or soda recovery furnace that burns black liquor that has been concentrated by indirect contact with steam.

*Particulate matter (PM)* means total particulate matter as measured by EPA Method 5, EPA Method 17 (§ 63.865(b)(1)), or EPA Method 29 (40 CFR part 60, appendix A).

*Process unit* means an existing DCE or NDCE recovery furnace, smelt dissolving tank, or lime kiln in a chemical recovery system at a kraft or soda mill.

*Recovery furnace* means an enclosed combustion device where concentrated black liquor produced by the kraft or soda pulping process is burned to recover pulping chemicals and produce steam. Includes black liquor gasification.

*Regenerative thermal oxidizer (RTO)* means a thermal oxidizer that transfers heat from the exhaust gas stream to the inlet gas stream by passing the exhaust stream through a bed of ceramic stoneware or other heat-absorbing medium before releasing it to the atmosphere, then reversing the gas flow so the inlet gas stream passes through the heated bed, raising the temperature of the inlet stream close to or at its ignition temperature.

*Semichemical combustion unit* means any equipment used to combust or pyrolyze black liquor at stand-alone semichemical pulp mills for the purpose of chemical recovery. Includes black liquor gasification.

*Similar process units* means all existing DCE and NDCE recovery furnaces, smelt dissolving tanks, or lime kilns at a kraft or soda pulp mill.

*Smelt dissolving tanks (SDT)* means vessels used for dissolving the smelt collected from a kraft or soda recovery furnace.

*Soda pulp mill* means any stationary source that produces pulp from wood by cooking (digesting) wood chips in a sodium hydroxide solution. The recovery process used to regenerate cooking chemicals is also considered part of the soda pulp mill.

*Soda recovery furnace* means a recovery furnace used to burn black liquor produced by the soda pulping process and includes the direct contact evaporator, if applicable. Includes black liquor gasification.

*Stand-alone semichemical pulp mill* means any stationary source that produces pulp from wood by partially digesting wood chips in a chemical solution followed by mechanical defibrating (grinding), and has an on-site chemical recovery process that is not integrated with a kraft pulp mill.

*Startup* means, for the chemical recovery system employing black liquor gasification at Georgia-Pacific's facility in Big Island, Virginia only, the end of the gasification system commissioning phase. Commissioning is that period of time in which each part of the new gasification system will be checked and operated on its own to make sure it is installed and functions properly. Commissioning will conclude with the successful completion of the gasification technology supplier's performance warranty demonstration, which proves the technology and equipment are performing to warranted levels and the system is ready to be placed in active service. For all other affected sources under this subpart, startup has the meaning given in § 63.2.

*Sulfite combustion unit* means a combustion device, such as a recovery furnace or fluidized-bed reactor, where spent liquor from the sulfite pulping process (i.e., red liquor) is burned to recover pulping chemicals.

*Sulfite pulp mill* means any stationary source that produces pulp from wood by cooking (digesting) wood chips in a solution of sulfurous acid and bisulfite ions. The recovery process used to regenerate cooking chemicals is also considered part of the sulfite pulp mill.

*Total hydrocarbons (THC)* means the sum of organic compounds measured as carbon using EPA Method 25A (40 CFR part 60, appendix A).

[66 FR 3193, Jan. 12, 2001, as amended at 66 FR 16408, Mar. 26, 2001; 68 FR 7713, Feb. 18, 2003]

### § 63.862 Standards.

(a) *Standards for HAP metals: existing sources.* (1) Each owner or operator of an existing kraft or soda pulp mill must comply with the requirements of either paragraph (a)(1)(i) or (ii) of this section.

(i) Each owner or operator of a kraft or soda pulp mill must comply with the PM emissions limits in paragraphs (a)(1)(i)(A) through (C) of this section.

(A) The owner or operator of each existing kraft or soda recovery furnace must ensure that the concentration of PM in the exhaust gases discharged to the atmosphere is less than or equal to 0.10 gram per dry standard cubic meter (g/dscm) (0.044 grain per dry standard cubic foot (gr/dscf)) corrected to 8 percent oxygen.

(B) The owner or operator of each existing kraft or soda smelt dissolving tank must ensure that the concentration of PM in the exhaust gases discharged to the atmosphere is less than or equal to 0.10 kilogram per megagram (kg/Mg) (0.20 pound per ton (lb/ton)) of black liquor solids fired.

(C) The owner or operator of each existing kraft or soda lime kiln must ensure that the concentration of PM in the exhaust gases discharged to the atmosphere is less than or equal to 0.15 g/dscm (0.064 gr/dscf) corrected to 10 percent oxygen.

(ii) As an alternative to meeting the requirements of § 63.862(a)(1)(i), each owner or operator of a kraft or soda pulp mill may establish PM emissions limits for each existing kraft or soda recovery furnace, smelt dissolving tank, and lime kiln that operates 6,300 hours per year or more by:

(A) Establishing an overall PM emission limit for each existing process unit in the chemical recovery system at the kraft or soda pulp mill using the methods in § 63.865(a)(1) and (2).

(B) The emissions limits for each kraft recovery furnace, smelt dissolving tank, and lime kiln that are used to establish the overall PM limit in paragraph (a)(1)(ii)(A) of this section must not be less stringent than the emissions limitations required by § 60.282 of part 60 of this chapter for any kraft recovery furnace, smelt dissolving tank, or lime kiln that is subject to the requirements of § 60.282.

(C) Each owner or operator of an existing kraft or soda recovery furnace, smelt dissolving tank, or lime kiln must ensure that the PM emissions discharged to the atmosphere from each of these sources are less than or equal to the applicable PM emissions limits, established using the methods in § 63.865(a)(1), that are used to establish the overall PM emissions limits in paragraph (a)(1)(ii)(A) of this section.

(D) Each owner or operator of an existing kraft or soda recovery furnace, smelt dissolving tank, or lime kiln must reestablish the emissions limits determined in paragraph (a)(1)(ii)(A) of this section if either of the actions in

paragraphs (a)(1)(ii)(D)(*1*) and (*2*) of this section are taken:

(*1*) The air pollution control system for any existing kraft or soda recovery furnace, smelt dissolving tank, or lime kiln for which an emission limit was established in paragraph (a)(1)(ii)(A) of this section is modified (as defined in § 63.861) or replaced; or

(*2*) Any kraft or soda recovery furnace, smelt dissolving tank, or lime kiln for which an emission limit was established in paragraph (a)(1)(ii)(A) of this section is shut down for more than 60 consecutive days.

(iii) Each owner or operator of an existing kraft or soda recovery furnace, smelt dissolving tank, or lime kiln that operates less than 6,300 hours per year must comply with the applicable PM emissions limits for that process unit provided in paragraph (a)(1)(i) of this section.

(2) Except as specified in paragraph (d) of this section, the owner or operator of each existing sulfite combustion unit must ensure that the concentration of PM in the exhaust gases discharged to the atmosphere is less than or equal to 0.092 g/dscm (0.040 gr/dscf) corrected to 8 percent oxygen.

(b) *Standards for HAP metals: new sources.* (1) The owner or operator of any new kraft or soda recovery furnace must ensure that the concentration of PM in the exhaust gases discharged to the atmosphere is less than or equal to 0.034 g/dscm (0.015 gr/dscf) corrected to 8 percent oxygen.

(2) The owner or operator of any new kraft or soda smelt dissolving tank must ensure that the concentration of PM in the exhaust gases discharged to the atmosphere is less than or equal to 0.06 kg/Mg (0.12 lb/ton) of black liquor solids fired.

(3) The owner or operator of any new kraft or soda lime kiln must ensure that the concentration of PM in the exhaust gases discharged to the atmosphere is less than or equal to 0.023 g/dscm (0.010 gr/dscf) corrected to 10 percent oxygen.

(4) The owner or operator of any new sulfite combustion unit must ensure that the concentration of PM in the exhaust gases discharged to the atmosphere is less than or equal to 0.046 g/dscm (O.020 gr/dscf) corrected to 8 percent oxygen.

(c) *Standards for gaseous organic HAP.* (1) The owner or operator of any new recovery furnace at a kraft or soda pulp mill must ensure that the concentration or gaseous organic HAP, as meauared by methanol, discharged to the atmosphere is no greater than 0.012 kg/Mg (0.025 lb/ton) of black liquor solids fired.

(2) The owner or operator of each existing or new semichemical combustion unit must ensure that:

(i) The concentration of gaseous organic HAP, as measured by total hydrocarbons reported as carbon, discharged to the atmosphere is less than or equal to 1.49 kg/Mg (2.97 lb/ton) of black liquor solids fired; or

(ii) The gaseous organic HAP emissions, as measured by total hydrocarbons reported as carbon, are reduced by at least 90 percent prior to discharge of the gases to the atmosphere.

(d) *Alternative standard.* As an alternative to meeting the requirements of paragraph (a)(2) of this section, the owner or operator of the existing hog fuel dryer at Weyerhaeuser Paper Company's Cosmopolis, Washington facility (Emission Unit no. HD–14) must ensure that the mass of PM in the exhaust gases discharged to the atmosphere from the hog fuel dryer is less than or equal to 4.535 kilograms per hour (kg/hr) (10.0 pounds per hour (lb/hr)).

[66 FR 3193, Jan. 12, 2001, as amended at 68 FR 7713, Feb. 18, 2003; 68 FR 67954, Dec. 5, 2003]

### § 63.863 Compliance dates.

(a) The owner or operator of an existing affected source or process unit must comply with the requirements in this subpart no later than March 13, 2004.

(b) The owner or operator of a new affected source that has an initial startup date after March 13, 2001 must comply with the requirements in this subpart immediately upon startup of the affected source, except as specified in § 63.6(b).

(c) The two existing semichemical combustion units at Georgia-Pacific Corporation's Big Island, VA facility must comply with the requirements of this subpart no later than March 13,

2004, except as provided in paragraphs (c)(1) and (c)(2) of this section.

(1) If Georgia-Pacific Corporation constructs a new black liquor gasification system at Big Island, VA, determines that its attempt to start up the new system has been a failure and, therefore, must construct another type of chemical recovery unit to replace the two existing semichemical combustion units at Big Island, then the two existing semichemical combustion units must comply with the requirements of this subpart by the earliest of the following dates: three years after Georgia-Pacific declares the gasification system a failure, upon startup of the new replacement unit(s), or March 1, 2008.

(2) After March 13, 2004 and if Georgia-Pacific Corporation constructs and successfully starts up a new black liquor gasification system, the provisions of this subpart will not apply to the two existing semichemical combustion units at Georgia-Pacific's facility in Big Island, VA for up to 1500 hours, while Georgia-Pacific conducts trials of the new gasification system on black liquor from a Kraft pulp mill.

[66 FR 3193, Jan. 12, 2001, as amended at 66 FR 16408, Mar. 26, 2001; 66 FR 37593, July 19, 2001; 68 FR 46108, Aug. 5, 2003]

### § 63.864 Monitoring requirements.

(a)–(c) [Reserved]

(d) *Continuous opacity monitoring system (COMS).* The owner or operator of each affected kraft or soda recovery furnace or lime kiln equipped with an ESP must install, calibrate, maintain, and operate a COMS according to the provisions in §§ 63.6(h) and 63.8 and paragraphs (d)(1) through (4) of this section.

(1)–(2) [Reserved]

(3) As specified in § 63.8(c)(4)(i), each COMS must complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

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

(e) *Continuous parameter monitoring system (CPMS).* For each CPMS required in this section, the owner or operator of each affected source or process unit must meet the requirements in paragraphs (e)(1) through (14) of this section.

(1)–(9) [Reserved]

(10) The owner or operator of each affected kraft or soda recovery furnace, kraft or soda lime kiln, sulfite combustion unit, or kraft or soda smelt dissolving tank equipped with a wet scrubber must install, calibrate, maintain, and operate a CPMS that can be used to determine and record the pressure drop across the scrubber and the scrubbing liquid flow rate at least once every successive 15-minute period using the procedures in § 63.8(c), as well as the procedures in paragraphs (e)(10)(i) and (ii) of this section:

(i) The monitoring device used for the continuous measurement of the pressure drop of the gas stream across the scrubber must be certified by the manufacturer to be accurate to within a gage pressure of ±500 pascals (±2 inches of water gage pressure); and

(ii) The monitoring device used for continuous measurement of the scrubbing liquid flow rate must be certified by the manufacturer to be accurate within ±5 percent of the design scrubbing liquid flow rate.

(11) The owner or operator of each affected semichemical combustion unit equipped with an RTO must install, calibrate, maintain, and operate a CPMS that can be used to determine and record the operating temperature of the RTO at least once every successive 15-minute period using the procedures in § 63.8(c). The monitor must compute and record the operating temperature at the point of incineration of effluent gases that are emitted using a temperature monitor accurate to within ±1 percent of the temperature being measured.

(12) The owner or operator of the affected hog fuel dryer at Weyerhaeuser Paper Company's Cosmopolis, Washington facility (Emission Unit no. HD–14) must meet the requirements in paragraphs (e)(12)(i) through (xi) of this section for each bag leak detection system.

(i) The owner or operator must install, calibrate, maintain, and operate each triboelectric bag leak detection system according to the ''Fabric Filter Bag Leak Detection Guidance,'' (EPA–

454/R–98–015, September 1997). This document is available from the U.S. Environmental Protection Agency (U.S. EPA); Office of Air Quality Planning and Standards; Emissions, Monitoring and Analysis Division; Emission Measurement Center, MD-D205-02, Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network under Emission Measurement Center Continuous Emission Monitoring. The owner or operator must install, calibrate, maintain, and operate other types of bag leak detection systems in a manner consistent with the manufacturer's written specifications and recommendations.

(ii) The bag leak detection system must be certified by the manufacturer to be capable of detecting PM emissions at concentrations of 10 milligrams per actual cubic meter (0.0044 grains per actual cubic foot) or less.

(iii) The bag leak detection system sensor must provide an output of relative PM loadings.

(iv) The bag leak detection system must be equipped with a device to continuously record the output signal from the sensor.

(v) The bag leak detection system must be equipped with an audible alarm system that will sound automatically when an increase in relative PM emissions over a preset level is detected. The alarm must be located where it is easily heard by plant operating personnel.

(vi) For positive pressure fabric filter systems, a bag leak detector must be installed in each baghouse compartment or cell.

(vii) For negative pressure or induced air fabric filters, the bag leak detector must be installed downstream of the fabric filter.

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

(ix) The baseline output must be established by adjusting the range and the averaging period of the device and establishing the alarm set points and the alarm delay time according to section 5.0 of the ''Fabric Filter Bag Leak Detection Guidance.''

(x) Following initial adjustment of the system, the sensitivity or range, averaging period, alarm set points, or alarm delay time may not be adjusted except as detailed in the site-specific monitoring plan. In no case may the sensitivity be increased by more than 100 percent or decreased more than 50 percent over a 365-day period unless such adjustment follows a complete fabric filter inspection which demonstrates that the fabric filter is in good operating condition. Record each adjustment.

(xi) The owner or operator must record the results of each inspection, calibration, and validation check.

(13) The owner or operator of each affected source or process unit that uses an ESP, wet scrubber, RTO, or fabric filter may monitor alternative control device operating parameters subject to prior written approval by the Administrator.

(14) The owner or operator of each affected source or process unit that uses an air pollution control system other than an ESP, wet scrubber, RTO, or fabric filter must provide to the Administrator an alternative monitoring request that includes the site-specific monitoring plan described in paragraph (a) of this section, a description of the control device, test results verifying the performance of the control device, the appropriate operating parameters that will be monitored, and the frequency of measuring and recording to establish continuous compliance with the standards. The alternative monitoring request is subject to the Administrator's approval. The owner or operator of the affected source or process unit must install, calibrate, operate, and maintain the monitor(s) in accordance with the alternative monitoring request approved by the Administrator. The owner or operator must include in the information submitted to the Administrator proposed performance specifications and quality assurance procedures for the monitors. The Administrator may request further information and will approve acceptable test methods and procedures. The owner or operator must monitor the

parameters as approved by the Administrator using the methods and procedures in the alternative monitoring request.

(f) [Reserved]

(g) The owner or operator of each affected source or process unit complying with the gaseous organic HAP standard of § 63.862(c)(1) through the use of an NDCE recovery furnace equipped with a dry ESP system is not required to conduct any continuous monitoring to demonstrate compliance with the gaseous organic HAP standard.

(h)–(i) [Reserved]

(j) *Determination of operating ranges.* (1) During the initial performance test required in § 63.865, the owner or operator of any affected source or process unit must establish operating ranges for the monitoring parameters in paragraphs (e)(10) through (14) of this section, as appropriate; or

(2) The owner or operator may base operating ranges on values recorded during previous performance tests or conduct additional performance tests for the specific purpose of establishing operating ranges, provided that test data used to establish the operating ranges are or have been obtained using the test methods required in this subpart. The owner or operator of the affected source or process unit must certify that all control techniques and processes have not been modified subsequent to the testing upon which the data used to establish the operating parameter ranges were obtained.

(3) The owner or operator of an affected source or process unit may establish expanded or replacement operating ranges for the monitoring parameter values listed in paragraphs (e)(10) through (14) of this section and established in paragraph (j)(1) or (2) of this section during subsequent performance tests using the test methods in § 63.865.

(4) The owner or operator of the affected source or process unit must continuously monitor each parameter and determine the arithmetic average value of each parameter during each performance test. Multiple performance tests may be conducted to establish a range of parameter values.

(5)–(6) [Reserved]

(k) *On-going compliance provisions.* (1) Following the compliance date, owners or operators of all affected sources or process units are required to implement corrective action if the monitoring exceedances in paragraphs (k)(1)(i) through (vi) of this section occur:

(i) For a new or existing kraft or soda recovery furnace or lime kiln equipped with an ESP, when the average of ten consecutive 6-minute averages result in a measurement greater than 20 percent opacity;

(ii) For a new or existing kraft or soda recovery furnace, kraft or soda smelt dissolving tank, kraft or soda lime kiln, or sulfite combustion unit equipped with a wet scrubber, when any 3-hour average parameter value is outside the range of values established in paragraph (j) of this section.

(iii) For a new or existing semichemical combustion unit equipped with an RTO, when any 1-hour average temperature falls below the temperature established in paragraph (j) of this section;

(iv) For the hog fuel dryer at Weyerhaeuser Paper Company's Cosmopolis, Washington facility (Emission Unit no. HD–14), when the bag leak detection system alarm sounds.

(v) For an affected source or process unit equipped with an ESP, wet scrubber, RTO, or fabric filter and monitoring alternative operating parameters established in paragraph (e)(13) of this section, when any 3-hour average value is outside the range of parameter values established in paragraph (j) of this section; and

(vi) For an affected source or process unit equipped with an alternative air pollution control system and monitoring operating parameters approved by the Administrator as established in paragraph (e)(14) of this section, when any 3-hour average value is outside the range of parameter values established in paragraph (j) of this section.

(2) Following the compliance date, owners or operators of all affected sources or process units are in violation of the standards of § 63.862 if the monitoring exceedances in paragraphs (k)(2)(i) through (vii) of this section occur:

(i) For an existing kraft or soda recovery furnace equipped with an ESP, when opacity is greater than 35 percent

for 6 percent or more of the operating time within any quarterly period;

(ii) For a new kraft or soda recovery furnace or a new or existing lime kiln equipped with an ESP, when opacity is greater than 20 percent for 6 percent or more of the operating time within any quarterly period;

(iii) For a new or existing kraft or soda recovery furnace, kraft or soda smelt dissolving tank, kraft or soda lime kiln, or sulfite combustion unit equipped with a wet scrubber, when six or more 3-hour average parameter values within any 6-month reporting period are outside the range of values established in paragraph (j) of this section;

(iv) For a new or existing semichemical combustion unit equipped with an RTO, when any 3-hour average temperature falls below the temperature established in paragraph (j) of this section;

(v) For the hog fuel dryer at Weyerhaeuser Paper Company's Cosmopolis, Washington facility (Emission Unit no. HD-14), when corrective action is not initiated within 1 hour of a bag leak detection system alarm and the alarm is engaged for more than 5 percent of the total operating time in a 6-month block reporting period. In calculating the operating time fraction, if inspection of the fabric filter demonstrates that no corrective action is required, no alarm time is counted; if corrective action is required, each alarm is counted as a minimum of 1 hour; if corrective action is not initiated within 1 hour, the alarm time is counted as the actual amount of time taken to initiate corrective action.

(vi) For an affected source or process unit equipped with an ESP, wet scrubber, RTO, or fabric filter and monitoring alternative operating parameters established in paragraph (e)(13) of this section, when six or more 3-hour average values within any 6-month reporting period are outside the range of parameter values established in paragraph (j) of this section; and

(vii) For an affected source or process unit equipped with an alternative air pollution control system and monitoring operating parameters approved by the Administrator as established in paragraph (e)(14) of this section, when six or more 3-hour average values within any 6-month reporting period are outside the range of parameter values established in paragraph (j) of this section.

(3) For purposes of determining the number of nonopacity monitoring exceedances, no more than one exceedance will be attributed in any given 24-hour period.

[68 FR 7713, Feb. 18, 2003, as amended at 68 FR 42605, July 18, 2003; 68 FR 67955, Dec. 5, 2003; 71 FR 20458, Apr. 20, 2006]

### § 63.865 Performance test requirements and test methods.

The owner or operator of each affected source or process unit subject to the requirements of this subpart is required to conduct an initial performance test using the test methods and procedures listed in § 63.7 and paragraph (b) of this section, except as provided in paragraph (c)(1) of this section.

(a) The owner or operator of a process unit seeking to comply with a PM emission limit under § 63.862(a)(1)(ii)(A) must use the procedures in paragraphs (a)(1) and (2) of this section:

(1) Determine the overall PM emission limit for the chemical recovery system at the mill using Equation 1 of this section as follows:

$$EL_{PM} = \frac{\left[\left(C_{ref,RF}\right)\left(Q_{RFtot}\right)+\left(C_{ref,LK}\right)\left(Q_{LKtot}\right)\right](F1)}{\left(BLS_{tot}\right)} + ER1_{ref,SDT} \qquad \text{(Eq. 1)}$$

Where:

$EL_{PM}$ = overall PM emission limit for all existing process units in the chemical recovery system at the kraft or soda pulp mill, kg/Mg (lb/ton) of black liquor solids fired.

$C_{ref,\ RF}$ = reference concentration of 0.10 g/dscm (0.044 gr/dscf) corrected to 8 percent

oxygen for existing kraft or soda recovery furnaces.

$Q_{RFtot}$ = sum of the average volumetric gas flow rates measured during the performance test and corrected to 8 percent oxygen for all existing recovery furnaces in the chemical recovery system at the kraft or soda pulp mill, dry standard cubic meters per minute (dscm/min) (dry standard cubic feet per minute (dscf/min)).

$C_{ref,LK}$ = reference concentration of 0.15 g/dscm (0.064 gr/dscf) corrected to 10 percent oxygen for existing kraft or soda lime kilns.

$Q_{LKtot}$ = sum of the average volumetric gas flow rates measured during the performance test and corrected to 10 percent oxygen for all existing lime kilns in the chemical recovery system at the kraft or soda pulp mill, dscm/min (dscf/min).

F1 = conversion factor, 1.44 minutes·kilogram/day·gram (min·kg/d·g) (0.206 minutes·pound/day·grain (min·b/d·gr)).

$BLS_{tot}$ = sum of the average black liquor solids firing rates of all existing recovery furnaces in the chemical recovery system at the kraft or soda pulp mill measured during the performance test, megagrams per day (Mg/d) (tons per day (ton/d)) of black liquor solids fired.

$ER1_{ref,\ SDT}$ = reference emission rate of 0.10 kg/Mg (0.20 lb/ton) of black liquor solids fired for existing kraft or soda smelt dissolving tanks.

(2) Establish an emission limit for each kraft or soda recovery furnace, smelt dissolving tank, and lime kiln; and, using these emissions limits, determine the overall PM emission rate for the chemical recovery system at the mill using the procedures in paragraphs (a)(2)(i) through (v) of this section, such that the overall PM emission rate calculated in paragraph (a)(2)(v) of this section is less than or equal to the overall PM emission limit determined in paragraph (a)(1) of this section, as appropriate.

(i) The PM emission rate from each affected recovery furnace must be determined using Equation 2 of this section as follows:

$$ER_{RF} = (F1)\left(C_{EL,\ RF}\right)\left(Q_{RF}\right)/(BLS) \qquad (Eq.\ 2)$$

Where:

$ER_{RF}$=emission rate from each recovery furnace, kg/Mg (lb/ton) of black liquor solids.

F1=conversion factor, 1.44 min·kg/d·g (0.206 min·/d·gr).

$C_{EL,\ RF}$=PM emission limit proposed by owner or operator for the recovery furnace, g/dscm (gr/dscf) corrected to 8 percent oxygen.

$Q_{RF}$=average volumetric gas flow rate from the recovery furnace measured during the performance test and corrected to 8 percent oxygen, dscm/min (dscf/min).

BLS=average black liquor solids firing rate of the recovery furnace measured during the performance test, Mg/d (ton/d) of black liquor solids.

(ii) The PM emission rate from each affected smelt dissolving tank must be determined using Equation 3 of this section as follows:

$$ER_{SDT} = (F1)\left(C_{EL,\ SDT}\right)\left(Q_{SDT}\right)/(BLS) \qquad (Eq.\ 3)$$

Where:

$ER_{SDT}$=emission rate from each SDT, kg/Mg (lb/ton) of black liquor solids fired.

F1=conversion factor, 1.44 min·kg/d•g (0.206 min·lb/d·gr).

$C_{EL,\ SDT}$=PM emission limit proposed by owner or operator for the smelt dissolving tank, g/dscm (gr/dscf).

$Q_{SDT}$=average volumetric gas flow rate from the smelt dissolving tank measured during the performance test, dscm/min (dscf/min).

BLS=average black liquor solids firing rate of the associated recovery furnace measured during the performance test, Mg/d (ton/d) of black liquorsolids fired. If more than one SDT is used to dissolve the smelt from a given recovery furnace, then the black liquor solids firing rate of the furnace must be proportioned according to the size of the SDT.

(iii) The PM emission rate from each affected lime kiln must be determined using Equation 4 of this section as follows:

$$ER_{LK} = (F1)(C_{EL,LK})(Q_{LK})(CaO_{tot}/BLS_{tot})/(CaO_{LK}) \qquad \text{(Eq. 4)}$$

Where:

$ER_{LK}$=emission rate from each lime kiln, kg/Mg (lb/ton) of black liquor solids.

F1=conversion factor, 1.44 min·kg/d·g (0.206 min·lb/d·gr).

$C_{EL,LK}$=PM emission limit proposed by owner or operator for the lime kiln, g/dscm (gr/dscf) corrected to 10 percent oxygen.

$Q_{LK}$=average volumetric gas flow rate from the lime kiln measured during the performance test and corrected to 10 percent oxygen, dscm/min (dscf/min).

$CaO_{LK}$=lime production rate of the lime kiln, measured as CaO during the performance test, Mg/d (ton/d) of CaO.

$CaO_{tot}$=sum of the average lime production rates for all existing lime kilns in the chemical recovery system at the mill measured as CaO during the performance test, Mg/d (ton/d).

$BLS_{tot}$=sum of the average black liquor solids firing rates of all recovery furnaces in the chemical recovery system at the mill measured during the performance test, Mg/d (ton/d) of black liquor solids.

(iv) If more than one similar process unit is operated in the chemical recovery system at the kraft or soda pulp mill, Equation 5 of this section must be used to calculate the overall PM emission rate from all similar process units in the chemical recovery system at the mill and must be used in determining the overall PM emission rate for the chemical recovery system at the mill:

$$ER_{PUtot} = ER_{PU1}(PR_{PU1}/PR_{tot}) + \ldots + (ER_{PUi})(PR_{PUi}/PR_{tot}) \qquad \text{(Eq. 5)}$$

Where:

$ER_{PUtot}$=overall PM emission rate from all similar process units, kg/Mg (lb/ton) of black liquor solids fired.

$ER_{PU1}$=PM emission rate from process unit No. 1, kg/Mg (lb/ton) of black liquor solids fired, calculated using Equation 2, 3, or 4 in paragraphs (a)(2)(i) through (iii) of this section.

$PR_{PU1}$=black liquor solids firing rate in Mg/d (ton/d) for process unit No. 1, if process unit is a recovery furnace or SDT. The CaO production rate in Mg/d (ton/d) for process unit No. 1, if process unit is a lime kiln.

$PR_{tot}$=total black liquor solids firing rate in Mg/d (ton/d) for all recovery furnaces in the chemical recovery system at the kraft or soda pulp mill if the similar process units are recovery furnaces or SDT, or the total CaO production rate in Mg/d (ton/d) for all lime kilns in the chemical recovery system at the mill if the similar process units are lime kilns.

$ER_{PUi}$=PM emission rate from process unit No. i, kg/Mg (lb/ton) of black liquor solids fired.

$PR_{PUi}$=black liquor solids firing rate in Mg/d (ton/d) for process unit No. i, if process unit is a recovery furnace or SDT. The CaO production rate in Mg/d (ton/d) for process unit No. i, if process unit is a lime kiln.

i=number of similar process units located in the chemical recovery system at the kraft or soda pulp mill.

(v) The overall PM emission rate for the chemical recovery system at the mill must be determined using Equation 6 of this section as follows:

$$ER_{tot} = ER_{RFtot} + ER_{SDTtot} + ER_{LKtot} \qquad \text{(Eq. 6)}$$

Where:

$ER_{tot}$=overall PM emission rate for the chemical recovery system at the mill, kg/Mg (lb/ton) of black liquor solids fired.

$ER_{RFtot}$=PM emission rate from all kraft or soda recovery furnaces, calculated using Equation 2 or 5 in paragraphs (a)(2)(i) and (iv) of this section, where applicable, kg/Mg (lb/ton) of black liquor solids fired.

$ER_{SDTtot}$=PM emission rate from all smelt dissolving tanks, calculated using Equation 3 or 5 in paragraphs (a)(2)(ii) and (iv) of this section, where applicable, kg/Mg (lb/ton) of black liquor solids fired.

$ER_{LKtot}$=PM emission rate from all lime kilns, calculated using Equation 4 or 5 in paragraphs (a)(2)(iii) and (iv) of this section, where applicable, kg/Mg (lb/ton) of black liquor solids fired.

(vi) After the Administrator has approved the PM emissions limits for each kraft or soda recovery furnace, smelt dissolving tank, and lime kiln, the owner or operator complying with an overall PM emission limit established in §63.862(a)(1)(ii) must demonstrate compliance with the HAP metals standard by demonstrating compliance with the approved PM emissions limits for each affected kraft or soda recovery furnace, smelt dissolving tank, and lime kiln, using the test methods and procedures in paragraph (b) of this section.

(b) The owner or operator seeking to determine compliance with §63.862(a), (b), or (d) must use the procedures in paragraphs (b)(1) through (6) of this section.

(1) For purposes of determining the concentration or mass of PM emitted from each kraft or soda recovery furnace, sulfite combustion unit, smelt dissolving tank, lime kiln, or the hog fuel dryer at Weyerhaeuser Paper Company's Cosmopolis, Washington facility (Emission Unit no. HD–14), Method 5 or 29 in appendix A of 40 CFR part 60 must be used, except that Method 17 in appendix A of 40 CFR part 60 may be used in lieu of Method 5 or Method 29 if a constant value of 0.009 g/dscm (0.004 gr/dscf) is added to the results of Method 17, and the stack temperature is no greater than 205 °C (400 °F). For Methods 5, 29, and 17, the sampling time and sample volume for each run must be at least 60 minutes and 0.90 dscm (31.8 dscf), and water must be used as the cleanup solvent instead of acetone in the sample recovery procedure.

(2) For sources complying with §63.862(a) or (b), the PM concentration must be corrected to the appropriate oxygen concentration using Equation 7 of this section as follows:

$$C_{corr} = C_{meas} \times \frac{(21 - X)}{(21 - Y)} \qquad \text{(Eq. 7)}$$

Where:

$C_{corr}$ = The measured concentration corrected for oxygen, g/dscm (gr/dscf);

$C_{meas}$ = The measured concentration uncorrected for oxygen, g/dscm (gr/dscf);

X = The corrected volumetric oxygen concentration (8 percent for kraft or soda recovery furnaces and sulfite combustion units and 10 percent for kraft or soda lime kilns); and

Y = The measured average volumetric oxygen concentration.

(3) Method 3A or 3B in appendix A of 40 CFR part 60 must be used to determine the oxygen concentration. The voluntary consensus standard ANSI/ASME PTC 19.10–1981—Part 10 (incorporated by reference—see §63.14) may be used as an alternative to using Method 3B. The gas sample must be taken at the same time and at the same traverse points as the particulate sample.

(4) For purposes of complying with of §63.862(a)(1)(ii)(A), the volumetric gas flow rate must be corrected to the appropriate oxygen concentration using Equation 8 of this section as follows:

$$Q_{corr} = Qmeas \times (21 - Y)/(21 - X) \qquad \text{(Eq. 8)}$$

Where:

$Q_{corr}$=the measured volumetric gas flow rate corrected for oxygen, dscm/min (dscf/min).

$Q_{meas}$=the measured volumetric gas flow rate uncorrected for oxygen, dscm/min (dscf/min).

Y=the measured average volumetric oxygen concentration.

X=the corrected volumetric oxygen concentration (8 percent for kraft or soda recovery furnaces and 10 percent for kraft or soda lime kilns).

(5)(i) For purposes of selecting sampling port location and number of traverse points, Method 1 or 1A in appendix A of 40 CFR part 60 must be used;

(ii) For purposes of determining stack gas velocity and volumetric flow rate, Method 2, 2A, 2C, 2D, 2F, or 2G in appendix A of 40 CFR part 60 must be used;

(iii) For purposes of conducting gas analysis, Method 3, 3A, or 3B in appendix A of 40 CFR part 60 must be used.

The voluntary consensus standard ANSI/ASME PTC 19.10–1981—Part 10 (incorporated by reference—see § 63.14) may be used as an alternative to using Method 3B; and

(iv) For purposes of determining moisture content of stack gas, Method 4 in appendix A of 40 CFR part 60 must be used.

(6) Process data measured during the performance test must be used to determine the black liquor solids firing rate on a dry basis and the CaO production rate.

(c) The owner or operator of each affected source or process unit complying with the gaseous organic HAP standard in § 63.862(c)(1) must demonstrate compliance according to the provisions in paragraphs (c)(1) and (2) of this section.

(1) The owner or operator complying through the use of an NDCE recovery furnace equipped with a dry ESP system is not required to conduct any performance testing to demonstrate compliance with the gaseous organic HAP standard.

(2) The owner or operator complying without using an NDCE recovery furnace equipped with a dry ESP system must use Method 308 in appendix A of this part, as well as the methods listed in paragraphs (b)(5)(i) through (iv) of this section. The sampling time and sample volume for each Method 308 run must be at least 60 minutes and 0.014 dscm (0.50 dscf), respectively.

(i) The emission rate from any new NDCE recovery furnace must be determined using Equation 9 of this section as follows:

$$ER_{NDCE} = \frac{(MR_{meas})}{BLS} \qquad \text{(Eq. 9)}$$

Where:

$ER_{NDCE}$ = Methanol emission rate from the NDCE recovery furnace, kg/Mg (lb/ton) of black liquor solids fired;

$MR_{meas}$ = Measured methanol mass emission rate from the NDCE recovery furnace, kg/hr (lb/hr); and

BLS = Average black liquor solids firing rate of the NDCE recovery furnace, megagrams per hour (Mg/hr) (tons per hour (ton/hr)) determined using process data measured during the performance test.

(ii) The emission rate from any new DCE recovery furnace system must be determined using Equation 10 of this section as follows:

$$ER_{DCE} = \left[\frac{(MR_{meas,\,RF})}{BLS_{RF}}\right] + \left[\frac{MR_{meas,\,BLO}}{BLS_{BLO}}\right] \qquad \text{(Eq. 10)}$$

Where:

$ER_{DCE}$ = Methanol emission rate from each DCE recovery furnace system, kg/Mg (lb/ton) of black liquor solids fired;

$MR_{meas,RF}$ = Average measured methanol mass emission rate from each DCE recovery furnace, kg/hr (lb/hr);

$MR_{meas,BLO}$ = Average measured methanol mass emission rate from the black liquor oxidation system, kg/hr (lb/hr);

$BLS_{RF}$ = Average black liquor solids firing rate for each DCE recovery furnace, Mg/hr (ton/hr) determined using process data measured during the performance test; and

$BLS_{BLO}$ = The average mass rate of black liquor solids treated in the black liquor oxidation system, Mg/hr (ton/hr) determined using process data measured during the performance test.

(d) The owner or operator seeking to determine compliance with the gaseous organic HAP standards in § 63.862(c)(2) for semichemical combustion units must use Method 25A in appendix A of 40 CFR part 60, as well as the methods listed in paragraphs (b)(5)(i) through (iv) of this section. The sampling time for each Method 25A run must be at least 60 minutes. The calibration gas for each Method 25A run must be propane.

(1) The emission rate from any new or existing semichemical combustion unit must be determined using Equation 11 of this section as follows:

$$ER_{SCCU} = \frac{(THC_{meas})}{BLS} \qquad \text{(Eq. 11)}$$

Where:

$ER_{SCCU}$ = THC emission rate reported as carbon from each semichemical combustion unit, kg/Mg (lb/ton) of black liquor solids fired;

$THC_{meas}$ = Measured THC mass emission rate reported as carbon, kg/hr (lb/hr); and

BLS = Average black liquor solids firing rate, Mg/hr (ton/hr); determined using process data measured during the performance test.

(2) If the owner or operator of the semichemical combustion unit has selected the percentage reduction standards for THC, under §63.862(c)(2)(ii), the percentage reduction in THC emissions is computed using Equation 12 of this section as follows, provided that Ei and Eo are measured simultaneously:

$$\left(\%R_{THC}\right) = \left(\frac{E_i - E_o}{E_i}\right) \times 100 \qquad \text{(Eq. 12)}$$

Where:

$\%R_{THC}$ = percentage reduction of total hydrocarbons emissions achieved.

$E_i$ = measured THC mass emission rate at the THC control device inlet, kg/hr (lb/hr).

$E_o$ = measured THC mass emission rate at the THC control device outlet, kg/hr (lb/hr).

[66 FR 3193, Jan. 12, 2001, as amended at 66 FR 37593, July 19, 2001; 68 FR 7716, Feb. 18, 2003; 68 FR 67955, Dec. 5, 2003]

### § 63.866 Recordkeeping requirements.

(a) *Startup, shutdown, and malfunction plan.* The owner or operator must develop a written plan as described in §63.6(e)(3) that contains specific procedures for operating the source and maintaining the source during periods of startup, shutdown, and malfunction, and a program of corrective action for malfunctioning process and control systems used to comply with the standards. In addition to the information required in §63.6(e), the plan must include the requirements in paragraphs (a)(1) and (2) of this section.

(1) Procedures for responding to any process parameter level that is inconsistent with the level(s) established under §63.864(j), including the procedures in paragraphs (a)(1)(i) and (ii) of this section:

(i) Procedures to determine and record the cause of an operating parameter exceedance and the time the exceedance began and ended; and

(ii) Corrective actions to be taken in the event of an operating parameter exceedance, including procedures for recording the actions taken to correct the exceedance.

(2) The startup, shutdown, and malfunction plan also must include the schedules listed in paragraphs (a)(2)(i) and (ii) of this section:

(i) A maintenance schedule for each control technique that is consistent with, but not limited to, the manufacturer's instructions and recommendations for routine and long-term maintenance; and

(ii) An inspection schedule for each continuous monitoring system required under §63.864 to ensure, at least once in each 24-hour period, that each continuous monitoring system is properly functioning.

(b) The owner or operator of an affected source or process unit must maintain records of any occurrence when corrective action is required under §63.864(k)(1), and when a violation is noted under §63.864(k)(2).

(c) In addition to the general records required by §63.10(b)(2), the owner or operator must maintain records of the information in paragraphs (c)(1) through (7) of this section:

(1) Records of black liquor solids firing rates in units of Mg/d or ton/d for all recovery furnaces and semichemical combustion units;

(2) Records of CaO production rates in units of Mg/d or ton/d for all lime kilns;

(3) Records of parameter monitoring data required under §63.864, including any period when the operating parameter levels were inconsistent with the levels established during the initial performance test, with a brief explanation of the cause of the deviation,

the time the deviation occurred, the time corrective action was initiated and completed, and the corrective action taken;

(4) Records and documentation of supporting calculations for compliance determinations made under §§ 63.865(a) through (d);

(5) Records of monitoring parameter ranges established for each affected source or process unit;

(6) Records certifying that an NDCE recovery furnace equipped with a dry ESP system is used to comply with the gaseous organic HAP standard in § 63.862(c)(1).

(7) For the bag leak detection system on the hog fuel dryer fabric filter at Weyerhaeuser Paper Company's Cosmopolis, Washington facility (Emission Unit no. HD–14), records of each alarm, the time of the alarm, the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective action taken.

(d) For operation under § 63.863(c)(2), Georgia-Pacific Corporation must keep a record of the hours of operation of the two existing semichemical combustion units at their Big Island, VA facility.

[66 FR 3193, Jan. 12, 2001, as amended at 66 FR 16408, Mar. 26, 2001; 68 FR 7718, Feb. 18, 2003; 69 FR 25323, May 6, 2004; 71 FR 20458, Apr. 20, 2006]

### § 63.867 Reporting requirements.

(a) *Notifications.* (1) The owner or operator of any affected source or process unit must submit the applicable notifications from subpart A of this part, as specified in Table 1 of this subpart.

(2) Notifications specific to Georgia-Pacific Corporation's affected sources in Big Island, Virginia.

(i) For a compliance extension under § 63.863(c)(1), submit a notice that provides the date of Georgia-Pacific's determination that the black liquor gasification system is not successful and the reasons why the technology is not successful. The notice must be submitted within 15 days of Georgia-Pacific's determination, but not later than March 16, 2005.

(ii) For operation under § 63.863(c)(2), submit a notice providing: a statement that Georgia-Pacific Corporation intends to run the Kraft black liquor trials, the anticipated period in which the trials will take place, and a statement explaining why the trials could not be conducted prior to March 1, 2005. The notice must be submitted at least 30 days prior to the start of the Kraft liquor trials.

(3) In addition to the requirements in subpart A of this part, the owner or operator of the hog fuel dryer at Weyerhaeuser Paper Company's Cosmopolis, Washington, facility (Emission Unit no. HD–14) must include analysis and supporting documentation demonstrating conformance with EPA guidance and specifications for bag leak detection systems in § 63.864(e)(12) in the Notification of Compliance Status.

(b) *Additional reporting requirements for HAP metals standards.* (1) Any owner or operator of a group of process units in a chemical recovery system at a mill complying with the PM emissions limits in § 63.862(a)(1)(ii) must submit the PM emissions limits determined in § 63.865(a) for each affected kraft or soda recovery furnace, smelt dissolving tank, and lime kiln to the Administrator for approval. The emissions limits must be submitted as part of the notification of compliance status required under subpart A of this part.

(2) Any owner or operator of a group of process units in a chemical recovery system at a mill complying with the PM emissions limits in § 63.862(a)(1)(ii) must submit the calculations and supporting documentation used in § 63.865(a)(1) and (2) to the Administrator as part of the notification of compliance status required under subpart A of this part.

(3) After the Administrator has approved the emissions limits for any process unit, the owner or operator of a process unit must notify the Administrator before any of the actions in paragraphs (b)(3)(i) through (iv) of this section are taken:

(i) The air pollution control system for any process unit is modified or replaced;

(ii) Any kraft or soda recovery furnace, smelt dissolving tank, or lime kiln in a chemical recovery system at a kraft or soda pulp mill complying with the PM emissions limits in

§ 63.862(a)(1)(ii) is shut down for more than 60 consecutive days;

(iii) A continuous monitoring parameter or the value or range of values of a continuous monitoring parameter for any process unit is changed; or

(iv) The black liquor solids firing rate for any kraft or soda recovery furnace during any 24-hour averaging period is increased by more than 10 percent above the level measured during the most recent performance test.

(4) An owner or operator of a group of process units in a chemical recovery system at a mill complying with the PM emissions limits in § 63.862(a)(1)(ii) and seeking to perform the actions in paragraph (b)(3)(i) or (ii) of this section must recalculate the overall PM emissions limit for the group of process units and resubmit the documentation required in paragraph (b)(2) of this section to the Administrator. All modified PM emissions limits are subject to approval by the Administrator.

(c) *Excess emissions report.* The owner or operator must report quarterly if measured parameters meet any of the conditions specified in paragraph (k)(1) or (2) of § 63.864. This report must contain the information specified in § 63.10(c) of this part as well as the number and duration of occurrences when the source met or exceeded the conditions in § 63.864(k)(1), and the number and duration of occurrences when the source met or exceeded the conditions in § 63.864(k)(2). Reporting excess emissions below the violation thresholds of § 63.864(k) does not constitute a violation of the applicable standard.

(1) When no exceedances of parameters have occurred, the owner or operator must submit a semiannual report stating that no excess emissions occurred during the reporting period.

(2) The owner or operator of an affected source or process unit subject to the requirements of this subpart and subpart S of this part may combine excess emissions and/or summary reports for the mill.

[66 FR 3193, Jan. 12, 2001 as amended at 66 FR 16408, Mar. 26, 2001; 68 FR 7718, Feb. 18, 2003; 68 FR 42605, July 18, 2003; 68 FR 46108, Aug. 5, 2003; 69 FR 25323, May 6, 2004]

### § 63.868 Delegation of authority.

(a) In delegating implementation and enforcement authority to a State under section 112(d) of the Clean Air Act, the authorities contained in paragraph (b) of this section must be retained by the Administrator and not transferred to a State.

(b) The authorities which will not be delegated to States are listed in paragraphs (b)(1) through (4) of this section:

(1) Approval of alternatives to standards in § 63.862 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.

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

| General provisions reference | Summary of requirements | Applies to subpart MM | Explanation |
|---|---|---|---|
| 63.1(a)(1) | General applicability of the General Provisions. | Yes | Additional terms defined in § 63.861; when overlap between subparts A and MM of this part, subpart MM takes precedence. |
| 63.1(a)(2)–(14) | General applicability of the General Provisions. | Yes. | |
| 63.1(b)(1) | Initial applicability determination.. | No. | Subpart MM specifies the applicability in § 63.860. |
| 63.1(b)(2) | Title V operating permit—see 40 CFR part 70. | Yes | All major affected sources are required to obtain a title V permit. |
| 63.1(b)(3) | Record of the applicability determination. | No | All affected sources are subject to subpart MM according to the applicability definition of subpart MM. |

| General provisions reference | Summary of requirements | Applies to subpart MM | Explanation |
|---|---|---|---|
| 63.1(c)(1) | Applicability of subpart A of this part after a relevant standard has been set. | Yes | Subpart MM clarifies the applicability of each paragraph of subpart A of this part to sources subject to subpart MM. |
| 63.1(c)(2) | Title V permit requirement | Yes | All major affected sources are required to obtain a title V permit. There are no area sources in the pulp and paper mill source category. |
| 63.1(c)(3) | [Reserved] | NA.. | |
| 63.1(c)(4) | Requirements for existing source that obtains an extension of compliance. | Yes. | |
| 63.1(c)(5) | Notification requirements for an area source that increases HAP emissions to major source levels. | Yes. | |
| 63.1(d) | [Reserved] | NA. | |
| 63.1(e) | Applicability of permit program before a relevant standard has been set. | Yes. | |
| 63.2 | Definitions | Yes | Additional terms defined in §63.861; when overlap between subparts A and MM of this part occurs, subpart MM takes precedence. |
| 63.3 | Units and abbreviations | Yes. | |
| 63.4 | Prohibited activities and circumvention. | Yes. | |
| 63.5(a) | Construction and reconstruction—applicability. | Yes. | |
| 63.5(b)(1) | Upon construction, relevant standards for new sources. | Yes. | |
| 63.5(b)(2) | [Reserved] | NA. | |
| 63.5(b)(3) | New construction/reconstruction. | Yes. | |
| 63.5(b)(4) | Construction/reconstruction notification. | Yes. | |
| 63.5(b)(5) | Construction/reconstruction compliance. | Yes. | |
| 63.5(b)(6) | Equipment addition or process change. | Yes. | |
| 63.5(c) | [Reserved] | NA. | |
| 63.5(d) | Application for approval of construction/reconstruction. | Yes. | |
| 63.5(e) | Construction/reconstruction approval. | Yes. | |
| 63.5(f) | Construction/reconstruction approval based on prior State preconstruction review. | Yes. | |
| 63.6(a)(1) | Compliance with standards and maintenance requirements—applicability. | Yes. | |
| 63.6(a)(2) | Requirements for area source that increases emissions to become major. | Yes. | |
| 63.6(b) | Compliance dates for new and reconstructed sources. | Yes. | |
| 63.6(c) | Compliance dates for existing sources. | Yes, except for sources granted extensions under 63.863(c). | Subpart MM specifically stipulates the compliance schedule for existing sources. |
| 63.6(d) | [Reserved] | NA. | |
| 63.6(e) | Operation and maintenance requirements. | Yes. | |
| 63.6(f) | Compliance with nonopacity emissions standards. | Yes. | |
| 63.6(g) | Compliance with alternative nonopacity emissions standards. | Yes. | |

| General provisions reference | Summary of requirements | Applies to subpart MM | Explanation |
|---|---|---|---|
| 63.6(h) | Compliance with opacity and visible emissions (VE) standards. | Yes | Subpart MM does not contain any opacity or VE standards; however, §63.864 specifies opacity monitoring requirements. |
| 63.6(i) | Extension of compliance with emission standards. | Yes, except for sources granted extensions under 63.863(c). | |
| 63.6(j) | Exemption from compliance with emissions standards. | Yes. | |
| 63.7(a)(1) | Performance testing requirements—applicability. | Yes | §63.865(c)(1) specifies the only exemption from performance testing allowed under subpart MM. |
| 63.7(a)(2) | Performance test dates | Yes. | |
| 63.7(a)(3) | Performance test requests by Administrator under CAA section 114. | Yes. | |
| 63.7(b)(1) | Notification of performance test. | Yes. | |
| 63.7(b)(2) | Notification of delay in conducting a scheduled performance test. | Yes. | |
| 63.7(c) | Quality assurance program | Yes. | |
| 63.7(d) | Performance testing facilities | Yes. | |
| 63.7(e) | Conduct of performance tests | Yes. | |
| 63.7(f) | Use of an alternative test method. | Yes. | |
| 63.7(g) | Data analysis, recordkeeping, and reporting. | Yes. | |
| 63.7(h) | Waiver of performance tests | Yes | §63.865(c)(1) specifies the only exemption from performance testing allowed under subpart MM. |
| 63.8(a) | Monitoring requirements—applicability. | Yes | See §63.864. |
| 63.8(b) | Conduct of monitoring | Yes | See §63.864. |
| 63.8(c) | Operation and maintenance of CMS. | Yes | See §63.864. |
| 63.8(d) | Quality control program | Yes | See §63.864. |
| 63.8(e)(1) | Performance evaluation of CMS. | Yes. | |
| 63.8(e)(2) | Notification of performance evaluation. | Yes. | |
| 63.8(e)(3) | Submission of site-specific performance evaluation test plan. | Yes. | |
| 63.8(e)(4) | Conduct of performance evaluation and performance evaluation dates. | Yes. | |
| 63.8(e)(5) | Reporting performance evaluation results. | Yes. | |
| 63.8(f) | Use of an alternative monitoring method. | Yes. | |
| 63.8(g) | Reduction of monitoring data | Yes. | |
| 63.9(a) | Notification requirements—applicability and general information. | Yes. | |
| 63.9(b) | Initial notifications | Yes. | |
| 63.9(c) | Request for extension of compliance. | Yes. | |
| 63.9(d) | Notification that source subject to special compliance requirements. | Yes. | |
| 63.9(e) | Notification of performance test. | Yes. | |
| 63.9(f) | Notification of opacity and VE observations. | Yes | Subpart MM does not contain any opacity or VE standards; however, §63.864 specifies opacity monitoring requirements. |
| 63.9(g)(1) | Additional notification requirements for sources with CMS. | Yes. | |

| General provisions reference | Summary of requirements | Applies to subpart MM | Explanation |
|---|---|---|---|
| 63.9(g)(2) | Notification of compliance with opacity emissions standard. | Yes | Subpart MM does not contain any opacity or VE emissions standards; however, § 63.864 specifies opacity monitoring requirements. |
| 63.9(g)(3) | Notification that criterion to continue use of alternative to relative accuracy testing has been exceeded. | Yes. | |
| 63.9(h) | Notification of compliance status. | Yes. | |
| 63.9(i) | Adjustment to time periods or postmark deadlines for submittal and review of required communications. | Yes. | |
| 63.9(j) | Change in information already provided. | Yes. | |
| 63.10(a) | Recordkeeping requirements—applicability and general information. | Yes | See § 63.866. |
| 63.10(b)(1) | Records retention | Yes. | |
| 63.10(b)(2) | Information and documentation to support notifications and demonstrate compliance. | Yes. | |
| 63.10(b)(3) | Records retention for sources not subject to relevant standard. | Yes | Applicability requirements are given in § 63.860. |
| 63.10(c) | Additional recordkeeping requirements for sources with CMS.. | Yes. | |
| 63.10(d)(1) | General reporting requirements. | Yes. | |
| 63.10(d)(2) | Reporting results of performance tests. | Yes. | |
| 63.10(d)(3) | Reporting results of opacity or VE observations. | Yes | Subpart MM does not include any opacity or VE standards; however, § 63.864 specifies opacity monitoring requirements. |
| 63.10(d)(4) | Progress reports | Yes. | |
| 63.10(d)(5) | Periodic and immediate startup, shutdown, and malfunction reports. | Yes. | |
| 63.10(e) | Additional reporting requirements for sources with CMS. | Yes. | |
| 63.10(f) | Waiver of recordkeeping and reporting requirements. | Yes. | |
| 63.11 | Control device requirements for flares. | No | The use of flares to meet the standards in subpart MM is not anticipated. |
| 63.12 | State authority and delegations. | Yes. | |
| 63.13 | Addresses of State air pollution control agencies and EPA Regional Offices. | Yes. | |
| 63.14 | Incorporations by reference | Yes. | |
| 63.15 | Availability of information and confidentiality. | Yes. | |

[66 FR 3193, Jan. 12, 2001, as amended at 66 FR 16408, Mar. 26, 2001]

## Subpart OO—National Emission Standards for Tanks—Level 1

SOURCE: 61 FR 34184, July 1, 1996, unless otherwise noted.

### § 63.900 Applicability.

The provisions of this subpart apply to the control of air emissions from tanks for which another subpart of 40 CFR parts 60, 61, or 63 references the

Appendix F

# Arkansas Department of Environmental Quality

# CONTINUOUS EMISSION MONITORING SYSTEMS CONDITIONS

**Revised September 2013**

## PREAMBLE

These conditions are intended to outline the requirements for facilities required to operate Continuous Emission Monitoring Systems/Continuous Opacity Monitoring Systems (CEMS/COMS). Generally there are three types of sources required to operate CEMS/COMS:

1. CEMS/COMS required by 40 CFR Part 60 or 63,
2. CEMS required by 40 CFR Part 75,
3. CEMS/COMS required by ADEQ permit for reasons other than Part 60, 63 or 75.

These CEMS/COMS conditions are not intended to supercede Part 60, 63 or 75 requirements.

- Only CEMS/COMS in the third category (those required by ADEQ permit for reasons other than Part 60, 63, or 75) shall comply with SECTION II, MONITORING REQUIREMENTS and SECTION IV, QUALITY ASSURANCE/QUALITY CONTROL.

- All CEMS/COMS shall comply with Section III, NOTIFICATION AND RECORDKEEPING.

## SECTION I

## DEFINITIONS

**Continuous Emission Monitoring System (CEMS) -** The total equipment required for the determination of a gas concentration and/or emission rate so as to include sampling, analysis and recording of emission data.

**Continuous Opacity Monitoring System (COMS) -** The total equipment required for the determination of opacity as to include sampling, analysis and recording of emission data.

**Calibration Drift (CD) -** The difference in the CEMS output reading from the established reference value after a stated period of operation during which no unscheduled maintenance, repair, or adjustments took place.

**Back-up CEMS** (Secondary CEMS) - A CEMS with the ability to sample, analyze and record stack pollutant to determine gas concentration and/or emission rate. This CEMS is to serve as a back-up to the primary CEMS to minimize monitor downtime.

**Excess Emissions -** Any period in which the emissions exceed the permit limits.

**Monitor Downtime -** Any period during which the CEMS/COMS is unable to sample, analyze and record a minimum of four evenly spaced data points over an hour, except during one daily zero-span check during which two data points per hour are sufficient.

**Out-of-Control Period -** Begins with the time corresponding to the completion of the fifth, consecutive, daily CD check with a CD in excess of two times the allowable limit, or the time corresponding to the completion of the daily CD check preceding the daily CD check that results in a CD in excess of four times the allowable limit and the time corresponding to the completion of the sampling for the Relative Accuracy Test Audit (RATA), Relative Accuracy Audit (RAA), or Cylinder Gas Audit (CGA) which exceeds the limits outlined in Section IV. Out-of-Control Period ends with the time corresponding to the completion of the CD check following corrective action with the results being within the allowable CD limit or the completion of the sampling of the subsequent successful RATA, RAA, or CGA.

**Primary CEMS -** The main reporting CEMS with the ability to sample, analyze, and record stack pollutant to determine gas concentration and/or emission rate.

**Relative Accuracy (RA) -** The absolute mean difference between the gas concentration or emission rate determined by the CEMS and the value determined by the reference method plus the 2.5 percent error confidence coefficient of a series of tests divided by the mean of the reference method tests of the applicable emission limit.

**Span Value** – The upper limit of a gas concentration measurement range.

## SECTION II

## MONITORING REQUIREMENTS

** Only CEMS/COMS required by ADEQ permit for reasons other than Part 60, 63 or 75 shall comply with this section.

A. For new sources, the installation date for the CEMS/COMS shall be no later than thirty (30) days from the date of start-up of the source.

B. For existing sources, the installation date for the CEMS/COMS shall be no later than sixty (60) days from the issuance of the permit unless the permit requires a specific date.

C. Within sixty (60) days of installation of a CEMS/COMS, a performance specification test (PST) must be completed. PST's are defined in 40 CFR, Part 60, Appendix B, PS 1-9. The Department may accept alternate PST's for pollutants not covered by Appendix B on a case-by-case basis. Alternate PST's shall be approved, in writing, by the ADEQ CEM Coordinator prior to testing.

D. Each CEMS/COMS shall have, as a minimum, a daily zero-span check. The zero-span shall be adjusted whenever the 24-hour zero or 24-hour span drift exceeds two times the limits in the applicable performance specification in 40 CFR, Part 60, Appendix B. Before any adjustments are made to either the zero or span drifts measured at the 24-hour interval, the excess zero and span drifts measured must be quantified and recorded.

E. All CEMS/COMS shall be in continuous operation and shall meet minimum frequency of operation requirements of 95% up-time for each quarter for each pollutant measured. Percent of monitor down-time is calculated by dividing the total minutes the monitor is not in operation by the total time in the calendar quarter and multiplying by one hundred. Failure to maintain operation time shall constitute a violation of the CEMS conditions.

F. Percent of excess emissions are calculated by dividing the total minutes of excess emissions by the total time the source operated and multiplying by one hundred. Failure to maintain compliance may constitute a violation of the CEMS conditions.

G. All CEMS measuring emissions shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive fifteen minute period unless more cycles are required by the permit. For each CEMS, one-hour averages shall be computed from four or more data points equally spaced over each one hour period unless more data points are required by the permit.

H. All COMS shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

I. When the pollutant from a single affected facility is released through more than one point, a CEMS/COMS shall be installed on each point unless installation of fewer systems is approved, in writing, by the ADEQ

CEM Coordinator. When more than one CEM/COM is used to monitor emissions from one affected facility the owner or operator shall report the results as required from each CEMS/COMS.

## SECTION III

## NOTIFICATION AND RECORD KEEPING

** All CEMS/COMS shall comply with this section.

A. When requested to do so by an owner or operator, the ADEQ CEM Coordinator will review plans for installation or modification for the purpose of providing technical advice to the owner or operator.

B. Each facility which operates a CEMS/COMS shall notify the ADEQ CEM Coordinator of the date for which the demonstration of the CEMS/COMS performance will commence (i.e. PST, RATA, RAA, CGA). Notification shall be received in writing no less than 15 business days prior to testing. Performance test results shall be submitted to the Department within thirty days after completion of testing.

C. Each facility which operates a CEMS/COMS shall maintain records of the occurrence and duration of start up/shut down, cleaning/soot blowing, process problems, fuel problems, or other malfunction in the operation of the affected facility which causes excess emissions. This includes any malfunction of the air pollution control equipment or any period during which a continuous monitoring device/system is inoperative.

D. Each facility required to install a CEMS/COMS shall submit an excess emission and monitoring system performance report to the Department (Attention: Air Division, CEM Coordinator) at least quarterly, unless more frequent submittals are warranted to assess the compliance status of the facility. Quarterly reports shall be postmarked no later than the 30th day of the month following the end of each calendar quarter.

E. All excess emissions shall be reported in terms of the applicable standard. Each report shall be submitted on ADEQ Quarterly Excess Emission Report Forms. Alternate forms may be used with prior written approval from the Department.

F. Each facility which operates a CEMS/COMS must maintain on site a file of CEMS/COMS data including all raw data, corrected and adjusted, repair logs, calibration checks, adjustments, and test audits. This file must be retained for a period of at least five years, and is required to be maintained in such a condition that it can easily be audited by an inspector.

G. Quarterly reports shall be used by the Department to determine compliance with the permit.

## SECTION IV

## QUALITY ASSURANCE/QUALITY CONTROL

** Only CEMS/COMS required by ADEQ permit for reasons other than Part 60, 63 or 75 shall comply with this section.

A. For each CEMS/COMS a Quality Assurance/Quality Control (QA/QC) plan shall be submitted to the Department (Attn.: Air Division, CEM Coordinator). CEMS quality assurance procedures are defined in 40 CFR, Part 60, Appendix F. This plan shall be submitted within 180 days of the CEMS/COMS installation. A QA/QC plan shall consist of procedure and practices which assures acceptable level of monitor data accuracy, precision, representativeness, and availability.

B. The submitted QA/QC plan for each CEMS/COMS shall not be considered as accepted until the facility receives a written notification of acceptance from the Department.

**C.** Facilities responsible for one, or more, CEMS/COMS used for compliance monitoring shall meet these minimum requirements and are encouraged to develop and implement a more extensive QA/QC program, or to continue such programs where they already exist. Each QA/QC program must include written procedures which should describe in detail, complete, step-by-step procedures and operations for each of the following activities:

1. Calibration of CEMS/COMS
    a. Daily calibrations (including the approximate time(s) that the daily zero and span drifts will be checked and the time required to perform these checks and return to stable operation)
2. Calibration drift determination and adjustment of CEMS/COMS
    a. Out-of-control period determination
    b. Steps of corrective action
3. Preventive maintenance of CEMS/COMS
    a. CEMS/COMS information
        1) Manufacture
        2) Model number
        3) Serial number
    b. Scheduled activities (check list)
    c. Spare part inventory
4. Data recording, calculations, and reporting
5. Accuracy audit procedures including sampling and analysis methods
6. Program of corrective action for malfunctioning CEMS/COMS

D. A Relative Accuracy Test Audit (RATA), shall be conducted at least once every four calendar quarters. A Relative Accuracy Audit (RAA), or a Cylinder Gas Audit (CGA), may be conducted in the other three

quarters but in no more than three quarters in succession. The RATA should be conducted in accordance with the applicable test procedure in 40 CFR Part 60 Appendix A and calculated in accordance with the applicable performance specification in 40 CFR Part 60 Appendix B. CGA's and RAA's should be conducted and the data calculated in accordance with the procedures outlined on 40 CFR Part 60 Appendix F.

If alternative testing procedures or methods of calculation are to be used in the RATA, RAA or CGA audits prior authorization must be obtained from the ADEQ CEM Coordinator.

E. Criteria for excessive audit inaccuracy.

**RATA**

| | |
|---|---|
| All Pollutants except Carbon Monoxide | > 20% Relative Accuracy |
| Carbon Monoxide | > 10% Relative Accuracy |
| All Pollutants except Carbon Monoxide | > 10% of the Applicable Standard |
| Carbon Monoxide | > 5% of the Applicable Standard |
| Diluent ($O_2$ & $CO_2$) | > 1.0 % O2 or CO2 |
| Flow | > 20% Relative Accuracy |

**CGA**

| | |
|---|---|
| Pollutant | > 15% of average audit value or 5 ppm difference |
| Diluent ($O_2$ & $CO_2$) | > 15% of average audit value or 5 ppm difference |

**RAA**

| | |
|---|---|
| Pollutant | > 15% of the three run average or > 7.5 % of the applicable standard |
| Diluent ($O_2$ & $CO_2$) | > 15% of the three run average or > 7.5 % of the applicable standard |

F. If either the zero or span drift results exceed two times the applicable drift specification in 40 CFR, Part 60, Appendix B for five consecutive, daily periods, the CEMS is out-of-control. If either the zero or span drift results exceed four times the applicable drift specification in Appendix B during a calibration drift check, the CEMS is out-of-control. If the CEMS exceeds the audit inaccuracies listed above, the CEMS is out-of-control. If a CEMS is out-of-control, the data from that out-of-control period is not counted towards meeting the minimum data availability as required and described in the applicable subpart. The end of the out-of-control period is the time corresponding to the completion of the successful daily zero or span drift or completion of the successful CGA, RAA or RATA.

G. A back-up monitor may be placed on an emission source to minimize monitor downtime. This back-up CEMS is subject to the same QA/QC procedure and practices as the primary CEMS. The back-up CEMS shall be certified by a PST. Daily zero-span checks must be performed and recorded in accordance with standard practices. When the primary CEMS goes down, the back-up CEMS may then be engaged to sample, analyze and record the emission source pollutant until repairs are made and the primary unit is placed back in service. Records must be maintained on site when the back-up CEMS is placed in service, these records shall include at a minimum the reason the primary CEMS is out of service, the date and time the primary CEMS was out of service and the date and time the primary CEMS was placed back in service.

Appendix G

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO



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.

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

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 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

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)

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.

(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 conducted, 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

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:

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

Where:

$C_i$ = concentration of carbon monoxide (CO), total hydrocarbons (THC), or formaldehyde at the control device inlet,

$C_o$ = 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 ($CO_2$). If pollutant concentrations are to be corrected to 15 percent oxygen and $CO_2$ concentration is measured in lieu of oxygen concentration measurement, a $CO_2$ correction factor is needed. Calculate the $CO_2$ correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.

(i) Calculate the fuel-specific $F_o$ value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

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

Where:

$F_o$ = Fuel factor based on the ratio of oxygen volume to the ultimate $CO_2$ volume produced by the fuel at zero percent excess air.

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

$F_d$ = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, $dsm^3/J$ ($dscf/10^6$ Btu).

$F_c$ = Ratio of the volume of $CO_2$ produced to the gross calorific value of the fuel from Method 19, $dsm^3/J$ ($dscf/10^6$ Btu)

(ii) Calculate the $CO_2$ correction factor for correcting measurement data to 15 percent $O_2$, as follows:

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

Where:

$X_{CO2}$ = $CO_2$ correction factor, percent.

5.9 = 20.9 percent $O_2$—15 percent $O_2$, the defined $O_2$ correction value, percent.

(iii) Calculate the CO, THC, and formaldehyde gas concentrations adjusted to 15 percent $O_2$ using $CO_2$ as follows:

$$C_{adj} = C_d \frac{X_{CO2}}{\%CO_2} \quad (Eq. 4)$$

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.

$X_{CO2}$ = $CO_2$ 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 $O_2$ or $CO_2$ 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, analyzing, 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 $CO_2$ 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 recordkeeping 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

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 $O_2$ using one of the $O_2$ measurement methods specified in Table 4 of this subpart. Measurements to determine $O_2$ 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 $O_2$ 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 nonemergency 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 $O_2$ using one of the $O_2$ measurement methods specified in Table 4 of this subpart. Measurements to determine $O_2$ 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 $O_2$ 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 operate 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 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.

[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.

(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

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 Compliance 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:

(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*). 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 § 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

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]

### §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

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(l)(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 or 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 byproduct of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and $CO_2$.

*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 $CO_2$.

*Lean burn engine* means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

*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 nonhydrocarbon 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 ($NO_X$) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, $NO_X$, CO, and volatile organic compounds (VOC) into $CO_2$, 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 $C_3H_8$.

*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 $NO_X$ (such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

*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 nonroad 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 PPPPP 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

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.<br>b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent $O_2$. | 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.[1] |

[1] 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<br>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 $O_2$ and 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<br>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.[1] |
| 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<br>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 $O_2$ and not using NSCR. | Comply with any operating limitations approved by the Administrator. |

[1] 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]

TABLE 2a TO SUBPART ZZZZ OF PART 63—EMISSION LIMITATIONS FOR NEW AND RECONSTRUCTED 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 startup . . . | During periods of startup you must . . . |
|---|---|---|
| 1. 2SLB stationary RICE | a. Reduce CO emissions by 58 percent or more; or<br>b. Limit concentration of formaldehyde in the stationary RICE exhaust to 12 ppmvd or less at 15 percent $O_2$. 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 $O_2$ until June 15, 2007. | 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.[1] |
| 2. 4SLB stationary RICE | a. Reduce CO emissions by 93 percent or more; or<br>b. Limit concentration of formaldehyde in the stationary RICE exhaust to 14 ppmvd or less at 15 percent $O_2$. | |
| 3. CI stationary RICE | a. Reduce CO emissions by 70 percent or more; or<br>b. Limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbvd or less at 15 percent $O_2$. | |

[1] 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 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, 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 . . . |
|---|---|
| 1. New and reconstructed 2SLB and CI stationary RICE >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<br>New and reconstructed 2SLB and CI stationary RICE >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. | 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<br>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.[1] |
| 2. Existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and using an oxidation catalyst. | 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<br>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.[1] |

| For each . . . | You must meet the following operating limitation, except during periods of startup . . . |
|---|---|
| 3. New and reconstructed 2SLB and CI stationary RICE >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<br>New and reconstructed 2SLB and CI stationary RICE >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<br>existing CI stationary RICE >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. | Comply with any operating limitations approved by the Administrator. |

[1] 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 [1]. | a. Change oil and filter every 500 hours of operation or annually, whichever comes first.[2]<br>b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;<br>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.[3] | 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.[3] |
| 2. Non-Emergency, non-black start stationary CI RICE <100 HP. | a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first.[2]<br>b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;<br>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.[3] | |
| 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 $O_2$. | |
| 4. Non-Emergency, non-black start CI stationary RICE 300<HP≤500. | a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent $O_2$; or<br>b. Reduce CO emissions by 70 percent or more. | |
| 5. Non-Emergency, non-black start stationary CI RICE >500 HP. | a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent $O_2$; or<br>b. Reduce CO emissions by 70 percent or more. | |

| 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.[1] | a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[2]<br>b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;<br>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.[3] | |
| 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;[2]<br>b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary;<br>c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.[3] | |
| 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;[2]<br>b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first, and replace as necessary;<br>c. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary.[3] | |
| 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 $O_2$. | |
| 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 $O_2$. | |
| 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 $O_2$. | |
| 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 $O_2$. | |

[1] 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.

[2] 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.

[3] 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. | a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;[1]<br>b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;<br>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. | 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. | a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent $O_2$; or<br>b. Reduce CO emissions by 70 percent or more. | |
| 3. Non-Emergency, non-black start CI stationary RICE >500 HP. | a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent $O_2$; or<br>b. Reduce CO emissions by 70 percent or more. | |
| 4. Emergency stationary CI RICE and black start stationary CI RICE.[2] | a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[1]<br>b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and<br>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. | |
| 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.[2] | a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[1];<br>b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and<br>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. | |
| 6. Non-emergency, non-black start 2SLB stationary RICE. | a. Change oil and filter every 4,320 hours of operation or annually, whichever comes first;[1]<br>b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first, and replace as necessary; and<br>c. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary. | |
| 7. Non-emergency, non-black start 4SLB stationary RICE ≤500 HP. | a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;[1]<br>b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and<br>c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary. | |

| 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. | a. Change oil and filter every 2,160 hours of operation or annually, whichever comes first;[1]<br>b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and<br>c. Inspect all hoses and belts every 2,160 hours of operation or annually, whichever comes first, and replace as necessary. | |
| 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. | a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;[1]<br>b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and<br>c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary. | |
| 11. Non-emergency, non-black start 4SRB remote stationary RICE >500 HP. | a. Change oil and filter every 2,160 hours of operation or annually, whichever comes first;[1]<br>b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and<br>c. Inspect all hoses and belts every 2,160 hours of operation or annually, whichever comes first, and replace as necessary. | |
| 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. | a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;[1]<br>b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and<br>c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary. | |

[1] 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.

[2] 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]

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.[1] |
| 2. 4SRB stationary RICE ≥5,000 HP located at major sources. | Reduce formaldehyde emissions ..... | Conduct subsequent performance tests semiannually.[1] |
| 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.[1] |
| 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. |

[1] 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 semiannual 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, 63.6612, 63.6620, and 63.6640, you must comply with the following requirements for performance tests for stationary RICE:

| 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. Measure the $O_2$ at the inlet and outlet of the control device; and | (1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A, or ASTM Method D6522–00 (Reapproved 2005).[a c] | (a) Measurements to determine $O_2$ must be made at the same time as the measurements for CO concentration. |
| | | ii. Measure the CO at the inlet and the outlet of the control device. | (1) ASTM D6522–00 (Reapproved 2005) [a b c] or Method 10 of 40 CFR part 60, appendix A. | (a) The CO concentration must be at 15 percent $O_2$, dry basis. |
| 2. 4SRB stationary RICE. | a. reduce formaldehyde emissions. | i. Select the sampling port location and the number of traverse points; and | (1) Method 1 or 1A of 40 CFR part 60, appendix A § 63.7(d)(1)(i). | (a) sampling sites must be located at the inlet and outlet of the control device. |
| | | ii. Measure $O_2$ at the inlet and outlet of the control device; and | (1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A, or ASTM Method D6522–00 (Reapproved 2005).[a] | (a) measurements to determine $O_2$ 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, or Test Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03.[a] | (a) measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or THC concentration. |

| For each . . . | Complying with the requirement to . . . | You must . . . | Using . . . | According to the following requirements . . . |
|---|---|---|---|---|
| | | 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,[a] 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 $O_2$, 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. | (a) THC concentration must be at 15 percent $O_2$, dry basis. Results of this test consist of the average of the three 1-hour or longer runs. |
| 3. Stationary RICE. | a. limit the concentration of formaldehyde or CO in the stationary RICE exhaust. | i. Select the sampling port location and the number of traverse points; and | (1) Method 1 or 1A of 40 CFR part 60, appendix A § 63.7(d)(1)(i). | (a) if using a control device, the sampling site must be located at the outlet of the control device. |
| | | ii. Determine the $O_2$ concentration of the stationary RICE exhaust at the sampling port location; and | (1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A, or ASTM Method D6522–00 (Reapproved 2005).[a] | (a) measurements to determine $O_2$ concentration must be made at the same time and location as the measurements for formaldehyde or CO concentration. |
| | | iii. Measure moisture content of the stationary RICE exhaust at the sampling port location; and | (1) Method 4 of 40 CFR part 60, appendix A, or Test Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03.[a] | (a) measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or CO concentration. |
| | | iv. Measure formaldehyde at the exhaust of the stationary RICE; or | (1) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348–03,[a] 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 $O_2$, dry basis. Results of this test consist of the average of the three 1-hour or longer runs. |
| | | v. measure CO at the exhaust of the stationary RICE. | (1) Method 10 of 40 CFR part 60, appendix A, ASTM Method D6522–00 (2005),[a][c] Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03.[a] | (a) CO concentration must be at 15 percent $O_2$, dry basis. Results of this test consist of the average of the three 1-hour or longer runs. |

[a] Incorporated by reference, see 40 CFR 63.14. You may also obtain copies from University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.
[b] You may also use Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03.
[c] ASTM–D6522–00 (2005) may be used to test both CI and SI stationary RICE.

[78 FR 6711, Jan. 30, 2013]

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 . . . |
|---|---|---|
| 1. New or reconstructed non-emergency 2SLB stationary RICE >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 >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP. | a. Reduce CO emissions and using oxidation catalyst, and using a CPMS. | i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and<br>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and<br>iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test. |
| 2. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP. | a. Limit the concentration of CO, using oxidation catalyst, and using a CPMS. | i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and<br>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and<br>iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test. |
| 3. New or reconstructed non-emergency 2SLB stationary RICE >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 >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP. | a. Reduce CO emissions and not using oxidation catalyst. | i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and<br>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<br>iii. You have recorded the approved operating parameters (if any) during the initial performance test. |
| 4. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP. | a. Limit the concentration of CO, and not using oxidation catalyst. | i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and<br>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<br>iii. You have recorded the approved operating parameters (if any) during the initial performance test. |
| 5. New or reconstructed non-emergency 2SLB stationary RICE >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 >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP. | a. Reduce CO emissions, and using a CEMS. | i. You have installed a CEMS to continuously monitor CO and either $O_2$ or $CO_2$ at both the inlet and outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and<br>ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and<br>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. |

| For each . . . | Complying with the requirement to . . . | You have demonstrated initial compliance if . . . |
|---|---|---|
| 6. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP. | a. Limit the concentration of CO, and using a CEMS. | i. You have installed a CEMS to continuously monitor CO and either $O_2$ or $CO_2$ at the outlet of the oxidation catalyst according to the requirements in §63.6625(a); and<br>ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and<br>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. |
| 7. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP. | a. Reduce formaldehyde emissions and using NSCR. | 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<br>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and<br>iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test. |
| 8. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP. | a. Reduce formaldehyde emissions and not using NSCR. | 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<br>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<br>iii. You have recorded the approved operating parameters (if any) during the initial performance test. |
| 9. New or reconstructed non-emergency stationary RICE >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 >500 HP located at a major source of HAP. | a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR. | i. The average formaldehyde concentration, corrected to 15 percent $O_2$, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and<br>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and<br>iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test. |
| 10. New or reconstructed non-emergency stationary RICE >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 >500 HP located at a major source of HAP. | a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR. | i. The average formaldehyde concentration, corrected to 15 percent $O_2$, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and<br>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 |

| For each . . . | Complying with the requirement to . . . | You have demonstrated initial compliance if . . . |
|---|---|---|
| | | iii. You have recorded the approved operating parameters (if any) during the initial performance test. |
| 11. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP. | a. Reduce CO emissions | 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. |
| 12. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP. | a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust. | i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent $O_2$, dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable. |
| 13. Existing non-emergency 4SLB 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 an oxidation catalyst | 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 $O_2$;<br>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. |
| 14. 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. 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 $O_2$, or the average reduction of emissions of THC is 30 percent or more;<br>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. |

[78 FR 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 . . . |
|---|---|---|
| 1. New or reconstructed non-emergency 2SLB stationary RICE >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 >500 HP located at a major source of HAP. | a. Reduce CO emissions and using an oxidation catalyst, and using a CPMS. | i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved [a]; and<br>ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and<br>iii. Reducing these data to 4-hour rolling averages; and<br>iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and |

| For each . . . | Complying with the requirement to . . . | You must demonstrate continuous compliance by . . . |
|---|---|---|
| | | 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. |
| 2. New or reconstructed non-emergency 2SLB stationary RICE >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 >500 HP located at a major source of HAP. | a. Reduce CO emissions and not using an oxidation catalyst, and using a CPMS. | i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved[a]; and<br>ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and<br>iii. Reducing these data to 4-hour rolling averages; and<br>iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. |
| 3. New or reconstructed non-emergency 2SLB stationary RICE >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 >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP. | a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using a CEMS. | 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<br>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<br>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. |
| 4. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP. | a. Reduce formaldehyde emissions and using NSCR. | i. Collecting the catalyst inlet temperature data according to §63.6625(b); and<br>ii. Reducing these data to 4-hour rolling averages; and<br>iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and<br>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. |
| 5. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP. | a. Reduce formaldehyde emissions and not using NSCR. | i. Collecting the approved operating parameter (if any) data according to §63.6625(b); and<br>ii. Reducing these data to 4-hour rolling averages; and<br>iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. |
| 6. Non-emergency 4SRB stationary RICE with a brake HP ≥5,000 located at a major source of HAP. | a. Reduce formaldehyde emissions ..... | 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.[a] |

| For each . . . | Complying with the requirement to . . . | You must demonstrate continuous compliance by . . . |
|---|---|---|
| 7. 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. | a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR. | i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit [a]; and<br>ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and<br>iii. Reducing these data to 4-hour rolling averages; and<br>iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and<br>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. |
| 8. 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. | a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR. | i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit [a]; and<br>ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and<br>iii. Reducing these data to 4-hour rolling averages; and<br>iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. |
| 9. Existing emergency and black start stationary RICE ≤500 HP located at a major source of HAP, existing non-emergency stationary RICE <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 >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 >500 HP located at an area source of HAP that are remote stationary RICE. | a. Work or Management practices ..... | i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or<br>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. |
| 10. Existing stationary CI RICE >500 HP that are not limited use stationary RICE. | a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and using oxidation catalyst. | 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<br>ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and |

| For each . . . | Complying with the requirement to . . . | You must demonstrate continuous compliance by . . . |
|---|---|---|
| | | iii. Reducing these data to 4-hour rolling averages; and<br>iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and<br>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. |
| 11. Existing stationary CI RICE >500 HP that are not limited use stationary RICE. | a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and not using oxidation catalyst. | 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<br>ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and<br>iii. Reducing these data to 4-hour rolling averages; and<br>iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. |
| 12. Existing limited use CI stationary RICE >500 HP. | a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using an oxidation catalyst. | 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<br>ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and<br>iii. Reducing these data to 4-hour rolling averages; and<br>iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and<br>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. |
| 13. Existing limited use CI stationary RICE >500 HP. | a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and not using an oxidation catalyst. | 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<br>ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and<br>iii. Reducing these data to 4-hour rolling averages; and<br>iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. |

| For each . . . | Complying with the requirement to . . . | You must demonstrate continuous compliance by . . . |
|---|---|---|
| 14. Existing non-emergency 4SLB 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 an oxidation catalyst | 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 $O_2$; and either<br>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<br>iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1350 °F. |
| 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 $O_2$, or the average reduction of emissions of THC is 30 percent or more; and either<br>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<br>iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1250 °F. |

[a] 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 | 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<br>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. |
| | | 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 | i. Semiannually according to the requirements in §63.6650(b). |
| | | 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). |
| 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 | i. Annually, according to the requirements in §63.6650. |
| | | b. The operating limits provided in your federally enforceable permit, and any deviations from these limits; and | i. See item 2.a.i. |
| | | c. Any problems or errors suspected with the meters. | 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). |

| For each . . . | You must submit a . . . | The report must contain . . . | You must submit the report . . . |
|---|---|---|---|
| 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 subpart | 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. | |
| §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. | |

| General provisions citation | Subject of citation | Applies to subpart | Explanation |
|---|---|---|---|
| §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<br>Except that §63.8(e) only applies as specified in §63.6645. | Except for §63.8(e)(5)(ii), which applies to COMS. |
| §63.8(f)(1)–(5) | Alternative monitoring method | 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<br>Except that §63.9(b) only applies as specified in §63.6645. | Except that §63.9(b)(3) is reserved. |
| §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<br>Except that §63.9(g) only applies as specified in §63.6645. | If alternative is in use. |

| General provisions citation | Subject of citation | Applies to subpart | Explanation |
|---|---|---|---|
| § 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 recordkeeping/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 measuring carbon monoxide (CO) and oxygen ($O_2$) 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 ($O_2$).

| 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 ($O_2$) | *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 $O_2$, 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 $O_2$ 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 $O_2$ 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 $O_2$ 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 $NO_2$ 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 $O_2$ 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 $O_2$; 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 $O_2$. 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 $O_2$) is acceptable for calibration of the $O_2$ cell. If needed, any lower percentage $O_2$ calibration gas must be a mixture of $O_2$ 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 $O_2$ Calibration Gas Concentration.*

Select an $O_2$ 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 $O_2$. When the average exhaust gas $O_2$ readings are above 6 percent, you may use dry ambient air (20.9 percent $O_2$) for the up-scale $O_2$ 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., $CO_2$).

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 $O_2$ 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 ± 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 $O_2$ 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 ± 3 percent of the up-scale gas value or ± 1 ppm, whichever is less restrictive, for the CO channel and

less than or equal to ± 0.3 percent $O_2$ for the $O_2$ 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 ± 5 percent or ± 1 ppm for CO or ± 0.5 percent $O_2$, 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 ± 2 percent or ± 1 ppm for CO or ± 0.5 percent $O_2$, 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 $O_2$ 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 ± 2 percent, or ± 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* ± 2 percent *or ± 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 $NO_2$ gas standards that are generally recognized as representative of diesel-fueled engine NO and $NO_2$ 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 $NO_2$ interference response should be less than or equal to ± 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 concentrations 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 ± 3 percent or ± 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.

Facility_____ Engine I.D._____ Date_____

Run Type: ..... (___) Pre-Sample Calibration (___) Stack Gas Sample (___) Post-Sample Cal. Check (___) Repeatability Check

(X) .....

| | 1 $O_2$ | 1 CO | 2 $O_2$ | 2 CO | 3 $O_2$ | 3 CO | 4 $O_2$ | 4 CO | Time | Scrub. OK | Flow- Rate |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Run # ..... | | | | | | | | | ..... | ..... | |
| Gas ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| ..... | | | | | | | | | | | |
| Sample Cond. ..... | | | | | | | | | ..... | ..... | |
| Phase ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| ..... | | | | | | | | | | | |
| Measurement ..... | | | | | | | | | ..... | ..... | |
| Data Phase ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
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| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| Mean ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| ..... | | | | | | | | | | | |
| Refresh ..... | | | | | | | | | ..... | ..... | |
| Phase ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| " ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |
| ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | |

[78 FR 6721, Jan. 30, 2013]

Appendix H

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO



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

| General Provisions citation | Subject of citation | Applies to subpart | Explanation |
|---|---|---|---|
| § 60.13 | 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);

(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 ($NO_X$) emission standard of 3.0 grams per HP-hour (g/HP-hr), a CO emission standard of 4.0 g/HP-hr (5.0 g/HP-hr for non-emergency engines less than 100 HP), and a volatile organic compounds (VOC) emission standard of 1.0 g/HP-hr, or a $NO_X$ emission standard of 250 ppmvd at 15 percent oxygen ($O_2$), a CO emission standard 540 ppmvd at 15 percent $O_2$ (675 ppmvd at 15 percent $O_2$ for non-emergency engines less than 100 HP), and a VOC emission standard of 86 ppmvd at 15 percent $O_2$, where the date of manufacture of the engine is:

(i) Prior to July 1, 2007, for non-emergency engines with a maximum engine power greater than or equal to 500 HP (except lean burn natural gas engines and LPG engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

(ii) Prior to July 1, 2008, for non-emergency engines with a maximum engine power less than 500 HP;

(iii) Prior to January 1, 2009, for emergency engines;

(iv) Prior to January 1, 2008, for non-emergency lean burn natural gas engines and LPG engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP.

(5) Owners and operators of stationary SI landfill/digester gas ICE engines with a maximum engine power greater than 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (e) of this section for stationary landfill/digester gas engines. Engines with maximum engine power less than 500 HP and a date of manufacture prior to July 1, 2008 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE with a maximum engine power less than 500 HP manufactured on July 1, 2008. Engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines greater than or equal to 500 HP and less than 1,350 HP) and a date of manufacture prior to July 1, 2007 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE with a maximum engine power greater than or equal to 500 HP (except lean burn engines greater than or equal to 500 HP and less than 1,350 HP) manufactured on July 1, 2007. Lean burn engines greater than or equal to

500 HP and less than 1,350 HP with a date of manufacture prior to January 1, 2008 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE that are lean burn engines greater than or equal to 500 HP and less than 1,350 HP and manufactured on January 1, 2008.

(g) Owners and operators of stationary SI wellhead gas ICE engines may petition the Administrator for approval on a case-by-case basis to meet emission standards no less stringent than the emission standards that apply to stationary emergency SI engines greater than 25 HP and less than 130 HP due to the presence of high sulfur levels in the fuel, as specified in Table 1 to this subpart. The request must, at a minimum, demonstrate that the fuel has high sulfur levels that prevent the use of aftertreatment controls and also that the owner has reasonably made all attempts possible to obtain an engine that will meet the standards without the use of aftertreatment controls. The petition must request the most stringent standards reasonably applicable to the engine using the fuel.

(h) Owners and operators of stationary SI ICE that are required to meet standards that reference 40 CFR 1048.101 must, if testing their engines in use, meet the standards in that section applicable to field testing, except as indicated in paragraph (e) of this section.

[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 paragraph (a), (b), and (c) of this section.

(e) The requirements of this section do not apply to owners and operators of stationary SI ICE that have been modified or reconstructed, and they do not apply to engines that were removed from one existing location and reinstalled at a new location.

### § 60.4237 What are the monitoring requirements if I am an owner or operator of an emergency stationary SI internal combustion engine?

(a) Starting on July 1, 2010, if the emergency stationary SI internal combustion engine that is greater than or equal to 500 HP that was built on or after July 1, 2010, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.

(b) Starting on January 1, 2011, if the emergency stationary SI internal combustion engine that is greater than or equal to 130 HP and less than 500 HP that was built on or after January 1, 2011, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.

(c) If you are an owner or operator of an emergency stationary SI internal combustion engine that is less than 130 HP, was built on or after July 1, 2008, and does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter upon startup of your emergency engine.

## COMPLIANCE REQUIREMENTS FOR MANUFACTURERS

### § 60.4238 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines ≤19 KW (25 HP) or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in §60.4231(a) must certify their stationary SI ICE using the certification 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]

### § 60.4239 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. Manufacturers who certify their engines under the voluntary certification program must meet the requirements as specified in paragraphs (b) through (g) of this section. In addition, manufacturers of stationary SI internal combustion engines who choose to certify their engines under the voluntary certification program, must also meet the requirements as specified in § 60.4247.

(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 provisions 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 engine that is manufactured after July 1, 2008, and must comply with the emission standards specified in § 60.4233(a) through (c), you must comply by purchasing an engine certified to the emission standards in § 60.4231(a) through (c), as applicable, for the same engine class and maximum engine power. In addition, you must meet one of the requirements specified in (a)(1) and (2) of this section.

(1) If you operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, you must keep records of conducted maintenance to demonstrate compliance, but no performance testing is required if you are an owner or operator. You must also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply to you. If you adjust engine settings according to and consistent with the manufacturer's instructions, your stationary SI internal combustion engine will not be considered out of compliance.

(2) If you do not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, your engine will be considered a non-certified engine, and you must demonstrate compliance according to (a)(2)(i) through (iii) of this section, as appropriate.

(i) If you are an owner or operator of a stationary SI internal combustion engine less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions, but no performance testing is required if you are an owner or operator.

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup to demonstrate compliance.

(iii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

(b) If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in §60.4233(d) or (e), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) and (2) of this section.

(1) Purchasing an engine certified according to procedures specified in this subpart, for the same model year and demonstrating compliance according to one of the methods specified in paragraph (a) of this section.

(2) Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in §60.4233(d) or (e) and according to the requirements specified in §60.4244, as applicable, and according to paragraphs (b)(2)(i) and (ii) of this section.

(i) If you are an owner or operator of a stationary SI internal combustion engine greater than 25 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance.

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

(c) If you are an owner or operator of a stationary SI internal combustion

engine that must comply with the emission standards specified in § 60.4233(f), you must demonstrate compliance according paragraph (b)(2)(i) or (ii) of this section, except that if you comply according to paragraph (b)(2)(i) of this section, you demonstrate that your non-certified engine complies with the emission standards specified in § 60.4233(f).

(d) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (d)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, 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 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 rebuilt 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 an stationary SI internal combustion engine with maximum engine power greater than or equal to 500 HP that is manufactured after July 1, 2007 and before July 1, 2008, and must comply with the emission standards specified in sections 60.4233(b) or (c), you must comply by one of the methods specified in paragraphs (h)(1) through (h)(4) of this section.

(1) Purchasing an engine certified according to 40 CFR part 1048. The engine must be installed and configured according to the manufacturer's specifications.

(2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.

(3) Keeping records of engine manufacturer data indicating compliance with the standards.

(4) Keeping records of control device vendor data indicating compliance with the standards.

(i) If you are an owner or operator of a modified or reconstructed stationary SI internal combustion engine and must comply with the emission standards specified in § 60.4233(f), you must demonstrate compliance according to one of the methods specified in paragraphs (i)(1) or (2) of this section.

(1) Purchasing, or otherwise owning or operating, an engine certified to the emission standards in § 60.4233(f), as applicable.

(2) Conducting a performance test to demonstrate initial compliance with the emission standards according to the requirements specified in § 60.4244. The test must be conducted within 60 days after the engine commences operation after the modification or reconstruction.

[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 conditions that are specified by Table 2 to this subpart.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.

(c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

(d) To determine compliance with the $NO_X$ mass per unit output emission limitation, convert the concentration of $NO_X$ in the engine exhaust using Equation 1 of this section:

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

Where:

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

$C_d$ = Measured $NO_X$ concentration in parts per million by volume (ppmv).

$1.912 \times 10^{-3}$ = Conversion constant for ppm $NO_X$ to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, horsepower-hour (HP-hr).

(e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of this section:

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

Where:

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

$C_d$ = Measured CO concentration in ppmv.

$1.164 \times 10^{-3}$ = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(f) For purposes of this subpart, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of this section:

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

Where:

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

$C_d$ = VOC concentration measured as propane in ppmv.

$1.833 \times 10^{-3}$ = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(g) If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.

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

Where:

$RF_i$ = Response factor of compound i when measured with EPA Method 25A.

$C_{Mi}$ = Measured concentration of compound i in ppmv as carbon.

$C_{Ai}$ = True concentration of compound i in ppmv as carbon.

$$C_{icorr} = RF_i \times C_{imeas} \qquad \text{(Eq. 5)}$$

Where:

$C_{icorr}$ = Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon.

$C_{imeas}$ = Concentration of compound i measured by EPA Method 320, ppmv as carbon.

$$C_{Peq} = 0.6098 \times C_{icorr} \qquad \text{(Eq. 6)}$$

Where:

$C_{Peq}$ = Concentration of compound i in mg of propane equivalent per DSCM.

NOTIFICATION, REPORTS, AND RECORDS FOR OWNERS AND OPERATORS

### § 60.4245 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?

Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.

(a) Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of this section.

(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(2) Maintenance conducted on the engine.

(3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 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 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*). 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 subcomponents comprising any simple cycle combustion turbine, any regenerative/recuperative cycle combustion turbine, the combustion turbine portion of any cogeneration cycle combustion system, or the combustion turbine portion of any combined cycle steam/electric generating system.

*Compression ignition* means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

*Date of manufacture* means one of the following things:

(1) For freshly manufactured engines and modified engines, date of manufacture means the date the engine is originally produced.

(2) For reconstructed engines, date of manufacture means the date the engine was originally produced, except as specified in paragraph (3) of this definition.

(3) Reconstructed engines are assigned a new date of manufacture if the fixed capital cost of the new and refurbished components exceeds 75 percent of the fixed capital cost of a comparable entirely new facility. An engine that is produced from a previously used engine block does not retain the date of manufacture of the engine in which the engine block was previously used if the engine is produced using all new components except for the engine block. In these cases, the date of manufacture is the date of reconstruction or the date the new engine is produced.

*Diesel fuel* means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is number 2 distillate oil.

*Digester gas* means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and carbon dioxide ($CO_2$).

*Emergency stationary internal combustion engine* means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary ICE must comply with the requirements specified in § 60.4243(d) in order to be considered emergency stationary ICE. If the engine does not comply with the requirements specified in § 60.4243(d), then it is not considered to be an emergency stationary ICE under this subpart.

(1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc.

(2) The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 60.4243(d).

(3) The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 60.4243(d)(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 $CO_2$.

*Lean burn engine* means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

*Liquefied petroleum gas* means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining or natural gas production.

*Manufacturer* has the meaning given in section 216(1) of the Clean Air Act. In general, this term includes any person who manufactures a stationary engine for sale in the United States or otherwise introduces a new stationary engine into commerce in the United States. This includes importers who import stationary engines for resale.

*Maximum engine power* means maximum engine power as defined in 40 CFR 1048.801.

*Model year* means the calendar year in which an engine is manufactured (see ''date of manufacture''), except as follows:

(1) Model year means the annual new model production period of the engine manufacturer in which an engine is manufactured (see ''date of manufacture''), if the annual new model production period is different than the calendar year and includes January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year.

(2) For an engine that is converted to a stationary engine after being placed into service as a nonroad or other nonstationary 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 nonhydrocarbon gases found in geologic formations beneath the Earth's surface, of which the principal constituent is methane. Natural gas may be field or pipeline quality.

*Other internal combustion engine* means any internal combustion engine, except combustion turbines, which is not a reciprocating internal combustion engine or rotary internal combustion engine.

*Pipeline-quality natural gas* means a naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions, and which is provided by a supplier through a pipeline. Pipeline-quality natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1,100 British thermal units per standard cubic foot.

*Rich burn engine* means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to June 12, 2006, with passive emission control technology for $NO_X$ (such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

*Rotary internal combustion engine* means any internal combustion engine which uses rotary motion to convert heat energy into mechanical work.

*Spark ignition* means relating to either: a gasoline-fueled engine; or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for compression ignition and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

*Stationary internal combustion engine* means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE

differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle, aircraft, or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.

*Stationary internal combustion engine test cell/stand* means an engine test cell/stand, as defined in 40 CFR part 63, subpart PPPPP, that tests stationary ICE.

*Stoichiometric* means the theoretical air-to-fuel ratio required for complete combustion.

*Subpart* means 40 CFR part 60, subpart JJJJ.

*Two-stroke engine* means a type of engine which completes the power cycle in single crankshaft revolution by combining the intake and compression operations into one stroke and the power and exhaust operations into a second stroke. This system requires auxiliary scavenging and inherently runs lean of stoichiometric.

*Volatile organic compounds* means volatile organic compounds as defined in 40 CFR 51.100(s).

*Voluntary certification program* means an optional engine certification program that manufacturers of stationary SI internal combustion engines with a maximum engine power greater than 19 KW (25 HP) that do not use gasoline and are not rich burn engines that use LPG can choose to participate in to certify their engines to the emission standards in §60.4231(d) or (e), as applicable.

[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—$NO_X$, CO, AND VOC EMISSION STANDARDS FOR STATIONARY NON-EMERGENCY SI ENGINES ≥100 HP (EXCEPT GASOLINE AND RICH BURN LPG), STATIONARY SI LANDFILL/DIGESTER GAS ENGINES, AND STATIONARY EMERGENCY ENGINES >25 HP

| Engine type and fuel | Maximum engine power | Manufacture date | Emission standards[a] | | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | g/HP-hr | | | ppmvd at 15% $O_2$ | | |
| | | | $NO_X$ | CO | VOC[d] | $NO_X$ | CO | VOC[d] |
| Non-Emergency SI Natural Gas[b] and Non-Emergency SI Lean Burn LPG[b]. | 100≤HP<500 | 7/1/2008 | 2.0 | 4.0 | 1.0 | 160 | 540 | 86 |
| | | 1/1/2011 | 1.0 | 2.0 | 0.7 | 82 | 270 | 60 |
| Non-Emergency SI Lean Burn Natural Gas and LPG. | 500≤HP<1,350 | 1/1/2008 | 2.0 | 4.0 | 1.0 | 160 | 540 | 86 |
| | | 7/1/2010 | 1.0 | 2.0 | 0.7 | 82 | 270 | 60 |
| Non-Emergency SI Natural Gas and Non-Emergency SI Lean Burn LPG (except lean burn 500≤HP<1,350). | HP≥500 | 7/1/2007 | 2.0 | 4.0 | 1.0 | 160 | 540 | 86 |
| | HP≥500 | 7/1/2010 | 1.0 | 2.0 | 0.7 | 82 | 270 | 60 |
| Landfill/Digester Gas (except lean burn 500≤HP<1,350). | HP<500 | 7/1/2008 | 3.0 | 5.0 | 1.0 | 220 | 610 | 80 |
| | | 1/1/2011 | 2.0 | 5.0 | 1.0 | 150 | 610 | 80 |
| | HP≥500 | 7/1/2007 | 3.0 | 5.0 | 1.0 | 220 | 610 | 80 |
| | | 7/1/2010 | 2.0 | 5.0 | 1.0 | 150 | 610 | 80 |
| Landfill/Digester Gas Lean Burn | 500≤HP<1,350 | 1/1/2008 | 3.0 | 5.0 | 1.0 | 220 | 610 | 80 |
| | | 7/1/2010 | 2.0 | 5.0 | 1.0 | 150 | 610 | 80 |
| Emergency | 25<HP<130 | 1/1/2009 | [c]10 | 387 | N/A | N/A | N/A | N/A |
| | HP≥130 | | 2.0 | 4.0 | 1.0 | 160 | 540 | 86 |

[a] Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent $O_2$.

[b] Owners and operators of new or reconstructed non-emergency lean burn SI stationary engines with a site rating of greater than or equal to 250 brake HP located at a major source that are meeting the requirements of 40 CFR part 63, subpart ZZZZ, Table 2a do not have to comply with the CO emission standards of Table 1 of this subpart.

[c] The emission standards applicable to emergency engines between 25 HP and 130 HP are in terms of $NO_X$ + HC.

[d] For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

[76 FR 37975, June 28, 2011]

TABLE 2 TO SUBPART JJJJ OF PART 60—REQUIREMENTS FOR PERFORMANCE TESTS

Table 2 to Subpart JJJJ of Part 60—Requirements for Performance Tests

| For each | Complying with the requirement to | You must | Using | According to the following requirements |
|---|---|---|---|---|
| 1. Stationary SI internal combustion engine demonstrating compliance according to §60.4244. | a. limit the concentration of $NO_X$ in the stationary SI internal combustion engine exhaust. | i. Select the sampling port location and the number of traverse points; | (1) Method 1 or 1A of 40 CFR part 60, Appendix A or ASTM Method D6522–00 (Reapproved 2005).[a c] | (a) If using a control device, the sampling site must be located at the outlet of the control device. |
| | | ii. Determine the $O_2$ concentration of the stationary internal combustion engine exhaust at the sampling port location; | (2) Method 3, 3A, or 3B[b] of 40 CFR part 60, appendix A or ASTM Method D6522–00 (Reapproved 2005).[a c] | (b) Measurements to determine $O_2$ concentration must be made at the same time as the measurements for $NO_X$ concentration. |
| | | iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust; | (3) Method 2 or 19 of 40 CFR part 60, appendix A. | |
| | | iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and | (4) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03.[e] | (c) Measurements to determine moisture must be made at the same time as the measurementfor $NO_X$ concentration. |
| | | v. Measure $NO_X$ at the exhaust of the stationary internal combustion engine. | (5) Method 7E of 40 CFR part 60, appendix A, Method D6522–00 (Reapproved 2005)[a c], Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03.[e] | (d) Results of this test consist of the average of the three 1-hour or longer runs. |
| | b. limit the concentration of CO in the stationary SI internal combustion engine exhaust. | i. Select the sampling port location and the number of traverse points; | (1) Method 1 or 1A of 40 CFR part 60, appendix A or ASTM Method D6522–00 (Reapproved 2005).[a c] | (a) If using a control device, the sampling site must be located at the outlet of the control device. |
| | | ii. Determine the $O_2$ concentration of the stationary internal combustion engine exhaust at the sampling port location; | (2) Method 3, 3A, or 3B[b] of 40 CFR part 60, appendix A or ASTM Method D6522–00 (Reapproved 2005).[a c] | (b) Measurements to determine $O_2$ concentration must be made at the same time as the measurements for CO concentration. |
| | | iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust; | (3) Method 2 or 19 of 40 CFR part 60, appendix A. | |
| | | iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and | (4) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03.[e] | (c) Measurements to determine moisture must be made at the same time as the measurement for CO concentration. |

Table 2 to Subpart JJJJ of Part 60—Requirements for Performance Tests

| For each | Complying with the requirement to | You must | Using | According to the following requirements |
|---|---|---|---|---|
| | | v. Measure CO at the exhaust of the stationary internal combustion engine. | (5) Method 10 of 40 CFR part 60, appendix A, ASTM Method D6522–00 (Reapproved 2005) [a c], Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03. [e] | (d) Results of this test consist of the average of the three 1-hour or longer runs. |
| | c. limit the concentration of VOC in the stationary SI internal combustion engine exhaust | i. Select the sampling port location and the number of traverse points; | (1) Method 1 or 1A of 40 CFR part 60, appendix A. | (a) If using a control device, the sampling site must be located at the outlet of the control device. |
| | | ii. Determine the $O_2$ concentration of the stationary internal combustion engine exhaust at the sampling port location; | (2) Method 3, 3A, or 3B [b] of 40 CFR part 60, appendix A or ASTM Method D6522–00 (Reapproved 2005). [a c] | (b) Measurements to determine $O_2$ concentration must be made at the same time as the measurements for VOC concentration. |
| | | iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust; | (3) Method 2 or 19 of 40 CFR part 60, appendix A. | |
| | | iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and | (4) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03. [e] | (c) Measurements to determine moisture must be made at the same time as the measurementfor VOC concentration. |
| | | v. Measure VOC at the exhaust of the stationary internal combustion engine. | (5) Methods 25A and 18 of 40 CFR part 60, appendix A, 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, [c d] Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03. [e] | (d) Results of this test consist of the average of the three 1-hour or longer runs. |

[a] You may petition the Administrator for approval to use alternative methods for portable analyzer.
[b] You may use ASME PTC 19.10–1981, Flue and Exhaust Gas Analyses, for measuring the $O_2$ content of the exhaust gas as an alternative to EPA Method 3B.
[c] You may use EPA Method 18 of 40 CFR part 60, appendix, provided that you conduct an adequate presurvey 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*).
[d] 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.
[e] Incorporated by reference, see 40 CFR 60.17.

[76 FR 37975, June 28, 2011, as amended at 78 FR 6698, Jan. 30, 2013]

## 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. | |

[As stated in §60.4246, you must comply with the following applicable General Provisions]

| General provisions citation | Subject of citation | Applies to subpart | Explanation |
|---|---|---|---|
| §60.5 | 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 | Except that §60.8 only applies to owners and operators who are subject to performance testing in subpart JJJJ. |
| §60.9 | Availability of information | Yes. | |
| §60.10 | State Authority | Yes. | |
| §60.11 | Compliance with standards and maintenance requirements. | Yes | Requirements are specified in subpart JJJJ. |
| §60.12 | Circumvention | Yes. | |
| §60.13 | Monitoring requirements | No. | |
| §60.14 | Modification | Yes. | |
| §60.15 | Reconstruction | Yes. | |
| §60.16 | Priority list | Yes. | |
| §60.17 | Incorporations by reference | Yes. | |
| §60.18 | General control device requirements. | No. | |
| §60.19 | General notification and reporting requirements. | Yes. | |

## TABLE 4 TO SUBPART JJJJ OF PART 60—APPLICABILITY OF MOBILE SOURCE PROVISIONS FOR MANUFACTURERS PARTICIPATING IN THE VOLUNTARY CERTIFICATION PROGRAM AND CERTIFYING STATIONARY SI ICE TO EMISSION STANDARDS IN TABLE 1 OF SUBPART JJJJ

[As stated in §60.4247, you must comply with the following applicable mobile source provisions if you are a manufacturer participating in the voluntary certification program and certifying stationary SI ICE to emission standards in Table 1 of subpart JJJJ]

| Mobile source provisions citation | Subject of citation | Applies to subpart | Explanation |
|---|---|---|---|
| 1048 subpart A | Overview and Applicability | Yes. | |
| 1048 subpart B | Emission Standards and Related Requirements. | Yes | Except for the specific sections below. |
| 1048.101 | Exhaust Emission Standards | No. | |
| 1048.105 | Evaporative Emission Standards. | No. | |
| 1048.110 | Diagnosing Malfunctions | No. | |
| 1048.140 | Certifying Blue Sky Series Engines. | No. | |
| 1048.145 | Interim Provisions | No. | |
| 1048 subpart C | Certifying Engine Families | Yes | Except for the specific sections below. |
| 1048.205(b) | AECD reporting | Yes. | |
| 1048.205(c) | OBD Requirements | No. | |
| 1048.205(n) | Deterioration Factors | Yes | Except as indicated in 60.4247(c). |
| 1048.205(p)(1) | Deterioration Factor Discussion. | Yes. | |
| 1048.205(p)(2) | Liquid Fuels as they require | No. | |
| 1048.240(b)(c)(d) | Deterioration Factors | Yes. | |
| 1048 subpart D | Testing Production-Line Engines. | Yes. | |
| 1048 subpart E | Testing In-Use Engines | No. | |
| 1048 subpart F | Test Procedures | Yes. | |
| 1065.5(a)(4) | Raw sampling (refers reader back to the specific emissions regulation for guidance). | Yes. | |
| 1048 subpart G | Compliance Provisions | Yes. | |
| 1048 subpart H | Reserved. | | |
| 1048 subpart I | Definitions and Other Reference Information. | Yes. | |
| 1048 appendix I and II | | Yes. | |

[As stated in § 60.4247, you must comply with the following applicable mobile source provisions if you are a manufacturer participating in the voluntary certification program and certifying stationary SI ICE to emission standards in Table 1 of subpart JJJJ]

| Mobile source provisions citation | Subject of citation | Applies to subpart | Explanation |
|---|---|---|---|
| 1065 (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.

### § 60.4310 What types of operations are exempt from these standards of performance?

(a) Emergency combustion turbines, as defined in § 60.4420(i), are exempt from the nitrogen oxides ($NO_X$) emission limits in § 60.4320.

(b) Stationary combustion turbines engaged by manufacturers in research and development of equipment for both combustion turbine emission control techniques and combustion turbine efficiency improvements are exempt from the $NO_X$ emission limits in § 60.4320 on a case-by-case basis as determined by the Administrator.

(c) Stationary combustion turbines at integrated gasification combined cycle electric utility steam generating units that are subject to subpart Da of this part are exempt from this subpart.

(d) Combustion turbine test cells/stands are exempt from this subpart.

Appendix I

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO



| Report | Due date | Contents | Reference |
|---|---|---|---|
| | | ii. Description of efforts to have an accessible qualified operator; and. | § 60.3054(a)(1). |
| | | iii. The date a qualified operator will be accessible. | § 60.3054(a)(1). |
| 6. Qualified operation deviation status report. | a. Every 4 weeks following deviation | 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). |
| | | iii. Request to continue operation. | § 60.3054(a)(2). |
| 7. Qualified operator deviation notification of resumed operation. | a. Prior to resuming operation | 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;

(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 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 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 $NO_X$ in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 grams per kilowatt-hour (g/KW-hr) (12.7 grams per horsepower-hr (g/HP-hr)) when maximum engine speed is less than 130 revolutions per minute (rpm);

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/KW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012 and before January 1, 2016, limit the emissions of $NO_X$ in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) For engines installed on or after January 1, 2016, limit the emissions of $NO_X$ in the stationary CI internal combustion engine exhaust to the following:

(i) 3.4 g/KW-hr (2.5 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $9.0 \cdot n^{-0.20}$ g/KW-hr ($6.7 \cdot n^{-0.20}$ g/HP-hr) where n (maximum engine speed) is 130 or more but less than 2,000 rpm; and

(iii) 2.0 g/KW-hr (1.5 g/HP-hr) where maximum engine speed is greater than or equal to 2,000 rpm.

(4) Reduce particulate matter (PM) emissions by 60 percent or more, or limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.15 g/KW-hr (0.11 g/HP-hr).

(d) Owners and operators of non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the not-to-exceed (NTE) standards as indicated in § 60.4212.

(e) Owners and operators of any modified or reconstructed non-emergency stationary CI ICE subject to this subpart must meet the emission standards applicable to the model year, maximum engine power, and displacement of the modified or reconstructed non-emergency stationary CI ICE that are specified in paragraphs (a) through (d) of this section.

[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 $NO_X$ in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 g/KW-hr (12.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/kW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012, limit the emissions of $NO_X$ in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) Limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.40 g/KW-hr (0.30 g/HP-hr).

(e) Owners and operators of emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the NTE standards as indicated in § 60.4212.

(f) Owners and operators of any modified or reconstructed emergency stationary CI ICE subject to this subpart must meet the emission standards applicable to the model year, maximum engine power, and displacement of the modified or reconstructed CI ICE that are specified in paragraphs (a) through (e) of this section.

[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).

(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.

(d) If you are an owner or operator and must comply with the emission standards specified in §60.4204(c) or §60.4205(d), you must demonstrate compliance according to the requirements specified in paragraphs (d)(1) through (3) of this section.

(1) Conducting an initial performance test to demonstrate initial compliance with the emission standards as specified in §60.4213.

(2) Establishing operating parameters to be monitored continuously to ensure the stationary internal combustion engine continues to meet the emission standards. The owner or operator must petition the Administrator for approval of operating parameters to be monitored continuously. The petition must include the information described in paragraphs (d)(2)(i) through (v) of this section.

(i) Identification of the specific parameters you propose to monitor continuously;

(ii) A discussion of the relationship between these parameters and $NO_X$ and PM emissions, identifying how the emissions of these pollutants change with changes in these parameters, and how limitations on these parameters will serve to limit $NO_X$ and PM emissions;

(iii) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;

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

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

(3) For non-emergency engines with a displacement of greater than or equal to 30 liters per cylinder, conducting annual performance tests to demonstrate continuous compliance with the emission standards as specified in §60.4213.

(e) If you are an owner or operator of a modified or reconstructed stationary CI internal combustion engine and must comply with the emission standards specified in §60.4204(e) or

§60.4205(f), you must demonstrate compliance according to one of the methods specified in paragraphs (e)(1) or (2) of this section.

(1) Purchasing, or otherwise owning or operating, an engine certified to the emission standards in §60.4204(e) or §60.4205(f), as applicable.

(2) Conducting a performance test to demonstrate initial compliance with the emission standards according to the requirements specified in §60.4212 or §60.4213, as appropriate. The test must be conducted within 60 days after the engine commences operation after the modification or reconstruction.

(f) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, 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 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 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]

## 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:

$$\text{NTE requirement for each pollutant} = (1.25) \times (\text{STD}) \qquad \text{(Eq. 1)}$$

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 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:

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

Where:

$C_i$ = concentration of $NO_X$ or PM at the control device inlet,

$C_o$ = concentration of $NO_X$ or PM at the control device outlet, and

R = percent reduction of $NO_X$ or PM emissions.

(2) You must normalize the $NO_X$ or PM concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen ($O_2$) using Equation 3 of this section, or an equivalent percent carbon dioxide ($CO_2$) using the procedures described in paragraph (d)(3) of this section.

$$C_{adj} = C_d \frac{5.9}{20.9 - \%\ O_2} \qquad \text{(Eq. 3)}$$

Where:

$C_{adj}$ = Calculated $NO_X$ or PM concentration adjusted to 15 percent $O_2$.

$C_d$ = Measured concentration of $NO_X$ or PM, uncorrected.

5.9 = 20.9 percent $O_2$ − 15 percent $O_2$, the defined $O_2$ correction value, percent.

$\%O_2$ = Measured $O_2$ concentration, dry basis, percent.

(3) If pollutant concentrations are to be corrected to 15 percent $O_2$ and $CO_2$ concentration is measured in lieu of $O_2$ concentration measurement, a $CO_2$ correction factor is needed. Calculate the $CO_2$ correction factor as described in paragraphs (d)(3)(i) through (iii) of this section.

(i) Calculate the fuel-specific $F_o$ value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

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

Where:

$F_o$ = Fuel factor based on the ratio of $O_2$ volume to the ultimate $CO_2$ volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is $O_2$, percent/100.

$F_d$ = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, $dsm^3/J$ ($dscf/10^6$ Btu).

$F_c$ = Ratio of the volume of $CO_2$ produced to the gross calorific value of the fuel from Method 19, $dsm^3/J$ ($dscf/10^6$ Btu).

(ii) Calculate the $CO_2$ correction factor for correcting measurement data to 15 percent $O_2$, as follows:

$$X_{CO_2} = \frac{5.9}{F_o} \qquad \text{(Eq. 5)}$$

Where:

$X_{CO2}$ = $CO_2$ correction factor, percent.

5.9 = 20.9 percent $O_2$ − 15 percent $O_2$, the defined $O_2$ correction value, percent.

(iii) Calculate the $NO_X$ and PM gas concentrations adjusted to 15 percent $O_2$ using $CO_2$ as follows:

$$C_{adj} = C_d \frac{X_{CO_2}}{\%CO_2} \qquad \text{(Eq. 6)}$$

Where:

$C_{adj}$ = Calculated $NO_X$ or PM concentration adjusted to 15 percent $O_2$.

$C_d$ = Measured concentration of $NO_X$ or PM, uncorrected.

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

(e) To determine compliance with the $NO_X$ mass per unit output emission limitation, convert the concentration of $NO_X$ in the engine exhaust using Equation 7 of this section:

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

Where:

ER = Emission rate in grams per KW-hour.
$C_d$ = Measured $NO_X$ concentration in ppm.
$1.912x10^{-3}$ = Conversion constant for ppm $NO_X$ to grams per standard cubic meter at 25 degrees Celsius.
Q = Stack gas volumetric flow rate, in standard cubic meter per hour.
T = Time of test run, in hours.
KW-hour = Brake work of the engine, in KW-hour.

(f) To determine compliance with the PM mass per unit output emission limitation, convert the concentration of PM in the engine exhaust using Equation 8 of this section:

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

Where:

ER = Emission rate in grams per KW-hour.
$C_{adj}$ = Calculated PM concentration in grams per standard cubic meter.
Q = Stack gas volumetric flow rate, in standard cubic meter per hour.
T = Time of test run, in hours.
KW-hour = Energy output of the engine, in KW.

[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.

(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*). 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.

[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 $NO_X$ in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 g/KW-hr (12.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/KW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012, limit the emissions of $NO_X$ in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) Limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.40 g/KW-hr (0.30 g/HP-hr).

[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 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 subcomponents 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 nonstationary 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 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 + $NO_X$ | HC | $NO_X$ | CO | PM |
| KW<8 (HP<11) | 10.5 (7.8) | ..... | ..... | 8.0 (6.0) | 1.0 (0.75) |
| 8≤KW<19 (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) | $NO_X$ + NMHC | CO | PM |
| KW<8 (HP<11) | 2008+ | 7.5 (5.6) | 8.0 (6.0) | 0.40 (0.30) |
| 8≤KW<19 (11≤HP<25) | 2008+ | 7.5 (5.6) | 6.6 (4.9) | 0.40 (0.30) |
| 19≤KW<37 (25≤HP<50) | 2008+ | 7.5 (5.6) | 5.5 (4.1) | 0.30 (0.22) |

TABLE 3 TO SUBPART IIII OF PART 60—CERTIFICATION REQUIREMENTS FOR STATIONARY FIRE PUMP ENGINES

As stated in § 60.4202(d), you must certify new stationary fire pump engines beginning with the following model years:

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

[1] Manufacturers of fire pump stationary CI ICE with a maximum engine power greater than or equal to 37 kW (50 HP) and less than 450 KW (600 HP) and a rated speed of greater than 2,650 revolutions per minute (rpm) are not required to certify such engines until three model years following the model year indicated in this Table 3 for engines in the applicable engine power category.

[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 + $NO_x$ | CO | PM |
|---|---|---|---|---|
| KW<8 (HP<11) | 2010 and earlier | 10.5 (7.8) | 8.0 (6.0) | 1.0 (0.75) |
| | 2011+ | 7.5 (5.6) | | 0.40 (0.30) |
| 8≤KW<19 (11≤HP<25) | 2010 and earlier | 9.5 (7.1) | 6.6 (4.9) | 0.80 (0.60) |
| | 2011+ | 7.5 (5.6) | | 0.40 (0.30) |
| 19≤KW<37 (25≤HP<50) | 2010 and earlier | 9.5 (7.1) | 5.5 (4.1) | 0.80 (0.60) |
| | 2011+ | 7.5 (5.6) | | 0.30 (0.22) |
| 37≤KW<56 (50≤HP<75) | 2010 and earlier | 10.5 (7.8) | 5.0 (3.7) | 0.80 (0.60) |
| | 2011+ [1] | 4.7 (3.5) | | 0.40 (0.30) |
| 56≤KW<75 (75≤HP<100) | 2010 and earlier | 10.5 (7.8) | 5.0 (3.7) | 0.80 (0.60) |
| | 2011+ [1] | 4.7 (3.5) | | 0.40 (0.30) |
| 75≤KW<130 (100≤HP<175) | 2009 and earlier | 10.5 (7.8) | 5.0 (3.7) | 0.80 (0.60) |
| | 2010+ [2] | 4.0 (3.0) | | 0.30 (0.22) |
| 130≤KW<225 (175≤HP<300) | 2008 and earlier | 10.5 (7.8) | 3.5 (2.6) | 0.54 (0.40) |
| | 2009+ [3] | 4.0 (3.0) | | 0.20 (0.15) |
| 225≤KW<450 (300≤HP<600) | 2008 and earlier | 10.5 (7.8) | 3.5 (2.6) | 0.54 (0.40) |
| | 2009+ [3] | 4.0 (3.0) | | 0.20 (0.15) |
| 450≤KW≤560 (600≤HP≤750) | 2008 and earlier | 10.5 (7.8) | 3.5 (2.6) | 0.54 (0.40) |
| | 2009+ | 4.0 (3.0) | | 0.20 (0.15) |
| KW>560 (HP>750) | 2007 and earlier | 10.5 (7.8) | 3.5 (2.6) | 0.54 (0.40) |
| | 2008+ | 6.4 (4.8) | | 0.20 (0.15) |

[1] For model years 2011–2013, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 revolutions per minute (rpm) may comply with the emission limitations for 2010 model year engines.

[2] For model years 2010–2012, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2009 model year engines.

[3] In model years 2009–2011, manufacturers of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2008 model year engines.

TABLE 5 TO SUBPART IIII OF PART 60—LABELING AND RECORDKEEPING REQUIREMENTS FOR NEW STATIONARY EMERGENCY ENGINES

[You must comply with the labeling requirements in § 60.4210(f) and the recordkeeping requirements in § 60.4214(b) for new emergency stationary CI ICE beginning in the following model years:]

| Engine power | Starting model year |
|---|---|
| 19≤KW<56 (25≤HP<75) | 2013 |
| 56≤KW<130 (75≤HP<175) | 2012 |
| KW≥130 (HP≥175) | 2011 |

TABLE 6 TO SUBPART IIII OF PART 60—OPTIONAL 3-MODE TEST CYCLE FOR STATIONARY FIRE PUMP ENGINES

[As stated in § 60.4210(g), manufacturers of fire pump engines may use the following test cycle for testing fire pump engines:]

| Mode No. | Engine speed [1] | Torque (percent) [2] | Weighting factors |
|---|---|---|---|
| 1 | Rated | 100 | 0.30 |
| 2 | Rated | 75 | 0.50 |
| 3 | Rated | 50 | 0.20 |

[1] Engine speed: ±2 percent of point.

[2] Torque: NFPA certified nameplate HP for 100 percent point. All points should be ±2 percent of engine percent load value.

TABLE 7 TO SUBPART IIII OF PART 60—REQUIREMENTS FOR PERFORMANCE TESTS FOR STATIONARY CI ICE WITH A DISPLACEMENT OF ≥30 LITERS PER CYLINDER

[As stated in §60.4213, you must comply with the following requirements for performance tests for stationary CI ICE with a displacement of ≥30 liters per cylinder:]

| For each | Complying with the requirement to | You must | Using | According to the following requirements |
|---|---|---|---|---|
| 1. Stationary CI internal combustion engine with a displacement of ≥30 liters per cylinder. | a. Reduce $NO_X$ emissions by 90 percent or more. | i. Select the sampling port location and the number of traverse points; | (1) Method 1 or 1A of 40 CFR part 60, appendix A. | (a) Sampling sites must be located at the inlet and outlet of the control device. |
| | | ii. Measure $O_2$ at the inlet and outlet of the control device; | (2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A. | (b) Measurements to determine $O_2$ concentration must be made at the same time as the measurements for $NO_X$ 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, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17). | (c) Measurements to determine moisture content must be made at the same time as the measurements for $NO_X$ concentration. |
| | | iv. Measure $NO_X$ at the inlet and outlet of the control device. | (4) Method 7E of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17). | (d) $NO_X$ concentration must be at 15 percent $O_2$, dry basis. Results of this test consist of the average of the three 1-hour or longer runs. |
| | b. Limit the concentration of $NO_X$ in the stationary CI internal combustion engine exhaust. | i. Select the sampling port location and the number of traverse points; | (1) Method 1 or 1A of 40 CFR part 60, appendix A. | (a) If using a control device, the sampling site must be located at the outlet of the control device. |
| | | ii. Determine the $O_2$ concentration of the stationary internal combustion engine exhaust at the sampling port location; and, | (2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A. | (b) Measurements to determine $O_2$ concentration must be made at the same time as the measurement for $NO_X$ concentration. |
| | | iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and, | (3) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17). | (c) Measurements to determine moisture content must be made at the same time as the measurement for $NO_X$ concentration. |
| | | iv. Measure $NO_X$ at the exhaust of the stationary internal combustion engine. | (4) Method 7E of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17). | (d) $NO_X$ concentration must be at 15 percent $O_2$, dry basis. Results of this test consist of the average of the three 1-hour or longer runs. |
| | c. Reduce PM emissions by 60 percent or more. | i. Select the sampling port location and the number of traverse points; | (1) Method 1 or 1A of 40 CFR part 60, appendix A. | (a) Sampling sites must be located at the inlet and outlet of the control device. |
| | | ii. Measure $O_2$ at the inlet and outlet of the control device; | (2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A. | (b) Measurements to determine $O_2$ concentration must be made at the same time as the measurements for PM concentration. |

[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:]

| For each | Complying with the requirement to | You must | Using | According to the following requirements |
|---|---|---|---|---|
| | | 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. | (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. | (d) PM concentration must be at 15 percent $O_2$, dry basis. Results of this test consist of the average of the three 1-hour or longer runs. |
| | d. Limit the concentration of PM in the stationary CI internal combustion engine exhaust. | i. Select the sampling port location and the number of traverse points; | (1) Method 1 or 1A of 40 CFR part 60, appendix A. | (a) If using a control device, the sampling site must be located at the outlet of the control device. |
| | | ii. Determine the $O_2$ concentration of the stationary internal combustion engine exhaust at the sampling port location; and | (2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A. | (b) Measurements to determine $O_2$ concentration must be made at the same time as the measurements for PM concentration. |
| | | iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and | (3) Method 4 of 40 CFR part 60, appendix A. | (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. | (d) PM concentration must be at 15 percent $O_2$, dry basis. Results of this test consist of the average of the three 1-hour or longer runs. |

## TABLE 8 TO SUBPART IIII OF PART 60—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART IIII

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

| General Provisions citation | Subject of citation | Applies to subpart | Explanation |
|---|---|---|---|
| §60.1 | General applicability of the General Provisions. | Yes. | |
| §60.2 | Definitions | Yes | Additional terms defined in §60.4219. |
| §60.3 | Units and abbreviations | Yes. | |
| §60.4 | Address | Yes. | |
| §60.5 | Determination of construction or modification. | Yes. | |
| §60.6 | Review of plans | Yes. | |
| §60.7 | Notification and Recordkeeping | Yes | Except that §60.7 only applies as specified in §60.4214(a). |
| §60.8 | Performance tests | Yes | Except that §60.8 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder and engines that are not certified. |
| §60.9 | Availability of information | Yes. | |
| §60.10 | State Authority | Yes. | |
| §60.11 | Compliance with standards and maintenance requirements. | No | Requirements are specified in subpart IIII. |
| §60.12 | Circumvention | Yes. | |

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

| General Provisions citation | Subject of citation | Applies to subpart | Explanation |
|---|---|---|---|
| § 60.13 | 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);

(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.

Appendix J

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO



| Citation | Subject | Applies to Subpart CCCCC? | Explanation |
|---|---|---|---|
| § 63.10(c)(7)–(8) | Records of Excess Emissions and Parameter Monitoring Exceedances for CMS. | No | Subpart CCCCC specifies record requirements. |
| § 63.10(e)(3) | Excess Emission Reports | No | Subpart CCCCC specifies reporting requirements. |
| § 63.11 | Control Device Requirements | No | Subpart CCCCC does not require flares. |
| § 63.12 | State Authority and Delegations. | Yes. | |
| §§ 63.13–63.15 | Addresses, Incorporation by Reference, Availability of Information. | Yes. | |

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

SOURCE: 76 FR 15664, Mar. 21, 2011, unless otherwise noted.

## WHAT THIS SUBPART COVERS

### § 63.7480 What is the purpose of this subpart?

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

### § 63.7485 Am I subject to this subpart?

You are subject to this subpart if you own or operate an industrial, commercial, or institutional boiler or process heater as defined in § 63.7575 that is located at, or is part of, a major source of HAP, except as specified in § 63.7491. For purposes of this subpart, a major source of HAP is as defined in § 63.2, except that for oil and natural gas production facilities, a major source of HAP is as defined in § 63.7575.

[78 FR 7162, Jan. 31, 2013]

### § 63.7490 What is the affected source of this subpart?

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

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

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

(b) A boiler or process heater is new if you commence construction of the boiler or process heater after June 4, 2010, and you meet the applicability criteria at the time you commence construction.

(c) A boiler or process heater is reconstructed if you meet the reconstruction criteria as defined in § 63.2, you commence reconstruction after June 4, 2010, and you meet the applicability criteria at the time you commence reconstruction.

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

(e) An existing electric utility steam generating unit (EGU) that meets the applicability requirements of this subpart after the effective date of this final rule due to a change (e.g., fuel switch) is considered to be an existing source under this subpart.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7162, Jan. 31, 2013]

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

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

(a) An electric utility steam generating unit (EGU) covered by subpart UUUUU of this part.

(b) A recovery boiler or furnace covered by subpart MM of this part.

(c) A boiler or process heater that is used specifically for research and development, including test steam boilers used to provide steam for testing the propulsion systems on military vessels. This does not include units that provide heat or steam to a process at a research and development facility.

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

(e) A refining kettle covered by subpart X of this part.

(f) An ethylene cracking furnace covered by subpart YY of this part.

(g) Blast furnace stoves as described in EPA–453/R–01–005 (incorporated by reference, see § 63.14).

(h) Any boiler or process heater that is part of the affected source subject to another subpart of this part, such as boilers and process heaters used as control devices to comply with subparts JJJ, OOO, PPP, and U of this part.

(i) Any boiler or process heater that is used as a control device to comply with another subpart of this part, or part 60, part 61, or part 65 of this chapter provided that at least 50 percent of the average annual heat input during any 3 consecutive calendar years to the boiler or process heater is provided by regulated gas streams that are subject to another standard.

(j) Temporary boilers as defined in this subpart.

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

(l) Any boiler specifically listed as an affected source in any standard(s) established under section 129 of the Clean Air Act.

(m) A unit that burns hazardous waste covered by Subpart EEE of this part. A unit that is exempt from Subpart EEE as specified in § 63.1200(b) is not covered by Subpart EEE.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7162, Jan. 31, 2013]

EDITORIAL NOTE: At 78 FR 7162, Jan. 31, 2013, § 63.7491 was amended by revising paragraph (n). However, there is no paragraph (n) to be revised.

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

(a) If you have a new or reconstructed boiler or process heater, you must comply with this subpart by January 31, 2013, or upon startup of your boiler or process heater, whichever is later.

(b) If you have an existing boiler or process heater, you must comply with this subpart no later than January 31, 2016, except as provided in § 63.6(i).

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

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

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

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

(e) If you own or operate an industrial, commercial, or institutional boiler or process heater and would be subject to this subpart except for the exemption in § 63.7491(l) for commercial and industrial solid waste incineration units covered by part 60, subpart CCCC or subpart DDDD, and you cease combusting solid waste, you must be in compliance with this subpart on the effective date of the switch from waste to fuel.

(f) If you own or operate an existing EGU that becomes subject to this subpart after January 31, 2013, you must be in compliance with the applicable existing source provisions of this subpart on the effective date such unit becomes subject to this subpart.

(g) If you own or operate an existing industrial, commercial, or institutional boiler or process heater and would be subject to this subpart except for a exemption in § 63.7491(i) that becomes subject to this subpart after

January 31, 2013, you must be in compliance with the applicable existing source provisions of this subpart within 3 years after such unit becomes subject to this subpart.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7162, Jan. 31, 2013]

EDITORIAL NOTE: At 78 FR 7162, Jan. 31, 2013, § 63.7495 was amended by adding paragraph (e). However, there is already a paragraph (e).

EMISSION LIMITATIONS AND WORK PRACTICE STANDARDS

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

The subcategories of boilers and process heaters, as defined in § 63.7575 are:

(a) Pulverized coal/solid fossil fuel units.

(b) Stokers designed to burn coal/solid fossil fuel.

(c) Fluidized bed units designed to burn coal/solid fossil fuel.

(d) Stokers/sloped grate/other units designed to burn kiln dried biomass/bio-based solid.

(e) Fluidized bed units designed to burn biomass/bio-based solid.

(f) Suspension burners designed to burn biomass/bio-based solid.

(g) Fuel cells designed to burn biomass/bio-based solid.

(h) Hybrid suspension/grate burners designed to burn wet biomass/bio-based solid.

(i) Stokers/sloped grate/other units designed to burn wet biomass/bio-based solid.

(j) Dutch ovens/pile burners designed to burn biomass/bio-based solid.

(k) Units designed to burn liquid fuel that are non-continental units.

(l) Units designed to burn gas 1 fuels.

(m) Units designed to burn gas 2 (other) gases.

(n) Metal process furnaces.

(o) Limited-use boilers and process heaters.

(p) Units designed to burn solid fuel.

(q) Units designed to burn liquid fuel.

(r) Units designed to burn coal/solid fossil fuel.

(s) Fluidized bed units with an integrated fluidized bed heat exchanger designed to burn coal/solid fossil fuel.

(t) Units designed to burn heavy liquid fuel.

(u) Units designed to burn light liquid fuel.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7163, Jan. 31, 2013]

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

(a) You must meet the requirements in paragraphs (a)(1) through (3) of this section, except as provided in paragraphs (b), through (e) of this section. You must meet these requirements at all times the affected unit is operating, except as provided in paragraph (f) of this section.

(1) You must meet each emission limit and work practice standard in Tables 1 through 3, and 11 through 13 to this subpart that applies to your boiler or process heater, for each boiler or process heater at your source, except as provided under § 63.7522. The output-based emission limits, in units of pounds per million Btu of steam output, in Tables 1 or 2 to this subpart are an alternative applicable only to boilers and process heaters that generate steam. The output-based emission limits, in units of pounds per megawatt-hour, in Tables 1 or 2 to this subpart are an alternative applicable only to boilers that generate electricity. If you operate a new boiler or process heater, you can choose to comply with alternative limits as discussed in paragraphs (a)(1)(i) through (a)(1)(iii) of this section, but on or after January 31, 2016, you must comply with the emission limits in Table 1 to this subpart.

(i) If your boiler or process heater commenced construction or reconstruction after June 4, 2010 and before May 20, 2011, you may comply with the emission limits in Table 1 or 11 to this subpart until January 31, 2016.

(ii) If your boiler or process heater commenced construction or reconstruction after May 20, 2011 and before December 23, 2011, you may comply with the emission limits in Table 1 or 12 to this subpart until January 31, 2016.

(iii) If your boiler or process heater commenced construction or reconstruction after December 23, 2011 and

before January 31, 2013, you may comply with the emission limits in Table 1 or 13 to this subpart until January 31, 2016.

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

(3) At all times, you must operate and maintain any affected source (as defined in § 63.7490), 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 that 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) As provided in § 63.6(g), EPA may approve use of an alternative to the work practice standards in this section.

(c) Limited-use boilers and process heaters must complete a tune-up every 5 years as specified in § 63.7540. They are not subject to the emission limits in Tables 1 and 2 or 11 through 13 to this subpart, the annual tune-up, or the energy assessment requirements in Table 3 to this subpart, or the operating limits in Table 4 to this subpart.

(d) Boilers and process heaters with a heat input capacity of less than or equal to 5 million Btu per hour in the units designed to burn gas 2 (other) fuels subcategory or units designed to burn light liquid fuels subcategory must complete a tune-up every 5 years as specified in § 63.7540.

(e) Boilers and process heaters in the units designed to burn gas 1 fuels subcategory with a heat input capacity of less than or equal to 5 million Btu per hour must complete a tune-up every 5 years as specified in § 63.7540. Boilers and process heaters in the units designed to burn gas 1 fuels subcategory with a heat input capacity greater than 5 million Btu per hour and less than 10 million Btu per hour must complete a tune-up every 2 years as specified in § 63.7540. Boilers and process heaters in the units designed to burn gas 1 fuels subcategory are not subject to the emission limits in Tables 1 and 2 or 11 through 13 to this subpart, or the operating limits in Table 4 to this subpart.

(f) These standards apply at all times the affected unit is operating, except during periods of startup and shutdown during which time you must comply only with Table 3 to this subpart.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7163, Jan. 31, 2013]

### § 63.7501 Affirmative Defense for Violation of Emission Standards During Malfunction.

In response to an action to enforce the standards set forth in § 63.7500 you may assert an affirmative defense to a claim for civil penalties for violations of such standards that are caused by malfunction, as defined at § 63.2. Appropriate penalties may be assessed if you fail to meet your burden of proving all of the requirements in the affirmative defense. The affirmative defense shall not be available for claims for injunctive relief.

(a) *Assertion of affirmative defense.* To establish the affirmative defense in any action to enforce such a standard, you must timely meet the reporting requirements in paragraph (b) of this section, and must prove by a preponderance of evidence that:

(1) The violation:

(i) Was caused by a sudden, infrequent, and unavoidable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner; and

(ii) Could not have been prevented through careful planning, proper design, or better operation and maintenance practices; and

(iii) Did not stem from any activity or event that could have been foreseen and avoided, or planned for; and

(iv) Was not part of a recurring pattern indicative of inadequate design, operation, or maintenance; and

(2) Repairs were made as expeditiously as possible when a violation occurred; and

(3) The frequency, amount, and duration of the violation (including any bypass) were minimized to the maximum extent practicable; and

(4) If the violation resulted from a bypass of control equipment or a process, then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and

(5) All possible steps were taken to minimize the impact of the violation on ambient air quality, the environment, and human health; and

(6) All emissions monitoring and control systems were kept in operation if at all possible, consistent with safety and good air pollution control practices; and

(7) All of the actions in response to the violation were documented by properly signed, contemporaneous operating logs; and

(8) At all times, the affected source was operated in a manner consistent with good practices for minimizing emissions; and

(9) A written root cause analysis has been prepared, the purpose of which is to determine, correct, and eliminate the primary causes of the malfunction and the violation resulting from the malfunction event at issue. The analysis shall also specify, using best monitoring methods and engineering judgment, the amount of any emissions that were the result of the malfunction.

(b) *Report.* The owner or operator seeking to assert an affirmative defense shall submit a written report to the Administrator with all necessary supporting documentation, that it has met the requirements set forth in §63.7500 of this section. This affirmative defense report shall be included in the first periodic compliance, deviation report or excess emission report otherwise required after the initial occurrence of the violation of the relevant standard (which may be the end of any applicable averaging period). If such compliance, deviation report or excess emission report is due less than 45 days after the initial occurrence of the violation, the affirmative defense report may be included in the second compliance, deviation report or excess emission report due after the initial occurrence of the violation of the relevant standard.

[78 FR 7163, Jan. 31, 2013]

GENERAL COMPLIANCE REQUIREMENTS

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

(a) You must be in compliance with the emission limits, work practice standards, and operating limits in this subpart. These limits apply to you at all times the affected unit is operating except for the periods noted in §63.7500(f).

(b) [Reserved]

(c) You must demonstrate compliance with all applicable emission limits using performance stack testing, fuel analysis, or continuous monitoring systems (CMS), including a continuous emission monitoring system (CEMS), continuous opacity monitoring system (COMS), continuous parameter monitoring system (CPMS), or particulate matter continuous parameter monitoring system (PM CPMS), where applicable. You may demonstrate compliance with the applicable emission limit for hydrogen chloride (HCl), mercury, or total selected metals (TSM) using fuel analysis if the emission rate calculated according to §63.7530(c) is less than the applicable emission limit. (For gaseous fuels, you may not use fuel analyses to comply with the TSM alternative standard or the HCl standard.) Otherwise, you must demonstrate compliance for HCl, mercury, or TSM using performance testing, if subject to an applicable emission limit listed in Tables 1, 2, or 11 through 13 to this subpart.

(d) If you demonstrate compliance with any applicable emission limit through performance testing and subsequent compliance with operating limits (including the use of CPMS), or with a CEMS, or COMS, you must develop a site-specific monitoring plan according to the requirements in paragraphs (d)(1) through (4) of this section for the use of any CEMS, COMS, or CPMS. This requirement also applies

to you if you petition the EPA Administrator for alternative monitoring parameters under § 63.8(f).

(1) For each CMS required in this section (including CEMS, COMS, or CPMS), you must develop, and submit to the Administrator for approval upon request, a site-specific monitoring plan that addresses design, data collection, and the quality assurance and quality control elements outlined in § 63.8(d) and the elements described in paragraphs (d)(1)(i) through (iii) of this section. You must submit this site-specific monitoring plan, if requested, at least 60 days before your initial performance evaluation of your CMS. This requirement to develop and submit a site specific monitoring plan does not apply to affected sources with existing CEMS or COMS operated according to the performance specifications under appendix B to part 60 of this chapter and that meet the requirements of § 63.7525. Using the process described in § 63.8(f)(4), you may request approval of alternative monitoring system quality assurance and quality control procedures in place of those specified in this paragraph and, if approved, include the alternatives in your site-specific monitoring plan.

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

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

(iii) Performance evaluation procedures and acceptance criteria (e.g., calibrations, accuracy audits, analytical drift).

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

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

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

(iii) Ongoing recordkeeping and reporting procedures in accordance with the general requirements of § 63.10(c) (as applicable in Table 10 to this subpart), (e)(1), and (e)(2)(i).

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

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

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7164, Jan. 31, 2013]

## Testing, Fuel Analyses, and Initial Compliance Requirements

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

(a) For each boiler or process heater that is required or that you elect to demonstrate compliance with any of the applicable emission limits in Tables 1 or 2 or 11 through 13 of this subpart through performance testing, your initial compliance requirements include all the following:

(1) Conduct performance tests according to § 63.7520 and Table 5 to this subpart.

(2) Conduct a fuel analysis for each type of fuel burned in your boiler or process heater according to § 63.7521 and Table 6 to this subpart, except as specified in paragraphs (a)(2)(i) through (iii) of this section.

(i) For each boiler or process heater that burns a single type of fuel, you are not required to conduct a fuel analysis for each type of fuel burned in your boiler or process heater according to § 63.7521 and Table 6 to this subpart. For purposes of this subpart, units that use a supplemental fuel only for startup, unit shutdown, and transient flame stability purposes still qualify as units that burn a single type of fuel, and the supplemental fuel is not subject to the fuel analysis requirements under § 63.7521 and Table 6 to this subpart.

(ii) When natural gas, refinery gas, or other gas 1 fuels are co-fired with other fuels, you are not required to conduct a fuel analysis of those fuels according to § 63.7521 and Table 6 to this subpart. If gaseous fuels other than natural gas,

refinery gas, or other gas 1 fuels are co-fired with other fuels and those gaseous fuels are subject to another subpart of this part, part 60, part 61, or part 65, you are not required to conduct a fuel analysis of those fuels according to §63.7521 and Table 6 to this subpart.

(iii) You are not required to conduct a chlorine fuel analysis for any gaseous fuels. You must conduct a fuel analysis for mercury on gaseous fuels unless the fuel is exempted in paragraphs (a)(2)(i) and (ii) of this section.

(3) Establish operating limits according to §63.7530 and Table 7 to this subpart.

(4) Conduct CMS performance evaluations according to §63.7525.

(b) For each boiler or process heater that you elect to demonstrate compliance with the applicable emission limits in Tables 1 or 2 or 11 through 13 to this subpart for HCl, mercury, or TSM through fuel analysis, your initial compliance requirement is to conduct a fuel analysis for each type of fuel burned in your boiler or process heater according to §63.7521 and Table 6 to this subpart and establish operating limits according to §63.7530 and Table 8 to this subpart. The fuels described in paragraph (a)(2)(i) and (ii) of this section are exempt from these fuel analysis and operating limit requirements. The fuels described in paragraph (a)(2)(ii) of this section are exempt from the chloride fuel analysis and operating limit requirements. Boilers and process heaters that use a CEMS for mercury or HCl are exempt from the performance testing and operating limit requirements specified in paragraph (a) of this section for the HAP for which CEMS are used.

(c) If your boiler or process heater is subject to a carbon monoxide (CO) limit, your initial compliance demonstration for CO is to conduct a performance test for CO according to Table 5 to this subpart or conduct a performance evaluation of your continuous CO monitor, if applicable, according to §63.7525(a). Boilers and process heaters that use a CO CEMS to comply with the applicable alternative CO CEMS emission standard listed in Tables 12, or 11 through 13 to this subpart, as specified in §63.7525(a), are exempt from the initial CO performance testing and oxygen concentration operating limit requirements specified in paragraph (a) of this section.

(d) If your boiler or process heater is subject to a PM limit, your initial compliance demonstration for PM is to conduct a performance test in accordance with §63.7520 and Table 5 to this subpart.

(e) For existing affected sources (as defined in §63.7490), you must complete the initial compliance demonstration, as specified in paragraphs (a) through (d) of this section, no later than 180 days after the compliance date that is specified for your source in §63.7495 and according to the applicable provisions in §63.7(a)(2) as cited in Table 10 to this subpart, except as specified in paragraph (j) of this section. You must complete an initial tune-up by following the procedures described in §63.7540(a)(10)(i) through (vi) no later than the compliance date specified in §63.7495, except as specified in paragraph (j) of this section. You must complete the one-time energy assessment specified in Table 3 to this subpart no later than the compliance date specified in §63.7495, except as specified in paragraph (j) of this section.

(f) For new or reconstructed affected sources (as defined in §63.7490), you must complete the initial compliance demonstration with the emission limits no later than July 30, 2013 or within 180 days after startup of the source, whichever is later. If you are demonstrating compliance with an emission limit in Tables 11 through 13 to this subpart that is less stringent (that is, higher) than the applicable emission limit in Table 1 to this subpart, you must demonstrate compliance with the applicable emission limit in Table 1 no later than July 29, 2016.

(g) For new or reconstructed affected sources (as defined in §63.7490), you must demonstrate initial compliance with the applicable work practice standards in Table 3 to this subpart within the applicable annual, biennial, or 5-year schedule as specified in §63.7540(a) following the initial compliance date specified in §63.7495(a). Thereafter, you are required to complete the applicable annual, biennial, or 5-year tune-up as specified in §63.7540(a).

(h) For affected sources (as defined in § 63.7490) that ceased burning solid waste consistent with § 63.7495(e) and for which the initial compliance date has passed, you must demonstrate compliance within 60 days of the effective date of the waste-to-fuel switch. If you have not conducted your compliance demonstration for this subpart within the previous 12 months, you must complete all compliance demonstrations for this subpart before you commence or recommence combustion of solid waste.

(i) For an existing EGU that becomes subject after January 31, 2013, you must demonstrate compliance within 180 days after becoming an affected source.

(j) For existing affected sources (as defined in § 63.7490) that have not operated between the effective date of the rule and the compliance date that is specified for your source in § 63.7495, you must complete the initial compliance demonstration, if subject to the emission limits in Table 2 to this subpart, as specified in paragraphs (a) through (d) of this section, no later than 180 days after the re-start of the affected source and according to the applicable provisions in § 63.7(a)(2) as cited in Table 10 to this subpart. You must complete an initial tune-up by following the procedures described in § 63.7540(a)(10)(i) through (vi) no later than 30 days after the re-start of the affected source and, if applicable, complete the one-time energy assessment specified in Table 3 to this subpart, no later than the compliance date specified in § 63.7495.

[78 FR 7164, Jan. 31, 2013]

### § 63.7515 When must I conduct subsequent performance tests, fuel analyses, or tune-ups?

(a) You must conduct all applicable performance tests according to § 63.7520 on an annual basis, except as specified in paragraphs (b) through (e), (g), and (h) of this section. Annual performance tests must be completed no more than 13 months after the previous performance test, except as specified in paragraphs (b) through (e), (g), and (h) of this section.

(b) If your performance tests for a given pollutant for at least 2 consecutive years show that your emissions are at or below 75 percent of the emission limit (or, in limited instances as specified in Tables 1 and 2 or 11 through 13 to this subpart, at or below the emission limit) for the pollutant, and if there are no changes in the operation of the individual boiler or process heater or air pollution control equipment that could increase emissions, you may choose to conduct performance tests for the pollutant every third year. Each such performance test must be conducted no more than 37 months after the previous performance test. If you elect to demonstrate compliance using emission averaging under § 63.7522, you must continue to conduct performance tests annually. The requirement to test at maximum chloride input level is waived unless the stack test is conducted for HCl. The requirement to test at maximum mercury input level is waived unless the stack test is conducted for mercury. The requirement to test at maximum TSM input level is waived unless the stack test is conducted for TSM.

(c) If a performance test shows emissions exceeded the emission limit or 75 percent of the emission limit (as specified in Tables 1 and 2 or 11 through 13 to this subpart) for a pollutant, you must conduct annual performance tests for that pollutant until all performance tests over a consecutive 2-year period meet the required level (at or below 75 percent of the emission limit, as specified in Tables 1 and 2 or 11 through 13 to this subpart).

(d) If you are required to meet an applicable tune-up work practice standard, you must conduct an annual, biennial, or 5-year performance tune-up according to § 63.7540(a)(10), (11), or (12), respectively. Each annual tune-up specified in § 63.7540(a)(10) must be no more than 13 months after the previous tune-up. Each biennial tune-up specified in § 63.7540(a)(11) must be conducted no more than 25 months after the previous tune-up. Each 5-year tune-up specified in § 63.7540(a)(12) must be conducted no more than 61 months after the previous tune-up. For a new or reconstructed affected source (as defined in § 63.7490), the first annual, biennial, or 5-year tune-up must be no later than 13 months, 25 months, or 61

months, respectively, after the initial startup of the new or reconstructed affected source.

(e) If you demonstrate compliance with the mercury, HCl, or TSM based on fuel analysis, you must conduct a monthly fuel analysis according to § 63.7521 for each type of fuel burned that is subject to an emission limit in Tables 1, 2, or 11 through 13 to this subpart. You may comply with this monthly requirement by completing the fuel analysis any time within the calendar month as long as the analysis is separated from the previous analysis by at least 14 calendar days. If you burn a new type of fuel, you must conduct a fuel analysis before burning the new type of fuel in your boiler or process heater. You must still meet all applicable continuous compliance requirements in § 63.7540. If each of 12 consecutive monthly fuel analyses demonstrates 75 percent or less of the compliance level, you may decrease the fuel analysis frequency to quarterly for that fuel. If any quarterly sample exceeds 75 percent of the compliance level or you begin burning a new type of fuel, you must return to monthly monitoring for that fuel, until 12 months of fuel analyses are again less than 75 percent of the compliance level.

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

(g) For affected sources (as defined in § 63.7490) that have not operated since the previous compliance demonstration and more than one year has passed since the previous compliance demonstration, you must complete the subsequent compliance demonstration, if subject to the emission limits in Tables 1, 2, or 11 through 13 to this subpart, no later than 180 days after the re-start of the affected source and according to the applicable provisions in § 63.7(a)(2) as cited in Table 10 to this subpart. You must complete a subsequent tune-up by following the procedures described in § 63.7540(a)(10)(i) through (vi) and the schedule described in § 63.7540(a)(13) for units that are not operating at the time of their scheduled tune-up.

(h) If your affected boiler or process heater is in the unit designed to burn light liquid subcategory and you combust ultra low sulfur liquid fuel, you do not need to conduct further performance tests if the pollutants measured during the initial compliance performance tests meet the emission limits in Tables 1 or 2 of this subpart providing you demonstrate ongoing compliance with the emissions limits by monitoring and recording the type of fuel combusted on a monthly basis. If you intend to use a fuel other than ultra low sulfur liquid fuel, natural gas, refinery gas, or other gas 1 fuel, you must conduct new performance tests within 60 days of burning the new fuel type.

(i) If you operate a CO CEMS that meets the Performance Specifications outlined in § 63.7525(a)(3) of this subpart to demonstrate compliance with the applicable alternative CO CEMS emission standard listed in Tables 1, 2, or 11 through 13 to this subpart, you are not required to conduct CO performance tests and are not subject to the oxygen concentration operating limit requirement specified in § 63.7510(a).

[78 FR 7165, Jan. 31, 2013]

### § 63.7520 What stack tests and procedures must I use?

(a) You must conduct all performance tests according to § 63.7(c), (d), (f), and (h). You must also develop a site-specific stack test plan according to the requirements in § 63.7(c). You shall conduct all performance tests under such conditions as the Administrator specifies to you based on the representative performance of each boiler or process heater for the period being tested. Upon request, you shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests.

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

(c) You must conduct each performance test under the specific conditions listed in Tables 5 and 7 to this subpart. You must conduct performance tests at representative operating load conditions while burning the type of fuel or mixture of fuels that has the highest content of chlorine and mercury, and TSM if you are opting to comply with the TSM alternative standard and you must demonstrate initial compliance and establish your operating limits based on these performance tests. These requirements could result in the need to conduct more than one performance test. Following each performance test and until the next performance test, you must comply with the operating limit for operating load conditions specified in Table 4 to this subpart.

(d) You must conduct a minimum of three separate test runs for each performance test required in this section, as specified in § 63.7(e)(3). Each test run must comply with the minimum applicable sampling times or volumes specified in Tables 1 and 2 or 11 through 13 to this subpart.

(e) To determine compliance with the emission limits, you must use the F-Factor methodology and equations in sections 12.2 and 12.3 of EPA Method 19 at 40 CFR part 60, appendix A–7 of this chapter to convert the measured particulate matter (PM) concentrations, the measured HCl concentrations, the measured mercury concentrations, and the measured TSM concentrations that result from the performance test to pounds per million Btu heat input emission rates.

(f) Except for a 30-day rolling average based on CEMS (or sorbent trap monitoring system) data, if measurement results for any pollutant are reported as below the method detection level (e.g., laboratory analytical results for one or more sample components are below the method defined analytical detection level), you must use the method detection level as the measured emissions level for that pollutant in calculating compliance. The measured result for a multiple component analysis (e.g., analytical values for multiple Method 29 fractions both for individual HAP metals and for total HAP metals) may include a combination of method detection level data and analytical data reported above the method detection level.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7166, Jan. 31, 2013]

### § 63.7521 What fuel analyses, fuel specification, and procedures must I use?

(a) For solid and liquid fuels, you must conduct fuel analyses for chloride and mercury according to the procedures in paragraphs (b) through (e) of this section and Table 6 to this subpart, as applicable. For solid fuels and liquid fuels, you must also conduct fuel analyses for TSM if you are opting to comply with the TSM alternative standard. For gas 2 (other) fuels, you must conduct fuel analyses for mercury according to the procedures in paragraphs (b) through (e) of this section and Table 6 to this subpart, as applicable. (For gaseous fuels, you may not use fuel analyses to comply with the TSM alternative standard or the HCl standard.) For purposes of complying with this section, a fuel gas system that consists of multiple gaseous fuels collected and mixed with each other is considered a single fuel type and sampling and analysis is only required on the combined fuel gas system that will feed the boiler or process heater. Sampling and analysis of the individual gaseous streams prior to combining is not required. You are not required to conduct fuel analyses for fuels used for only startup, unit shutdown, and transient flame stability purposes. You are required to conduct fuel analyses only for fuels and units that are subject to emission limits for mercury, HCl, or TSM in Tables 1 and 2 or 11 through 13 to this subpart. Gaseous and liquid fuels are exempt from the sampling requirements in paragraphs (c) and (d) of this section and Table 6 to this subpart.

(b) You must develop a site-specific fuel monitoring plan according to the following procedures and requirements in paragraphs (b)(1) and (2) of this section, if you are required to conduct fuel analyses as specified in § 63.7510.

(1) If you intend to use an alternative analytical method other than those required by Table 6 to this subpart, you must submit the fuel analysis plan to the Administrator for review and approval no later than 60 days before the date that you intend to conduct the initial compliance demonstration described in § 63.7510.

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

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

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

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

(iv) For each anticipated fuel type, the analytical methods from Table 6, with the expected minimum detection levels, to be used for the measurement of chlorine or mercury.

(v) If you request to use an alternative analytical method other than those required by Table 6 to this subpart, you must also include a detailed description of the methods and procedures that you are proposing to use. Methods in Table 6 shall be used until the requested alternative is approved.

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

(c) At a minimum, you must obtain three composite fuel samples for each fuel type according to the procedures in paragraph (c)(1) or (2) of this section, or the methods listed in Table 6 to this subpart, or use an automated sampling mechanism that provides representative composite fuel samples for each fuel type that includes both coarse and fine material.

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

(i) Stop the belt and withdraw a 6-inch wide sample from the full cross-section of the stopped belt to obtain a minimum two pounds of sample. You must collect all the material (fines and coarse) in the full cross-section. You must transfer the sample to a clean plastic bag.

(ii) Each composite sample will consist of a minimum of three samples collected at approximately equal one-hour intervals during the testing period for sampling during performance stack testing. For monthly sampling, each composite sample shall be collected at approximately equal 10-day intervals during the month.

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

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

(ii) At each sampling site, you must dig into the pile to a uniform depth of approximately 18 inches. You must insert a clean shovel into the hole and withdraw a sample, making sure that large pieces do not fall off during sampling; use the same shovel to collect all samples.

(iii) You must transfer all samples to a clean plastic bag for further processing.

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

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

(2) You must break large sample pieces (e.g., larger than 3 inches) into smaller sizes.

(3) You must make a pie shape with the entire composite sample and subdivide it into four equal parts.

(4) You must separate one of the quarter samples as the first subset.

(5) If this subset is too large for grinding, you must repeat the procedure in paragraph (d)(3) of this section

with the quarter sample and obtain a one-quarter subset from this sample.

(6) You must grind the sample in a mill.

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

(e) You must determine the concentration of pollutants in the fuel (mercury and/or chlorine and/or TSM) in units of pounds per million Btu of each composite sample for each fuel type according to the procedures in Table 6 to this subpart, for use in Equations 7, 8, and 9 of this subpart.

(f) To demonstrate that a gaseous fuel other than natural gas or refinery gas qualifies as an other gas 1 fuel, as defined in §63.7575, you must conduct a fuel specification analyses for mercury according to the procedures in paragraphs (g) through (i) of this section and Table 6 to this subpart, as applicable, except as specified in paragraph (f)(1) through (4) of this section.

(1) You are not required to conduct the fuel specification analyses in paragraphs (g) through (i) of this section for natural gas or refinery gas.

(2) You are not required to conduct the fuel specification analyses in paragraphs (g) through (i) of this section for gaseous fuels that are subject to another subpart of this part, part 60, part 61, or part 65.

(3) You are not required to conduct the fuel specification analyses in paragraphs (g) through (i) of this section on gaseous fuels for units that are complying with the limits for units designed to burn gas 2 (other) fuels.

(4) You are not required to conduct the fuel specification analyses in paragraphs (g) through (i) of this section for gas streams directly derived from natural gas at natural gas production sites or natural gas plants.

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

(1) If you intend to use an alternative analytical method other than those required by Table 6 to this subpart, you must submit the fuel analysis plan to the Administrator for review and approval no later than 60 days before the date that you intend to conduct the initial compliance demonstration described in §63.7510.

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

(i) The identification of all gaseous fuel types other than those exempted from fuel specification analysis under (f)(1) through (3) of this section anticipated to be burned in each boiler or process heater.

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

(iii) For each anticipated fuel type, a detailed description of the sample location and specific procedures to be used for collecting and preparing the samples if your procedures are different from the sampling methods contained in Table 6 to this subpart. Samples should be collected at a location that most accurately represents the fuel type, where possible, at a point prior to mixing with other dissimilar fuel types. If multiple boilers or process heaters are fueled by a common fuel stream it is permissible to conduct a single gas specification at the common point of gas distribution.

(iv) For each anticipated fuel type, the analytical methods from Table 6 to this subpart, with the expected minimum detection levels, to be used for the measurement of mercury.

(v) If you request to use an alternative analytical method other than those required by Table 6 to this subpart, you must also include a detailed description of the methods and procedures that you are proposing to use. Methods in Table 6 to this subpart shall be used until the requested alternative is approved.

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

(h) You must obtain a single fuel sample for each fuel type according to

the sampling procedures listed in Table 6 for fuel specification of gaseous fuels.

(i) You must determine the concentration in the fuel of mercury, in units of microgram per cubic meter, dry basis, of each sample for each other gas 1 fuel type according to the procedures in Table 6 to this subpart.

[78 FR 7167, Jan. 31, 2013]

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

(a) As an alternative to meeting the requirements of § 63.7500 for PM (or TSM), HCl, or mercury on a boiler or process heater-specific basis, if you have more than one existing boiler or process heater in any subcategories located at your facility, you may demonstrate compliance by emissions averaging, if your averaged emissions are not more than 90 percent of the applicable emission limit, according to the procedures in this section. You may not include new boilers or process heaters in an emissions average.

(b) For a group of two or more existing boilers or process heaters in the same subcategory that each vent to a separate stack, you may average PM (or TSM), HCl, or mercury emissions among existing units to demonstrate compliance with the limits in Table 2 to this subpart as specified in paragraph (b)(1) through (3) of this section, if you satisfy the requirements in paragraphs (c) through (g) of this section.

(1) You may average units using a CEMS or PM CPMS for demonstrating compliance.

(2) For mercury and HCl, averaging is allowed as follows:

(i) You may average among units in any of the solid fuel subcategories.

(ii) You may average among units in any of the liquid fuel subcategories.

(iii) You may average among units in a subcategory of units designed to burn gas 2 (other) fuels.

(iv) You may not average across the units designed to burn liquid, units designed to burn solid fuel, and units designed to burn gas 2 (other) subcategories.

(3) For PM (or TSM), averaging is only allowed between units within each of the following subcategories and you may not average across subcategories:

(i) Units designed to burn coal/solid fossil fuel.

(ii) Stokers/sloped grate/other units designed to burn kiln dried biomass/bio-based solids.

(iii) Stokers/sloped grate/other units designed to burn wet biomass/bio-based solids.

(iv) Fluidized bed units designed to burn biomass/bio-based solid.

(v) Suspension burners designed to burn biomass/bio-based solid.

(vi) Dutch ovens/pile burners designed to burn biomass/bio-based solid.

(vii) Fuel Cells designed to burn biomass/bio-based solid.

(viii) Hybrid suspension/grate burners designed to burn wet biomass/bio-based solid.

(ix) Units designed to burn heavy liquid fuel.

(x) Units designed to burn light liquid fuel.

(xi) Units designed to burn liquid fuel that are non-continental units.

(xii) Units designed to burn gas 2 (other) gases.

(c) For each existing boiler or process heater in the averaging group, the emission rate achieved during the initial compliance test for the HAP being averaged must not exceed the emission level that was being achieved on January 31, 2013 or the control technology employed during the initial compliance test must not be less effective for the HAP being averaged than the control technology employed on January 31, 2013.

(d) The averaged emissions rate from the existing boilers and process heaters participating in the emissions averaging option must not exceed 90 percent of the limits in Table 2 to this subpart at all times the affected units are operating following the compliance date specified in § 63.7495.

(e) You must demonstrate initial compliance according to paragraph (e)(1) or (2) of this section using the maximum rated heat input capacity or maximum steam generation capacity of each unit and the results of the initial performance tests or fuel analysis.

(1) You must use Equation 1a or 1b or 1c of this section to demonstrate that the PM (or TSM), HCl, or mercury emissions from all existing units participating in the emissions averaging

option for that pollutant do not exceed the emission limits in Table 2 to this subpart. Use Equation 1a if you are complying with the emission limits on a heat input basis, use Equation 1b if you are complying with the emission limits on a steam generation (output) basis, and use Equation 1c if you are complying with the emission limits on a electric generation (output) basis.

$$AveWeightedEmissions = 1.1 \times \sum_{i=1}^{n} (Er \times Hm) \div \sum_{i=1}^{n} Hm \qquad \text{(Eq. 1a)}$$

Where:

AveWeightedEmissions = Average weighted emissions for PM (or TSM), HCl, or mercury, in units of pounds per million Btu of heat input.

Er = Emission rate (as determined during the initial compliance demonstration) of PM (or TSM), HCl, or mercury from unit, i, in units of pounds per million Btu of heat input. Determine the emission rate for PM (or TSM), HCl, or mercury by performance testing according to Table 5 to this subpart, or by fuel analysis for HCl or mercury or TSM using the applicable equation in §63.7530(c).

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

n = Number of units participating in the emissions averaging option.

1.1 = Required discount factor.

$$AveWeightedEmissions = 1.1 \times \sum_{i=1}^{n} (Er \times So) \div \sum_{i=1}^{n} So \qquad \text{(Eq. 1b)}$$

Where:

AveWeightedEmissions = Average weighted emissions for PM (or TSM), HCl, or mercury, in units of pounds per million Btu of steam output.

Er = Emission rate (as determined during the initial compliance demonstration) of PM (or TSM), HCl, or mercury from unit, i, in units of pounds per million Btu of steam output. Determine the emission rate for PM (or TSM), HCl, or mercury by performance testing according to Table 5 to this subpart, or by fuel analysis for HCl or mercury or TSM using the applicable equation in §63.7530(c). If you are taking credit for energy conservation measures from a unit according to §63.7533, use the adjusted emission level for that unit, Eadj, determined according to §63.7533 for that unit.

So = Maximum steam output capacity of unit, i, in units of million Btu per hour, as defined in §63.7575.

n = Number of units participating in the emissions averaging option.

1.1 = Required discount factor.

$$AveWeightedEmissions = 1.1 \times \sum_{i=1}^{n} (Er \times Eo) \div \sum_{i=1}^{n} Eo \qquad \text{(Eq. 1c)}$$

Where:

AveWeightedEmissions = Average weighted emissions for PM (or TSM), HCl, or mercury, in units of pounds per megawatt hour.

Er = Emission rate (as determined during the initial compliance demonstration) of PM (or TSM), HCl, or mercury from unit, i, in units of pounds per megawatt hour. Determine the emission rate for PM (or TSM), HCl, or mercury by performance testing according to Table 5 to this subpart, or by fuel analysis for HCl or mercury or TSM using the applicable equation in §63.7530(c). If you are taking credit for energy conservation measures from a unit according to §63.7533, use the adjusted emission level for that unit, Eadj, determined according to §63.7533 for that unit.

Eo = Maximum electric generating output capacity of unit, i, in units of megawatt hour, as defined in §63.7575.

n = Number of units participating in the emissions averaging option.
1.1 = Required discount factor.

(2) If you are not capable of determining the maximum rated heat input capacity of one or more boilers that generate steam, you may use Equation 2 of this section as an alternative to using Equation 1a of this section to demonstrate that the PM (or TSM), HCl, or mercury emissions from all existing units participating in the emissions averaging option do not exceed the emission limits for that pollutant in Table 2 to this subpart that are in pounds per million Btu of heat input.

$$AveWeightedEmissions = 1.1 \times \sum_{i=1}^{n} (Er \times Sm \times Cfi) \div \sum_{i=1}^{n} (Sm \times Cfi) \quad \text{(Eq. 2)}$$

Where:
AveWeightedEmissions = Average weighted emission level for PM (or TSM), HCl, or mercury, in units of pounds per million Btu of heat input.
Er = Emission rate (as determined during the most recent compliance demonstration) of PM (or TSM), HCl, or mercury from unit, i, in units of pounds per million Btu of heat input. Determine the emission rate for PM (or TSM), HCl, or mercury by performance testing according to Table 5 to this subpart, or by fuel analysis for HCl or mercury or TSM using the applicable equation in § 63.7530(c).
Sm = Maximum steam generation capacity by unit, i, in units of pounds per hour.
Cfi = Conversion factor, calculated from the most recent compliance test, in units of million Btu of heat input per pounds of steam generated for unit, i.
1.1 = Required discount factor.

(f) After the initial compliance demonstration described in paragraph (e) of this section, you must demonstrate compliance on a monthly basis determined at the end of every month (12 times per year) according to paragraphs (f)(1) through (3) of this section. The first monthly period begins on the compliance date specified in § 63.7495. If the affected source elects to collect monthly data for up the 11 months preceding the first monthly period, these additional data points can be used to compute the 12-month rolling average in paragraph (f)(3) of this section.

(1) For each calendar month, you must use Equation 3a or 3b or 3c of this section to calculate the average weighted emission rate for that month. Use Equation 3a and the actual heat input for the month for each existing unit participating in the emissions averaging option if you are complying with emission limits on a heat input basis. Use Equation 3b and the actual steam generation for the month if you are complying with the emission limits on a steam generation (output) basis. Use Equation 3c and the actual steam generation for the month if you are complying with the emission limits on a electrical generation (output) basis.

$$AveWeightedEmissions = 1.1 \times \sum_{i=1}^{n} (Er \times Hb) \div \sum_{i=1}^{n} Hb \quad \text{(Eq. 3a)}$$

Where:
AveWeightedEmissions = Average weighted emission level for PM (or TSM), HCl, or mercury, in units of pounds per million Btu of heat input, for that calendar month.
Er = Emission rate (as determined during the most recent compliance demonstration) of PM (or TSM), HCl, or mercury from unit, i, in units of pounds per million Btu of heat input. Determine the emission rate for PM (or TSM), HCl, or mercury by performance testing according to Table 5 to this subpart, or by fuel analysis for HCl or mercury or TSM according to Table 6 to this subpart.
Hb = The heat input for that calendar month to unit, i, in units of million Btu.
n = Number of units participating in the emissions averaging option.
1.1 = Required discount factor.

$$AveWeightedEmissions = 1.1 \times \sum_{i=1}^{n} (Er \times So) \div \sum_{i=1}^{n} So \quad \text{(Eq. 3b)}$$

Where:

AveWeightedEmissions = Average weighted emission level for PM (or TSM), HCl, or mercury, in units of pounds per million Btu of steam output, for that calendar month.

Er = Emission rate (as determined during the most recent compliance demonstration) of PM (or TSM), HCl, or mercury from unit, i, in units of pounds per million Btu of steam output. Determine the emission rate for PM (or TSM), HCl, or mercury by performance testing according to Table 5 to this subpart, or by fuel analysis for HCl or mercury or TSM according to Table 6 to this subpart. If you are taking credit for energy conservation measures from a unit according to §63.7533, use the adjusted emission level for that unit, $E_{adj}$, determined according to §63.7533 for that unit.

So = The steam output for that calendar month from unit, i, in units of million Btu, as defined in §63.7575.

n = Number of units participating in the emissions averaging option.

1.1 = Required discount factor.

$$AveWeightedEmissions = 1.1 \times \sum_{i=1}^{n} (Er \times Eo) \div \sum_{i=1}^{n} Eo \quad \text{(Eq. 3c)}$$

Where:

AveWeightedEmissions = Average weighted emission level for PM (or TSM), HCl, or mercury, in units of pounds per megawatt hour, for that calendar month.

Er = Emission rate (as determined during the most recent compliance demonstration) of PM (or TSM), HCl, or mercury from unit, i, in units of pounds per megawatt hour. Determine the emission rate for PM (or TSM), HCl, or mercury by performance testing according to Table 5 to this subpart, or by fuel analysis for HCl or mercury or TSM according to Table 6 to this subpart. If you are taking credit for energy conservation measures from a unit according to §63.7533, use the adjusted emission level for that unit, $E_{adj}$, determined according to §63.7533 for that unit.

Eo = The electric generating output for that calendar month from unit, i, in units of megawatt hour, as defined in §63.7575.

n = Number of units participating in the emissions averaging option.

1.1 = Required discount factor.

(2) If you are not capable of monitoring heat input, you may use Equation 4 of this section as an alternative to using Equation 3a of this section to calculate the average weighted emission rate using the actual steam generation from the boilers participating in the emissions averaging option.

$$AveWeightedEmissions = 1.1 \times \sum_{i=1}^{n} (Er \times Sa \times Cfi) \div \sum_{i=1}^{n} (Sa \times Cfi) \quad \text{(Eq. 4)}$$

Where:

AveWeightedEmissions = average weighted emission level for PM (or TSM), HCl, or mercury, in units of pounds per million Btu of heat input for that calendar month.

Er = Emission rate (as determined during the most recent compliance demonstration of PM (or TSM), HCl, or mercury from unit, i, in units of pounds per million Btu of heat input. Determine the emission rate for PM (or TSM), HCl, or mercury by performance testing according to Table 5 to this subpart, or by fuel analysis for HCl or mercury or TSM according to Table 6 to this subpart.

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

Cfi = Conversion factor, as calculated during the most recent compliance test, in units

of million Btu of heat input per pounds of steam generated for boiler, i.
1.1 = Required discount factor.

(3) Until 12 monthly weighted average emission rates have been accumulated, calculate and report only the average weighted emission rate determined under paragraph (f)(1) or (2) of this section for each calendar month. After 12 monthly weighted average emission rates have been accumulated, for each subsequent calendar month, use Equation 5 of this section to calculate the 12-month rolling average of the monthly weighted average emission rates for the current calendar month and the previous 11 calendar months.

$$Eavg = \sum_{i=1}^{n} ERi \div 12 \quad \text{(Eq. 5)}$$

Where:
Eavg = 12-month rolling average emission rate, (pounds per million Btu heat input)
ERi = Monthly weighted average, for calendar month ''i'' (pounds per million Btu heat input), as calculated by paragraph (f)(1) or (2) of this section.

(g) You must develop, and submit upon request to the applicable Administrator for review and approval, an implementation plan for emission averaging according to the following procedures and requirements in paragraphs (g)(1) through (4) of this section.

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

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

(i) The identification of all existing boilers and process heaters in the averaging group, including for each either the applicable HAP emission level or the control technology installed as of January 31, 2013 and the date on which you are requesting emission averaging to commence;

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

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

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

(v) The operating parameters to be monitored for each control system or device consistent with § 63.7500 and Table 4, and a description of how the operating limits will be determined;

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

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

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

(vii) A demonstration that compliance with each of the applicable emission limit(s) will be achieved under representative operating load conditions. Following each compliance demonstration and until the next compliance demonstration, you must comply with the operating limit for operating load conditions specified in Table 4 to this subpart.

(3) The Administrator shall review and approve or disapprove the plan according to the following criteria:

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

(ii) Whether the plan presents sufficient information to determine that compliance will be achieved and maintained.

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

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

(ii) The inclusion of any emission source other than an existing unit in the same subcategories.

(h) For a group of two or more existing affected units, each of which vents through a single common stack, you may average PM (or TSM), HCl, or mercury emissions to demonstrate compliance with the limits for that pollutant in Table 2 to this subpart if you satisfy the requirements in paragraph (i) or (j) of this section.

(i) For a group of two or more existing units in the same subcategories, each of which vents through a common emissions control system to a common stack, that does not receive emissions from units in other subcategories or categories, you may treat such averaging group as a single existing unit for purposes of this subpart and comply with the requirements of this subpart as if the group were a single unit.

(j) For all other groups of units subject to the common stack requirements of paragraph (h) of this section, including situations where the exhaust of affected units are each individually controlled and then sent to a common stack, the owner or operator may elect to:

(1) Conduct performance tests according to procedures specified in § 63.7520 in the common stack if affected units from other subcategories vent to the common stack. The emission limits that the group must comply with are determined by the use of Equation 6 of this section.

$$En = \sum_{i=1}^{n} (ELi \times Hi) \div \sum_{i=1}^{n} Hi \qquad \text{(Eq. 6)}$$

Where:

En = HAP emission limit, pounds per million British thermal units (lb/MMBtu), parts per million (ppm), or nanograms per dry standard cubic meter (ng/dscm).

ELi = Appropriate emission limit from Table 2 to this subpart for unit i, in units of lb/MMBtu, ppm or ng/dscm.

Hi = Heat input from unit i, MMBtu.

(2) Conduct performance tests according to procedures specified in § 63.7520 in the common stack. If affected units and non-affected units vent to the common stack, the non-affected units must be shut down or vented to a different stack during the performance test unless the facility determines to demonstrate compliance with the non-affected units venting to the stack; and

(3) Meet the applicable operating limit specified in § 63.7540 and Table 8 to this subpart for each emissions control system (except that, if each unit venting to the common stack has an applicable opacity operating limit, then a single continuous opacity monitoring system may be located in the common stack instead of in each duct to the common stack).

(k) The common stack of a group of two or more existing boilers or process heaters in the same subcategories subject to paragraph (h) of this section may be treated as a separate stack for purposes of paragraph (b) of this section and included in an emissions averaging group subject to paragraph (b) of this section.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7168, Jan. 31, 2013]

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

(a) If your boiler or process heater is subject to a CO emission limit in Tables 1, 2, or 11 through 13 to this subpart, you must install, operate, and maintain an oxygen analyzer system, as defined in § 63.7575, or install, certify, operate and maintain continuous emission monitoring systems for CO and oxygen according to the procedures in paragraphs (a)(1) through (7) of this section.

(1) Install the CO CEMS and oxygen analyzer by the compliance date specified in § 63.7495. The CO and oxygen levels shall be monitored at the same location at the outlet of the boiler or process heater.

(2) To demonstrate compliance with the applicable alternative CO CEMS emission standard listed in Tables 1, 2, or 11 through 13 to this subpart, you must install, certify, operate, and maintain a CO CEMS and an oxygen analyzer according to the applicable procedures under Performance Specification 4, 4A, or 4B at 40 CFR part 60, appendix B, the site-specific monitoring plan developed according to § 63.7505(d), and the requirements in § 63.7540(a)(8) and paragraph (a) of this section. Any boiler or process heater that has a CO CEMS that is compliant with Performance Specification 4, 4A, or 4B at 40 CFR part 60, appendix B, a site-specific monitoring plan developed according to § 63.7505(d), and the requirements in § 63.7540(a)(8) and paragraph (a) of this section must use the CO CEMS to comply with the applicable alternative CO CEMS emission standard listed in Tables 1, 2, or 11 through 13 to this subpart.

(i) You must conduct a performance evaluation of each CO CEMS according to the requirements in § 63.8(e) and according to Performance Specification 4, 4A, or 4B at 40 CFR part 60, appendix B.

(ii) During each relative accuracy test run of the CO CEMS, you must be collect emission data for CO concurrently (or within a 30- to 60-minute period) by both the CO CEMS and by Method 10, 10A, or 10B at 40 CFR part 60, appendix A–4. The relative accuracy testing must be at representative operating conditions.

(iii) You must follow the quality assurance procedures (e.g., quarterly accuracy determinations and daily calibration drift tests) of Procedure 1 of appendix F to part 60. The measurement span value of the CO CEMS must be two times the applicable CO emission limit, expressed as a concentration.

(iv) Any CO CEMS that does not comply with § 63.7525(a) cannot be used to meet any requirement in this subpart to demonstrate compliance with a CO emission limit listed in Tables 1, 2, or 11 through 13 to this subpart.

(v) For a new unit, complete the initial performance evaluation no later than July 30, 2013, or 180 days after the date of initial startup, whichever is later. For an existing unit, complete the initial performance evaluation no later than July 29, 2016.

(3) Complete a minimum of one cycle of CO and oxygen CEMS operation (sampling, analyzing, and data recording) for each successive 15-minute period. Collect CO and oxygen data concurrently. Collect at least four CO and oxygen CEMS data values representing the four 15-minute periods in an hour, or at least two 15-minute data values during an hour when CEMS calibration, quality assurance, or maintenance activities are being performed.

(4) Reduce the CO CEMS data as specified in § 63.8(g)(2).

(5) Calculate one-hour arithmetic averages, corrected to 3 percent oxygen from each hour of CO CEMS data in parts per million CO concentration. The one-hour arithmetic averages required shall be used to calculate the 30-day or 10-day rolling average emissions. Use Equation 19–19 in section 12.4.1 of Method 19 of 40 CFR part 60, appendix A–7 for calculating the average CO concentration from the hourly values.

(6) For purposes of collecting CO data, operate the CO CEMS as specified in § 63.7535(b). You must use all the data collected during all periods in calculating data averages and assessing compliance, except that you must exclude certain data as specified in § 63.7535(c). Periods when CO data are

unavailable may constitute monitoring deviations as specified in § 63.7535(d).

(7) Operate an oxygen trim system with the oxygen level set no lower than the lowest hourly average oxygen concentration measured during the most recent CO performance test as the operating limit for oxygen according to Table 7 to this subpart.

(b) If your boiler or process heater is in the unit designed to burn coal/solid fossil fuel subcategory or the unit designed to burn heavy liquid subcategory and has an average annual heat input rate greater than 250 MMBtu per hour from solid fossil fuel and/or heavy liquid, and you demonstrate compliance with the PM limit instead of the alternative TSM limit, you must install, certify, maintain, and operate a PM CPMS monitoring emissions discharged to the atmosphere and record the output of the system as specified in paragraphs (b)(1) through (4) of this section. As an alternative to use of a PM CPMS to demonstrate compliance with the PM limit, you may choose to use a PM CEMS. If you choose to use a PM CEMS to demonstrate compliance with the PM limit instead of the alternative TSM limit, you must install, certify, maintain, and operate a PM CEMS monitoring emissions discharged to the atmosphere and record the output of the system as specified in paragraph (b)(5) through (8) of this section. For other boilers or process heaters, you may elect to use a PM CPMS or PM CEMS operated in accordance with this section in lieu of using other CMS for monitoring PM compliance (e.g., bag leak detectors, ESP secondary power, PM scrubber pressure). Owners of boilers and process heaters who elect to comply with the alternative TSM limit are not required to install a PM CPMS.

(1) Install, certify, operate, and maintain your PM CPMS according to the procedures in your approved site-specific monitoring plan developed in accordance with § 63.7505(d), the requirements in § 63.7540(a)(9), and paragraphs (b)(1)(i) through (iii) of this section.

(i) The operating principle of the PM CPMS must be based on in-stack or extractive light scatter, light scintillation, beta attenuation, or mass accumulation detection of PM in the exhaust gas or representative exhaust gas sample. The reportable measurement output from the PM CPMS must be expressed as milliamps.

(ii) The PM CPMS must have a cycle time (i.e., period required to complete sampling, measurement, and reporting for each measurement) no longer than 60 minutes.

(iii) The PM CPMS must be capable of detecting and responding to PM concentrations of no greater than 0.5 milligram per actual cubic meter.

(2) For a new unit, complete the initial performance evaluation no later than July 30, 2013, or 180 days after the date of initial startup, whichever is later. For an existing unit, complete the initial performance evaluation no later than July 29, 2016.

(3) Collect PM CPMS hourly average output data for all boiler or process heater operating hours except as indicated in § 63.7535(a) through (d). Express the PM CPMS output as milliamps.

(4) Calculate the arithmetic 30-day rolling average of all of the hourly average PM CPMS output data collected during all boiler or process heater operating hours (milliamps).

(5) Install, certify, operate, and maintain your PM CEMS according to the procedures in your approved site-specific monitoring plan developed in accordance with § 63.7505(d), the requirements in § 63.7540(a)(9), and paragraphs (b)(5)(i) through (iv) of this section.

(i) You shall conduct a performance evaluation of the PM CEMS according to the applicable requirements of § 60.8(e), and Performance Specification 11 at 40 CFR part 60, appendix B of this chapter.

(ii) During each PM correlation testing run of the CEMS required by Performance Specification 11 at 40 CFR part 60, appendix B of this chapter, you shall collect PM and oxygen (or carbon dioxide) data concurrently (or within a 30-to 60-minute period) by both the CEMS and conducting performance tests using Method 5 at 40 CFR part 60, appendix A–3 or Method 17 at 40 CFR part 60, appendix A–6 of this chapter.

(iii) You shall perform quarterly accuracy determinations and daily calibration drift tests in accordance with Procedure 2 at 40 CFR part 60, appendix F of this chapter. You must perform

Relative Response Audits annually and perform Response Correlation Audits every 3 years.

(iv) Within 60 days after the date of completing each CEMS relative accuracy test audit or performance test conducted to demonstrate compliance with this subpart, you must submit the relative accuracy test audit data and performance test data to the EPA by successfully submitting the data electronically into the EPA's Central Data Exchange by using the Electronic Reporting Tool (see *http://www.epa.gov/ttn/chief/ert/erttool.html/*).

(6) For a new unit, complete the initial performance evaluation no later than July 30, 2013, or 180 days after the date of initial startup, whichever is later. For an existing unit, complete the initial performance evaluation no later than July 29, 2016.

(7) Collect PM CEMS hourly average output data for all boiler or process heater operating hours except as indicated in § 63.7535(a) through (d).

(8) Calculate the arithmetic 30-day rolling average of all of the hourly average PM CEMS output data collected during all boiler or process heater operating hours.

(c) If you have an applicable opacity operating limit in this rule, and are not otherwise required or elect to install and operate a PM CPMS, PM CEMS, or a bag leak detection system, you must install, operate, certify and maintain each COMS according to the procedures in paragraphs (c)(1) through (7) of this section by the compliance date specified in § 63.7495.

(1) Each COMS must be installed, operated, and maintained according to Performance Specification 1 at appendix B to part 60 of this chapter.

(2) You must conduct a performance evaluation of each COMS according to the requirements in § 63.8(e) and according to Performance Specification 1 at appendix B to part 60 of this chapter.

(3) As specified in § 63.8(c)(4)(i), each COMS must complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

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

(5) You must include in your site-specific monitoring plan procedures and acceptance criteria for operating and maintaining each COMS according to the requirements in § 63.8(d). At a minimum, the monitoring plan must include a daily calibration drift assessment, a quarterly performance audit, and an annual zero alignment audit of each COMS.

(6) You must operate and maintain each COMS according to the requirements in the monitoring plan and the requirements of § 63.8(e). You must identify periods the COMS is out of control including any periods that the COMS fails to pass a daily calibration drift assessment, a quarterly performance audit, or an annual zero alignment audit. Any 6-minute period for which the monitoring system is out of control and data are not available for a required calculation constitutes a deviation from the monitoring requirements.

(7) You must determine and record all the 6-minute averages (and daily block averages as applicable) collected for periods during which the COMS is not out of control.

(d) If you have an operating limit that requires the use of a CMS other than a PM CPMS or COMS, you must install, operate, and maintain each CMS according to the procedures in paragraphs (d)(1) through (5) of this section by the compliance date specified in § 63.7495.

(1) The CPMS must complete a minimum of one cycle of operation every 15-minutes. You must have a minimum of four successive cycles of operation, one representing each of the four 15-minute periods in an hour, to have a valid hour of data.

(2) You must operate the monitoring system as specified in § 63.7535(b), and comply with the data calculation requirements specified in § 63.7535(c).

(3) Any 15-minute period for which the monitoring system is out-of-control and data are not available for a required calculation constitutes a deviation from the monitoring requirements. Other situations that constitute a monitoring deviation are specified in § 63.7535(d).

(4) You must determine the 30-day rolling average of all recorded readings, except as provided in § 63.7535(c).

(5) You must record the results of each inspection, calibration, and validation check.

(e) If you have an operating limit that requires the use of a flow monitoring system, you must meet the requirements in paragraphs (d) and (e)(1) through (4) of this section.

(1) You must install the flow sensor and other necessary equipment in a position that provides a representative flow.

(2) You must use a flow sensor with a measurement sensitivity of no greater than 2 percent of the design flow rate.

(3) You must minimize, consistent with good engineering practices, the effects of swirling flow or abnormal velocity distributions due to upstream and downstream disturbances.

(4) You must conduct a flow monitoring system performance evaluation in accordance with your monitoring plan at the time of each performance test but no less frequently than annually.

(f) If you have an operating limit that requires the use of a pressure monitoring system, you must meet the requirements in paragraphs (d) and (f)(1) through (6) of this section.

(1) Install the pressure sensor(s) in a position that provides a representative measurement of the pressure (*e.g.*, PM scrubber pressure drop).

(2) Minimize or eliminate pulsating pressure, vibration, and internal and external corrosion consistent with good engineering practices.

(3) Use a pressure sensor with a minimum tolerance of 1.27 centimeters of water or a minimum tolerance of 1 percent of the pressure monitoring system operating range, whichever is less.

(4) Perform checks at least once each process operating day to ensure pressure measurements are not obstructed (*e.g.*, check for pressure tap pluggage daily).

(5) Conduct a performance evaluation of the pressure monitoring system in accordance with your monitoring plan at the time of each performance test but no less frequently than annually.

(6) If at any time the measured pressure exceeds the manufacturer's specified maximum operating pressure range, conduct a performance evaluation of the pressure monitoring system in accordance with your monitoring plan and confirm that the pressure monitoring system continues to meet the performance requirements in you monitoring plan. Alternatively, install and verify the operation of a new pressure sensor.

(g) If you have an operating limit that requires a pH monitoring system, you must meet the requirements in paragraphs (d) and (g)(1) through (4) of this section.

(1) Install the pH sensor in a position that provides a representative measurement of scrubber effluent pH.

(2) Ensure the sample is properly mixed and representative of the fluid to be measured.

(3) Conduct a performance evaluation of the pH monitoring system in accordance with your monitoring plan at least once each process operating day.

(4) Conduct a performance evaluation (including a two-point calibration with one of the two buffer solutions having a pH within 1 of the pH of the operating limit) of the pH monitoring system in accordance with your monitoring plan at the time of each performance test but no less frequently than quarterly.

(h) If you have an operating limit that requires a secondary electric power monitoring system for an electrostatic precipitator (ESP) operated with a wet scrubber, you must meet the requirements in paragraphs (h)(1) and (2) of this section.

(1) Install sensors to measure (secondary) voltage and current to the precipitator collection plates.

(2) Conduct a performance evaluation of the electric power monitoring system in accordance with your monitoring plan at the time of each performance test but no less frequently than annually.

(i) If you have an operating limit that requires the use of a monitoring system to measure sorbent injection rate (e.g., weigh belt, weigh hopper, or hopper flow measurement device), you must meet the requirements in paragraphs (d) and (i)(1) through (2) of this section.

(1) Install the system in a position(s) that provides a representative measurement of the total sorbent injection rate.

(2) Conduct a performance evaluation of the sorbent injection rate monitoring system in accordance with your monitoring plan at the time of each performance test but no less frequently than annually.

(j) If you are not required to use a PM CPMS and elect to use a fabric filter bag leak detection system to comply with the requirements of this subpart, you must install, calibrate, maintain, and continuously operate the bag leak detection system as specified in paragraphs (j)(1) through (6) of this section.

(1) You must install a bag leak detection sensor(s) in a position(s) that will be representative of the relative or absolute PM loadings for each exhaust stack, roof vent, or compartment (e.g., for a positive pressure fabric filter) of the fabric filter.

(2) Conduct a performance evaluation of the bag leak detection system in accordance with your monitoring plan and consistent with the guidance provided in EPA–454/R–98–015 (incorporated by reference, see § 63.14).

(3) Use a bag leak detection system certified by the manufacturer to be capable of detecting PM emissions at concentrations of 10 milligrams per actual cubic meter or less.

(4) Use a bag leak detection system equipped with a device to record continuously the output signal from the sensor.

(5) Use a bag leak detection system equipped with a system that will alert plant operating personnel when an increase in relative PM emissions over a preset level is detected. The alert must easily recognizable (e.g., heard or seen) by plant operating personnel.

(6) Where multiple bag leak detectors are required, the system's instrumentation and alert may be shared among detectors.

(k) For each unit that meets the definition of limited-use boiler or process heater, you must keep fuel use records for the days the boiler or process heater was operating.

(l) For each unit for which you decide to demonstrate compliance with the mercury or HCl emissions limits in Tables 1 or 2 or 11 through 13 of this subpart by use of a CEMS for mercury or HCl, you must install, certify, maintain, and operate a CEMS measuring emissions discharged to the atmosphere and record the output of the system as specified in paragraphs (l)(1) through (8) of this section. For HCl, this option for an affected unit takes effect on the date a final performance specification for a HCl CEMS is published in the FEDERAL REGISTER or the date of approval of a site-specific monitoring plan.

(1) Notify the Administrator one month before starting use of the CEMS, and notify the Administrator one month before stopping use of the CEMS.

(2) Each CEMS shall be installed, certified, operated, and maintained according to the requirements in § 63.7540(a)(14) for a mercury CEMS and § 63.7540(a)(15) for a HCl CEMS.

(3) For a new unit, you must complete the initial performance evaluation of the CEMS by the latest of the dates specified in paragraph (l)(3)(i) through (iii) of this section.

(i) No later than July 30, 2013.

(ii) No later 180 days after the date of initial startup.

(iii) No later 180 days after notifying the Administrator before starting to use the CEMS in place of performance testing or fuel analysis to demonstrate compliance.

(4) For an existing unit, you must complete the initial performance evaluation by the latter of the two dates specified in paragraph (l)(4)(i) and (ii) of this section.

(i) No later than July 29, 2016.

(ii) No later 180 days after notifying the Administrator before starting to use the CEMS in place of performance testing or fuel analysis to demonstrate compliance.

(5) Compliance with the applicable emissions limit shall be determined based on the 30-day rolling average of the hourly arithmetic average emissions rates using the continuous monitoring system outlet data. The 30-day rolling arithmetic average emission rate (lb/MMBtu) shall be calculated using the equations in EPA Reference Method 19 at 40 CFR part 60, appendix

A–7, but substituting the mercury or HCl concentration for the pollutant concentrations normally used in Method 19.

(6) Collect CEMS hourly averages for all operating hours on a 30-day rolling average basis. Collect at least four CMS data values representing the four 15-minute periods in an hour, or at least two 15-minute data values during an hour when CMS calibration, quality assurance, or maintenance activities are being performed.

(7) The one-hour arithmetic averages required shall be expressed in lb/MMBtu and shall be used to calculate the boiler 30-day and 10-day rolling average emissions.

(8) You are allowed to substitute the use of the PM, mercury or HCl CEMS for the applicable fuel analysis, annual performance test, and operating limits specified in Table 4 to this subpart to demonstrate compliance with the PM, mercury or HCl emissions limit, and if you are using an acid gas wet scrubber or dry sorbent injection control technology to comply with the HCl emission limit, you are allowed to substitute the use of a sulfur dioxide ($SO_2$) CEMS for the applicable fuel analysis, annual performance test, and operating limits specified in Table 4 to this subpart to demonstrate compliance with HCl emissions limit.

(m) If your unit is subject to a HCl emission limit in Tables 1, 2, or 11 through 13 of this subpart and you have an acid gas wet scrubber or dry sorbent injection control technology and you use an $SO_2$ CEMS, you must install the monitor at the outlet of the boiler or process heater, downstream of all emission control devices, and you must install, certify, operate, and maintain the CEMS according to part 75 of this chapter.

(1) The $SO_2$ CEMS must be installed by the compliance date specified in § 63.7495.

(2) For on-going quality assurance (QA), the $SO_2$ CEMS must meet the applicable daily, quarterly, and semi-annual or annual requirements in sections 2.1 through 2.3 of appendix B to part 75 of this chapter, with the following addition: You must perform the linearity checks required in section 2.2 of appendix B to part 75 of this chapter if the $SO_2$ CEMS has a span value of 30 ppm or less.

(3) For a new unit, the initial performance evaluation shall be completed no later than July 30, 2013, or 180 days after the date of initial startup, whichever is later. For an existing unit, the initial performance evaluation shall be completed no later than July 29, 2016.

(4) For purposes of collecting $SO_2$ data, you must operate the $SO_2$ CEMS as specified in § 63.7535(b). You must use all the data collected during all periods in calculating data averages and assessing compliance, except that you must exclude certain data as specified in § 63.7535(c). Periods when $SO_2$ data are unavailable may constitute monitoring deviations as specified in § 63.7535(d).

(5) Collect CEMS hourly averages for all operating hours on a 30-day rolling average basis.

(6) Use only unadjusted, quality-assured $SO_2$ concentration values in the emissions calculations; do not apply bias adjustment factors to the part 75 $SO_2$ data and do not use part 75 substitute data values.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7171, Jan. 31, 2013]

### § 63.7530 How do I demonstrate initial compliance with the emission limitations, fuel specifications and work practice standards?

(a) You must demonstrate initial compliance with each emission limit that applies to you by conducting initial performance tests and fuel analyses and establishing operating limits, as applicable, according to § 63.7520, paragraphs (b) and (c) of this section, and Tables 5 and 7 to this subpart. The requirement to conduct a fuel analysis is not applicable for units that burn a single type of fuel, as specified by § 63.7510(a)(2)(i). If applicable, you must also install, operate, and maintain all applicable CMS (including CEMS, COMS, and CPMS) according to § 63.7525.

(b) If you demonstrate compliance through performance testing, you must establish each site-specific operating

limit in Table 4 to this subpart that applies to you according to the requirements in § 63.7520, Table 7 to this subpart, and paragraph (b)(4) of this section, as applicable. You must also conduct fuel analyses according to § 63.7521 and establish maximum fuel pollutant input levels according to paragraphs (b)(1) through (3) of this section, as applicable, and as specified in § 63.7510(a)(2). (Note that § 63.7510(a)(2) exempts certain fuels from the fuel analysis requirements.) However, if you switch fuel(s) and cannot show that the new fuel(s) does (do) not increase the chlorine, mercury, or TSM input into the unit through the results of fuel analysis, then you must repeat the performance test to demonstrate compliance while burning the new fuel(s).

(1) You must establish the maximum chlorine fuel input (Clinput) during the initial fuel analysis according to the procedures in paragraphs (b)(1)(i) through (iii) of this section.

(i) You must determine the fuel type or fuel mixture that you could burn in your boiler or process heater that has the highest content of chlorine.

(ii) During the fuel analysis for hydrogen chloride, you must determine the fraction of the total heat input for each fuel type burned (Qi) based on the fuel mixture that has the highest content of chlorine, and the average chlorine concentration of each fuel type burned (Ci).

(iii) You must establish a maximum chlorine input level using Equation 7 of this section.

$$Clinput = \sum_{i=1}^{n} (Ci \times Qi) \quad \text{(Eq. 7)}$$

Where:

Clinput = Maximum amount of chlorine entering the boiler or process heater through fuels burned in units of pounds per million Btu.

Ci = Arithmetic average concentration of chlorine in fuel type, i, analyzed according to § 63.7521, in units of pounds per million Btu.

Qi = Fraction of total heat input from fuel type, i, based on the fuel mixture that has the highest content of chlorine. If you do not burn multiple fuel types during the performance testing, it is not necessary to determine the value of this term. Insert a value of ''1'' for Qi.

n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest content of chlorine.

(2) You must establish the maximum mercury fuel input level (Mercuryinput) during the initial fuel analysis using the procedures in paragraphs (b)(2)(i) through (iii) of this section.

(i) You must determine the fuel type or fuel mixture that you could burn in your boiler or process heater that has the highest content of mercury.

(ii) During the compliance demonstration for mercury, you must determine the fraction of total heat input for each fuel burned (Qi) based on the fuel mixture that has the highest content of mercury, and the average mercury concentration of each fuel type burned (HGi).

(iii) You must establish a maximum mercury input level using Equation 8 of this section.

$$Mercuryinput = \sum_{i=1}^{n} (HGi \times Qi) \quad \text{(Eq. 8)}$$

Where:

Mercuryinput = Maximum amount of mercury entering the boiler or process heater through fuels burned in units of pounds per million Btu.

HGi = Arithmetic average concentration of mercury in fuel type, i, analyzed according to §63.7521, in units of pounds per million Btu.
Qi = Fraction of total heat input from fuel type, i, based on the fuel mixture that has the highest mercury content. If you do not burn multiple fuel types during the performance test, it is not necessary to determine the value of this term. Insert a value of ''1'' for Qi.
n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest content of mercury.

(3) If you opt to comply with the alternative TSM limit, you must establish the maximum TSM fuel input (TSMinput) for solid or liquid fuels during the initial fuel analysis according to the procedures in paragraphs (b)(3)(i) through (iii) of this section.

(i) You must determine the fuel type or fuel mixture that you could burn in your boiler or process heater that has the highest content of TSM.

(ii) During the fuel analysis for TSM, you must determine the fraction of the total heat input for each fuel type burned (Qi) based on the fuel mixture that has the highest content of TSM, and the average TSM concentration of each fuel type burned (TSMi).

(iii) You must establish a maximum TSM input level using Equation 9 of this section.

$$TSMinput = \sum_{i=1}^{n} (TSMi \times Qi) \qquad \text{(Eq. 9)}$$

Where:

TSMinput = Maximum amount of TSM entering the boiler or process heater through fuels burned in units of pounds per million Btu.
TSMi = Arithmetic average concentration of TSM in fuel type, i, analyzed according to §63.7521, in units of pounds per million Btu.
Qi = Fraction of total heat input from fuel type, i, based on the fuel mixture that has the highest content of TSM. If you do not burn multiple fuel types during the performance testing, it is not necessary to determine the value of this term. Insert a value of ''1'' for Qi.
n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest content of TSM.

(4) You must establish parameter operating limits according to paragraphs (b)(4)(i) through (ix) of this section. As indicated in Table 4 to this subpart, you are not required to establish and comply with the operating parameter limits when you are using a CEMS to monitor and demonstrate compliance with the applicable emission limit for that control device parameter.

(i) For a wet acid gas scrubber, you must establish the minimum scrubber effluent pH and liquid flow rate as defined in §63.7575, as your operating limits during the performance test during which you demonstrate compliance with your applicable limit. If you use a wet scrubber and you conduct separate performance tests for HCl and mercury emissions, you must establish one set of minimum scrubber effluent pH, liquid flow rate, and pressure drop operating limits. The minimum scrubber effluent pH operating limit must be established during the HCl performance test. If you conduct multiple performance tests, you must set the minimum liquid flow rate operating limit at the higher of the minimum values established during the performance tests.

(ii) For any particulate control device (e.g., ESP, particulate wet scrubber, fabric filter) for which you use a PM CPMS, you must establish your PM CPMS operating limit and determine compliance with it according to paragraphs (b)(4)(ii)(A) through (F) of this section.

(A) Determine your operating limit as the average PM CPMS output value recorded during the most recent performance test run demonstrating compliance with the filterable PM emission limit or at the PM CPMS output value corresponding to 75 percent of the emission limit if your PM performance test demonstrates compliance below 75 percent of the emission limit. You must verify an existing or establish a

new operating limit after each repeated performance test. You must repeat the performance test annually and reassess and adjust the site-specific operating limit in accordance with the results of the performance test.

(*1*) Your PM CPMS must provide a 4–20 milliamp output and the establishment of its relationship to manual reference method measurements must be determined in units of milliamps.

(*2*) Your PM CPMS operating range must be capable of reading PM concentrations from zero to a level equivalent to at least two times your allowable emission limit. If your PM CPMS is an auto-ranging instrument capable of multiple scales, the primary range of the instrument must be capable of reading PM concentration from zero to a level equivalent to two times your allowable emission limit.

(*3*) During the initial performance test or any such subsequent performance test that demonstrates compliance with the PM limit, record and average all milliamp output values from the PM CPMS for the periods corresponding to the compliance test runs (e.g., average all your PM CPMS output values for three corresponding 2-hour Method 5I test runs).

(B) If the average of your three PM performance test runs are below 75 percent of your PM emission limit, you must calculate an operating limit by establishing a relationship of PM CPMS signal to PM concentration using the PM CPMS instrument zero, the average PM CPMS values corresponding to the three compliance test runs, and the average PM concentration from the Method 5 or performance test with the procedures in paragraphs (b)(4)(ii)(B)(*1*) through (*4*) of this section.

(*1*) Determine your instrument zero output with one of the following procedures:

(*i*) Zero point data for *in-situ* instruments should be obtained by removing the instrument from the stack and monitoring ambient air on a test bench.

(*ii*) Zero point data for *extractive* instruments should be obtained by removing the extractive probe from the stack and drawing in clean ambient air.

(*iii*) The zero point may also be established by performing manual reference method measurements when the flue gas is free of PM emissions or contains very low PM concentrations (e.g., when your process is not operating, but the fans are operating or your source is combusting only natural gas) and plotting these with the compliance data to find the zero intercept.

(*iv*) If none of the steps in paragraphs (b)(4)(ii)(B)(*1*)(*i*) through (*iii*) of this section are possible, you must use a zero output value provided by the manufacturer.

(*2*) Determine your PM CPMS instrument average in milliamps, and the average of your corresponding three PM compliance test runs, using equation 10.

$$\bar{x} = \frac{1}{n}\sum_{i=1}^{n} X_1 \, , \bar{y} = \frac{1}{n}\sum_{i=1}^{n} Y_1 \qquad \text{(Eq. 10)}$$

Where:

$X_1$ = the PM CPMS data points for the three runs constituting the performance test,

$Y_1$ = the PM concentration value for the three runs constituting the performance test, and

n = the number of data points.

(*3*) With your instrument zero expressed in milliamps, your three run average PM CPMS milliamp value, and your three run average PM concentration from your three compliance tests, determine a relationship of lb/MMBtu per milliamp with equation 11.

$$R = \frac{Y_1}{(X_1 - z)} \qquad \text{(Eq. 11)}$$

Where:

R = the relative lb/MMBtu per milliamp for your PM CPMS,
$Y_1$ = the three run average lb/MMBtu PM concentration,
$X_1$ = the three run average milliamp output from you PM CPMS, and
z = the milliamp equivalent of your instrument zero determined from (B)(i).

(*4*) Determine your source specific 30-day rolling average operating limit using the lb/MMBtu per milliamp value from Equation 11 in equation 12, below. This sets your operating limit at the PM CPMS output value corresponding to 75 percent of your emission limit.

$$O_l = z + \frac{0.75(L)}{R} \qquad \text{(Eq. 12)}$$

Where:

$O_l$ = the operating limit for your PM CPMS on a 30-day rolling average, in milliamps.
L = your source emission limit expressed in lb/MMBtu,
z = your instrument zero in milliamps, determined from (B)(i), and
R = the relative lb/MMBtu per milliamp for your PM CPMS, from Equation 11.

(C) If the average of your three PM compliance test runs is at or above 75 percent of your PM emission limit you must determine your 30-day rolling average operating limit by averaging the PM CPMS milliamp output corresponding to your three PM performance test runs that demonstrate compliance with the emission limit using equation 13 and you must submit all compliance test and PM CPMS data according to the reporting requirements in paragraph (b)(4)(ii)(F) of this section.

$$O_h = \frac{1}{n}\sum_{i=1}^{n} X_1 \qquad \text{(Eq. 13)}$$

Where:

$X_1$ = the PM CPMS data points for all runs i,
n = the number of data points, and
$O_h$ = your site specific operating limit, in milliamps.

(D) To determine continuous compliance, you must record the PM CPMS output data for all periods when the process is operating and the PM CPMS is not out-of-control. You must demonstrate continuous compliance by using all quality-assured hourly average data collected by the PM CPMS for all operating hours to calculate the arithmetic average operating parameter in units of the operating limit (milliamps) on a 30-day rolling average basis, updated at the end of each new operating hour. Use Equation 14 to determine the 30-day rolling average.

$$30-\text{day} = \frac{\sum_{i=1}^{n} Hpv_i}{n} \qquad \text{(Eq. 14)}$$

Where:

30-day = 30-day average.

Hpvi = is the hourly parameter value for hour i

n = is the number of valid hourly parameter values collected over the previous 720 operating hours.

(E) Use EPA Method 5 of appendix A to part 60 of this chapter to determine PM emissions. For each performance test, conduct three separate runs under the conditions that exist when the affected source is operating at the highest load or capacity level reasonably expected to occur. Conduct each test run to collect a minimum sample volume specified in Tables 1, 2, or 11 through 13 to this subpart, as applicable, for determining compliance with a new source limit or an existing source limit. Calculate the average of the results from three runs to determine compliance. You need not determine the PM collected in the impingers (''back half'') of the Method 5 particulate sampling train to demonstrate compliance with the PM standards of this subpart. This shall not preclude the permitting authority from requiring a determination of the ''back half'' for other purposes.

(F) For PM performance test reports used to set a PM CPMS operating limit, the electronic submission of the test report must also include the make and model of the PM CPMS instrument, serial number of the instrument, analytical principle of the instrument (e.g. beta attenuation), span of the instruments primary analytical range, milliamp value equivalent to the instrument zero output, technique by which this zero value was determined, and the average milliamp signals corresponding to each PM compliance test run. (iii) For a particulate wet scrubber, you must establish the minimum pressure drop and liquid flow rate as defined in § 63.7575, as your operating limits during the three-run performance test during which you demonstrate compliance with your applicable limit. If you use a wet scrubber and you conduct separate performance tests for PM and TSM emissions, you must establish one set of minimum scrubber liquid flow rate and pressure drop operating limits. The minimum scrubber effluent pH operating limit must be established during the HCl performance test. If you conduct multiple performance tests, you must set the minimum liquid flow rate and pressure drop operating limits at the higher of the minimum values established during the performance tests.

(iii) For an electrostatic precipitator (ESP) operated with a wet scrubber, you must establish the minimum total secondary electric power input, as defined in § 63.7575, as your operating limit during the three-run performance test during which you demonstrate compliance with your applicable limit. (These operating limits do not apply to ESP that are operated as dry controls without a wet scrubber.)

(iv) For a dry scrubber, you must establish the minimum sorbent injection rate for each sorbent, as defined in § 63.7575, as your operating limit during the three-run performance test during which you demonstrate compliance with your applicable limit.

(v) For activated carbon injection, you must establish the minimum activated carbon injection rate, as defined in § 63.7575, as your operating limit during the three-run performance test during which you demonstrate compliance with your applicable limit.

(vi) The operating limit for boilers or process heaters with fabric filters that demonstrate continuous compliance through bag leak detection systems is that a bag leak detection system be installed according to the requirements in § 63.7525, and that each fabric filter must be operated such that the bag

leak detection system alert is not activated more than 5 percent of the operating time during a 6-month period.

(vii) For a minimum oxygen level, if you conduct multiple performance tests, you must set the minimum oxygen level at the lower of the minimum values established during the performance tests.

(viii) The operating limit for boilers or process heaters that demonstrate continuous compliance with the HCl emission limit using a $SO_2$ CEMS is to install and operate the $SO_2$ according to the requirements in §63.7525(m) establish a maximum $SO_2$ emission rate equal to the highest hourly average $SO_2$ measurement during the most recent three-run performance test for HCl.

(c) If you elect to demonstrate compliance with an applicable emission limit through fuel analysis, you must conduct fuel analyses according to §63.7521 and follow the procedures in paragraphs (c)(1) through (5) of this section.

(1) If you burn more than one fuel type, you must determine the fuel mixture you could burn in your boiler or process heater that would result in the maximum emission rates of the pollutants that you elect to demonstrate compliance through fuel analysis.

(2) You must determine the 90th percentile confidence level fuel pollutant concentration of the composite samples analyzed for each fuel type using the one-sided t-statistic test described in Equation 15 of this section.

$$P90 = mean + (SD \times t) \quad \text{(Eq. 15)}$$

Where:

P90 = 90th percentile confidence level pollutant concentration, in pounds per million Btu.

Mean = Arithmetic average of the fuel pollutant concentration in the fuel samples analyzed according to §63.7521, in units of pounds per million Btu.

SD = Standard deviation of the mean of pollutant concentration in the fuel samples analyzed according to §63.7521, in units of pounds per million Btu. SD is calculated as the sample standard deviation divided by the square root of the number of samples.

t = t distribution critical value for 90th percentile ($t_{0.1}$) probability for the appropriate degrees of freedom (number of samples minus one) as obtained from a t-Distribution Critical Value Table.

(3) To demonstrate compliance with the applicable emission limit for HCl, the HCl emission rate that you calculate for your boiler or process heater using Equation 16 of this section must not exceed the applicable emission limit for HCl.

$$HCl = \sum_{i=1}^{n} (Ci90 \times Qi \times 1.028) \quad \text{(Eq. 16)}$$

Where:

HCl = HCl emission rate from the boiler or process heater in units of pounds per million Btu.

Ci90 = 90th percentile confidence level concentration of chlorine in fuel type, i, in units of pounds per million Btu as calculated according to Equation 11 of this section.

Qi = Fraction of total heat input from fuel type, i, based on the fuel mixture that has the highest content of chlorine. If you do not burn multiple fuel types, it is not necessary to determine the value of this term. Insert a value of ''1'' for Qi.

n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest content of chlorine.

1.028 = Molecular weight ratio of HCl to chlorine.

(4) To demonstrate compliance with the applicable emission limit for mercury, the mercury emission rate that

you calculate for your boiler or process heater using Equation 17 of this section must not exceed the applicable emission limit for mercury.

$$Mercury = \sum_{i=1}^{n} (Hgi90 \times Qi) \qquad \text{(Eq. 17)}$$

Where:

Mercury = Mercury emission rate from the boiler or process heater in units of pounds per million Btu.

Hgi90 = 90th percentile confidence level concentration of mercury in fuel, i, in units of pounds per million Btu as calculated according to Equation 11 of this section.

Qi = Fraction of total heat input from fuel type, i, based on the fuel mixture that has the highest mercury content. If you do not burn multiple fuel types, it is not necessary to determine the value of this term. Insert a value of ''1'' for Qi.

n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest mercury content.

(5) To demonstrate compliance with the applicable emission limit for TSM for solid or liquid fuels, the TSM emission rate that you calculate for your boiler or process heater from solid fuels using Equation 18 of this section must not exceed the applicable emission limit for TSM.

$$Metals = \sum_{i=1}^{n} (TSM90i \times Qi) \qquad \text{(Eq. 18)}$$

Where:

Metals = TSM emission rate from the boiler or process heater in units of pounds per million Btu.

TSMi90 = 90th percentile confidence level concentration of TSM in fuel, i, in units of pounds per million Btu as calculated according to Equation 11 of this section.

Qi = Fraction of total heat input from fuel type, i, based on the fuel mixture that has the highest TSM content. If you do not burn multiple fuel types, it is not necessary to determine the value of this term. Insert a value of ''1'' for Qi.

n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest TSM content.

(d) If you own or operate an existing unit with a heat input capacity of less than 10 million Btu per hour or a unit in the unit designed to burn gas 1 subcategory, you must submit a signed statement in the Notification of Compliance Status report that indicates that you conducted a tune-up of the unit.

(e) You must include with the Notification of Compliance Status a signed certification that the energy assessment was completed according to Table 3 to this subpart and is an accurate depiction of your facility at the time of the assessment.

(f) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in § 63.7545(e).

(g) If you elect to demonstrate that a gaseous fuel meets the specifications of another gas 1 fuel as defined in § 63.7575, you must conduct an initial fuel specification analyses according to § 63.7521(f) through (i) and according to the frequency listed in § 63.7540(c) and maintain records of the results of the testing as outlined in § 63.7555(g). For samples where the initial mercury specification has not been exceeded, you will include a signed certification with the Notification of Compliance Status that the initial fuel specification test meets the gas specification outlined in the definition of other gas 1 fuels.

(h) If you own or operate a unit subject to emission limits in Tables 1 or 2

or 11 through 13 to this subpart, you must meet the work practice standard according to Table 3 of this subpart. During startup and shutdown, you must only follow the work practice standards according to item 5 of Table 3 of this subpart.

(i) If you opt to comply with the alternative $SO_2$ CEMS operating limit in Tables 4 and 8 to this subpart, you may do so only if your affected boiler or process heater:

(1) Has a system using wet scrubber or dry sorbent injection and $SO_2$ CEMS installed on the unit; and

(2) At all times, you operate the wet scrubber or dry sorbent injection for acid gas control on the unit consistent with § 63.7500(a)(3); and

(3) You establish a unit-specific maximum $SO_2$ operating limit by collecting the minimum hourly $SO_2$ emission rate on the $SO_2$ CEMS during the paired 3-run test for HCl. The maximum $SO_2$ operating limit is equal to the highest hourly average $SO_2$ concentration measured during the most recent HCl performance test.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7174, Jan. 31, 2013]

### § 63.7533 Can I use efficiency credits earned from implementation of energy conservation measures to comply with this subpart?

(a) If you elect to comply with the alternative equivalent output-based emission limits, instead of the heat input-based limits listed in Table 2 to this subpart, and you want to take credit for implementing energy conservation measures identified in an energy assessment, you may demonstrate compliance using efficiency credits according to the procedures in this section. You may use this compliance approach for an existing affected boiler for demonstrating initial compliance according to § 63.7522(e) and for demonstrating monthly compliance according to § 63.7522(f). Owners or operators using this compliance approach must establish an emissions benchmark, calculate and document the efficiency credits, develop an Implementation Plan, comply with the general reporting requirements, and apply the efficiency credit according to the procedures in paragraphs (b) through (f) of this section. You cannot use this compliance approach for a new or reconstructed affected boiler. Additional guidance from the Department of Energy on efficiency credits is available at: *http://www.epa.gov/ttn/atw/boiler/boilerpg.html*.

(b) For each existing affected boiler for which you intend to apply emissions credits, establish a benchmark from which emission reduction credits may be generated by determining the actual annual fuel heat input to the affected boiler before initiation of an energy conservation activity to reduce energy demand (*i.e.*, fuel usage) according to paragraphs (b)(1) through (4) of this section. The benchmark shall be expressed in trillion Btu per year heat input.

(1) The benchmark from which efficiency credits may be generated shall be determined by using the most representative, accurate, and reliable process available for the source. The benchmark shall be established for a one-year period before the date that an energy demand reduction occurs, unless it can be demonstrated that a different time period is more representative of historical operations.

(2) Determine the starting point from which to measure progress. Inventory all fuel purchased and generated onsite (off-gases, residues) in physical units (MMBtu, million cubic feet, etc.).

(3) Document all uses of energy from the affected boiler. Use the most recent data available.

(4) Collect non-energy related facility and operational data to normalize, if necessary, the benchmark to current operations, such as building size, operating hours, etc. If possible, use actual data that are current and timely rather than estimated data.

(c) Efficiency credits can be generated if the energy conservation measures were implemented after January 1, 2008 and if sufficient information is available to determine the appropriate value of credits.

(1) The following emission points cannot be used to generate efficiency credits:

(i) Energy conservation measures implemented on or before January 1, 2008, unless the level of energy demand reduction is increased after January 1,

2008, in which case credit will be allowed only for change in demand reduction achieved after January 1, 2008.

(ii) Efficiency credits on shut-down boilers. Boilers that are shut down cannot be used to generate credits unless the facility provides documentation linking the permanent shutdown to energy conservation measures identified in the energy assessment. In this case, the bench established for the affected boiler to which the credits from the shutdown will be applied must be revised to include the benchmark established for the shutdown boiler.

(2) For all points included in calculating emissions credits, the owner or operator shall:

(i) Calculate annual credits for all energy demand points. Use Equation 19 to calculate credits. Energy conservation measures that meet the criteria of paragraph (c)(1) of this section shall not be included, except as specified in paragraph (c)(1)(i) of this section.

(3) Credits are generated by the difference between the benchmark that is established for each affected boiler, and the actual energy demand reductions from energy conservation measures implemented after January 1, 2008. Credits shall be calculated using Equation 19 of this section as follows:

(i) The overall equation for calculating credits is:

$$ECredits = \left( \sum_{i=1}^{n} EIS_{iactual} \right) \div EI_{baseline} \qquad \text{(Eq. 19)}$$

Where:

ECredits = Energy Input Savings for all energy conservation measures implemented for an affected boiler, expressed as a decimal fraction of the baseline energy input.

$EIS_{iactual}$ = Energy Input Savings for each energy conservation measure, i, implemented for an affected boiler, million Btu per year.

$EI_{baseline}$ = Energy Input baseline for the affected boiler, million Btu per year.

n = Number of energy conservation measures included in the efficiency credit for the affected boiler.

(ii) [Reserved]

(d) The owner or operator shall develop, and submit for approval upon request by the Administrator, an Implementation Plan containing all of the information required in this paragraph for all boilers to be included in an efficiency credit approach. The Implementation Plan shall identify all existing affected boilers to be included in applying the efficiency credits. The Implementation Plan shall include a description of the energy conservation measures implemented and the energy savings generated from each measure and an explanation of the criteria used for determining that savings. If requested, you must submit the implementation plan for efficiency credits to the Administrator for review and approval no later than 180 days before the date on which the facility intends to demonstrate compliance using the efficiency credit approach.

(e) The emissions rate as calculated using Equation 20 of this section from each existing boiler participating in the efficiency credit option must be in compliance with the limits in Table 2 to this subpart at all times the affected unit is operating, following the compliance date specified in § 63.7495.

(f) You must use Equation 20 of this section to demonstrate initial compliance by demonstrating that the emissions from the affected boiler participating in the efficiency credit compliance approach do not exceed the emission limits in Table 2 to this subpart.

$$E_{adj} = E_m \times (1 - ECredits) \qquad \text{(Eq. 20)}$$

Where:

$E_{adj}$ = Emission level adjusted by applying the efficiency credits earned, lb per million Btu steam output (or lb per MWh) for the affected boiler.

$E_m$ = Emissions measured during the performance test, lb per million Btu steam output (or lb per MWh) for the affected boiler.

ECredits = Efficiency credits from Equation 19 for the affected boiler.

(g) As part of each compliance report submitted as required under § 63.7550, you must include documentation that the energy conservation measures implemented continue to generate the credit for use in demonstrating compliance with the emission limits.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7178, Jan. 31, 2013]

CONTINUOUS COMPLIANCE REQUIREMENTS

### § 63.7535 Is there a minimum amount of monitoring data I must obtain?

(a) You must monitor and collect data according to this section and the site-specific monitoring plan required by § 63.7505(d).

(b) You must operate the monitoring system and collect data at all required intervals at all times that each boiler or process heater is operating and compliance is required, except for periods of monitoring system malfunctions or out of control periods (see § 63.8(c)(7) of this part), and required monitoring system quality assurance or control activities, including, as applicable, calibration checks, required zero and span adjustments, and scheduled CMS maintenance as defined in your site-specific monitoring plan. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. You are required to complete monitoring system repairs in response to monitoring system malfunctions or out-of-control periods and to return the monitoring system to operation as expeditiously as practicable.

(c) You may not use data recorded during monitoring system malfunctions or out-of-control periods, repairs associated with monitoring system malfunctions or out-of-control periods, or required monitoring system quality assurance or control activities in data averages and calculations used to report emissions or operating levels. You must record and make available upon request results of CMS performance audits and dates and duration of periods when the CMS is out of control to completion of the corrective actions necessary to return the CMS to operation consistent with your site-specific monitoring plan. You must use all the data collected during all other periods in assessing compliance and the operation of the control device and associated control system.

(d) Except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities (including, as applicable, system accuracy audits, calibration checks, and required zero and span adjustments), failure to collect required data is a deviation of the monitoring requirements. In calculating monitoring results, do not use any data collected during periods when the monitoring system is out of control as specified in your site-specific monitoring plan, while conducting repairs associated with periods when the monitoring system is out of control, or while conducting required monitoring system quality assurance or quality control activities. You must calculate monitoring results using all other monitoring data collected while the process is operating. You must report all periods when the monitoring system is out of control in your annual report.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7179, Jan. 31, 2013]

### § 63.7540 How do I demonstrate continuous compliance with the emission limitations, fuel specifications and work practice standards?

(a) You must demonstrate continuous compliance with each emission limit in Tables 1 and 2 or 11 through 13 to this subpart, the work practice standards in Table 3 to this subpart, and the operating limits in Table 4 to this subpart that applies to you according to the methods specified in Table 8 to this subpart and paragraphs (a)(1) through (19) of this section.

(1) Following the date on which the initial compliance demonstration is completed or is required to be completed under §§ 63.7 and 63.7510, whichever date comes first, operation above the established maximum or below the established minimum operating limits shall constitute a deviation of established operating limits listed in Table 4 of this subpart except during performance tests conducted to determine compliance with the emission limits or to establish new operating limits. Operating limits must be confirmed or reestablished during performance tests.

(2) As specified in § 63.7550(c), you must keep records of the type and amount of all fuels burned in each boiler or process heater during the reporting period to demonstrate that all fuel types and mixtures of fuels burned would result in either of the following:

(i) Lower emissions of HCl, mercury, and TSM than the applicable emission limit for each pollutant, if you demonstrate compliance through fuel analysis.

(ii) Lower fuel input of chlorine, mercury, and TSM than the maximum values calculated during the last performance test, if you demonstrate compliance through performance testing.

(3) If you demonstrate compliance with an applicable HCl emission limit through fuel analysis for a solid or liquid fuel and you plan to burn a new type of solid or liquid fuel, you must recalculate the HCl emission rate using Equation 12 of § 63.7530 according to paragraphs (a)(3)(i) through (iii) of this section. You are not required to conduct fuel analyses for the fuels described in § 63.7510(a)(2)(i) through (iii). You may exclude the fuels described in § 63.7510(a)(2)(i) through (iii) when recalculating the HCl emission rate.

(i) You must determine the chlorine concentration for any new fuel type in units of pounds per million Btu, based on supplier data or your own fuel analysis, according to the provisions in your site-specific fuel analysis plan developed according to § 63.7521(b).

(ii) You must determine the new mixture of fuels that will have the highest content of chlorine.

(iii) Recalculate the HCl emission rate from your boiler or process heater under these new conditions using Equation 12 of § 63.7530. The recalculated HCl emission rate must be less than the applicable emission limit.

(4) If you demonstrate compliance with an applicable HCl emission limit through performance testing and you plan to burn a new type of fuel or a new mixture of fuels, you must recalculate the maximum chlorine input using Equation 7 of § 63.7530. If the results of recalculating the maximum chlorine input using Equation 7 of § 63.7530 are greater than the maximum chlorine input level established during the previous performance test, then you must conduct a new performance test within 60 days of burning the new fuel type or fuel mixture according to the procedures in § 63.7520 to demonstrate that the HCl emissions do not exceed the emission limit. You must also establish new operating limits based on this performance test according to the procedures in § 63.7530(b). In recalculating the maximum chlorine input and establishing the new operating limits, you are not required to conduct fuel analyses for and include the fuels described in § 63.7510(a)(2)(i) through (iii).

(5) If you demonstrate compliance with an applicable mercury emission limit through fuel analysis, and you plan to burn a new type of fuel, you must recalculate the mercury emission rate using Equation 13 of § 63.7530 according to the procedures specified in paragraphs (a)(5)(i) through (iii) of this section. You are not required to conduct fuel analyses for the fuels described in § 63.7510(a)(2)(i) through (iii). You may exclude the fuels described in § 63.7510(a)(2)(i) through (iii) when recalculating the mercury emission rate.

(i) You must determine the mercury concentration for any new fuel type in units of pounds per million Btu, based on supplier data or your own fuel analysis, according to the provisions in your site-specific fuel analysis plan developed according to § 63.7521(b).

(ii) You must determine the new mixture of fuels that will have the highest content of mercury.

(iii) Recalculate the mercury emission rate from your boiler or process heater under these new conditions using Equation 13 of § 63.7530. The recalculated mercury emission rate must

be less than the applicable emission limit.

(6) If you demonstrate compliance with an applicable mercury emission limit through performance testing, and you plan to burn a new type of fuel or a new mixture of fuels, you must recalculate the maximum mercury input using Equation 8 of § 63.7530. If the results of recalculating the maximum mercury input using Equation 8 of § 63.7530 are higher than the maximum mercury input level established during the previous performance test, then you must conduct a new performance test within 60 days of burning the new fuel type or fuel mixture according to the procedures in § 63.7520 to demonstrate that the mercury emissions do not exceed the emission limit. You must also establish new operating limits based on this performance test according to the procedures in § 63.7530(b). You are not required to conduct fuel analyses for the fuels described in § 63.7510(a)(2)(i) through (iii). You may exclude the fuels described in § 63.7510(a)(2)(i) through (iii) when recalculating the mercury emission rate.

(7) If your unit is controlled with a fabric filter, and you demonstrate continuous compliance using a bag leak detection system, you must initiate corrective action within 1 hour of a bag leak detection system alert and complete corrective actions as soon as practical, and operate and maintain the fabric filter system such that the periods which would cause an alert are no more than 5 percent of the operating time during a 6-month period. You must also keep records of the date, time, and duration of each alert, the time corrective action was initiated and completed, and a brief description of the cause of the alert and the corrective action taken. You must also record the percent of the operating time during each 6-month period that the conditions exist for an alert. In calculating this operating time percentage, if inspection of the fabric filter demonstrates that no corrective action is required, no alert time is counted. If corrective action is required, each alert shall be counted as a minimum of 1 hour. If you take longer than 1 hour to initiate corrective action, the alert time shall be counted as the actual amount of time taken to initiate corrective action.

(8) To demonstrate compliance with the applicable alternative CO CEMS emission limit listed in Tables 1, 2, or 11 through 13 to this subpart, you must meet the requirements in paragraphs (a)(8)(i) through (iv) of this section.

(i) Continuously monitor CO according to §§ 63.7525(a) and 63.7535.

(ii) Maintain a CO emission level below or at your applicable alternative CO CEMS-based standard in Tables 1 or 2 or 11 through 13 to this subpart at all times the affected unit is operating.

(iii) Keep records of CO levels according to § 63.7555(b).

(iv) You must record and make available upon request results of CO CEMS performance audits, dates and duration of periods when the CO CEMS is out of control to completion of the corrective actions necessary to return the CO CEMS to operation consistent with your site-specific monitoring plan.

(9) The owner or operator of a boiler or process heater using a PM CPMS or a PM CEMS to meet requirements of this subpart shall install, certify, operate, and maintain the PM CPMS or PM CEMS in accordance with your site-specific monitoring plan as required in § 63.7505(d).

(10) If your boiler or process heater has a heat input capacity of 10 million Btu per hour or greater, you must conduct an annual tune-up of the boiler or process heater to demonstrate continuous compliance as specified in paragraphs (a)(10)(i) through (vi) of this section. This frequency does not apply to limited-use boilers and process heaters, as defined in § 63.7575, or units with continuous oxygen trim systems that maintain an optimum air to fuel ratio.

(i) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may delay the burner inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection. At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during

planned entries into the storage vessel or process equipment;

(ii) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;

(iii) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection;

(iv) Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any $NO_x$ requirement to which the unit is subject;

(v) Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer; and

(vi) Maintain on-site and submit, if requested by the Administrator, an annual report containing the information in paragraphs (a)(10)(vi)(A) through (C) of this section,

(A) The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater;

(B) A description of any corrective actions taken as a part of the tune-up; and

(C) The type and amount of fuel used over the 12 months prior to the tune-up, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel used by each unit.

(11) If your boiler or process heater has a heat input capacity of less than 10 million Btu per hour (except as specified in paragraph (a)(12) of this section), you must conduct a biennial tune-up of the boiler or process heater as specified in paragraphs (a)(10)(i) through (vi) of this section to demonstrate continuous compliance.

(12) If your boiler or process heater has a continuous oxygen trim system that maintains an optimum air to fuel ratio, or a heat input capacity of less than or equal to 5 million Btu per hour and the unit is in the units designed to burn gas 1; units designed to burn gas 2 (other); or units designed to burn light liquid subcategories, or meets the definition of limited-use boiler or process heater in §63.7575, you must conduct a tune-up of the boiler or process heater every 5 years as specified in paragraphs (a)(10)(i) through (vi) of this section to demonstrate continuous compliance. You may delay the burner inspection specified in paragraph (a)(10)(i) of this section until the next scheduled or unscheduled unit shutdown, but you must inspect each burner at least once every 72 months.

(13) If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 calendar days of startup.

(14) If you are using a CEMS measuring mercury emissions to meet requirements of this subpart you must install, certify, operate, and maintain the mercury CEMS as specified in paragraphs (a)(14)(i) and (ii) of this section.

(i) Operate the mercury CEMS in accordance with performance specification 12A of 40 CFR part 60, appendix B or operate a sorbent trap based integrated monitor in accordance with performance specification 12B of 40 CFR part 60, appendix B. The duration of the performance test must be the maximum of 30 unit operating days or 720 hours. For each day in which the unit operates, you must obtain hourly mercury concentration data, and stack gas volumetric flow rate data.

(ii) If you are using a mercury CEMS, you must install, operate, calibrate, and maintain an instrument for continuously measuring and recording the mercury mass emissions rate to the atmosphere according to the requirements of performance specifications 6 and 12A of 40 CFR part 60, appendix B, and quality assurance procedure 6 of 40 CFR part 60, appendix F.

(15) If you are using a CEMS to measure HCl emissions to meet requirements of this subpart, you must install, certify, operate, and maintain the HCl CEMS as specified in paragraphs (a)(15)(i) and (ii) of this section. This option for an affected unit takes effect on the date a final performance specification for an HCl CEMS is published in the FEDERAL REGISTER or the date of approval of a site-specific monitoring plan.

(i) Operate the continuous emissions monitoring system in accordance with the applicable performance specification in 40 CFR part 60, appendix B. The duration of the performance test must be the maximum of 30 unit operating days or 720 hours. For each day in which the unit operates, you must obtain hourly HCl concentration data, and stack gas volumetric flow rate data.

(ii) If you are using a HCl CEMS, you must install, operate, calibrate, and maintain an instrument for continuously measuring and recording the HCl mass emissions rate to the atmosphere according to the requirements of the applicable performance specification of 40 CFR part 60, appendix B, and the quality assurance procedures of 40 CFR part 60, appendix F.

(16) If you demonstrate compliance with an applicable TSM emission limit through performance testing, and you plan to burn a new type of fuel or a new mixture of fuels, you must recalculate the maximum TSM input using Equation 9 of § 63.7530. If the results of recalculating the maximum TSM input using Equation 9 of § 63.7530 are higher than the maximum total selected input level established during the previous performance test, then you must conduct a new performance test within 60 days of burning the new fuel type or fuel mixture according to the procedures in § 63.7520 to demonstrate that the TSM emissions do not exceed the emission limit. You must also establish new operating limits based on this performance test according to the procedures in § 63.7530(b). You are not required to conduct fuel analyses for the fuels described in § 63.7510(a)(2)(i) through (iii). You may exclude the fuels described in § 63.7510(a)(2)(i) through (iii) when recalculating the TSM emission rate.

(17) If you demonstrate compliance with an applicable TSM emission limit through fuel analysis for solid or liquid fuels, and you plan to burn a new type of fuel, you must recalculate the TSM emission rate using Equation 14 of § 63.7530 according to the procedures specified in paragraphs (a)(5)(i) through (iii) of this section. You are not required to conduct fuel analyses for the fuels described in § 63.7510(a)(2)(i) through (iii). You may exclude the fuels described in § 63.7510(a)(2)(i) through (iii) when recalculating the TSM emission rate.

(i) You must determine the TSM concentration for any new fuel type in units of pounds per million Btu, based on supplier data or your own fuel analysis, according to the provisions in your site-specific fuel analysis plan developed according to § 63.7521(b).

(ii) You must determine the new mixture of fuels that will have the highest content of TSM.

(iii) Recalculate the TSM emission rate from your boiler or process heater under these new conditions using Equation 14 of § 63.7530. The recalculated TSM emission rate must be less than the applicable emission limit.

(18) If you demonstrate continuous PM emissions compliance with a PM CPMS you will use a PM CPMS to establish a site-specific operating limit corresponding to the results of the performance test demonstrating compliance with the PM limit. You will conduct your performance test using the test method criteria in Table 5 of this subpart. You will use the PM CPMS to demonstrate continuous compliance with this operating limit. You must repeat the performance test annually and reassess and adjust the site-specific operating limit in accordance with the results of the performance test.

(i) To determine continuous compliance, you must record the PM CPMS output data for all periods when the process is operating and the PM CPMS is not out-of-control. You must demonstrate continuous compliance by using all quality-assured hourly average data collected by the PM CPMS for all operating hours to calculate the

arithmetic average operating parameter in units of the operating limit (milliamps) on a 30-day rolling average basis, updated at the end of each new boiler or process heater operating hour.

(ii) For any deviation of the 30-day rolling PM CPMS average value from the established operating parameter limit, you must:

(A) Within 48 hours of the deviation, visually inspect the air pollution control device (APCD);

(B) If inspection of the APCD identifies the cause of the deviation, take corrective action as soon as possible and return the PM CPMS measurement to within the established value; and

(C) Within 30 days of the deviation or at the time of the annual compliance test, whichever comes first, conduct a PM emissions compliance test to determine compliance with the PM emissions limit and to verify or re-establish the CPMS operating limit. You are not required to conduct additional testing for any deviations that occur between the time of the original deviation and the PM emissions compliance test required under this paragraph.

(iii) PM CPMS deviations from the operating limit leading to more than four required performance tests in a 12-month operating period constitute a separate violation of this subpart.

(19) If you choose to comply with the PM filterable emissions limit by using PM CEMS you must install, certify, operate, and maintain a PM CEMS and record the output of the PM CEMS as specified in paragraphs (a)(19)(i) through (vii) of this section. The compliance limit will be expressed as a 30-day rolling average of the numerical emissions limit value applicable for your unit in Tables 1 or 2 or 11 through 13 of this subpart.

(i) Install and certify your PM CEMS according to the procedures and requirements in Performance Specification 11—Specifications and Test Procedures for Particulate Matter Continuous Emission Monitoring Systems at Stationary Sources in Appendix B to part 60 of this chapter, using test criteria outlined in Table V of this rule. The reportable measurement output from the PM CEMS must be expressed in units of the applicable emissions limit (e.g., lb/MMBtu, lb/MWh).

(ii) Operate and maintain your PM CEMS according to the procedures and requirements in Procedure 2— Quality Assurance Requirements for Particulate Matter Continuous Emission Monitoring Systems at Stationary Sources in Appendix F to part 60 of this chapter.

(A) You must conduct the relative response audit (RRA) for your PM CEMS at least once annually.

(B) You must conduct the relative correlation audit (RCA) for your PM CEMS at least once every 3 years.

(iii) Collect PM CEMS hourly average output data for all boiler operating hours except as indicated in paragraph (i) of this section.

(iv) Calculate the arithmetic 30-day rolling average of all of the hourly average PM CEMS output data collected during all nonexempt boiler or process heater operating hours.

(v) You must collect data using the PM CEMS at all times the unit is operating and at the intervals specified this paragraph (a), except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities.

(vi) You must use all the data collected during all boiler or process heater operating hours in assessing the compliance with your operating limit except:

(A) Any data collected during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities conducted during monitoring system malfunctions in calculations and report any such periods in your annual deviation report;

(B) Any data collected during periods when the monitoring system is out of control as specified in your site-specific monitoring plan, repairs associated with periods when the monitoring system is out of control, or required monitoring system quality assurance or control activities conducted during out of control periods in calculations used to report emissions or operating levels and report any such periods in your annual deviation report;

(C) Any data recorded during periods of startup or shutdown.

(vii) You must record and make available upon request results of PM CEMS system performance audits, dates and duration of periods when the PM CEMS is out of control to completion of the corrective actions necessary to return the PM CEMS to operation consistent with your site-specific monitoring plan.

(b) You must report each instance in which you did not meet each emission limit and operating limit in Tables 1 through 4 or 11 through 13 to this subpart that apply to you. These instances are deviations from the emission limits or operating limits, respectively, in this subpart. These deviations must be reported according to the requirements in § 63.7550.

(c) If you elected to demonstrate that the unit meets the specification for mercury for the unit designed to burn gas 1 subcategory, you must follow the sampling frequency specified in paragraphs (c)(1) through (4) of this section and conduct this sampling according to the procedures in § 63.7521(f) through (i).

(1) If the initial mercury constituents in the gaseous fuels are measured to be equal to or less than half of the mercury specification as defined in § 63.7575, you do not need to conduct further sampling.

(2) If the initial mercury constituents are greater than half but equal to or less than 75 percent of the mercury specification as defined in § 63.7575, you will conduct semi-annual sampling. If 6 consecutive semi-annual fuel analyses demonstrate 50 percent or less of the mercury specification, you do not need to conduct further sampling. If any semi-annual sample exceeds 75 percent of the mercury specification, you must return to monthly sampling for that fuel, until 12 months of fuel analyses again are less than 75 percent of the compliance level.

(3) If the initial mercury constituents are greater than 75 percent of the mercury specification as defined in § 63.7575, you will conduct monthly sampling. If 12 consecutive monthly fuel analyses demonstrate 75 percent or less of the mercury specification, you may decrease the fuel analysis frequency to semi-annual for that fuel.

(4) If the initial sample exceeds the mercury specification as defined in § 63.7575, each affected boiler or process heater combusting this fuel is not part of the unit designed to burn gas 1 subcategory and must be in compliance with the emission and operating limits for the appropriate subcategory. You may elect to conduct additional monthly sampling while complying with these emissions and operating limits to demonstrate that the fuel qualifies as another gas 1 fuel. If 12 consecutive monthly fuel analyses samples are at or below the mercury specification as defined in § 63.7575, each affected boiler or process heater combusting the fuel can elect to switch back into the unit designed to burn gas 1 subcategory until the mercury specification is exceeded.

(d) For startup and shutdown, you must meet the work practice standards according to item 5 of Table 3 of this subpart.

[78 FR 7179, Jan. 31, 2013]

### § 63.7541 How do I demonstrate continuous compliance under the emissions averaging provision?

(a) Following the compliance date, the owner or operator must demonstrate compliance with this subpart on a continuous basis by meeting the requirements of paragraphs (a)(1) through (5) of this section.

(1) For each calendar month, demonstrate compliance with the average weighted emissions limit for the existing units participating in the emissions averaging option as determined in § 63.7522(f) and (g).

(2) You must maintain the applicable opacity limit according to paragraphs (a)(2)(i) and (ii) of this section.

(i) For each existing unit participating in the emissions averaging option that is equipped with a dry control system and not vented to a common stack, maintain opacity at or below the applicable limit.

(ii) For each group of units participating in the emissions averaging option where each unit in the group is equipped with a dry control system and vented to a common stack that does

not receive emissions from non-affected units, maintain opacity at or below the applicable limit at the common stack.

(3) For each existing unit participating in the emissions averaging option that is equipped with a wet scrubber, maintain the 30-day rolling average parameter values at or above the operating limits established during the most recent performance test.

(4) For each existing unit participating in the emissions averaging option that has an approved alternative operating parameter, maintain the 30-day rolling average parameter values consistent with the approved monitoring plan.

(5) For each existing unit participating in the emissions averaging option venting to a common stack configuration containing affected units from other subcategories, maintain the appropriate operating limit for each unit as specified in Table 4 to this subpart that applies.

(b) Any instance where the owner or operator fails to comply with the continuous monitoring requirements in paragraphs (a)(1) through (5) of this section is a deviation.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7182, Jan. 31, 2013]

NOTIFICATION, REPORTS, AND RECORDS

### § 63.7545 What notifications must I submit and when?

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

(b) As specified in § 63.9(b)(2), if you startup your affected source before January 31, 2013, you must submit an Initial Notification not later than 120 days after January 31, 2013.

(c) As specified in § 63.9(b)(4) and (5), if you startup your new or reconstructed affected source on or after January 31, 2013, you must submit an Initial Notification not later than 15 days after the actual date of startup of the affected source.

(d) If you are required to conduct a performance test you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin.

(e) If you are required to conduct an initial compliance demonstration as specified in § 63.7530, you must submit a Notification of Compliance Status according to § 63.9(h)(2)(ii). For the initial compliance demonstration for each boiler or process heater, you must submit the Notification of Compliance Status, including all performance test results and fuel analyses, before the close of business on the 60th day following the completion of all performance test and/or other initial compliance demonstrations for all boiler or process heaters at the facility according to § 63.10(d)(2). The Notification of Compliance Status report must contain all the information specified in paragraphs (e)(1) through (8), as applicable. If you are not required to conduct an initial compliance demonstration as specified in § 63.7530(a), the Notification of Compliance Status must only contain the information specified in paragraphs (e)(1) and (8).

(1) A description of the affected unit(s) including identification of which subcategories the unit is in, the design heat input capacity of the unit, a description of the add-on controls used on the unit to comply with this subpart, description of the fuel(s) burned, including whether the fuel(s) were a secondary material determined by you or the EPA through a petition process to be a non-waste under § 241.3 of this chapter, whether the fuel(s) were a secondary material processed from discarded non-hazardous secondary materials within the meaning of § 241.3 of this chapter, and justification for the selection of fuel(s) burned during the compliance demonstration.

(2) Summary of the results of all performance tests and fuel analyses, and calculations conducted to demonstrate initial compliance including all established operating limits, and including:

(i) Identification of whether you are complying with the PM emission limit or the alternative TSM emission limit.

(ii) Identification of whether you are complying with the output-based emission limits or the heat input-based (i.e., lb/MMBtu or ppm) emission limits,

(3) A summary of the maximum CO emission levels recorded during the performance test to show that you have met any applicable emission standard in Tables 1, 2, or 11 through 13 to this subpart, if you are not using a CO CEMS to demonstrate compliance.

(4) Identification of whether you plan to demonstrate compliance with each applicable emission limit through performance testing, a CEMS, or fuel analysis.

(5) Identification of whether you plan to demonstrate compliance by emissions averaging and identification of whether you plan to demonstrate compliance by using efficiency credits through energy conservation:

(i) If you plan to demonstrate compliance by emission averaging, report the emission level that was being achieved or the control technology employed on January 31, 2013.

(ii) [Reserved]

(6) A signed certification that you have met all applicable emission limits and work practice standards.

(7) If you had a deviation from any emission limit, work practice standard, or operating limit, you must also submit a description of the deviation, the duration of the deviation, and the corrective action taken in the Notification of Compliance Status report.

(8) In addition to the information required in §63.9(h)(2), your notification of compliance status must include the following certification(s) of compliance, as applicable, and signed by a responsible official:

(i) ''This facility complies with the required initial tune-up according to the procedures in §63.7540(a)(10)(i) through (vi).''

(ii) ''This facility has had an energy assessment performed according to §63.7530(e).''

(iii) Except for units that burn only natural gas, refinery gas, or other gas 1 fuel, or units that qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act, include the following: ''No secondary materials that are solid waste were combusted in any affected unit.''

(f) If you operate a unit designed to burn natural gas, refinery gas, or other gas 1 fuels that is subject to this subpart, and you intend to use a fuel other than natural gas, refinery gas, gaseous fuel subject to another subpart of this part, part 60, 61, or 65, or other gas 1 fuel to fire the affected unit during a period of natural gas curtailment or supply interruption, as defined in §63.7575, you must submit a notification of alternative fuel use within 48 hours of the declaration of each period of natural gas curtailment or supply interruption, as defined in §63.7575. The notification must include the information specified in paragraphs (f)(1) through (5) of this section.

(1) Company name and address.

(2) Identification of the affected unit.

(3) Reason you are unable to use natural gas or equivalent fuel, including the date when the natural gas curtailment was declared or the natural gas supply interruption began.

(4) Type of alternative fuel that you intend to use.

(5) Dates when the alternative fuel use is expected to begin and end.

(g) If you intend to commence or recommence combustion of solid waste, you must provide 30 days prior notice of the date upon which you will commence or recommence combustion of solid waste. The notification must identify:

(1) The name of the owner or operator of the affected source, as defined in §63.7490, the location of the source, the boiler(s) or process heater(s) that will commence burning solid waste, and the date of the notice.

(2) The currently applicable subcategories under this subpart.

(3) The date on which you became subject to the currently applicable emission limits.

(4) The date upon which you will commence combusting solid waste.

(h) If you have switched fuels or made a physical change to the boiler and the fuel switch or physical change resulted in the applicability of a different subcategory, you must provide notice of the date upon which you switched fuels or made the physical change within 30 days of the switch/change. The notification must identify:

(1) The name of the owner or operator of the affected source, as defined in §63.7490, the location of the source, the boiler(s) and process heater(s) that

have switched fuels, were physically changed, and the date of the notice.

(2) The currently applicable subcategory under this subpart.

(3) The date upon which the fuel switch or physical change occurred.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7183, Jan. 31, 2013]

### § 63.7550 What reports must I submit and when?

(a) You must submit each report in Table 9 to this subpart that applies to you.

(b) Unless the EPA Administrator has approved a different schedule for submission of reports under § 63.10(a), you must submit each report, according to paragraph (h) of this section, by the date in Table 9 to this subpart and according to the requirements in paragraphs (b)(1) through (4) of this section. For units that are subject only to a requirement to conduct an annual, biennial, or 5-year tune-up according to § 63.7540(a)(10), (11), or (12), respectively, and not subject to emission limits or operating limits, you may submit only an annual, biennial, or 5-year compliance report, as applicable, as specified in paragraphs (b)(1) through (4) of this section, instead of a semi-annual compliance report.

(1) The first compliance report must cover the period beginning on the compliance date that is specified for each boiler or process heater in § 63.7495 and ending on July 31 or January 31, whichever date is the first date that occurs at least 180 days (or 1, 2, or 5 years, as applicable, if submitting an annual, biennial, or 5-year compliance report) after the compliance date that is specified for your source in § 63.7495.

(2) The first compliance report must be postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for each boiler or process heater in § 63.7495. The first annual, biennial, or 5-year compliance report must be postmarked or submitted no later than January 31.

(3) Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31. Annual, biennial, and 5-year compliance reports must cover the applicable 1-, 2-, or 5-year periods from January 1 to December 31.

(4) Each subsequent compliance report must be postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. Annual, biennial, and 5-year compliance reports must be postmarked or submitted no later than January 31.

(c) A compliance report must contain the following information depending on how the facility chooses to comply with the limits set in this rule.

(1) If the facility is subject to a the requirements of a tune up they must submit a compliance report with the information in paragraphs (c)(5)(i) through (iv) and (xiv) of this section.

(2) If a facility is complying with the fuel analysis they must submit a compliance report with the information in paragraphs (c)(5)(i) through (iv), (vi), (x), (xi), (xiii), (xv) and paragraph (d) of this section.

(3) If a facility is complying with the applicable emissions limit with performance testing they must submit a compliance report with the information in (c)(5)(i) through (iv), (vi), (vii), (ix), (xi), (xiii), (xv) and paragraph (d) of this section.

(4) If a facility is complying with an emissions limit using a CMS the compliance report must contain the information required in paragraphs (c)(5)(i) through (vi), (xi), (xiii), (xv) through (xvii), and paragraph (e) of this section.

(5)(i) Company and Facility name and address.

(ii) Process unit information, emissions limitations, and operating parameter limitations.

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

(iv) The total operating time during the reporting period.

(v) If you use a CMS, including CEMS, COMS, or CPMS, you must include the monitoring equipment manufacturer(s) and model numbers and the date of the last CMS certification or audit.

(vi) The total fuel use by each individual boiler or process heater subject

to an emission limit within the reporting period, including, but not limited to, a description of the fuel, whether the fuel has received a non-waste determination by the EPA or your basis for concluding that the fuel is not a waste, and the total fuel usage amount with units of measure.

(vii) If you are conducting performance tests once every 3 years consistent with § 63.7515(b) or (c), the date of the last 2 performance tests and a statement as to whether there have been any operational changes since the last performance test that could increase emissions.

(viii) A statement indicating that you burned no new types of fuel in an individual boiler or process heater subject to an emission limit. Or, if you did burn a new type of fuel and are subject to a HCl emission limit, you must submit the calculation of chlorine input, using Equation 7 of § 63.7530, that demonstrates that your source is still within its maximum chlorine input level established during the previous performance testing (for sources that demonstrate compliance through performance testing) or you must submit the calculation of HCl emission rate using Equation 12 of § 63.7530 that demonstrates that your source is still meeting the emission limit for HCl emissions (for boilers or process heaters that demonstrate compliance through fuel analysis). If you burned a new type of fuel and are subject to a mercury emission limit, you must submit the calculation of mercury input, using Equation 8 of § 63.7530, that demonstrates that your source is still within its maximum mercury input level established during the previous performance testing (for sources that demonstrate compliance through performance testing), or you must submit the calculation of mercury emission rate using Equation 13 of § 63.7530 that demonstrates that your source is still meeting the emission limit for mercury emissions (for boilers or process heaters that demonstrate compliance through fuel analysis). If you burned a new type of fuel and are subject to a TSM emission limit, you must submit the calculation of TSM input, using Equation 9 of § 63.7530, that demonstrates that your source is still within its maximum TSM input level established during the previous performance testing (for sources that demonstrate compliance through performance testing), or you must submit the calculation of TSM emission rate, using Equation 14 of § 63.7530, that demonstrates that your source is still meeting the emission limit for TSM emissions (for boilers or process heaters that demonstrate compliance through fuel analysis).

(ix) If you wish to burn a new type of fuel in an individual boiler or process heater subject to an emission limit and you cannot demonstrate compliance with the maximum chlorine input operating limit using Equation 7 of § 63.7530 or the maximum mercury input operating limit using Equation 8 of § 63.7530, or the maximum TSM input operating limit using Equation 9 of § 63.7530 you must include in the compliance report a statement indicating the intent to conduct a new performance test within 60 days of starting to burn the new fuel.

(x) A summary of any monthly fuel analyses conducted to demonstrate compliance according to §§ 63.7521 and 63.7530 for individual boilers or process heaters subject to emission limits, and any fuel specification analyses conducted according to §§ 63.7521(f) and 63.7530(g).

(xi) If there are no deviations from any emission limits or operating limits in this subpart that apply to you, a statement that there were no deviations from the emission limits or operating limits during the reporting period.

(xii) If there were no deviations from the monitoring requirements including no periods during which the CMSs, including CEMS, COMS, and CPMS, were out of control as specified in § 63.8(c)(7), a statement that there were no deviations and no periods during which the CMS were out of control during the reporting period.

(xiii) If a malfunction occurred during the reporting period, the 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 you during a malfunction of a boiler, process heater, or associated air pollution control device or CMS to minimize emissions in accordance with § 63.7500(a)(3), including actions taken to correct the malfunction.

(xiv) Include the date of the most recent tune-up for each unit subject to only the requirement to conduct an annual, biennial, or 5-year tune-up according to § 63.7540(a)(10), (11), or (12) respectively. Include the date of the most recent burner inspection if it was not done annually, biennially, or on a 5-year period and was delayed until the next scheduled or unscheduled unit shutdown.

(xv) If you plan to demonstrate compliance by emission averaging, certify the emission level achieved or the control technology employed is no less stringent than the level or control technology contained in the notification of compliance status in § 63.7545(e)(5)(i).

(xvi) For each reporting period, the compliance reports must include all of the calculated 30 day rolling average values based on the daily CEMS (CO and mercury) and CPMS (PM CPMS output, scrubber pH, scrubber liquid flow rate, scrubber pressure drop) data.

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

(d) For each deviation from an emission limit or operating limit in this subpart that occurs at an individual boiler or process heater where you are not using a CMS to comply with that emission limit or operating limit, the compliance report must additionally contain the information required in paragraphs (d)(1) through (3) of this section.

(1) A description of the deviation and which emission limit or operating limit from which you deviated.

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

(3) If the deviation occurred during an annual performance test, provide the date the annual performance test was completed.

(e) For each deviation from an emission limit, operating limit, and monitoring requirement in this subpart occurring at an individual boiler or process heater where you are using a CMS to comply with that emission limit or operating limit, the compliance report must additionally contain the information required in paragraphs (e)(1) through (9) of this section. This includes any deviations from your site-specific monitoring plan as required in § 63.7505(d).

(1) The date and time that each deviation started and stopped and description of the nature of the deviation (i.e., what you deviated from).

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

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

(4) The date and time that each deviation started and stopped.

(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 characterization 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's downtime during the reporting period and the total duration of CMS downtime as a percent of the total source operating time during that reporting period.

(8) A brief description of the source for which there was a deviation.

(9) A description of any changes in CMSs, processes, or controls since the last reporting period for the source for which there was a deviation.

(f)–(g) [Reserved]

(h) You must submit the reports according to the procedures specified in paragraphs (h)(1) through (3) of this section.

(1) Within 60 days after the date of completing each performance test (defined in § 63.2) as required by this subpart you must submit the results of the

performance tests, including any associated fuel analyses, required by this subpart and the compliance reports required in §63.7550(b) to the EPA's WebFIRE database by using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through the EPA's Central Data Exchange (CDX) (*www.epa.gov/cdx*). Performance test data must be submitted in the file format generated through use of the EPA's Electronic Reporting Tool (ERT) (see *http://www.epa.gov/ttn/chief/ert/index.html*). Only data collected using test methods on the ERT Web site are subject to this requirement for submitting reports electronically to WebFIRE. Owners or operators who claim that some of the information being submitted for performance tests is confidential business information (CBI) must submit a complete ERT file including information claimed to be CBI on a compact disk or other commonly used electronic storage media (including, but not limited to, flash drives) to the EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAPQS/CORE CBI Office, Attention: WebFIRE Administrator, MD C404–02, 4930 Old Page Rd., Durham, NC 27703. The same ERT file with the CBI omitted must be submitted to the EPA via CDX as described earlier in this paragraph. At the discretion of the Administrator, you must also submit these reports, including the confidential business information, to the Administrator in the format specified by the Administrator. For any performance test conducted using test methods that are not listed on the ERT Web site, the owner or operator shall submit the results of the performance test in paper submissions to the Administrator.

(2) Within 60 days after the date of completing each CEMS performance evaluation test (defined in 63.2) you must submit the relative accuracy test audit (RATA) data to the EPA's Central Data Exchange by using CEDRI as mentioned in paragraph (h)(1) of this section. Only RATA pollutants that can be documented with the ERT (as listed on the ERT Web site) are subject to this requirement. For any performance evaluations with no corresponding RATA pollutants listed on the ERT Web site, the owner or operator shall submit the results of the performance evaluation in paper submissions to the Administrator.

(3) You must submit all reports required by Table 9 of this subpart electronically using CEDRI that is accessed through the EPA's Central Data Exchange (CDX) (*www.epa.gov/cdx*). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due the report you must submit the report to the Administrator at the appropriate address listed in §63.13. At the discretion of the Administrator, you must also submit these reports, to the Administrator in the format specified by the Administrator.

[78 FR 7183, Jan. 31, 2013]

### §63.7555 What records must I keep?

(a) You must keep records according to paragraphs (a)(1) and (2) of this section.

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that you submitted, according to the requirements in §63.10(b)(2)(xiv).

(2) Records of performance tests, fuel analyses, or other compliance demonstrations and performance evaluations as required in §63.10(b)(2)(viii).

(b) For each CEMS, COMS, and continuous monitoring system you must keep records according to paragraphs (b)(1) through (5) of this section.

(1) Records described in §63.10(b)(2)(vii) through (xi).

(2) Monitoring data for continuous opacity monitoring system during a performance evaluation as required in §63.6(h)(7)(i) and (ii).

(3) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in §63.8(d)(3).

(4) Request for alternatives to relative accuracy test for CEMS as required in §63.8(f)(6)(i).

(5) Records of the date and time that each deviation started and stopped.

(c) You must keep the records required in Table 8 to this subpart including records of all monitoring data and calculated averages for applicable

operating limits, such as opacity, pressure drop, pH, and operating load, to show continuous compliance with each emission limit and operating limit that applies to you.

(d) For each boiler or process heater subject to an emission limit in Tables 1, 2, or 11 through 13 to this subpart, you must also keep the applicable records in paragraphs (d)(1) through (11) of this section.

(1) You must keep records of monthly fuel use by each boiler or process heater, including the type(s) of fuel and amount(s) used.

(2) If you combust non-hazardous secondary materials that have been determined not to be solid waste pursuant to §241.3(b)(1) and (2) of this chapter, you must keep a record that documents how the secondary material meets each of the legitimacy criteria under §241.3(d)(1) of this chapter. If you combust a fuel that has been processed from a discarded non-hazardous secondary material pursuant to §241.3(b)(4) of this chapter, you must keep records as to how the operations that produced the fuel satisfy the definition of processing in §241.2 of this chapter. If the fuel received a non-waste determination pursuant to the petition process submitted under §241.3(c) of this chapter, you must keep a record that documents how the fuel satisfies the requirements of the petition process. For operating units that combust non-hazardous secondary materials as fuel per §241.4 of this chapter, you must keep records documenting that the material is listed as a non-waste under §241.4(a) of this chapter. Units exempt from the incinerator standards under section 129(g)(1) of the Clean Air Act because they are qualifying facilities burning a homogeneous waste stream do not need to maintain the records described in this paragraph (d)(2).

(3) For units in the limited use subcategory, you must keep a copy of the federally enforceable permit that limits the annual capacity factor to less than or equal to 10 percent and fuel use records for the days the boiler or process heater was operating.

(4) A copy of all calculations and supporting documentation of maximum chlorine fuel input, using Equation 7 of §63.7530, that were done to demonstrate continuous compliance with the HCl emission limit, for sources that demonstrate compliance through performance testing. For sources that demonstrate compliance through fuel analysis, a copy of all calculations and supporting documentation of HCl emission rates, using Equation 12 of §63.7530, that were done to demonstrate compliance with the HCl emission limit. Supporting documentation should include results of any fuel analyses and basis for the estimates of maximum chlorine fuel input or HCl emission rates. You can use the results from one fuel analysis for multiple boilers and process heaters provided they are all burning the same fuel type. However, you must calculate chlorine fuel input, or HCl emission rate, for each boiler and process heater.

(5) A copy of all calculations and supporting documentation of maximum mercury fuel input, using Equation 8 of §63.7530, that were done to demonstrate continuous compliance with the mercury emission limit for sources that demonstrate compliance through performance testing. For sources that demonstrate compliance through fuel analysis, a copy of all calculations and supporting documentation of mercury emission rates, using Equation 13 of §63.7530, that were done to demonstrate compliance with the mercury emission limit. Supporting documentation should include results of any fuel analyses and basis for the estimates of maximum mercury fuel input or mercury emission rates. You can use the results from one fuel analysis for multiple boilers and process heaters provided they are all burning the same fuel type. However, you must calculate mercury fuel input, or mercury emission rates, for each boiler and process heater.

(6) If, consistent with §63.7515(b), you choose to stack test less frequently than annually, you must keep a record that documents that your emissions in the previous stack test(s) were less than 75 percent of the applicable emission limit (or, in specific instances noted in Tables 1 and 2 or 11 through 13 to this subpart, less than the applicable emission limit), and document that

there was no change in source operations including fuel composition and operation of air pollution control equipment that would cause emissions of the relevant pollutant to increase within the past year.

(7) Records of the occurrence and duration of each malfunction of the boiler or process heater, or of the associated air pollution control and monitoring equipment.

(8) Records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in § 63.7500(a)(3), including corrective actions to restore the malfunctioning boiler or process heater, air pollution control, or monitoring equipment to its normal or usual manner of operation.

(9) A copy of all calculations and supporting documentation of maximum TSM fuel input, using Equation 9 of § 63.7530, that were done to demonstrate continuous compliance with the TSM emission limit for sources that demonstrate compliance through performance testing. For sources that demonstrate compliance through fuel analysis, a copy of all calculations and supporting documentation of TSM emission rates, using Equation 14 of § 63.7530, that were done to demonstrate compliance with the TSM emission limit. Supporting documentation should include results of any fuel analyses and basis for the estimates of maximum TSM fuel input or TSM emission rates. You can use the results from one fuel analysis for multiple boilers and process heaters provided they are all burning the same fuel type. However, you must calculate TSM fuel input, or TSM emission rates, for each boiler and process heater.

(10) You must maintain records of the calendar date, time, occurrence and duration of each startup and shutdown.

(11) You must maintain records of the type(s) and amount(s) of fuels used during each startup and shutdown.

(e) If you elect to average emissions consistent with § 63.7522, you must additionally keep a copy of the emission averaging implementation plan required in § 63.7522(g), all calculations required under § 63.7522, including monthly records of heat input or steam generation, as applicable, and monitoring records consistent with § 63.7541.

(f) If you elect to use efficiency credits from energy conservation measures to demonstrate compliance according to § 63.7533, you must keep a copy of the Implementation Plan required in § 63.7533(d) and copies of all data and calculations used to establish credits according to § 63.7533(b), (c), and (f).

(g) If you elected to demonstrate that the unit meets the specification for mercury for the unit designed to burn gas 1 subcategory, you must maintain monthly records (or at the frequency required by § 63.7540(c)) of the calculations and results of the fuel specification for mercury in Table 6.

(h) If you operate a unit in the unit designed to burn gas 1 subcategory that is subject to this subpart, and you use an alternative fuel other than natural gas, refinery gas, gaseous fuel subject to another subpart under this part, other gas 1 fuel, or gaseous fuel subject to another subpart of this part or part 60, 61, or 65, you must keep records of the total hours per calendar year that alternative fuel is burned and the total hours per calendar year that the unit operated during periods of gas curtailment or gas supply emergencies.

(i) You must maintain records of the calendar date, time, occurrence and duration of each startup and shutdown.

(j) You must maintain records of the type(s) and amount(s) of fuels used during each startup and shutdown.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7185, Jan. 31, 2013]

### § 63.7560 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious review, according to § 63.10(b)(1).

(b) As specified in § 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record on site, or they must be accessible from on site (for example, through a computer network), for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to

§ 63.10(b)(1). You can keep the records off site for the remaining 3 years.

OTHER REQUIREMENTS AND INFORMATION

### § 63.7565 What parts of the General Provisions apply to me?

Table 10 to this subpart shows which parts of the General Provisions in §§ 63.1 through 63.15 apply to you.

### § 63.7570 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by the EPA, or an Administrator such as your state, local, or tribal agency. If the EPA Administrator has delegated authority to your state, local, or tribal agency, then that agency (as well as the EPA) has the authority to implement and enforce this subpart. You should contact your EPA Regional Office to find out if this subpart is delegated to your state, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a state, local, or tribal agency under 40 CFR part 63, subpart E, the authorities listed in paragraphs (b)(1) through (5) of this section are retained by the EPA Administrator and are not transferred to the state, local, or tribal agency, however, the EPA retains oversight of this subpart and can take enforcement actions, as appropriate.

(1) Approval of alternatives to the non-opacity emission limits and work practice standards in § 63.7500(a) and (b) under § 63.6(g).

(2) Approval of alternative opacity emission limits in § 63.7500(a) under § 63.6(h)(9).

(3) Approval of major change to test methods in Table 5 to this subpart under § 63.7(e)(2)(ii) and (f) and as defined in § 63.90, and alternative analytical methods requested under § 63.7521(b)(2).

(4) Approval of major change to monitoring under § 63.8(f) and as defined in § 63.90, and approval of alternative operating parameters under § 63.7500(a)(2) and § 63.7522(g)(2).

(5) Approval of major change to recordkeeping and reporting under § 63.10(e) and as defined in § 63.90.

[76 FR 15664, Mar. 21, 2011 as amended at 78 FR 7186, Jan. 31, 2013]

### § 63.7575 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act, in § 63.2 (the General Provisions), and in this section as follows:

*10-day rolling average* means the arithmetic mean of the previous 240 hours of valid operating data. Valid data excludes hours during startup and shutdown, data collected during periods when the monitoring system is out of control as specified in your site-specific monitoring plan, while conducting repairs associated with periods when the monitoring system is out of control, or while conducting required monitoring system quality assurance or quality control activities, and periods when this unit is not operating. The 240 hours should be consecutive, but not necessarily continuous if operations were intermittent.

*30-day rolling average* means the arithmetic mean of the previous 720 hours of valid operating data. Valid data excludes hours during startup and shutdown, data collected during periods when the monitoring system is out of control as specified in your site-specific monitoring plan, while conducting repairs associated with periods when the monitoring system is out of control, or while conducting required monitoring system quality assurance or quality control activities, and periods when this unit is not operating. The 720 hours should be consecutive, but not necessarily continuous if operations were intermittent.

*Affirmative defense* means, in the context of an enforcement proceeding, a response or defense put forward by a defendant, regarding which the defendant has the burden of proof, and the merits of which are independently and objectively evaluated in a judicial or administrative proceeding.

*Annual capacity factor* means the ratio between the actual heat input to a boiler or process heater from the fuels burned during a calendar year and the potential heat input to the boiler or process heater had it been operated for 8,760 hours during a year at the maximum steady state design heat input capacity.

*Annual heat input* means the heat input for the 12 months preceding the compliance demonstration.

*Average annual heat input rate* means total heat input divided by the hours of operation for the 12 months preceding the compliance demonstration.

*Bag leak detection system* means a group of instruments that are capable of monitoring particulate matter loadings in the exhaust of a fabric filter (*i.e.*, baghouse) in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on electrodynamic, triboelectric, light scattering, light transmittance, or other principle to monitor relative particulate matter loadings.

*Benchmark* means the fuel heat input for a boiler or process heater for the one-year period before the date that an energy demand reduction occurs, unless it can be demonstrated that a different time period is more representative of historical operations.

*Biodiesel* means a mono-alkyl ester derived from biomass and conforming to ASTM D6751–11b, Standard Specification for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels (incorporated by reference, see §63.14).

*Biomass or bio-based solid fuel* means any biomass-based solid fuel that is not a solid waste. This includes, but is not limited to, wood residue; wood products (*e.g.*, trees, tree stumps, tree limbs, bark, lumber, sawdust, sander dust, chips, scraps, slabs, millings, and shavings); animal manure, including litter and other bedding materials; vegetative agricultural and silvicultural materials, such as logging residues (slash), nut and grain hulls and chaff (*e.g.*, almond, walnut, peanut, rice, and wheat), bagasse, orchard prunings, corn stalks, coffee bean hulls and grounds. This definition of biomass is not intended to suggest that these materials are or are not solid waste.

*Blast furnace gas fuel-fired boiler or process heater* means an industrial/commercial/institutional boiler or process heater that receives 90 percent or more of its total annual gas volume from blast furnace gas.

*Boiler* means an enclosed device using controlled flame combustion and having the primary purpose of recovering thermal energy in the form of steam or hot water. Controlled flame combustion refers to a steady-state, or near steady-state, process wherein fuel and/or oxidizer feed rates are controlled. A device combusting solid waste, as defined in §241.3 of this chapter, is not a boiler unless the device is exempt from the definition of a solid waste incineration unit as provided in section 129(g)(1) of the Clean Air Act. Waste heat boilers are excluded from this definition.

*Boiler system* means the boiler and associated components, such as, the feed water system, the combustion air system, the fuel system (including burners), blowdown system, combustion control systems, steam systems, and condensate return systems.

*Calendar year* means the period between January 1 and December 31, inclusive, for a given year.

*Coal* means all solid fuels classifiable as anthracite, bituminous, sub-bituminous, or lignite by ASTM D388 (incorporated by reference, see §63.14), coal refuse, and petroleum coke. For the purposes of this subpart, this definition of ''coal'' includes synthetic fuels derived from coal, including but not limited to, solvent-refined coal, coal-oil mixtures, and coal-water mixtures. Coal derived gases are excluded from this definition.

*Coal refuse* means any by-product of coal mining or coal cleaning operations with an ash content greater than 50 percent (by weight) and a heating value less than 13,900 kilojoules per kilogram (6,000 Btu per pound) on a dry basis.

*Commercial/institutional boiler* means a boiler used in commercial establishments or institutional establishments such as medical centers, nursing homes, research centers, institutions of higher education, elementary and secondary schools, libraries, religious establishments, governmental buildings, hotels, restaurants, and laundries to provide electricity, steam, and/or hot water.

*Common stack* means the exhaust of emissions from two or more affected units through a single flue. Affected units with a common stack may each have separate air pollution control systems located before the common stack,

or may have a single air pollution control system located after the exhausts come together in a single flue.

*Cost-effective energy conservation measure* means a measure that is implemented to improve the energy efficiency of the boiler or facility that has a payback (return of investment) period of 2 years or less.

*Daily block average* means the arithmetic mean of all valid emission concentrations or parameter levels recorded when a unit is operating measured over the 24-hour period from 12 a.m. (midnight) to 12 a.m. (midnight), except for periods of startup and shutdown or downtime.

*Deviation.* (1) *Deviation* means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

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

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

(2) A deviation is not always a violation.

*Dioxins/furans* means tetra- through octa-chlorinated dibenzo-p-dioxins and dibenzofurans.

*Distillate oil* means fuel oils that contain 0.05 weight percent nitrogen or less and comply with the specifications for fuel oil numbers 1 and 2, as defined by the American Society of Testing and Materials in ASTM D396 (incorporated by reference, see § 63.14) or diesel fuel oil numbers 1 and 2, as defined by the American Society for Testing and Materials in ASTM D975 (incorporated by reference, see § 63.14), kerosene, and biodiesel as defined by the American Society of Testing and Materials in ASTM D6751–11b (incorporated by reference, see § 60.14).

*Dry scrubber* means an add-on air pollution control system that injects dry alkaline sorbent (dry injection) or sprays an alkaline sorbent (spray dryer) to react with and neutralize acid gas in the exhaust stream forming a dry powder material. Sorbent injection systems used as control devices in fluidized bed boilers and process heaters are included in this definition. A dry scrubber is a dry control system.

*Dutch oven* means a unit having a refractory-walled cell connected to a conventional boiler setting. Fuel materials are introduced through an opening in the roof of the dutch oven and burn in a pile on its floor. Fluidized bed boilers are not part of the dutch oven design category.

*Efficiency credit* means emission reductions above those required by this subpart. Efficiency credits generated may be used to comply with the emissions limits. Credits may come from pollution prevention projects that result in reduced fuel use by affected units. Boilers that are shut down cannot be used to generate credits unless the facility provides documentation linking the permanent shutdown to implementation of the energy conservation measures identified in the energy assessment.

*Electric utility steam generating unit (EGU)* means a fossil fuel-fired combustion unit of more than 25 megawatts electric (MWe) that serves a generator that produces electricity for sale. A fossil fuel-fired unit that cogenerates steam and electricity and supplies more than one-third of its potential electric output capacity and more than 25 MWe output to any utility power distribution system for sale is considered an electric utility steam generating unit. To be ''capable of combusting'' fossil fuels, an EGU would need to have these fuels allowed in their operating permits and have the appropriate fuel handling facilities onsite or otherwise available (e.g., coal handling equipment, including coal storage area, belts and conveyers, pulverizers, etc.; oil storage facilities). In addition, fossil fuel-fired EGU means any EGU that fired fossil fuel for more than 10.0 percent of the average annual heat input in any 3 consecutive calendar years or for more than 15.0 percent of the annual heat input during any one calendar year after April 16, 2012.

*Electrostatic precipitator (ESP)* means an add-on air pollution control device used to capture particulate matter by

charging the particles using an electrostatic field, collecting the particles using a grounded collecting surface, and transporting the particles into a hopper. An electrostatic precipitator is usually a dry control system.

*Energy assessment* means the following for the emission units covered by this subpart:

(1) The energy assessment for facilities with affected boilers and process heaters with a combined heat input capacity of less than 0.3 trillion Btu (TBtu) per year will be 8 on-site technical labor hours in length maximum, but may be longer at the discretion of the owner or operator of the affected source. The boiler system(s) and any on-site energy use system(s) accounting for at least 50 percent of the affected boiler(s) energy (e.g., steam, hot water, process heat, or electricity) production, as applicable, will be evaluated to identify energy savings opportunities, within the limit of performing an 8-hour on-site energy assessment.

(2) The energy assessment for facilities with affected boilers and process heaters with a combined heat input capacity of 0.3 to 1.0 TBtu/year will be 24 on-site technical labor hours in length maximum, but may be longer at the discretion of the owner or operator of the affected source. The boiler system(s) and any on-site energy use system(s) accounting for at least 33 percent of the energy (e.g., steam, hot water, process heat, or electricity) production, as applicable, will be evaluated to identify energy savings opportunities, within the limit of performing a 24-hour on-site energy assessment.

(3) The energy assessment for facilities with affected boilers and process heaters with a combined heat input capacity greater than 1.0 TBtu/year will be up to 24 on-site technical labor hours in length for the first TBtu/yr plus 8 on-site technical labor hours for every additional 1.0 TBtu/yr not to exceed 160 on-site technical hours, but may be longer at the discretion of the owner or operator of the affected source. The boiler system(s), process heater(s), and any on-site energy use system(s) accounting for at least 20 percent of the energy (e.g., steam, process heat, hot water, or electricity) production, as applicable, will be evaluated to identify energy savings opportunities.

(4) The on-site energy use systems serving as the basis for the percent of affected boiler(s) and process heater(s) energy production in paragraphs (1), (2), and (3) of this definition may be segmented by production area or energy use area as most logical and applicable to the specific facility being assessed (e.g., product X manufacturing area; product Y drying area; Building Z).

*Energy management practices* means the set of practices and procedures designed to manage energy use that are demonstrated by the facility's energy policies, a facility energy manager and other staffing responsibilities, energy performance measurement and tracking methods, an energy saving goal, action plans, operating procedures, internal reporting requirements, and periodic review intervals used at the facility.

*Energy management program* means a program that includes a set of practices and procedures designed to manage energy use that are demonstrated by the facility's energy policies, a facility energy manager and other staffing responsibilities, energy performance measurement and tracking methods, an energy saving goal, action plans, operating procedures, internal reporting requirements, and periodic review intervals used at the facility. Facilities may establish their program through energy management systems compatible with ISO 50001.

*Energy use system* includes the following systems located on-site that use energy (steam, hot water, or electricity) provided by the affected boiler or process heater: process heating; compressed air systems; machine drive (motors, pumps, fans); process cooling; facility heating, ventilation, and air-conditioning systems; hot water systems; building envelop; and lighting; or other systems that use steam, hot water, process heat, or electricity provided by the affected boiler or process heater. Energy use systems are only those systems using energy clearly produced by affected boilers and process heaters.

*Equivalent* means the following only as this term is used in Table 6 to this subpart:

(1) An equivalent sample collection procedure means a published voluntary consensus standard or practice (VCS) or EPA method that includes collection of a minimum of three composite fuel samples, with each composite consisting of a minimum of three increments collected at approximately equal intervals over the test period.

(2) An equivalent sample compositing procedure means a published VCS or EPA method to systematically mix and obtain a representative subsample (part) of the composite sample.

(3) An equivalent sample preparation procedure means a published VCS or EPA method that: Clearly states that the standard, practice or method is appropriate for the pollutant and the fuel matrix; or is cited as an appropriate sample preparation standard, practice or method for the pollutant in the chosen VCS or EPA determinative or analytical method.

(4) An equivalent procedure for determining heat content means a published VCS or EPA method to obtain gross calorific (or higher heating) value.

(5) An equivalent procedure for determining fuel moisture content means a published VCS or EPA method to obtain moisture content. If the sample analysis plan calls for determining metals (especially the mercury, selenium, or arsenic) using an aliquot of the dried sample, then the drying temperature must be modified to prevent vaporizing these metals. On the other hand, if metals analysis is done on an ''as received'' basis, a separate aliquot can be dried to determine moisture content and the metals concentration mathematically adjusted to a dry basis.

(6) An equivalent pollutant (mercury, HCl) determinative or analytical procedure means a published VCS or EPA method that clearly states that the standard, practice, or method is appropriate for the pollutant and the fuel matrix and has a published detection limit equal or lower than the methods listed in Table 6 to this subpart for the same purpose.

*Fabric filter* means an add-on air pollution control device used to capture particulate matter by filtering gas streams through filter media, also known as a baghouse. A fabric filter is a dry control system.

*Federally enforceable* means all limitations and conditions that are enforceable by the EPA Administrator, including, but not limited to, the requirements of 40 CFR parts 60, 61, 63, and 65, requirements within any applicable state implementation plan, and any permit requirements established under 40 CFR 52.21 or under 40 CFR 51.18 and 40 CFR 51.24.

*Fluidized bed boiler* means a boiler utilizing a fluidized bed combustion process that is not a pulverized coal boiler.

*Fluidized bed boiler with an integrated fluidized bed heat exchanger* means a boiler utilizing a fluidized bed combustion where the entire tube surface area is located outside of the furnace section at the exit of the cyclone section and exposed to the flue gas stream for conductive heat transfer. This design applies only to boilers in the unit designed to burn coal/solid fossil fuel subcategory that fire coal refuse.

*Fluidized bed combustion* means a process where a fuel is burned in a bed of granulated particles, which are maintained in a mobile suspension by the forward flow of air and combustion products.

*Fuel cell* means a boiler type in which the fuel is dropped onto suspended fixed grates and is fired in a pile. The refractory-lined fuel cell uses combustion air preheating and positioning of secondary and tertiary air injection ports to improve boiler efficiency. Fluidized bed, dutch oven, pile burner, hybrid suspension grate, and suspension burners are not part of the fuel cell subcategory.

*Fuel type* means each category of fuels that share a common name or classification. Examples include, but are not limited to, bituminous coal, sub-bituminous coal, lignite, anthracite, biomass, distillate oil, residual oil. Individual fuel types received from different suppliers are not considered new fuel types.

*Gaseous fuel* includes, but is not limited to, natural gas, process gas, landfill gas, coal derived gas, refinery gas,

and biogas. Blast furnace gas and process gases that are regulated under another subpart of this part, or part 60, part 61, or part 65 of this chapter, are exempted from this definition.

*Heat input* means heat derived from combustion of fuel in a boiler or process heater and does not include the heat input from preheated combustion air, recirculated flue gases, returned condensate, or exhaust gases from other sources such as gas turbines, internal combustion engines, kilns, etc.

*Heavy liquid* includes residual oil and any other liquid fuel not classified as a light liquid.

*Hourly average* means the arithmetic average of at least four CMS data values representing the four 15-minute periods in an hour, or at least two 15-minute data values during an hour when CMS calibration, quality assurance, or maintenance activities are being performed.

*Hot water heater* means a closed vessel with a capacity of no more than 120 U.S. gallons in which water is heated by combustion of gaseous, liquid, or biomass/bio-based solid fuel and is withdrawn for use external to the vessel. Hot water boilers (i.e., not generating steam) combusting gaseous, liquid, or biomass fuel with a heat input capacity of less than 1.6 million Btu per hour are included in this definition. The 120 U.S. gallon capacity threshold to be considered a hot water heater is independent of the 1.6 MMBtu/hr heat input capacity threshold for hot water boilers. Hot water heater also means a tankless unit that provides on demand hot water.

*Hybrid suspension grate boiler* means a boiler designed with air distributors to spread the fuel material over the entire width and depth of the boiler combustion zone. The biomass fuel combusted in these units exceeds a moisture content of 40 percent on an as-fired annual heat input basis. The drying and much of the combustion of the fuel takes place in suspension, and the combustion is completed on the grate or floor of the boiler. Fluidized bed, dutch oven, and pile burner designs are not part of the hybrid suspension grate boiler design category.

*Industrial boiler* means a boiler used in manufacturing, processing, mining, and refining or any other industry to provide steam, hot water, and/or electricity.

*Light liquid* includes distillate oil, biodiesel, or vegetable oil.

*Limited-use boiler or process heater* means any boiler or process heater that burns any amount of solid, liquid, or gaseous fuels and has a federally enforceable average annual capacity factor of no more than 10 percent.

*Liquid fuel* includes, but is not limited to, light liquid, heavy liquid, any form of liquid fuel derived from petroleum, used oil, liquid biofuels, biodiesel, vegetable oil, and comparable fuels as defined under 40 CFR 261.38.

*Load fraction* means the actual heat input of a boiler or process heater divided by heat input during the performance test that established the minimum sorbent injection rate or minimum activated carbon injection rate, expressed as a fraction (e.g., for 50 percent load the load fraction is 0.5).

*Major source for oil and natural gas production facilities*, 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) Emissions from processes, operations, or equipment that are not part of the same facility, as defined in this section, shall not be aggregated; and

(3) For facilities that are production field facilities, only HAP emissions from glycol dehydration units and storage vessels with the potential for flash emissions shall be aggregated for a major source determination. For facilities that are not production field facilities, HAP emissions from all HAP emission units shall be aggregated for a major source determination.

*Metal process furnaces* are a subcategory of process heaters, as defined in this subpart, which include natural gas-fired annealing furnaces, preheat

furnaces, reheat furnaces, aging furnaces, heat treat furnaces, and homogenizing furnaces.

*Million Btu (MMBtu)* means one million British thermal units.

*Minimum activated carbon injection rate* means load fraction multiplied by the lowest hourly average activated carbon injection rate measured according to Table 7 to this subpart during the most recent performance test demonstrating compliance with the applicable emission limit.

*Minimum oxygen level* means the lowest hourly average oxygen level measured according to Table 7 to this subpart during the most recent performance test demonstrating compliance with the applicable emission limit.

*Minimum pressure drop* means the lowest hourly average pressure drop measured according to Table 7 to this subpart during the most recent performance test demonstrating compliance with the applicable emission limit.

*Minimum scrubber effluent pH* means the lowest hourly average sorbent liquid pH measured at the inlet to the wet scrubber according to Table 7 to this subpart during the most recent performance test demonstrating compliance with the applicable hydrogen chloride emission limit.

*Minimum scrubber liquid flow rate* means the lowest hourly average liquid flow rate (e.g., to the PM scrubber or to the acid gas scrubber) measured according to Table 7 to this subpart during the most recent performance stack test demonstrating compliance with the applicable emission limit.

*Minimum scrubber pressure drop* means the lowest hourly average scrubber pressure drop measured according to Table 7 to this subpart during the most recent performance test demonstrating compliance with the applicable emission limit.

*Minimum sorbent injection rate* means:

(1) The load fraction multiplied by the lowest hourly average sorbent injection rate for each sorbent measured according to Table 7 to this subpart during the most recent performance test demonstrating compliance with the applicable emission limits; or

(2) For fluidized bed combustion, the lowest average ratio of sorbent to sulfur measured during the most recent performance test.

*Minimum total secondary electric power* means the lowest hourly average total secondary electric power determined from the values of secondary voltage and secondary current to the electrostatic precipitator measured according to Table 7 to this subpart during the most recent performance test demonstrating compliance with the applicable emission limits.

*Natural gas* means:

(1) A naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal constituent is methane; or

(2) Liquefied petroleum gas, as defined in ASTM D1835 (incorporated by reference, see § 63.14); or

(3) A mixture of hydrocarbons that maintains a gaseous state at ISO conditions. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 35 and 41 megajoules (MJ) per dry standard cubic meter (950 and 1,100 Btu per dry standard cubic foot); or

(4) Propane or propane derived synthetic natural gas. Propane means a colorless gas derived from petroleum and natural gas, with the molecular structure $C_3H_8$.

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

*Operating day* means a 24-hour period between 12 midnight and the following midnight during which any fuel is combusted at any time in the boiler or process heater unit. It is not necessary for fuel to be combusted for the entire 24-hour period.

*Other combustor* means a unit designed to burn solid fuel that is not classified as a dutch oven, fluidized bed, fuel cell, hybrid suspension grate boiler, pulverized coal boiler, stoker, sloped grate, or suspension boiler as defined in this subpart.

*Other gas 1 fuel* means a gaseous fuel that is not natural gas or refinery gas and does not exceed a maximum concentration of 40 micrograms/cubic meters of mercury.

*Oxygen analyzer system* means all equipment required to determine the oxygen content of a gas stream and used to monitor oxygen in the boiler or process heater flue gas, boiler or process heater, firebox, or other appropriate location. This definition includes oxygen trim systems. The source owner or operator must install, calibrate, maintain, and operate the oxygen analyzer system in accordance with the manufacturer's recommendations.

*Oxygen trim system* means a system of monitors that is used to maintain excess air at the desired level in a combustion device. A typical system consists of a flue gas oxygen and/or CO monitor that automatically provides a feedback signal to the combustion air controller.

*Particulate matter (PM)* means any finely divided solid or liquid material, other than uncombined water, as measured by the test methods specified under this subpart, or an approved alternative method.

*Period of gas curtailment or supply interruption* means a period of time during which the supply of gaseous fuel to an affected boiler or process heater is restricted or halted for reasons beyond the control of the facility. The act of entering into a contractual agreement with a supplier of natural gas established for curtailment purposes does not constitute a reason that is under the control of a facility for the purposes of this definition. An increase in the cost or unit price of natural gas due to normal market fluctuations not during periods of supplier delivery restriction does not constitute a period of natural gas curtailment or supply interruption. On-site gaseous fuel system emergencies or equipment failures qualify as periods of supply interruption when the emergency or failure is beyond the control of the facility.

*Pile burner* means a boiler design incorporating a design where the anticipated biomass fuel has a high relative moisture content. Grates serve to support the fuel, and underfire air flowing up through the grates provides oxygen for combustion, cools the grates, promotes turbulence in the fuel bed, and fires the fuel. The most common form of pile burning is the dutch oven.

*Process heater* means an enclosed device using controlled flame, and the unit's primary purpose is to transfer heat indirectly to a process material (liquid, gas, or solid) or to a heat transfer material (e.g., glycol or a mixture of glycol and water) for use in a process unit, instead of generating steam. Process heaters are devices in which the combustion gases do not come into direct contact with process materials. A device combusting solid waste, as defined in § 241.3 of this chapter, is not a process heater unless the device is exempt from the definition of a solid waste incineration unit as provided in section 129(g)(1) of the Clean Air Act. Process heaters do not include units used for comfort heat or space heat, food preparation for on-site consumption, or autoclaves. Waste heat process heaters are excluded from this definition.

*Pulverized coal boiler* means a boiler in which pulverized coal or other solid fossil fuel is introduced into an air stream that carries the coal to the combustion chamber of the boiler where it is fired in suspension.

*Qualified energy assessor* means:

(1) Someone who has demonstrated capabilities to evaluate energy savings opportunities for steam generation and major energy using systems, including, but not limited to:

(i) Boiler combustion management.

(ii) Boiler thermal energy recovery, including

(A) Conventional feed water economizer,

(B) Conventional combustion air preheater, and

(C) Condensing economizer.

(iii) Boiler blowdown thermal energy recovery.

(iv) Primary energy resource selection, including

(A) Fuel (primary energy source) switching, and

(B) Applied steam energy versus direct-fired energy versus electricity.

(v) Insulation issues.

(vi) Steam trap and steam leak management.

(vi) Condensate recovery.

(viii) Steam end-use management.

(2) Capabilities and knowledge includes, but is not limited to:

(i) Background, experience, and recognized abilities to perform the assessment activities, data analysis, and report preparation.

(ii) Familiarity with operating and maintenance practices for steam or process heating systems.

(iii) Additional potential steam system improvement opportunities including improving steam turbine operations and reducing steam demand.

(iv) Additional process heating system opportunities including effective utilization of waste heat and use of proper process heating methods.

(v) Boiler-steam turbine cogeneration systems.

(vi) Industry specific steam end-use systems.

*Refinery gas* means any gas that is generated at a petroleum refinery and is combusted. Refinery gas includes natural gas when the natural gas is combined and combusted in any proportion with a gas generated at a refinery. Refinery gas includes gases generated from other facilities when that gas is combined and combusted in any proportion with gas generated at a refinery.

*Regulated gas stream* means an offgas stream that is routed to a boiler or process heater for the purpose of achieving compliance with a standard under another subpart of this part or part 60, part 61, or part 65 of this chapter.

*Residential boiler* means a boiler used to provide heat and/or hot water and/or as part of a residential combined heat and power system. This definition includes boilers located at an institutional facility (e.g., university campus, military base, church grounds) or commercial/industrial facility (e.g., farm) used primarily to provide heat and/or hot water for:

(1) A dwelling containing four or fewer families; or

(2) A single unit residence dwelling that has since been converted or subdivided into condominiums or apartments.

*Residual oil* means crude oil, fuel oil that does not comply with the specifications under the definition of distillate oil, and all fuel oil numbers 4, 5, and 6, as defined by the American Society of Testing and Materials in ASTM D396–10 (incorporated by reference, *see* § 63.14(b)).

*Responsible official* means responsible official as defined in § 70.2.

*Secondary material* means the material as defined in § 241.2 of this chapter.

*Shutdown* means the cessation of operation of a boiler or process heater for any purpose. Shutdown begins either when none of the steam from the boiler is supplied for heating and/or producing electricity, or for any other purpose, or at the point of no fuel being fired in the boiler or process heater, whichever is earlier. Shutdown ends when there is no steam and no heat being supplied and no fuel being fired in the boiler or process heater.

*Sloped grate* means a unit where the solid fuel is fed to the top of the grate from where it slides downwards; while sliding the fuel first dries and then ignites and burns. The ash is deposited at the bottom of the grate. Fluidized bed, dutch oven, pile burner, hybrid suspension grate, suspension burners, and fuel cells are not considered to be a sloped grate design.

*Solid fossil fuel* includes, but is not limited to, coal, coke, petroleum coke, and tire derived fuel.

*Solid fuel* means any solid fossil fuel or biomass or bio-based solid fuel.

*Startup* means either the first-ever firing of fuel in a boiler or process heater for the purpose of supplying steam or heat for heating and/or producing electricity, or for any other purpose, or the firing of fuel in a boiler after a shutdown event for any purpose. Startup ends when any of the steam or heat from the boiler or process heater is supplied for heating, and/or producing electricity, or for any other purpose.

*Steam output* means:

(1) For a boiler that produces steam for process or heating only (no power generation), the energy content in terms of MMBtu of the boiler steam output,

(2) For a boiler that cogenerates process steam and electricity (also known as combined heat and power), the total energy output, which is the sum of the energy content of the steam exiting the turbine and sent to process in MMBtu and the energy of the electricity generated converted to MMBtu

at a rate of 10,000 Btu per kilowatt-hour generated (10 MMBtu per megawatt-hour), and

(3) For a boiler that generates only electricity, the alternate output-based emission limits would be calculated using Equations 21 through 25 of this section, as appropriate:

(i) For emission limits for boilers in the unit designed to burn solid fuel subcategory use Equation 21 of this section:

$$EL_{OBE} = EL_T \times 12.7 \text{ MMBtu/Mwh} \quad \text{(Eq. 21)}$$

Where:

$EL_{OBE}$ = Emission limit in units of pounds per megawatt-hour.

$EL_T$ = Appropriate emission limit from Table 1 or 2 of this subpart in units of pounds per million Btu heat input.

(ii) For PM and CO emission limits for boilers in one of the subcategories of units designed to burn coal use Equation 22 of this section:

$$EL_{OBE} = EL_T \times 12.2 \text{ MMBtu/Mwh} \quad \text{(Eq. 22)}$$

Where:

$EL_{OBE}$ = Emission limit in units of pounds per megawatt-hour.

$EL_T$ = Appropriate emission limit from Table 1 or 2 of this subpart in units of pounds per million Btu heat input.

(iii) For PM and CO emission limits for boilers in one of the subcategories of units designed to burn biomass use Equation 23 of this section:

$$EL_{OBE} = EL_T \times 13.9 \text{ MMBtu/Mwh} \quad \text{(Eq. 23)}$$

Where:

$EL_{OBE}$ = Emission limit in units of pounds per megawatt-hour.

$EL_T$ = Appropriate emission limit from Table 1 or 2 of this subpart in units of pounds per million Btu heat input.

(iv) For emission limits for boilers in one of the subcategories of units designed to burn liquid fuels use Equation 24 of this section:

$$EL_{OBE} = EL_T \times 13.8 \text{ MMBtu/Mwh} \quad \text{(Eq. 24)}$$

Where:

$EL_{OBE}$ = Emission limit in units of pounds per megawatt-hour.

$EL_T$ = Appropriate emission limit from Table 1 or 2 of this subpart in units of pounds per million Btu heat input.

(v) For emission limits for boilers in the unit designed to burn gas 2 (other) subcategory, use Equation 25 of this section:

$$EL_{OBE} = EL_T \times 10.4 \text{ MMBtu/Mwh} \quad \text{(Eq. 25)}$$

Where:

$EL_{OBE}$ = Emission limit in units of pounds per megawatt-hour.

$EL_T$ = Appropriate emission limit from Table 1 or 2 of this subpart in units of pounds per million Btu heat input.

*Stoker* means a unit consisting of a mechanically operated fuel feeding mechanism, a stationary or moving grate to support the burning of fuel and admit under-grate air to the fuel, an overfire air system to complete combustion, and an ash discharge system. This definition of stoker includes air swept stokers. There are two general types of stokers: Underfeed and overfeed. Overfeed stokers include mass feed and spreader stokers. Fluidized bed, dutch oven, pile burner, hybrid suspension grate, suspension burners, and fuel cells are not considered to be a stoker design.

*Stoker/sloped grate/other unit designed to burn kiln dried biomass* means the unit is in the units designed to burn biomass/bio-based solid subcategory that is either a stoker, sloped grate, or other combustor design and is not in the stoker/sloped grate/other units designed to burn wet biomass subcategory.

*Stoker/sloped grate/other unit designed to burn wet biomass* means the unit is in the units designed to burn biomass/biobased solid subcategory that is either a stoker, sloped grate, or other combustor design and any of the biomass/bio-based solid fuel combusted in the unit exceeds 20 percent moisture on an annual heat input basis.

*Suspension burner* means a unit designed to fire dry biomass/biobased solid particles in suspension that are conveyed in an airstream to the furnace like pulverized coal. The combustion of the fuel material is completed on a grate or floor below. The biomass/biobased fuel combusted in the unit shall not exceed 20 percent moisture on an annual heat input basis. Fluidized bed, dutch oven, pile burner, and hybrid suspension grate units are not part of the suspension burner subcategory.

*Temporary boiler* means any gaseous or liquid fuel boiler that is designed to, and is capable of, being carried or moved from one location to another by means of, for example, wheels, skids, carrying handles, dollies, trailers, or platforms. A boiler is not a temporary boiler if any one of the following conditions exists:

(1) The equipment is attached to a foundation.

(2) The boiler or a replacement remains at a location within the facility and performs the same or similar function for more than 12 consecutive months, unless the regulatory agency approves an extension. An extension may be granted by the regulating agency upon petition by the owner or operator of a unit specifying the basis for such a request. Any temporary boiler that replaces a temporary boiler at a location and performs the same or similar function will be included in calculating the consecutive time period.

(3) The equipment is located at a seasonal facility and operates during the full annual operating period of the seasonal facility, remains at the facility for at least 2 years, and operates at that facility for at least 3 months each year.

(4) The equipment is moved from one location to another within the facility but continues to perform the same or similar function and serve the same electricity, steam, and/or hot water system in an attempt to circumvent the residence time requirements of this definition.

*Total selected metals (TSM)* means the sum of the following metallic hazardous air pollutants: arsenic, beryllium, cadmium, chromium, lead, manganese, nickel and selenium.

*Traditional fuel* means the fuel as defined in § 241.2 of this chapter.

*Tune-up* means adjustments made to a boiler or process heater in accordance with the procedures outlined in § 63.7540(a)(10).

*Ultra low sulfur liquid fuel* means a distillate oil that has less than or equal to 15 ppm sulfur.

*Unit designed to burn biomass/bio-based solid subcategory* includes any boiler or process heater that burns at least 10 percent biomass or bio-based solids on an annual heat input basis in combination with solid fossil fuels, liquid fuels, or gaseous fuels.

*Unit designed to burn coal/solid fossil fuel subcategory* includes any boiler or process heater that burns any coal or other solid fossil fuel alone or at least 10 percent coal or other solid fossil fuel

on an annual heat input basis in combination with liquid fuels, gaseous fuels, or less than 10 percent biomass and bio-based solids on an annual heat input basis.

*Unit designed to burn gas 1 subcategory* includes any boiler or process heater that burns only natural gas, refinery gas, and/or other gas 1 fuels. Gaseous fuel boilers and process heaters that burn liquid fuel for periodic testing of liquid fuel, maintenance, or operator training, not to exceed a combined total of 48 hours during any calendar year, are included in this definition. Gaseous fuel boilers and process heaters that burn liquid fuel during periods of gas curtailment or gas supply interruptions of any duration are also included in this definition.

*Unit designed to burn gas 2 (other) subcategory* includes any boiler or process heater that is not in the unit designed to burn gas 1 subcategory and burns any gaseous fuels either alone or in combination with less than 10 percent coal/solid fossil fuel, and less than 10 percent biomass/bio-based solid fuel on an annual heat input basis, and no liquid fuels. Gaseous fuel boilers and process heaters that are not in the unit designed to burn gas 1 subcategory and that burn liquid fuel for periodic testing of liquid fuel, maintenance, or operator training, not to exceed a combined total of 48 hours during any calendar year, are included in this definition. Gaseous fuel boilers and process heaters that are not in the unit designed to burn gas 1 subcategory and that burn liquid fuel during periods of gas curtailment or gas supply interruption of any duration are also included in this definition.

*Unit designed to burn heavy liquid subcategory* means a unit in the unit designed to burn liquid subcategory where at least 10 percent of the heat input from liquid fuels on an annual heat input basis comes from heavy liquids.

*Unit designed to burn light liquid subcategory* means a unit in the unit designed to burn liquid subcategory that is not part of the unit designed to burn heavy liquid subcategory.

*Unit designed to burn liquid subcategory* includes any boiler or process heater that burns any liquid fuel, but less than 10 percent coal/solid fossil fuel and less than 10 percent biomass/bio-based solid fuel on an annual heat input basis, either alone or in combination with gaseous fuels. Units in the unit design to burn gas 1 or unit designed to burn gas 2 (other) subcategories that burn liquid fuel for periodic testing of liquid fuel, maintenance, or operator training, not to exceed a combined total of 48 hours during any calendar year are not included in this definition. Units in the unit design to burn gas 1 or unit designed to burn gas 2 (other) subcategories during periods of gas curtailment or gas supply interruption of any duration are also not included in this definition.

*Unit designed to burn liquid fuel that is a non-continental unit* means an industrial, commercial, or institutional boiler or process heater meeting the definition of the unit designed to burn liquid subcategory located in the State of Hawaii, the Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico, or the Northern Mariana Islands.

*Unit designed to burn solid fuel subcategory* means any boiler or process heater that burns only solid fuels or at least 10 percent solid fuel on an annual heat input basis in combination with liquid fuels or gaseous fuels.

*Vegetable oil* means oils extracted from vegetation.

*Voluntary Consensus Standards or VCS* mean technical standards (*e.g.,* materials specifications, test methods, sampling procedures, business practices) developed or adopted by one or more voluntary consensus bodies. EPA/Office of Air Quality Planning and Standards, by precedent, has only used VCS that are written in English. Examples of VCS bodies are: American Society of Testing and Materials (ASTM 100 Barr Harbor Drive, P.O. Box CB700, West Conshohocken, Pennsylvania 19428–B2959, (800) 262–1373, *http://www.astm.org*), American Society of Mechanical Engineers (ASME ASME, Three Park Avenue, New York, NY 10016–5990, (800) 843–2763, *http://www.asme.org*), International Standards Organization (ISO 1, ch. de la Voie-Creuse, Case postale 56, CH–1211 Geneva 20, Switzerland, +41 22 749 01 11,

*http://www.iso.org/iso/home.htm*), Standards Australia (AS Level 10, The Exchange Centre, 20 Bridge Street, Sydney, GPO Box 476, Sydney NSW 2001, + 61 2 9237 6171 *http://www.stadards.org.au*), British Standards Institution (BSI, 389 Chiswick High Road, London, W4 4AL, United Kingdom, +44 (0)20 8996 9001, *http://www.bsigroup.com*), Canadian Standards Association (CSA 5060 Spectrum Way, Suite 100, Mississauga, Ontario L4W 5N6, Canada, 800–463–6727, *http://www.csa.ca*), European Committee for Standardization (CEN CENELEC Management Centre Avenue Marnix 17 B–1000 Brussels, Belgium +32 2 550 08 11, *http://www.cen.eu/cen*), and German Engineering Standards (VDI VDI Guidelines Department, P.O. Box 10 11 39 40002, Duesseldorf, Germany, +49 211 6214–230, *http://www.vdi.eu*). The types of standards that are not considered VCS are standards developed by: The United States, *e.g.*, California (CARB) and Texas (TCEQ); industry groups, such as American Petroleum Institute (API), Gas Processors Association (GPA), and Gas Research Institute (GRI); and other branches of the U.S. government, *e.g.*, Department of Defense (DOD) and Department of Transportation (DOT). This does not preclude EPA from using standards developed by groups that are not VCS bodies within their rule. When this occurs, EPA has done searches and reviews for VCS equivalent to these non-EPA methods.

*Waste heat boiler* means a device that recovers normally unused energy (i.e., hot exhaust gas) and converts it to usable heat. Waste heat boilers are also referred to as heat recovery steam generators. Waste heat boilers are heat exchangers generating steam from incoming hot exhaust gas from an industrial (e.g., thermal oxidizer, kiln, furnace) or power (e.g., combustion turbine, engine) equipment. Duct burners are sometimes used to increase the temperature of the incoming hot exhaust gas.

*Waste heat process heater* means an enclosed device that recovers normally unused energy (i.e., hot exhaust gas) and converts it to usable heat. Waste heat process heaters are also referred to as recuperative process heaters. This definition includes both fired and unfired waste heat process heaters.

*Wet scrubber* means any add-on air pollution control device that mixes an aqueous stream or slurry with the exhaust gases from a boiler or process heater to control emissions of particulate matter or to absorb and neutralize acid gases, such as hydrogen chloride. A wet scrubber creates an aqueous stream or slurry as a byproduct of the emissions control process.

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

[78 FR 15664, Mar. 21, 2011, as amended at 78 FR 7163, Jan. 31, 2013]

TABLE 1 TO SUBPART DDDDD OF PART 63—EMISSION LIMITS FOR NEW OR RECONSTRUCTED BOILERS AND PROCESS HEATERS

As stated in §63.7500, you must comply with the following applicable emission limits:

[Units with heat input capacity of 10 million Btu per hour or greater]

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during startup and shutdown . . . | Or the emissions must not exceed the following alternative output-based limits, except during startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|---|
| 1. Units in all subcategories designed to burn solid fuel. | a. HCl ..... | 2.2E–02 lb per MMBtu of heat input. | 2.5E–02 lb per MMBtu of steam output or 0.28 lb per MWh. | For M26A, collect a minimum of 1 dscm per run; for M26 collect a minimum of 120 liters per run. |

[Units with heat input capacity of 10 million Btu per hour or greater]

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during startup and shutdown . . . | Or the emissions must not exceed the following alternative output-based limits, except during startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|---|
| | b. Mercury | 8.0E–07 [a] lb per MMBtu of heat input. | 8.7E–07 [a] lb per MMBtu of steam output or 1.1E–05 [a] lb per MWh. | For M29, collect a minimum of 4 dscm per run; for M30A or M30B, collect a minimum sample as specified in the method; for ASTM D6784 [b] collect a minimum of 4 dscm. |
| 2. Units designed to burn coal/solid fossil fuel. | a. Filterable PM (or TSM). | 1.1E–03 lb per MMBtu of heat input; or (2.3E–05 lb per MMBtu of heat input). | 1.1E–03 lb per MMBtu of steam output or 1.4E–02 lb per MWh; or (2.7E–05 lb per MMBtu of steam output or 2.9E–04 lb per MWh). | Collect a minimum of 3 dscm per run. |
| 3. Pulverized coal boilers designed to burn coal/solid fossil fuel. | a. Carbon monoxide (CO) (or CEMS). | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (320 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 0.11 lb per MMBtu of steam output or 1.4 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| 4. Stokers designed to burn coal/solid fossil fuel. | a. CO (or CEMS) | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (340 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 0.12 lb per MMBtu of steam output or 1.4 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| 5. Fluidized bed units designed to burn coal/solid fossil fuel. | a. CO (or CEMS) | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (230 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 0.11 lb per MMBtu of steam output or 1.4 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| 6. Fluidized bed units with an integrated heat exchanger designed to burn coal/solid fossil fuel. | a. CO (or CEMS) | 140 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (150 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 1.2E–01 lb per MMBtu of steam output or 1.5 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| 7. Stokers/sloped grate/others designed to burn wet biomass fuel. | a. CO (or CEMS) | 620 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (390 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 5.8E–01 lb per MMBtu of steam output or 6.8 lb per MWh; 3-run average. | 1 hr minimum sampling time. |

[Units with heat input capacity of 10 million Btu per hour or greater]

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during startup and shutdown . . . | Or the emissions must not exceed the following alternative output-based limits, except during startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|---|
| | b. Filterable PM (or TSM). | 3.0E–02 lb per MMBtu of heat input; or (2.6E–05 lb per MMBtu of heat input). | 3.5E–02 lb per MMBtu of steam output or 4.2E–01 lb per MWh; or (2.7E–05 lb per MMBtu of steam output or 3.7E–04 lb per MWh). | Collect a minimum of 2 dscm per run. |
| 8. Stokers/sloped grate/others designed to burn kiln-dried biomass fuel. | a. CO | 460 ppm by volume on a dry basis corrected to 3 percent oxygen. | 4.2E–01 lb per MMBtu of steam output or 5.1 lb per MWh. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 3.0E–02 lb per MMBtu of heat input; or (4.0E–03 lb per MMBtu of heat input). | 3.5E–02 lb per MMBtu of steam output or 4.2E–01 lb per MWh; or (4.2E–03 lb per MMBtu of steam output or 5.6E–02 lb per MWh). | Collect a minimum of 2 dscm per run. |
| 9. Fluidized bed units designed to burn biomass/bio-based solids. | a. CO (or CEMS) | 230 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (310 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 2.2E–01 lb per MMBtu of steam output or 2.6 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 9.8E–03 lb per MMBtu of heat input; or (8.3E–05 [a] lb per MMBtu of heat input). | 1.2E–02 lb per MMBtu of steam output or 0.14 lb per MWh; or (1.1E–04 [a] lb per MMBtu of steam output or 1.2E–03 [a] lb per MWh). | Collect a minimum of 3 dscm per run. |
| 10. Suspension burners designed to burn biomass/bio-based solids. | a. CO (or CEMS) | 2,400 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (2,000 ppm by volume on a dry basis corrected to 3 percent oxygen, 10-day rolling average). | 1.9 lb per MMBtu of steam output or 27 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 3.0E–02 lb per MMBtu of heat input; or (6.5E–03 lb per MMBtu of heat input). | 3.1E–02 lb per MMBtu of steam output or 4.2E–01 lb per MWh; or (6.6E–03 lb per MMBtu of steam output or 9.1E–02 lb per MWh). | Collect a minimum of 2 dscm per run. |
| 11. Dutch Ovens/Pile burners designed to burn biomass/bio-based solids. | a. CO (or CEMS) | 330 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (520 ppm by volume on a dry basis corrected to 3 percent oxygen, 10-day rolling average). | 3.5E–01 lb per MMBtu of steam output or 3.6 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 3.2E–03 lb per MMBtu of heat input; or (3.9E–05 lb per MMBtu of heat input). | 4.3E–03 lb per MMBtu of steam output or 4.5E–02 lb per MWh; or (5.2E–05 lb per MMBtu of steam output or 5.5E–04 lb per MWh). | Collect a minimum of 3 dscm per run. |

[Units with heat input capacity of 10 million Btu per hour or greater]

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during startup and shutdown . . . | Or the emissions must not exceed the following alternative output-based limits, except during startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|---|
| 12. Fuel cell units designed to burn biomass/bio-based solids. | a. CO | 910 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1.1 lb per MMBtu of steam output or 1.0E+01 lb per MWh. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 2.0E–02 lb per MMBtu of heat input; or (2.9E–05 [a] lb per MMBtu of heat input). | 3.0E–02 lb per MMBtu of steam output or 2.8E–01 lb per MWh; or (5.1E–05 lb per MMBtu of steam output or 4.1E–04 lb per MWh). | Collect a minimum of 2 dscm per run. |
| 13. Hybrid suspension grate boiler designed to burn biomass/bio-based solids. | a. CO (or CEMS) | 1,100 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (900 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 1.4 lb per MMBtu of steam output or 12 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 2.6E–02 lb per MMBtu of heat input; or (4.4E–04 lb per MMBtu of heat input). | 3.3E–02 lb per MMBtu of steam output or 3.7E–01 lb per MWh; or (5.5E–04 lb per MMBtu of steam output or 6.2E–03 lb per MWh). | Collect a minimum of 3 dscm per run. |
| 14. Units designed to burn liquid fuel. | a. HCl | 4.4E–04 lb per MMBtu of heat input. | 4.8E–04 lb per MMBtu of steam output or 6.1E–03 lb per MWh. | For M26A: Collect a minimum of 2 dscm per run; for M26, collect a minimum of 240 liters per run. |
| | b. Mercury | 4.8E–07 [a] lb per MMBtu of heat input. | 5.3E–07 [a] lb per MMBtu of steam output or 6.7E–06 [a] lb per MWh. | For M29, collect a minimum of 4 dscm per run; for M30A or M30B, collect a minimum sample as specified in the method; for ASTM D6784 [b] collect a minimum of 4 dscm. |
| 15. Units designed to burn heavy liquid fuel. | a. CO | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average. | 0.13 lb per MMBtu of steam output or 1.4 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 1.3E–02 lb per MMBtu of heat input; or (7.5E–05 lb per MMBtu of heat input). | 1.5E–02 lb per MMBtu of steam output or 1.8E–01 lb per MWh; or (8.2E–05 lb per MMBtu of steam output or 1.1E–03 lb per MWh). | Collect a minimum of 3 dscm per run. |
| 16. Units designed to burn light liquid fuel. | a. CO | 130 ppm by volume on a dry basis corrected to 3 percent oxygen. | 0.13 lb per MMBtu of steam output or 1.4 lb per MWh. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 1.1E–03 [a] lb per MMBtu of heat input; or (2.9E–05 lb per MMBtu of heat input). | 1.2E–03 [a] lb per MMBtu of steam output or 1.6E–02 [a] lb per MWh; or (3.2E–05 lb per MMBtu of steam output or 4.0E–04 lb per MWh). | Collect a minimum of 3 dscm per run. |
| 17. Units designed to burn liquid fuel that are non-continental units. | a. CO | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average based on stack test. | 0.13 lb per MMBtu of steam output or 1.4 lb per MWh; 3-run average. | 1 hr minimum sampling time. |

[Units with heat input capacity of 10 million Btu per hour or greater]

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during startup and shutdown . . . | Or the emissions must not exceed the following alternative output-based limits, except during startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|---|
| | b. Filterable PM (or TSM). | 2.3E–02 lb per MMBtu of heat input; or (8.6E–04 lb per MMBtu of heat input). | 2.5E–02 lb per MMBtu of steam output or 3.2E–01 lb per MWh; or (9.4E–04 lb per MMBtu of steam output or 1.2E–02 lb per MWh). | Collect a minimum of 4 dscm per run. |
| 18. Units designed to burn gas 2 (other) gases. | a. CO | 130 ppm by volume on a dry basis corrected to 3 percent oxygen. | 0.16 lb per MMBtu of steam output or 1.0 lb per MWh. | 1 hr minimum sampling time. |
| | b. HCl | 1.7E–03 lb per MMBtu of heat input. | 2.9E–03 lb per MMBtu of steam output or 1.8E–02 lb per MWh. | For M26A, Collect a minimum of 2 dscm per run; for M26, collect a minimum of 240 liters per run. |
| | c. Mercury | 7.9E–06 lb per MMBtu of heat input. | 1.4E–05 lb per MMBtu of steam output or 8.3E–05 lb per MWh. | For M29, collect a minimum of 3 dscm per run; for M30A or M30B, collect a minimum sample as specified in the method; for ASTM D6784 [b] collect a minimum of 3 dscm. |
| | d. Filterable PM (or TSM). | 6.7E–03 lb per MMBtu of heat input; or (2.1E–04 lb per MMBtu of heat input). | 1.2E–02 lb per MMBtu of steam output or 7.0E–02 lb per MWh; or (3.5E–04 lb per MMBtu of steam output or 2.2E–03 lb per MWh). | Collect a minimum of 3 dscm per run. |

[a] If you are conducting stack tests to demonstrate compliance and your performance tests for this pollutant for at least 2 consecutive years show that your emissions are at or below this limit, you can skip testing according to §63.7515 if all of the other provisions of §63.7515 are met. For all other pollutants that do not contain a footnote ''a'', your performance tests for this pollutant for at least 2 consecutive years must show that your emissions are at or below 75 percent of this limit in order to qualify for skip testing.

[b] Incorporated by reference, see §63.14.

[c] If your affected source is a new or reconstructed affected source that commenced construction or reconstruction after June 4, 2010, and before January 31, 2013, you may comply with the emission limits in Tables 11, 12 or 13 to this subpart until January 31, 2016. On and after January 31, 2016, you must comply with the emission limits in Table 1 to this subpart.

[78 FR 7193, Jan. 31, 2013]

## TABLE 2 TO SUBPART DDDDD OF PART 63—EMISSION LIMITS FOR EXISTING BOILERS AND PROCESS HEATERS

As stated in §63.7500, you must comply with the following applicable emission limits:

[Units with heat input capacity of 10 million Btu per hour or greater]

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during startup and shutdown . . . | The emissions must not exceed the following alternative output-based limits, except during startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|---|
| 1. Units in all subcategories designed to burn solid fuel. | a. HCl | 2.2E–02 lb per MMBtu of heat input. | 2.5E–02 lb per MMBtu of steam output or 0.27 lb per MWh. | For M26A, Collect a minimum of 1 dscm per run; for M26, collect a minimum of 120 liters per run. |

[Units with heat input capacity of 10 million Btu per hour or greater]

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during startup and shutdown . . . | The emissions must not exceed the following alternative output-based limits, except during startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|---|
| | b. Mercury | 5.7E–06 lb per MMBtu of heat input. | 6.4E–06 lb per MMBtu of steam output or 7.3E–05 lb per MWh. | For M29, collect a minimum of 3 dscm per run; for M30A or M30B, collect a minimum sample as specified in the method; for ASTM D6784 [b] collect a minimum of 3 dscm. |
| 2. Units design to burn coal/solid fossil fuel. | a. Filterable PM (or TSM). | 4.0E–02 lb per MMBtu of heat input; or (5.3E–05 lb per MMBtu of heat input). | 4.2E–02 lb per MMBtu of steam output or 4.9E–01 lb per MWh; or (5.6E–05 lb per MMBtu of steam output or 6.5E–04 lb per MWh). | Collect a minimum of 2 dscm per run. |
| 3. Pulverized coal boilers designed to burn coal/solid fossil fuel. | a. CO (or CEMS) | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (320 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 0.11 lb per MMBtu of steam output or 1.4 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| 4. Stokers designed to burn coal/solid fossil fuel. | a. CO (or CEMS) | 160 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (340 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 0.14 lb per MMBtu of steam output or 1.7 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| 5. Fluidized bed units designed to burn coal/solid fossil fuel. | a. CO (or CEMS) | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (230 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 0.12 lb per MMBtu of steam output or 1.4 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| 6. Fluidized bed units with an integrated heat exchanger designed to burn coal/solid fossil fuel. | a. CO (or CEMS) | 140 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (150 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 1.3E–01 lb per MMBtu of steam output or 1.5 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| 7. Stokers/sloped grate/others designed to burn wet biomass fuel. | a. CO (or CEMS) | 1,500 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (720 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 1.4 lb per MMBtu of steam output or 17 lb per MWh; 3-run average. | 1 hr minimum sampling time. |

[Units with heat input capacity of 10 million Btu per hour or greater]

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during startup and shutdown . . . | The emissions must not exceed the following alternative output-based limits, except during startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|---|
| | b. Filterable PM (or TSM). | 3.7E–02 lb per MMBtu of heat input; or (2.4E–04 lb per MMBtu of heat input). | 4.3E–02 lb per MMBtu of steam output or 5.2E–01 lb per MWh; or (2.8E–04 lb per MMBtu of steam output or 3.4E–04 lb per MWh). | Collect a minimum of 2 dscm per run. |
| 8. Stokers/sloped grate/others designed to burn kiln-dried biomass fuel. | a. CO | 460 ppm by volume on a dry basis corrected to 3 percent oxygen. | 4.2E–01 lb per MMBtu of steam output or 5.1 lb per MWh. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 3.2E–01 lb per MMBtu of heat input; or (4.0E–03 lb per MMBtu of heat input). | 3.7E–01 lb per MMBtu of steam output or 4.5 lb per MWh; or (4.6E–03 lb per MMBtu of steam output or 5.6E–02 lb per MWh). | Collect a minimum of 1 dscm per run. |
| 9. Fluidized bed units designed to burn biomass/bio-based solid. | a. CO (or CEMS) | 470 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (310 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 4.6E–01 lb per MMBtu of steam output or 5.2 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 1.1E–01 lb per MMBtu of heat input; or (1.2E–03 lb per MMBtu of heat input). | 1.4E–01 lb per MMBtu of steam output or 1.6 lb per MWh; or (1.5E–03 lb per MMBtu of steam output or 1.7E–02 lb per MWh). | Collect a minimum of 1 dscm per run. |
| 10. Suspension burners designed to burn biomass/bio-based solid. | a. CO (or CEMS) | 2,400 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (2,000 ppm by volume on a dry basis corrected to 3 percent oxygen, 10-day rolling average). | 1.9 lb per MMBtu of steam output or 27 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 5.1E–02 lb per MMBtu of heat input; or (6.5E–03 lb per MMBtu of heat input). | 5.2E–02 lb per MMBtu of steam output or 7.1E–01 lb per MWh; or (6.6E–03 lb per MMBtu of steam output or 9.1E–02 lb per MWh). | Collect a minimum of 2 dscm per run. |
| 11. Dutch Ovens/Pile burners designed to burn biomass/bio-based solid. | a. CO (or CEMS) | 770 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (520 ppm by volume on a dry basis corrected to 3 percent oxygen, 10-day rolling average). | 8.4E–01 lb per MMBtu of steam output or 8.4 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 2.8E–01 lb per MMBtu of heat input; or (2.0E–03 lb per MMBtu of heat input). | 3.9E–01 lb per MMBtu of steam output or 3.9 lb per MWh; or (2.8E–03 lb per MMBtu of steam output or 2.8E–02 lb per MWh). | Collect a minimum of 1 dscm per run. |

[Units with heat input capacity of 10 million Btu per hour or greater]

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during startup and shutdown . . . | The emissions must not exceed the following alternative output-based limits, except during startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|---|
| 12. Fuel cell units designed to burn biomass/bio-based solid. | a. CO | 1,100 ppm by volume on a dry basis corrected to 3 percent oxygen. | 2.4 lb per MMBtu of steam output or 12 lb per MWh. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 2.0E–02 lb per MMBtu of heat input; or (5.8E–03 lb per MMBtu of heat input). | 5.5E–02 lb per MMBtu of steam output or 2.8E–01 lb per MWh; or (1.6E–02 lb per MMBtu of steam output or 8.1E–02 lb per MWh). | Collect a minimum of 2 dscm per run. |
| 13. Hybrid suspension grate units designed to burn biomass/bio-based solid. | a. CO (or CEMS) | 2,800 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (900 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 2.8 lb per MMBtu of steam output or 31 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 4.4E–01 lb per MMBtu of heat input; or (4.5E–04 lb per MMBtu of heat input). | 5.5E–01 lb per MMBtu of steam output or 6.2 lb per MWh; or (5.7E–04 lb per MMBtu of steam output or 6.3E–03 lb per MWh). | Collect a minimum of 1 dscm per run. |
| 14. Units designed to burn liquid fuel. | a. HCl | 1.1E–03 lb per MMBtu of heat input. | 1.4E–03 lb per MMBtu of steam output or 1.6E–02 lb per MWh. | For M26A, collect a minimum of 2 dscm per run; for M26, collect a minimum of 240 liters per run. |
| | b. Mercury | 2.0E–06 lb per MMBtu of heat input. | 2.5E–06 lb per MMBtu of steam output or 2.8E–05 lb per MWh. | For M29, collect a minimum of 3 dscm per run; for M30A or M30B collect a minimum sample as specified in the method, for ASTM D6784 [b] collect a minimum of 2 dscm. |
| 15. Units designed to burn heavy liquid fuel. | a. CO | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average. | 0.13 lb per MMBtu of steam output or 1.4 lb per MWh; 3-run average. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 6.2E–02 lb per MMBtu of heat input; or (2.0E–04 lb per MMBtu of heat input). | 7.5E–02 lb per MMBtu of steam output or 8.6E–01 lb per MWh; or (2.5E–04 lb per MMBtu of steam output or 2.8E–03 lb per MWh). | Collect a minimum of 1 dscm per run. |
| 16. Units designed to burn light liquid fuel. | a. CO | 130 ppm by volume on a dry basis corrected to 3 percent oxygen. | 0.13 lb per MMBtu of steam output or 1.4 lb per MWh. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM). | 7.9E–03 lb per MMBtu of heat input; or (6.2E–05 lb per MMBtu of heat input). | 9.6E–03 lb per MMBtu of steam output or 1.1E–01 lb per MWh; or (7.5E–05 lb per MMBtu of steam output or 8.6E–04 lb per MWh). | Collect a minimum of 3 dscm per run. |
| 17. Units designed to burn liquid fuel that are non-continental units. | a. CO | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average based on stack test. | 0.13 lb per MMBtu of steam output or 1.4 lb per MWh; 3-run average. | 1 hr minimum sampling time. |

[Units with heat input capacity of 10 million Btu per hour or greater]

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during startup and shutdown . . . | The emissions must not exceed the following alternative output-based limits, except during startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|---|
| | b. Filterable PM (or TSM). | 2.7E–01 lb per MMBtu of heat input; or (8.6E–04 lb per MMBtu of heat input). | 3.3E–01 lb per MMBtu of steam output or 3.8 lb per MWh; or (1.1E–03 lb per MMBtu of steam output or 1.2E–02 lb per MWh). | Collect a minimum of 2 dscm per run. |
| 18. Units designed to burn gas 2 (other) gases. | a. CO | 130 ppm by volume on a dry basis corrected to 3 percent oxygen. | 0.16 lb per MMBtu of steam output or 1.0 lb per MWh. | 1 hr minimum sampling time. |
| | b. HCl | 1.7E–03 lb per MMBtu of heat input. | 2.9E–03 lb per MMBtu of steam output or 1.8E–02 lb per MWh. | For M26A, collect a minimum of 2 dscm per run; for M26, collect a minimum of 240 liters per run. |
| | c. Mercury | 7.9E–06 lb per MMBtu of heat input. | 1.4E–05 lb per MMBtu of steam output or 8.3E–05 lb per MWh. | For M29, collect a minimum of 3 dscm per run; for M30A or M30B, collect a minimum sample as specified in the method; for ASTM D6784 [b] collect a minimum of 2 dscm. |
| | d. Filterable PM (or TSM). | 6.7E–03 lb per MMBtu of heat input or (2.1E–04 lb per MMBtu of heat input). | 1.2E–02 lb per MMBtu of steam output or 7.0E–02 lb per MWh; or (3.5E–04 lb per MMBtu of steam output or 2.2E–03 lb per MWh). | Collect a minimum of 3 dscm per run. |

[a] If you are conducting stack tests to demonstrate compliance and your performance tests for this pollutant for at least 2 consecutive years show that your emissions are at or below this limit, you can skip testing according to §63.7515 if all of the other provisions of §63.7515 are met. For all other pollutants that do not contain a footnote a, your performance tests for this pollutant for at least 2 consecutive years must show that your emissions are at or below 75 percent of this limit in order to qualify for skip testing.

[b] Incorporated by reference, see §63.14.

[78 FR 7195, Jan. 31, 2013]

## TABLE 3 TO SUBPART DDDDD OF PART 63—WORK PRACTICE STANDARDS

As stated in §63.7500, you must comply with the following applicable work practice standards:

| If your unit is . . . | You must meet the following . . . |
|---|---|
| 1. A new or existing boiler or process heater with a continuous oxygen trim system that maintains an optimum air to fuel ratio, or a heat input capacity of less than or equal to 5 million Btu per hour in any of the following subcategories: unit designed to burn gas 1; unit designed to burn gas 2 (other); or unit designed to burn light liquid, or a limited use boiler or process heater. | Conduct a tune-up of the boiler or process heater every 5 years as specified in §63.7540. |
| 2. A new or existing boiler or process heater without a continuous oxygen trim system and with heat input capacity of less than 10 million Btu per hour in the unit designed to burn heavy liquid or unit designed to burn solid fuel subcategories; or a new or existing boiler or process heater with heat input capacity of less than 10 million Btu per hour, but greater than 5 million Btu per hour, in any of the following subcategories: unit designed to burn gas 1; unit designed to burn gas 2 (other); or unit designed to burn light liquid. | Conduct a tune-up of the boiler or process heater biennially as specified in §63.7540. |

| If your unit is . . . | You must meet the following . . . |
|---|---|
| 3. A new or existing boiler or process heater without a continuous oxygen trim system and with heat input capacity of 10 million Btu per hour or greater. | Conduct a tune-up of the boiler or process heater annually as specified in §63.7540. Units in either the Gas 1 or Metal Process Furnace subcategories will conduct this tune-up as a work practice for all regulated emissions under this subpart. Units in all other subcategories will conduct this tune-up as a work practice for dioxins/furans. |
| 4. An existing boiler or process heater located at a major source facility, not including limited use units. | Must have a one-time energy assessment performed by a qualified energy assessor. An energy assessment completed on or after January 1, 2008, that meets or is amended to meet the energy assessment requirements in this table, satisfies the energy assessment requirement. A facility that operates under an energy management program compatible with ISO 50001 that includes the affected units also satisfies the energy assessment requirement. The energy assessment must include the following with extent of the evaluation for items a. to e. appropriate for the on-site technical hours listed in §63.7575:<br>a. A visual inspection of the boiler or process heater system.<br>b. An evaluation of operating characteristics of the boiler or process heater systems, specifications of energy using systems, operating and maintenance procedures, and unusual operating constraints.<br>c. An inventory of major energy use systems consuming energy from affected boilers and process heaters and which are under the control of the boiler/process heater owner/operator.<br>d. A review of available architectural and engineering plans, facility operation and maintenance procedures and logs, and fuel usage.<br>e. A review of the facility's energy management practices and provide recommendations for improvements consistent with the definition of energy management practices, if identified.<br>f. A list of cost-effective energy conservation measures that are within the facility's control.<br>g. A list of the energy savings potential of the energy conservation measures identified.<br>h. A comprehensive report detailing the ways to improve efficiency, the cost of specific improvements, benefits, and the time frame for recouping those investments. |
| 5. An existing or new boiler or process heater subject to emission limits in Table 1 or 2 or 11 through 13 to this subpart during startup. | You must operate all CMS during startup.<br>For startup of a boiler or process heater, you must use one or a combination of the following clean fuels: natural gas, synthetic natural gas, propane, distillate oil, syngas, ultra-low sulfur diesel, fuel oil-soaked rags, kerosene, hydrogen, paper, cardboard, refinery gas, and liquefied petroleum gas.<br>If you start firing coal/solid fossil fuel, biomass/bio-based solids, heavy liquid fuel, or gas 2 (other) gases, you must vent emissions to the main stack(s) and engage all of the applicable control devices except limestone injection in fluidized bed combustion (FBC) boilers, dry scrubber, fabric filter, selective non-catalytic reduction (SNCR), and selective catalytic reduction (SCR). You must start your limestone injection in FBC boilers, dry scrubber, fabric filter, SNCR, and SCR systems as expeditiously as possible. Startup ends when steam or heat is supplied for any purpose.<br>You must comply with all applicable emission limits at all times except for startup or shutdown periods conforming with this work practice. You must collect monitoring data during periods of startup, as specified in §63.7535(b). You must keep records during periods of startup. You must provide reports concerning activities and periods of startup, as specified in §63.7555. |
| 6. An existing or new boiler or process heater subject to emission limits in Tables 1 or 2 or 11 through 13 to this subpart during shutdown. | You must operate all CMS during shutdown.<br>While firing coal/solid fossil fuel, biomass/bio-based solids, heavy liquid fuel, or gas 2 (other) gases during shutdown, you must vent emissions to the main stack(s) and operate all applicable control devices, except limestone injection in FBC boilers, dry scrubber, fabric filter, SNCR, and SCR. |

| If your unit is . . . | You must meet the following . . . |
|---|---|
| | You must comply with all applicable emissions limits at all times except for startup or shutdown periods conforming with this work practice. You must collect monitoring data during periods of shutdown, as specified in § 63.7535(b). You must keep records during periods of shutdown. You must provide reports concerning activities and periods of shutdown, as specified in § 63.7555. |

[78 FR 7198, Jan. 31, 2013]

## TABLE 4 TO SUBPART DDDDD OF PART 63—OPERATING LIMITS FOR BOILERS AND PROCESS HEATERS

As stated in § 63.7500, you must comply with the applicable operating limits:

| When complying with a Table 1, 2, 11, 12, or 13 numerical emission limit using . . . | You must meet these operating limits . . . |
|---|---|
| 1. Wet PM scrubber control on a boiler not using a PM CPMS. | Maintain the 30-day rolling average pressure drop and the 30-day rolling average liquid flow rate at or above the lowest one-hour average pressure drop and the lowest one-hour average liquid flow rate, respectively, measured during the most recent performance test demonstrating compliance with the PM emission limitation according to § 63.7530(b) and Table 7 to this subpart. |
| 2. Wet acid gas (HCl) scrubber control on a boiler not using a HCl CEMS. | Maintain the 30-day rolling average effluent pH at or above the lowest one-hour average pH and the 30-day rolling average liquid flow rate at or above the lowest one-hour average liquid flow rate measured during the most recent performance test demonstrating compliance with the HCl emission limitation according to § 63.7530(b) and Table 7 to this subpart. |
| 3. Fabric filter control on units not using a PM CPMS. | a. Maintain opacity to less than or equal to 10 percent opacity (daily block average); or<br>b. Install and operate a bag leak detection system according to § 63.7525 and operate the fabric filter such that the bag leak detection system alert is not activated more than 5 percent of the operating time during each 6-month period. |
| 4. Electrostatic precipitator control on units not using a PM CPMS. | a. This option is for boilers and process heaters that operate dry control systems (i.e., an ESP without a wet scrubber). Existing and new boilers and process heaters must maintain opacity to less than or equal to 10 percent opacity (daily block average); or<br>b. This option is only for boilers and process heaters not subject to PM CPMS or continuous compliance with an opacity limit (i.e., COMS). Maintain the 30-day rolling average total secondary electric power input of the electrostatic precipitator at or above the operating limits established during the performance test according to § 63.7530(b) and Table 7 to this subpart. |
| 5. Dry scrubber or carbon injection control on a boiler not using a mercury CEMS. | Maintain the minimum sorbent or carbon injection rate as defined in § 63.7575 of this subpart. |
| 6. Any other add-on air pollution control type on units not using a PM CPMS. | This option is for boilers and process heaters that operate dry control systems. Existing and new boilers and process heaters must maintain opacity to less than or equal to 10 percent opacity (daily block average). |
| 7. Fuel analysis | Maintain the fuel type or fuel mixture such that the applicable emission rates calculated according to § 63.7530(c)(1), (2) and/or (3) is less than the applicable emission limits. |
| 8. Performance testing | For boilers and process heaters that demonstrate compliance with a performance test, maintain the operating load of each unit such that it does not exceed 110 percent of the highest hourly average operating load recorded during the most recent performance test. |
| 9. Oxygen analyzer system | For boilers and process heaters subject to a CO emission limit that demonstrate compliance with an $O_2$ analyzer system as specified in § 63.7525(a), maintain the 30-day rolling average oxygen content at or above the lowest hourly average oxygen concentration measured during the most recent CO performance test, as specified in Table 8. This requirement does not apply to units that install an oxygen trim system since these units will set the trim system to the level specified in § 63.7525(a). |
| 10. $SO_2$ CEMS | For boilers or process heaters subject to an HCl emission limit that demonstrate compliance with an $SO_2$ CEMS, maintain the 30-day rolling average $SO_2$ emission rate at or below the highest hourly average $SO_2$ concentration measured during the most recent HCl performance test, as specified in Table 8. |

[78 FR 7199, Jan. 31, 2013]

TABLE 5 TO SUBPART DDDDD OF PART 63—PERFORMANCE TESTING REQUIREMENTS

As stated in §63.7520, you must comply with the following requirements for performance testing for existing, new or reconstructed affected sources:

| To conduct a performance test for the following pollutant... | You must... | Using... |
|---|---|---|
| 1. Filterable PM | a. Select sampling ports location and the number of traverse points. | Method 1 at 40 CFR part 60, appendix A–1 of this chapter. |
| | b. Determine velocity and volumetric flowrate of the stack gas. | Method 2, 2F, or 2G at 40 CFR part 60, appendix A–1 or A–2 to part 60 of this chapter. |
| | c. Determine oxygen or carbon dioxide concentration of the stack gas. | Method 3A or 3B at 40 CFR part 60, appendix A–2 to part 60 of this chapter, or ANSI/ASME PTC 19.10–1981.[a] |
| | d. Measure the moisture content of the stack gas. | Method 4 at 40 CFR part 60, appendix A–3 of this chapter. |
| | e. Measure the PM emission concentration | Method 5 or 17 (positive pressure fabric filters must use Method 5D) at 40 CFR part 60, appendix A–3 or A–6 of this chapter. |
| | f. Convert emissions concentration to lb per MMBtu emission rates. | Method 19 F-factor methodology at 40 CFR part 60, appendix A–7 of this chapter. |
| 2. TSM | a. Select sampling ports location and the number of traverse points. | Method 1 at 40 CFR part 60, appendix A–1 of this chapter. |
| | b. Determine velocity and volumetric flowrate of the stack gas. | Method 2, 2F, or 2G at 40 CFR part 60, appendix A–1 or A–2 of this chapter. |
| | c. Determine oxygen or carbon dioxide concentration of the stack gas. | Method 3A or 3B at 40 CFR part 60, appendix A–1 of this chapter, or ANSI/ASME PTC 19.10–1981.[a] |
| | d. Measure the moisture content of the stack gas. | Method 4 at 40 CFR part 60, appendix A–3 of this chapter. |
| | e. Measure the TSM emission concentration. | Method 29 at 40 CFR part 60, appendix A–8 of this chapter |
| | f. Convert emissions concentration to lb per MMBtu emission rates. | Method 19 F-factor methodology at 40 CFR part 60, appendix A–7 of this chapter. |
| 3. Hydrogen chloride | a. Select sampling ports location and the number of traverse points. | Method 1 at 40 CFR part 60, appendix A–1 of this chapter. |
| | b. Determine velocity and volumetric flowrate of the stack gas. | Method 2, 2F, or 2G at 40 CFR part 60, appendix A–2 of this chapter. |
| | c. Determine oxygen or carbon dioxide concentration of the stack gas. | Method 3A or 3B at 40 CFR part 60, appendix A–2 of this chapter, or ANSI/ASME PTC 19.10–1981.[a] |
| | d. Measure the moisture content of the stack gas. | Method 4 at 40 CFR part 60, appendix A–3 of this chapter. |
| | e. Measure the hydrogen chloride emission concentration. | Method 26 or 26A (M26 or M26A) at 40 CFR part 60, appendix A–8 of this chapter. |
| | f. Convert emissions concentration to lb per MMBtu emission rates. | Method 19 F-factor methodology at 40 CFR part 60, appendix A–7 of this chapter. |
| 4. Mercury | a. Select sampling ports location and the number of traverse points. | Method 1 at 40 CFR part 60, appendix A–1 of this chapter. |
| | b. Determine velocity and volumetric flowrate of the stack gas. | Method 2, 2F, or 2G at 40 CFR part 60, appendix A–1 or A–2 of this chapter. |
| | c. Determine oxygen or carbon dioxide concentration of the stack gas. | Method 3A or 3B at 40 CFR part 60, appendix A–1 of this chapter, or ANSI/ASME PTC 19.10–1981.[a] |
| | d. Measure the moisture content of the stack gas. | Method 4 at 40 CFR part 60, appendix A–3 of this chapter. |
| | e. Measure the mercury emission concentration. | Method 29, 30A, or 30B (M29, M30A, or M30B) at 40 CFR part 60, appendix A–8 of this chapter or Method 101A at 40 CFR part 61, appendix B of this chapter, or ASTM Method D6784.[a] |
| | f. Convert emissions concentration to lb per MMBtu emission rates. | Method 19 F-factor methodology at 40 CFR part 60, appendix A–7 of this chapter. |
| 5. CO | a. Select the sampling ports location and the number of traverse points. | Method 1 at 40 CFR part 60, appendix A–1 of this chapter. |

| To conduct a performance test for the following pollutant... | You must... | Using... |
|---|---|---|
| | b. Determine oxygen concentration of the stack gas. | Method 3A or 3B at 40 CFR part 60, appendix A–3 of this chapter, or ASTM D6522–00 (Reapproved 2005), or ANSI/ASME PTC 19.10–1981.[a] |
| | c. Measure the moisture content of the stack gas. | Method 4 at 40 CFR part 60, appendix A–3 of this chapter. |
| | d. Measure the CO emission concentration | Method 10 at 40 CFR part 60, appendix A–4 of this chapter. Use a measurement span value of 2 times the concentration of the applicable emission limit. |

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7200, Jan. 31, 2013]

## TABLE 6 TO SUBPART DDDDD OF PART 63—FUEL ANALYSIS REQUIREMENTS

As stated in §63.7521, you must comply with the following requirements for fuel analysis testing for existing, new or reconstructed affected sources. However, equivalent methods (as defined in §63.7575) may be used in lieu of the prescribed methods at the discretion of the source owner or operator:

| To conduct a fuel analysis for the following pollutant . . . | You must . . . | Using . . . |
|---|---|---|
| 1. Mercury | a. Collect fuel samples | Procedure in §63.7521(c) or ASTM D5192[a], or ASTM D7430[a], or ASTM D6883[a], or ASTM D2234/D2234M[a](for coal) or EPA 1631 or EPA 1631E or ASTM D6323[a] (for solid), or EPA 821–R–01–013 (for liquid or solid), or ASTM D4177[a] (for liquid), or ASTM D4057[a] (for liquid), or equivalent. |
| | b. Composite fuel samples | Procedure in §63.7521(d) or equivalent. |
| | c. Prepare composited fuel samples | EPA SW–846–3050B[a] (for solid samples), EPA SW–846–3020A[a] (for liquid samples), ASTM D2013/D2013M[a] (for coal), ASTM D5198[a] (for biomass), or EPA 3050[a] (for solid fuel), or EPA 821–R–01–013[a] (for liquid or solid), or equivalent. |
| | d. Determine heat content of the fuel type. | ASTM D5865[a] (for coal) or ASTM E711[a] (for biomass), or ASTM D5864[a] for liquids and other solids, or ASTM D240[a] or equivalent. |
| | e. Determine moisture content of the fuel type. | ASTM D3173[a], ASTM E871[a], or ASTM D5864[a], or ASTM D240, or ASTM D95[a] (for liquid fuels), or ASTM D4006[a] (for liquid fuels), or ASTM D4177[a] (for liquid fuels) or ASTM D4057[a] (for liquid fuels), or equivalent. |
| | f. Measure mercury concentration in fuel sample. | ASTM D6722[a] (for coal), EPA SW–846–7471B[a] (for solid samples), or EPA SW–846–7470A[a] (for liquid samples), or equivalent. |
| | g. Convert concentration into units of pounds of mercury per MMBtu of heat content. | Equation 8 in §63.7530. |
| | h. Calculate the mercury emission rate from the boiler or process heater in units of pounds per million Btu. | Equations 10 and 12 in §63.7530. |
| 2. HCl | a. Collect fuel samples | Procedure in §63.7521(c) or ASTM D5192[a], or ASTM D7430[a], or ASTM D6883[a], or ASTM D2234/D2234M[a] (for coal) or ASTM D6323[a] (for coal or biomass), ASTM D4177[a] (for liquid fuels) or ASTM D4057[a] (for liquid fuels), or equivalent. |
| | b. Composite fuel samples | Procedure in §63.7521(d) or equivalent. |
| | c. Prepare composited fuel samples | EPA SW–846–3050B[a] (for solid samples), EPA SW–846–3020A[a] (for liquid samples), ASTM D2013/D2013M§[a] (for coal), or ASTM D5198§[a] (for biomass), or EPA 3050[a] or equivalent. |
| | d. Determine heat content of the fuel type. | ASTM D5865[a] (for coal) or ASTM E711[a] (for biomass), ASTM D5864, ASTM D240[a] or equivalent. |
| | e. Determine moisture content of the fuel type. | ASTM D3173[a] or ASTM E871[a], or D5864[a], or ASTM D240[a], or ASTM D95[a] (for liquid fuels), or ASTM D4006[a] (for liquid fuels), or ASTM D4177[a] (for liquid fuels) or ASTM D4057[a] (for liquid fuels) or equivalent. |

| To conduct a fuel analysis for the following pollutant . . . | You must . . . | Using . . . |
|---|---|---|
| | f. Measure chlorine concentration in fuel sample. | EPA SW–846–9250[a], ASTM D6721[a], ASTM D4208[a] (for coal), or EPA SW–846–5050[a] or ASTM E776[a] (for solid fuel), or EPA SW–846–9056[a] or SW–846–9076[a] (for solids or liquids) or equivalent. |
| | g. Convert concentrations into units of pounds of HCl per MMBtu of heat content. | Equation 7 in § 63.7530. |
| | h. Calculate the HCl emission rate from the boiler or process heater in units of pounds per million Btu. | Equations 10 and 11 in § 63.7530. |
| 3. Mercury Fuel Specification for other gas 1 fuels. | a. Measure mercury concentration in the fuel sample and convert to units of micrograms per cubic meter. | Method 30B (M30B) at 40 CFR part 60, appendix A–8 of this chapter or ASTM D5954[a], ASTM D6350[a], ISO 6978–1:2003(E)[a], or ISO 6978–2:2003(E)[a], or EPA–1631[a] or equivalent. |
| | b. Measure mercury concentration in the exhaust gas when firing only the other gas 1 fuel is fired in the boiler or process heater. | Method 29, 30A, or 30B (M29, M30A, or M30B) at 40 CFR part 60, appendix A–8 of this chapter or Method 101A or Method 102 at 40 CFR part 61, appendix B of this chapter, or ASTM Method D6784[a] or equivalent. |
| 4. TSM for solid fuels ..... | a. Collect fuel samples ..... | Procedure in § 63.7521(c) or ASTM D5192[a], or ASTM D7430[a], or ASTM D6883[a], or ASTM D2234/D2234M[a] (for coal) or ASTM D6323[a] (for coal or biomass), or ASTM D4177[a],(for liquid fuels)or ASTM D4057[a] (for liquid fuels),or equivalent. |
| | b. Composite fuel samples ..... | Procedure in § 63.7521(d) or equivalent. |
| | c. Prepare composited fuel samples | EPA SW–846–3050B[a] (for solid samples), EPA SW–846–3020A[a] (for liquid samples), ASTM D2013/D2013M[a] (for coal), ASTM D5198[a] or TAPPI T266[a] (for biomass), or EPA 3050[a] or equivalent. |
| | d. Determine heat content of the fuel type. | ASTM D5865[a] (for coal) or ASTM E711[a] (for biomass), or ASTM D5864[a] for liquids and other solids, or ASTM D240[a] or equivalent. |
| | e. Determine moisture content of the fuel type. | ASTM D3173[a] or ASTM E871[a], or D5864, or ASTM D240[a], or ASTM D95[a] (for liquid fuels), or ASTM D4006[a] (for liquid fuels), or ASTM D4177[a] (for liquid fuels) or ASTM D4057[a] (for liquid fuels), or equivalent. |
| | f. Measure TSM concentration in fuel sample. | ASTM D3683[a], or ASTM D4606 [a], or ASTM D6357[a] or EPA 200.8[a] or EPA SW–846–6020[a], or EPA SW–846–6020A[a], or EPA SW–846–6010C[a], EPA 7060[a] or EPA 7060A[a] (for arsenic only), or EPA SW–846–7740[a] (for selenium only). |
| | g. Convert concentrations into units of pounds of TSM per MMBtu of heat content. | Equation 9 in § 63.7530. |
| | h. Calculate the TSM emission rate from the boiler or process heater in units of pounds per million Btu. | Equations 10 and 13 in § 63.7530. |

[a] Incorporated by reference, see § 63.14.

[78 FR 7201, Jan. 31, 2013]

## TABLE 7 TO SUBPART DDDDD OF PART 63—ESTABLISHING OPERATING LIMITS

As stated in § 63.7520, you must comply with the following requirements for establishing operating limits:

| If you have an applicable emission limit for . . . | And your operating limits are based on . . . | You must . . . | Using . . . | According to the following requirements |
|---|---|---|---|---|
| 1. PM, TSM, or mercury. | a. Wet scrubber operating parameters. | i. Establish a site-specific minimum scrubber pressure drop and minimum flow rate operating limit according to § 63.7530(b). | (1) Data from the scrubber pressure drop and liquid flow rate monitors and the PM or mercury performance test. | (a) You must collect scrubber pressure drop and liquid flow rate data every 15 minutes during the entire period of the performance tests. |

| If you have an applicable emission limit for . . . | And your operating limits are based on . . . | You must . . . | Using . . . | According to the following requirements |
|---|---|---|---|---|
| | | | | (b) Determine the lowest hourly average scrubber pressure drop and liquid flow rate by computing the hourly averages using all of the 15-minute readings taken during each performance test. |
| | b. Electrostatic precipitator operating parameters (option only for units that operate wet scrubbers). | i. Establish a site-specific minimum total secondary electric power input according to §63.7530(b). | (1) Data from the voltage and secondary amperage monitors during the PM or mercury performance test. | (a) You must collect secondary voltage and secondary amperage for each ESP cell and calculate total secondary electric power input data every 15 minutes during the entire period of the performance tests. |
| | | | | (b) Determine the average total secondary electric power input by computing the hourly averages using all of the 15-minute readings taken during each performance test. |
| 2. HCl | a. Wet scrubber operating parameters. | i. Establish site-specific minimum pressure drop, effluent pH, and flow rate operating limits according to §63.7530(b). | (1) Data from the pressure drop, pH, and liquid flow-rate monitors and the HCl performance test. | (a) You must collect pH and liquid flow-rate data every 15 minutes during the entire period of the performance tests. |
| | | | | (b) Determine the hourly average pH and liquid flow rate by computing the hourly averages using all of the 15-minute readings taken during each performance test. |
| | b. Dry scrubber operating parameters. | i. Establish a site-specific minimum sorbent injection rate operating limit according to §63.7530(b). If different acid gas sorbents are used during the HCl performance test, the average value for each sorbent becomes the site-specific operating limit for that sorbent. | (1) Data from the sorbent injection rate monitors and HCl or mercury performance test. | (a) You must collect sorbent injection rate data every 15 minutes during the entire period of the performance tests. |
| | | | | (b) Determine the hourly average sorbent injection rate by computing the hourly averages using all of the 15-minute readings taken during each performance test. |

| If you have an applicable emission limit for . . . | And your operating limits are based on . . . | You must . . . | Using . . . | According to the following requirements |
|---|---|---|---|---|
| | | | | (c) Determine the lowest hourly average of the three test run averages established during the performance test as your operating limit. When your unit operates at lower loads, multiply your sorbent injection rate by the load fraction (e.g., for 50 percent load, multiply the injection rate operating limit by 0.5) to determine the required injection rate. |
| | c. Alternative Maximum $SO_2$ emission rate. | i. Establish a site-specific maximum $SO_2$ emission rate operating limit according to §63.7530(b). | (1) Data from $SO_2$ CEMS and the HCl performance test. | (a) You must collect the $SO_2$ emissions data according to §63.7525(m) during the most recent HCl performance tests.<br>(b) The maximum $SO_2$ emission rate is equal to the lowest hourly average $SO_2$ emission rate measured during the most recent HCl performance tests. |
| 3. Mercury | a. Activated carbon injection. | i. Establish a site-specific minimum activated carbon injection rate operating limit according to §63.7530(b). | (1) Data from the activated carbon rate monitors and mercury performance test. | (a) You must collect activated carbon injection rate data every 15 minutes during the entire period of the performance tests.<br>(b) Determine the hourly average activated carbon injection rate by computing the hourly averages using all of the 15-minute readings taken during each performance test.<br>(c) Determine the lowest hourly average established during the performance test as your operating limit. When your unit operates at lower loads, multiply your activated carbon injection rate by the load fraction (e.g., actual heat input divided by heat input during performance test, for 50 percent load, multiply the injection rate operating limit by 0.5) to determine the required injection rate. |
| 4. Carbon monoxide | a. Oxygen | i. Establish a unit-specific limit for minimum oxygen level according to §63.7520. | (1) Data from the oxygen analyzer system specified in §63.7525(a). | (a) You must collect oxygen data every 15 minutes during the entire period of the performance tests. |

| If you have an applicable emission limit for . . . | And your operating limits are based on . . . | You must . . . | Using . . . | According to the following requirements |
|---|---|---|---|---|
| | | | | (b) Determine the hourly average oxygen concentration by computing the hourly averages using all of the 15-minute readings taken during each performance test.<br>(c) Determine the lowest hourly average established during the performance test as your minimum operating limit. |
| 5. Any pollutant for which compliance is demonstrated by a performance test. | a. Boiler or process heater operating load. | i. Establish a unit specific limit for maximum operating load according to §63.7520(c). | (1) Data from the operating load monitors or from steam generation monitors. | (a) You must collect operating load or steam generation data every 15 minutes during the entire period of the performance test.<br>(b) Determine the average operating load by computing the hourly averages using all of the 15-minute readings taken during each performance test.<br>(c) Determine the average of the three test run averages during the performance test, and multiply this by 1.1 (110 percent) as your operating limit. |

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7203, Jan. 31, 2013]

## TABLE 8 TO SUBPART DDDDD OF PART 63—DEMONSTRATING CONTINUOUS COMPLIANCE

As stated in §63.7540, you must show continuous compliance with the emission limitations for each boiler or process heater according to the following:

| If you must meet the following operating limits or work practice standards . . . | You must demonstrate continuous compliance by . . . |
|---|---|
| 1. Opacity | a. Collecting the opacity monitoring system data according to §63.7525(c) and §63.7535; and<br>b. Reducing the opacity monitoring data to 6-minute averages; and<br>c. Maintaining opacity to less than or equal to 10 percent (daily block average). |
| 2. PM CPMS | a. Collecting the PM CPMS output data according to §63.7525;<br>b. Reducing the data to 30-day rolling averages; and<br>c. Maintaining the 30-day rolling average PM CPMS output data to less than the operating limit established during the performance test according to §63.7530(b)(4). |
| 3. Fabric Filter Bag Leak Detection Operation. | Installing and operating a bag leak detection system according to §63.7525 and operating the fabric filter such that the requirements in §63.7540(a)(9) are met. |
| 4. Wet Scrubber Pressure Drop and Liquid Flow-rate. | a. Collecting the pressure drop and liquid flow rate monitoring system data according to §§63.7525 and 63.7535; and<br>b. Reducing the data to 30-day rolling averages; and<br>c. Maintaining the 30-day rolling average pressure drop and liquid flow-rate at or above the operating limits established during the performance test according to §63.7530(b). |
| 5. Wet Scrubber pH | a. Collecting the pH monitoring system data according to §§63.7525 and 63.7535; and<br>b. Reducing the data to 30-day rolling averages; and<br>c. Maintaining the 30-day rolling average pH at or above the operating limit established during the performance test according to §63.7530(b). |

| If you must meet the following operating limits or work practice standards . . . | You must demonstrate continuous compliance by . . . |
|---|---|
| 6. Dry Scrubber Sorbent or Carbon Injection Rate. | a. Collecting the sorbent or carbon injection rate monitoring system data for the dry scrubber according to §§ 63.7525 and 63.7535; and<br>b. Reducing the data to 30-day rolling averages; and<br>c. Maintaining the 30-day rolling average sorbent or carbon injection rate at or above the minimum sorbent or carbon injection rate as defined in § 63.7575. |
| 7. Electrostatic Precipitator Total Secondary Electric Power Input. | a. Collecting the total secondary electric power input monitoring system data for the electrostatic precipitator according to §§ 63.7525 and 63.7535; and<br>b. Reducing the data to 30-day rolling averages; and<br>c. Maintaining the 30-day rolling average total secondary electric power input at or above the operating limits established during the performance test according to § 63.7530(b). |
| 8. Emission limits using fuel analysis | a. Conduct monthly fuel analysis for HCl or mercury or TSM according to Table 6 to this subpart; and<br>b. Reduce the data to 12-month rolling averages; and<br>c. Maintain the 12-month rolling average at or below the applicable emission limit for HCl or mercury or TSM in Tables 1 and 2 or 11 through 13 to this subpart. |
| 9. Oxygen content | a. Continuously monitor the oxygen content using an oxygen analyzer system according to § 63.7525(a). This requirement does not apply to units that install an oxygen trim system since these units will set the trim system to the level specified in § 63.7525(a)(2).<br>b. Reducing the data to 30-day rolling averages; and<br>c. Maintain the 30-day rolling average oxygen content at or above the lowest hourly average oxygen level measured during the most recent CO performance test. |
| 10. Boiler or process heater operating load | a. Collecting operating load data or steam generation data every 15 minutes.<br>b. Maintaining the operating load such that it does not exceed 110 percent of the highest hourly average operating load recorded during the most recent performance test according to § 63.7520(c). |
| 11. $SO_2$ emissions using $SO_2$ CEMS | a. Collecting the $SO_2$ CEMS output data according to § 63.7525;<br>b. Reducing the data to 30-day rolling averages; and<br>c. Maintaining the 30-day rolling average $SO_2$ CEMS emission rate to a level at or below the minimum hourly $SO_2$ rate measured during the most recent HCl performance test according to § 63.7530. |

[78 FR 7204, Jan. 31, 2013]

## TABLE 9 TO SUBPART DDDDD OF PART 63—REPORTING REQUIREMENTS

As stated in § 63.7550, you must comply with the following requirements for reports:

| You must submit a(n) | The report must contain . . . | You must submit the report . . . |
|---|---|---|
| 1. Compliance report | a. Information required in § 63.7550(c)(1) through (5); and<br>b. If there are no deviations from any emission limitation (emission limit and operating limit) that applies to you and there are no deviations from the requirements for work practice standards in Table 3 to this subpart that apply to you, a statement that there were no deviations from the emission limitations and work practice standards during the reporting period. If there were no periods during which the CMSs, including continuous emissions monitoring system, continuous opacity monitoring system, and operating parameter monitoring systems, were out-of-control as specified in § 63.8(c)(7), a statement that there were no periods during which the CMSs were out-of-control during the reporting period; and<br>c. If you have a deviation from any emission limitation (emission limit and operating limit) where you are not using a CMS to comply with that emission limit or operating limit, or a deviation from a work practice standard during the reporting period, the report must contain the information in § 63.7550(d); and<br>d. If there were periods during which the CMSs, including continuous emissions monitoring system, continuous opacity monitoring system, and operating parameter monitoring systems, were out-of-control as specified in § 63.8(c)(7), or otherwise not operating, the report must contain the information in § 63.7550(e). | Semiannually, annually, biennially, or every 5 years according to the requirements in § 63.7550(b). |

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7205, Jan. 31, 2013]

TABLE 10 TO SUBPART DDDDD OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART DDDDD

As stated in §63.7565, you must comply with the applicable General Provisions according to the following:

| Citation | Subject | Applies to subpart DDDDD |
|---|---|---|
| §63.1 | Applicability | Yes. |
| §63.2 | Definitions | Yes. Additional terms defined in §63.7575 |
| §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). | Compliance with Standards and Maintenance Requirements | Yes. |
| §63.6(e)(1)(i) | General duty to minimize emissions. | No. See §63.7500(a)(3) for the general duty requirement. |
| §63.6(e)(1)(ii) | Requirement to correct malfunctions as soon as practicable. | No. |
| §63.6(e)(3) | Startup, shutdown, and malfunction plan requirements. | No. |
| §63.6(f)(1) | Startup, shutdown, and malfunction exemptions for compliance with non-opacity emission standards.. | No. |
| §63.6(f)(2) and (3) | Compliance with non-opacity emission standards. | Yes. |
| §63.6(g) | Use of alternative standards | Yes. |
| §63.6(h)(1) | Startup, shutdown, and malfunction exemptions to opacity standards.. | No. See §63.7500(a). |
| §63.6(h)(2) to (h)(9) | Determining compliance with opacity emission standards | Yes. |
| §63.6(i) | Extension of compliance | Yes. Note: Facilities may also request extensions of compliance for the installation of combined heat and power, waste heat recovery, or gas pipeline or fuel feeding infrastructure as a means of complying with this subpart. |
| §63.6(j) | Presidential exemption. | Yes. |
| §63.7(a), (b), (c), and (d) | Performance Testing Requirements | Yes. |
| §63.7(e)(1) | Conditions for conducting performance tests | No. Subpart DDDDD specifies conditions for conducting performance tests at §63.7520(a) to (c). |
| §63.7(e)(2)–(e)(9), (f), (g), and (h). | Performance Testing Requirements | Yes. |
| §63.8(a) and (b) | Applicability and Conduct of Monitoring | Yes. |
| §63.8(c)(1) | Operation and maintenance of CMS | Yes. |
| §63.8(c)(1)(i) | General duty to minimize emissions and CMS operation | No. See §63.7500(a)(3). |
| §63.8(c)(1)(ii) | Operation and maintenance of CMS | Yes. |
| §63.8(c)(1)(iii) | Startup, shutdown, and malfunction plans for CMS | No. |
| §63.8(c)(2) to (c)(9) | Operation and maintenance of CMS | Yes. |
| §63.8(d)(1) and (2) | Monitoring Requirements, Quality Control Program | Yes. |
| §63.8(d)(3) | Written procedures for CMS | Yes, except for the last sentence, which refers to a startup, shutdown, and malfunction plan. Startup, shutdown, and malfunction plans are not required. |
| §63.8(e) | Performance evaluation of a CMS | Yes. |
| §63.8(f) | Use of an alternative monitoring method. | Yes. |
| §63.8(g) | Reduction of monitoring data | Yes. |
| §63.9 | Notification Requirements | Yes. |
| §63.10(a), (b)(1) | Recordkeeping and Reporting Requirements | Yes. |
| §63.10(b)(2)(i) | Recordkeeping of occurrence and duration of startups or shutdowns. | Yes. |
| §63.10(b)(2)(ii) | Recordkeeping of malfunctions | No. See §63.7555(d)(7) for recordkeeping of occurrence and duration and §63.7555(d)(8) for actions taken during malfunctions. |
| §63.10(b)(2)(iii) | Maintenance records | Yes. |
| §63.10(b)(2)(iv) and (v) | Actions taken to minimize emissions during startup, shutdown, or malfunction. | No. |
| §63.10(b)(2)(vi) | Recordkeeping for CMS malfunctions | Yes. |
| §63.10(b)(2)(vii) to (xiv) | Other CMS requirements | Yes. |
| §63.10(b)(3) | Recordkeeping requirements for applicability determinations | No. |
| §63.10(c)(1) to (9) | Recordkeeping for sources with CMS | Yes. |

| Citation | Subject | Applies to subpart DDDDD |
|---|---|---|
| §63.10(c)(10) and (11) | Recording nature and cause of malfunctions, and corrective actions. | No. See §63.7555(d)(7) for recordkeeping of occurrence and duration and §63.7555(d)(8) for actions taken during malfunctions. |
| §63.10(c)(12) and (13) | Recordkeeping for sources with CMS | Yes. |
| §63.10(c)(15) | Use of startup, shutdown, and malfunction plan | No. |
| §63.10(d)(1) and (2) | General reporting requirements | Yes. |
| §63.10(d)(3) | Reporting opacity or visible emission observation results | No. |
| §63.10(d)(4) | Progress reports under an extension of compliance | Yes. |
| §63.10(d)(5) | Startup, shutdown, and malfunction reports | No. See §63.7550(c)(11) for malfunction reporting requirements. |
| §63.10(e) | Additional reporting requirements for sources with CMS | Yes. |
| §63.10(f) | Waiver of recordkeeping or reporting requirements | Yes. |
| §63.11 | Control Device Requirements | No. |
| §63.12 | State Authority and Delegation | Yes. |
| §63.13–63.16 | Addresses, Incorporation by Reference, Availability of Information, Performance Track Provisions. | Yes. |
| §63.1(a)(5),(a)(7)–(a)(9), (b)(2), (c)(3)-(4), (d), 63.6(b)(6), (c)(3), (c)(4), (d), (e)(2), (e)(3)(ii), (h)(3), (h)(5)(iv), 63.8(a)(3), 63.9(b)(3), (h)(4), 63.10(c)(2)–(4), (c)(9).. | Reserved | No. |

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7205, Jan. 31, 2013]

## TABLE 11 TO SUBPART DDDDD OF PART 63—TOXIC EQUIVALENCY FACTORS FOR DIOXINS/FURANS

TABLE 11 TO SUBPART DDDDD OF PART 63—TOXIC EQUIVALENCY FACTORS FOR DIOXINS/FURANS

| Dioxin/furan congener | Toxic equivalency factor |
|---|---|
| 2,3,7,8-tetrachlorinated dibenzo-p-dioxin | 1 |
| 1,2,3,7,8-pentachlorinated dibenzo-p-dioxin | 1 |
| 1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin | 0.1 |
| 1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin | 0.1 |
| 1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin | 0.1 |
| 1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin | 0.01 |
| octachlorinated dibenzo-p-dioxin | 0.0003 |
| 2,3,7,8-tetrachlorinated dibenzofuran | 0.1 |
| 2,3,4,7,8-pentachlorinated dibenzofuran | 0.3 |
| 1,2,3,7,8-pentachlorinated dibenzofuran | 0.03 |
| 1,2,3,4,7,8-hexachlorinated dibenzofuran | 0.1 |
| 1,2,3,6,7,8-hexachlorinated dibenzofuran | 0.1 |
| 1,2,3,7,8,9-hexachlorinated dibenzofuran | 0.1 |
| 2,3,4,6,7,8-hexachlorinated dibenzofuran | 0.1 |
| 1,2,3,4,6,7,8-heptachlorinated dibenzofuran | 0.01 |
| 1,2,3,4,7,8,9-heptachlorinated dibenzofuran | 0.01 |
| octachlorinated dibenzofuran | 0.0003 |

[76 FR 15664, Mar. 21, 2011]

EDITORIAL NOTE: At 78 FR 7206, Jan. 31, 2013, Table 11 was added, effective Apr. 1, 2013. However Table 11 could not be added as a Table 11 is already in existence.

TABLE 12 TO SUBPART DDDDD OF PART 63—ALTERNATIVE EMISSION LIMITS FOR NEW OR RECONSTRUCTED BOILERS AND PROCESS HEATERS THAT COMMENCED CONSTRUCTION OR RECONSTRUCTION AFTER JUNE 4, 2010, AND BEFORE MAY 20, 2011

| If your boiler or process heater is in this subcategory | For the following pollutants | The emissions must not exceed the following emission limits, except during periods of start-up and shutdown | Using this specified sampling volume or test run duration |
|---|---|---|---|
| 1. Units in all subcategories designed to burn solid fuel. | a. Mercury | 3.5E–06 lb per MMBtu of heat input. | For M29, collect a minimum of 2 dscm per run; for M30A or M30B, collect a minimum sample as specified in the method; for ASTM D6784 [a] collect a minimum of 2 dscm. |
| 2. Units in all subcategories designed to burn solid fuel that combust at least 10 percent biomass/bio-based solids on an annual heat input basis and less than 10 percent coal/solid fossil fuels on an annual heat input basis. | a. Particulate Matter | 0.008 lb per MMBtu of heat input (30-day rolling average for units 250 MMBtu/hr or greater, 3-run average for units less than 250 MMBtu/hr). | Collect a minimum of 1 dscm per run. |
| | b. Hydrogen Chloride | 0.004 lb per MMBtu of heat input. | For M26A, collect a minimum of 1 dscm per run; for M26, collect a minimum of 60 liters per run. |
| 3. Units in all subcategories designed to burn solid fuel that combust at least 10 percent coal/solid fossil fuels on an annual heat input basis and less than 10 percent biomass/bio-based solids on an annual heat input basis. | a. Particulate Matter | 0.0011 lb per MMBtu of heat input (30-day rolling average for units 250 MMBtu/hr or greater, 3-run average for units less than 250 MMBtu/hr). | Collect a minimum of 3 dscm per run. |
| | b. Hydrogen Chloride | 0.0022 lb per MMBtu of heat input. | For M26A, collect a minimum of 1 dscm per run; for M26, collect a minimum of 60 liters per run. |
| 4. Units designed to burn pulverized coal/solid fossil fuel. | a. CO | 90 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |
| | b. Dioxins/Furans | 0.003 ng/dscm (TEQ) corrected to 7 percent oxygen. | Collect a minimum of 4 dscm per run. |
| 5. Stokers designed to burn coal/solid fossil fuel | a. CO | 7 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |
| | b. Dioxins/Furans | 0.003 ng/dscm (TEQ) corrected to 7 percent oxygen. | Collect a minimum of 4 dscm per run. |
| 6. Fluidized bed units designed to burn coal/solid fossil fuel. | a. CO | 30 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |
| | b. Dioxins/Furans | 0.002 ng/dscm (TEQ) corrected to 7 percent oxygen. | Collect a minimum of 4 dscm per run. |
| 7. Stokers designed to burn biomass/bio-based solids. | a. CO | 560 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |
| | b. Dioxins/Furans | 0.005 ng/dscm (TEQ) corrected to 7 percent oxygen. | Collect a minimum of 4 dscm per run. |
| 8. Fluidized bed units designed to burn biomass/bio-based solids. | a. CO | 260 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |
| | b. Dioxins/Furans | 0.02 ng/dscm (TEQ) corrected to 7 percent oxygen. | Collect a minimum of 4 dscm per run. |

| If your boiler or process heater is in this subcategory | For the following pollutants | The emissions must not exceed the following emission limits, except during periods of start-up and shutdown | Using this specified sampling volume or test run duration |
|---|---|---|---|
| 9. Suspension burners/Dutch Ovens designed to burn biomass/bio-based solids. | a. CO | 1,010 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |
| | b. Dioxins/Furans | 0.2 ng/dscm (TEQ) corrected to 7 percent oxygen. | Collect a minimum of 4 dscm per run. |
| 10. Fuel cells designed to burn biomass/bio-based solids. | a. CO | 470 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |
| | b. Dioxins/Furans | 0.003 ng/dscm (TEQ) corrected to 7 percent oxygen. | Collect a minimum of 4 dscm per run. |
| 11. Hybrid suspension/grate units designed to burn biomass/bio-based solids. | a. CO | 1,500 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |
| | b. Dioxins/Furans | 0.2 ng/dscm (TEQ) corrected to 7 percent oxygen. | Collect a minimum of 4 dscm per run. |
| 12. Units designed to burn liquid fuel | a. Particulate Matter | 0.002 lb per MMBtu of heat input (30-day rolling average for units 250 MMBtu/hr or greater, 3-run average for units less than 250 MMBtu/hr). | Collect a minimum of 2 dscm per run. |
| | b. Hydrogen Chloride | 0.0032 lb per MMBtu of heat input. | For M26A, collect a minimum of 1 dscm per run; for M26, collect a minimum of 60 liters per run. |
| | c. Mercury | 3.0E–07 lb per MMBtu of heat input. | For M29, collect a minimum of 2 dscm per run; for M30A or M30B, collect a minimum sample as specified in the method; for ASTM D6784 [a] collect a minimum of 2 dscm. |
| | d. CO | 3 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |
| | e. Dioxins/Furans | 0.002 ng/dscm (TEQ) corrected to 7 percent oxygen. | Collect a minimum of 4 dscm per run. |
| 13. Units designed to burn liquid fuel located in non-continental States and territories. | a. Particulate Matter | 0.002 lb per MMBtu of heat input (30-day rolling average for units 250 MMBtu/hr or greater, 3-run average for units less than 250 MMBtu/hr). | Collect a minimum of 2 dscm per run. |
| | b. Hydrogen Chloride | 0.0032 lb per MMBtu of heat input. | For M26A, collect a minimum of 1 dscm per run; for M26, collect a minimum of 60 liters per run. |
| | c. Mercury | 7.8E–07 lb per MMBtu of heat input. | For M29, collect a minimum of 1 dscm per run; for M30A or M30B, collect a minimum sample as specified in the method; for ASTM D6784 [a] collect a minimum of 2 dscm. |

| If your boiler or process heater is in this subcategory | For the following pollutants | The emissions must not exceed the following emission limits, except during periods of start-up and shutdown | Using this specified sampling volume or test run duration |
|---|---|---|---|
| | d. CO | 51 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |
| | e. Dioxins/Furans | 0.002 ng/dscm (TEQ) corrected to 7 percent oxygen. | Collect a minimum of 4 dscm per run. |
| 14. Units designed to burn gas 2 (other) gases | a. Particulate Matter | 0.0067 lb per MMBtu of heat input (30-day rolling average for units 250 MMBtu/hr or greater, 3-run average for units less than 250 MMBtu/hr). | Collect a minimum of 1 dscm per run. |
| | b. Hydrogen Chloride | 0.0017 lb per MMBtu of heat input. | For M26A, collect a minimum of 1 dscm per run; for M26, collect a minimum of 60 liters per run. |
| | c. Mercury | 7.9E–06 lb per MMBtu of heat input. | For M29, collect a minimum of 1 dscm per run; for M30A or M30B, collect a minimum sample as specified in the method; for ASTM D6784 [a] collect a minimum of 2 dscm. |
| | d. CO | 3 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |
| | e. Dioxins/Furans | 0.08 ng/dscm (TEQ) corrected to 7 percent oxygen. | Collect a minimum of 4 dscm per run. |

[a] Incorporated by reference, see § 63.14.

[76 FR 15664, Mar. 21, 2011]

EDITORIAL NOTE: At 78 FR 7208, Jan. 31, 2013, Table 12 was added, effective Apr. 1, 2013. However, Table 12 could not be added as a Table 12 is already in existence.

TABLE 13 TO SUBPART DDDDD OF PART 63—ALTERNATIVE EMISSION LIMITS FOR NEW OR RECONSTRUCTED BOILERS AND PROCESS HEATERS THAT COMMENCED CONSTRUCTION OR RECONSTRUCTION AFTER DECEMBER 23, 2011, AND BEFORE JANUARY 31, 2013

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during periods of startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|
| 1. Units in all subcategories designed to burn solid fuel. | a. HCl | 0.022 lb per MMBtu of heat input. | For M26A, collect a minimum of 1 dscm per run; for M26 collect a minimum of 120 liters per run. |
| | b. Mercury | 8.6E–07 [a] lb per MMBtu of heat input. | For M29, collect a minimum of 4 dscm per run; for M30A or M30B, collect a minimum sample as specified in the method; for ASTM D6784 [b] collect a minimum of 4 dscm. |
| 2. Pulverized coal boilers designed to burn coal/solid fossil fuel. | a. Carbon monoxide (CO) (or CEMS). | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (320 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 1 hr minimum sampling time. |

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during periods of startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|
| | b. Filterable PM (or TSM) ..... | 1.1E–03 lb per MMBtu of heat input; or (2.8E–05 lb per MMBtu of heat input). | Collect a minimum of 3 dscm per run. |
| 3. Stokers designed to burn coal/solid fossil fuel. | a. CO (or CEMS) ..... | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (340 ppm by volume on a dry basis corrected to 3 percent oxygen, 10-day rolling average). | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM) ..... | 2.8E–02 lb per MMBtu of heat input; or (2.3E–05 lb per MMBtu of heat input). | Collect a minimum of 2 dscm per run. |
| 4. Fluidized bed units designed to burn coal/solid fossil fuel. | a. CO (or CEMS) ..... | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (230 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM) ..... | 1.1E–03 lb per MMBtu of heat input; or (2.3E–05 lb per MMBtu of heat input). | Collect a minimum of 3 dscm per run. |
| 5. Fluidized bed units with an integrated heat exchanger designed to burn coal/solid fossil fuel. | a. CO (or CEMS) ..... | 140 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (150 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM) ..... | 1.1E–03 lb per MMBtu of heat input; or (2.3E–05 lb per MMBtu of heat input). | Collect a minimum of 3 dscm per run. |
| 6. Stokers/sloped grate/others designed to burn wet biomass fuel. | a. CO (or CEMS) ..... | 620 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (410 ppm by volume on a dry basis corrected to 3 percent oxygen, 10-day rolling average). | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM) ..... | 3.0E–02 lb per MMBtu of heat input; or (2.6E–05 lb per MMBtu of heat input). | Collect a minimum of 2 dscm per run. |
| 7. Stokers/sloped grate/others designed to burn kiln-dried biomass fuel. | a. CO ..... | 460 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM) ..... | 3.2E–01 lb per MMBtu of heat input; or (4.0E–03 lb per MMBtu of heat input). | Collect a minimum of 2 dscm per run. |
| 8. Fluidized bed units designed to burn biomass/bio-based solids. | a. CO (or CEMS) ..... | 230 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (310 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM) ..... | 9.8E–03 lb per MMBtu of heat input; or (8.3E–05 [a] lb per MMBtu of heat input). | Collect a minimum of 3 dscm per run. |
| 9. Suspension burners designed to burn biomass/bio-based solids. | a. CO (or CEMS) ..... | 2,400 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (2,000 ppm by volume on a dry basis corrected to 3 percent oxygen, 10-day rolling average). | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM) ..... | 5.1E–02 lb per MMBtu of heat input; or (6.5E–03 lb per MMBtu of heat input). | Collect a minimum of 2 dscm per run. |

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during periods of startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|
| 10. Dutch Ovens/Pile burners designed to burn biomass/bio-based solids. | a. CO (or CEMS) | 810 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (520 ppm by volume on a dry basis corrected to 3 percent oxygen, 10-day rolling average). | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM) | 3.6E–02 lb per MMBtu of heat input; or (3.9E–05 lb per MMBtu of heat input). | Collect a minimum of 2 dscm per run. |
| 11. Fuel cell units designed to burn biomass/bio-based solids. | a. CO | 910 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM) | 2.0E–02 lb per MMBtu of heat input; or (2.9E–05 lb per MMBtu of heat input). | Collect a minimum of 2 dscm per run. |
| 12. Hybrid suspension grate boiler designed to burn biomass/bio-based solids. | a. CO (or CEMS) | 1,500 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (900 ppm by volume on a dry basis corrected to 3 percent oxygen, 30-day rolling average). | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM) | 2.6E–02 lb per MMBtu of heat input; or (4.4E–04 lb per MMBtu of heat input). | Collect a minimum of 3 dscm per run. |
| 13. Units designed to burn liquid fuel. | a. HCl | 1.2E–03 lb per MMBtu of heat input. | For M26A: Collect a minimum of 2 dscm per run; for M26, collect a minimum of 240 liters per run. |
| | b. Mercury | 4.9E–07 [a] lb per MMBtu of heat input. | For M29, collect a minimum of 4 dscm per run; for M30A or M30B, collect a minimum sample as specified in the method; for ASTM D6784 [b] collect a minimum of 4 dscm. |
| 14. Units designed to burn heavy liquid fuel. | a. CO (or CEMS) | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average; or (18 ppm by volume on a dry basis corrected to 3 percent oxygen, 10-day rolling average). | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM) | 1.3E–03 lb per MMBtu of heat input; or (7.5E–05 lb per MMBtu of heat input). | Collect a minimum of 3 dscm per run. |
| 15. Units designed to burn light liquid fuel. | a. CO (or CEMS) | 130 [a] ppm by volume on a dry basis corrected to 3 percent oxygen; or (60 ppm by volume on a dry basis corrected to 3 percent oxygen, 1-day block average).. | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM) | 1.1E–03 [a] lb per MMBtu of heat input; or (2.9E–05 lb per MMBtu of heat input). | Collect a minimum of 3 dscm per run. |
| 16. Units designed to burn liquid fuel that are non-continental units. | a. CO | 130 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average based on stack test; or (91 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-hour rolling average). | 1 hr minimum sampling time. |
| | b. Filterable PM (or TSM) | 2.3E–02 lb per MMBtu of heat input; or (8.6E–04 lb per MMBtu of heat input). | Collect a minimum of 2 dscm per run. |
| 17. Units designed to burn gas 2 (other) gases. | a. CO | 130 ppm by volume on a dry basis corrected to 3 percent oxygen. | 1 hr minimum sampling time. |

| If your boiler or process heater is in this subcategory . . . | For the following pollutants . . . | The emissions must not exceed the following emission limits, except during periods of startup and shutdown . . . | Using this specified sampling volume or test run duration . . . |
|---|---|---|---|
| | b. HCl | 1.7E–03 lb per MMBtu of heat input. | For M26A, Collect a minimum of 2 dscm per run; for M26, collect a minimum of 240 liters per run. |
| | c. Mercury | 7.9E–06 lb per MMBtu of heat input. | For M29, collect a minimum of 3 dscm per run; for M30A or M30B, collect a minimum sample as specified in the method; for ASTM D6784 [b] collect a minimum of 3 dscm. |
| | d. Filterable PM (or TSM) | 6.7E–03 lb per MMBtu of heat input; or (2.1E–04 lb per MMBtu of heat input). | Collect a minimum of 3 dscm per run. |

[a] If you are conducting stack tests to demonstrate compliance and your performance tests for this pollutant for at least 2 consecutive years show that your emissions are at or below this limit and you are not required to conduct testing for CEMS or CPMS monitor certification, you can skip testing according to § 63.7515 if all of the other provision of § 63.7515 are met. For all other pollutants that do not contain a footnote ''a'', your performance tests for this pollutant for at least 2 consecutive years must show that your emissions are at or below 75 percent of this limit in order to qualify for skip testing.
[b] Incorporated by reference, see § 63.14.

[78 FR 7210, Jan. 31, 2013]

# Subpart EEEEE—National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries

SOURCE: 69 FR 21923, Apr. 22, 2004, unless otherwise noted.

WHAT THIS SUBPART COVERS

## § 63.7680 What is the purpose of this subpart?

This subpart establishes national emission standards for hazardous air pollutants (NESHAP) for iron and steel foundries. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emissions limitations, work practice standards, and operation and maintenance requirements in this subpart.

## § 63.7681 Am I subject to this subpart?

You are subject to this subpart if you own or operate an iron and steel foundry that is (or is part of) a major source of hazardous air pollutant (HAP) emissions. Your iron and steel foundry is a major source of HAP for purposes of this subpart if it emits or has the potential to emit any single HAP at a rate of 10 tons or more per year or any combination of HAP at a rate of 25 tons or more per year or if it is located at a facility that emits or has the potential to emit any single HAP at a rate of 10 tons or more per year or any combination of HAP at a rate of 25 tons or more per year as defined in § 63.2.

[69 FR 21923, Apr. 22, 2004, as amended at 73 FR 7218, Feb. 7, 2008]

## § 63.7682 What parts of my foundry does this subpart cover?

(a) The affected source is each new or existing iron and steel foundry.

(b) This subpart covers emissions from metal melting furnaces, scrap preheaters, pouring areas, pouring stations, automated conveyor and pallet cooling lines, automated shakeout lines, and mold and core making lines. This subpart also covers fugitive emissions from foundry operations.

(c) An affected source is existing if you commenced construction or reconstruction of the affected source before December 23, 2002.

(d) An affected source is new if you commenced construction or reconstruction of the affected source on or after December 23, 2002. An affected source is reconstructed if it meets the definition of ''reconstruction'' in § 63.2.

## § 63.7683 When do I have to comply with this subpart?

(a) Except as specified in paragraph (b) of this section, if you have an existing affected source, you must comply with each emissions limitation, work

**CERTIFICATE OF SERVICE**

I, Pamela Owen, hereby certify that a copy of this permit has been mailed by first class mail to Green Bay Packaging Inc. - Arkansas Kraft Division, 338 Highway 113, Morrilton, AR, 72110, on this 1st day of July, 2015.

Pamela Owen

Pamela Owen, ASIII, Air Division