



**DIVISION OF  
ENVIRONMENTAL QUALITY**

Sarah Huckabee Sanders  
GOVERNOR

Shane E. Khoury  
SECRETARY

August 1, 2023

Via email to: [clay.carter@conagra.com](mailto:clay.carter@conagra.com) & First Class Mail

Clay Carter  
EHS Specialist  
ConAgra Foods Packaged Foods, LLC  
3100 East Main Street  
Russellville, AR 72801

Re: Notice of Final Permitting Decision; Permit No. 1582-AR-13

Dear Mr. Carter,

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

ConAgra Foods Packaged Foods, LLC  
3100 East Main Street  
Russellville, AR 72801

Permit Number: 1582-AR-13

Permitting Decision: approval with permit conditions as set forth in final Permit No. 1582-AR-13

Accessing the Permitting Decision:

<https://www.adeq.state.ar.us/downloads/WebDatabases/PermitsOnline/Air/1582-AR-13.pdf>.

Accessing the Statement of Basis:

<https://www.adeq.state.ar.us/downloads/WebDatabases/PermitsOnline/Air/1582-AR-13-SOB.pdf>.

Rule 19.407(A) of the Arkansas Plan of Implementation for Air Pollution Control (SIP) and Rule 18.307(A) of the Arkansas Air Pollution Control Code do not require a public notice or public comment period for Administrative Amendments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dw", followed by a long horizontal flourish.

David Witherow, P.E.  
Associate Director, Office of Air Quality, Division of Environmental Quality  
5301 Northshore Drive, North Little Rock, AR 72118-5317

Enclosure: Certificate of Service

**CERTIFICATE OF SERVICE**

I, Natasha Oates, hereby certify that the final permit decision notice has been mailed by first class mail to ConAgra Foods Packaged Foods, LLC, 3100 East Main Street, Russellville, AR, 72801, on this 1st day of August, 2023.

*Natasha Oates*

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Natasha Oates, AA, Office of Air Quality



**DIVISION OF ENVIRONMENTAL QUALITY**

**MINOR SOURCE AIR PERMIT**

**PERMIT NUMBER:** 1582-AR-13

**IS ISSUED TO:**

ConAgra Foods Packaged Foods, LLC  
3100 East Main Street  
Russellville, AR 72801  
Pope County  
**AFIN:** 58-00263

THIS PERMIT IS THE ABOVE REFERENCED PERMITTEE'S AUTHORITY TO CONSTRUCT, MODIFY, OPERATE, AND/OR MAINTAIN THE EQUIPMENT AND/OR FACILITY IN THE MANNER AS SET FORTH IN THE DIVISION OF ENVIRONMENTAL QUALITY'S MINOR SOURCE AIR PERMIT AND THE APPLICATION. THIS PERMIT IS ISSUED PURSUANT TO THE PROVISIONS OF THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT (ARK. CODE ANN. § 8-4-101 *ET SEQ.*) AND THE RULES PROMULGATED THEREUNDER, AND IS SUBJECT TO ALL LIMITS AND CONDITIONS CONTAINED HEREIN.

**Signed:**

A handwritten signature in blue ink, appearing to read "Dw", is written over a horizontal line.

David Witherow, P.E.  
Associate Director, Office of Air Quality  
Division of Environmental Quality

August 1, 2023

Date

ConAgra Foods Packaged Foods, LLC

Permit #: 1582-AR-13

AFIN: 58-00263

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ConAgra Foods Packaged Foods, LLC

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#### List of Acronyms and Abbreviations

Ark. Code Ann.	Arkansas Code Annotated
AFIN	Arkansas DEQ Facility Identification Number
C.F.R.	Code of Federal Regulations
CO	Carbon Monoxide
COMS	Continuous Opacity Monitoring System
HAP	Hazardous Air Pollutant
Hp	Horsepower
lb/hr	Pound Per Hour
NESHAP	National Emission Standards (for) Hazardous Air Pollutants
No.	Number
NO <sub>x</sub>	Nitrogen Oxide
NSPS	New Source Performance Standards
PM	Particulate Matter
PM <sub>10</sub>	Particulate Matter Equal To Or Smaller Than Ten Microns
PM <sub>2.5</sub>	Particulate Matter Equal To Or Smaller Than 2.5 Microns
SO <sub>2</sub>	Sulfur Dioxide
Tpy	Tons Per Year
UTM	Universal Transverse Mercator
VOC	Volatile Organic Compound

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Section I: FACILITY INFORMATION

PERMITTEE: ConAgra Foods Packaged Foods, LLC

AFIN: 58-00263

PERMIT NUMBER: 1582-AR-13

FACILITY ADDRESS: 3100 East Main Street  
Russellville, AR 72801

MAILING ADDRESS: 3100 East Main Street  
Russellville, AR 72801

COUNTY: Pope County

CONTACT NAME: Clay Carter

CONTACT POSITION: EHS Specialist

TELEPHONE NUMBER: (479) 498-7588

REVIEWING ENGINEER: Jimmy Do

UTM North South (Y): Zone 15: 3903708.68 m

UTM East West (X): Zone 15: 491582.75 m

## Section II: INTRODUCTION

### Summary of Permit Activity

ConAgra Foods owns and operates a frozen food manufacturing and packaging facility located at 3100 East Main Street in Russellville, AR 72801. This permit modification is to change SN-47 to a non-emergency generator. The PM, single HAP, and total HAP were corrected. PM was decreased by 0.4 tpy, single HAP was increased by 0.01 tpy, and total HAP was increased to 0.03 tpy.

### Process Description

ConAgra manufactures and/or packages frozen food entrees at its Russellville facility. Emissions from the facility include natural gas combustion products, particulate emissions from deep fat frying, and non-point source emissions from the ammonia refrigeration systems.

Ingredients are received by truck and stored in freezers, coolers, spice rooms, warehouse space, etc.

As needed, the ingredients are brought to the food preparation areas. Food preparation may include chopping, blending, extruding, forming, filling, baking, frying, steam cooking, branding, etc. Products of natural gas combustion from branders have been designated insignificant.

After preparation, food is chilled, frozen, and/or dispensed in the lines. After dispensing, the food is frozen and packaged. It is then stored in the finished goods freezer prior to shipping.

The ammonia emissions from the Refrigeration System (SN-36) are non-point source only. The throughput limits in Specific Condition #6 are for the ammonia losses from the system. The amount of ammonia used in the initial charges of new equipment is not included in this throughput amount. Also, the loss of ammonia from the removal of equipment has not been included in this throughput amount because the facility uses a vacuum system to remove ammonia from the equipment before disconnecting it from the system.

The facility has three (3) natural gas-fired boilers. These are sources SN-37, SN-41, and SN-42. Typically, only one of these three boilers will operate at a time.

Source Number 44 and 45 are natural gas-fired hot water heaters.

The fry-bake oven No.1 (SN-38) and the fry-bake fryer (SN-39) are situated in series, but the facility may process the meat through either individually, or both in series. The natural gas fired Fulton Heater No. 1 (SN-40) supplies heat to the oven and fryer via heat exchangers. A second natural gas fired thermal fluid heater (SN-43) supplies heat to the red meat ovens.



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The Cortina Line (SN-46) is used to manufacture sauces and dinners. Frozen bagged meals are assembled and loaded onto trucks. This area includes multiple gas fired refrigerated make-up air units which are permitted as one bubbled source.

### Rules and Regulations

The following table contains the rules and regulations applicable to this permit.

Rules and Regulations
Arkansas Air Pollution Control Code, Rule 18, effective March 14, 2016
Rules of the Arkansas Plan of Implementation for Air Pollution Control, Rule 19, effective May 6, 2022
New Source Performance Standards, 40 C.F.R. Part 60, Subpart Dc- <i>Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units</i>
40 C.F.R. Part 63, Subpart ZZZZ – <i>National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines</i>
40 C.F.R. Part 60, Subpart JJJJ- <i>Standards of Performance for Stationary Spark Ignition Internal Combustion Engine</i>

### Total Allowable Emissions

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

TOTAL ALLOWABLE EMISSIONS		
Pollutant	Emission Rates	
	lb/hr	tpy
PM	5.8	22.7
PM <sub>10</sub>	5.1	19.2
PM <sub>2.5</sub>	See Note*	
SO <sub>2</sub>	2.0	6.4
VOC	6.7	12.1
CO	113.3	92.5
NO <sub>x</sub>	21.8	79.4
Ammonia	14.0	60.0

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TOTAL ALLOWABLE EMISSIONS		
Pollutant	Emission Rates	
	lb/hr	tpy
Single HAP	0.49	2.03
Total HAP	0.54	2.25

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

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### Section III: PERMIT HISTORY

**Permit 1582-A** was the initial permit for the facility. It was issued on January 11, 1995.

**Permit 1582-AR-1** was issued on April 12, 1996. This modification included replacing 8 older fryers with two new ones, adding a new brander, increasing the allowable ammonia emissions, and permitting all sources for full time operation.

**Permit 1582-AR-2** was issued May 30, 2000. In this permit, the facility added a new hot water heater (SN-35), removed the bulk corn receiving station from the permit, and designated nine small combustion sources as insignificant activities.

**Permit 1582-AR-3** was issued March 26, 2002. This modification removes four fryers (SN-09, SN-10, SN-27, and SN-33) and two insignificant activities (1.5 MMBtu/hr Burrito Fryer and 2.5 MMBtu/hr Egg Roll Fryer) from service. Also included was the addition of 25.11 MMBtu boiler, Boiler #5 (SN-37). Changes were made to modify the ammonia throughput to include only losses from non-point source emissions instead of tracking purchases of ammonia. The 40 CFR 60, Subpart Dc requirements for both SN-35 and SN-37 have been updated. The permitted emission rates were 16.3 tpy PM<sub>10</sub>, 6.3 tpy SO<sub>2</sub>, 9.3 tpy VOC, 44.3 tpy CO, 95.3 tpy NO<sub>x</sub>, and 60.0 tpy ammonia.

**Permit 1582-AR-4** was issued October 9, 2003. This modification was issued to allow diesel fuel as a backup in the four larger boilers during periods of natural gas curtailment. The emission limits on all of the boilers were recalculated based on the latest AP-42 emission factors. The permitted emission rates were 13.5 tpy PM<sub>10</sub>, 6.2 tpy SO<sub>2</sub>, 8.6 tpy VOC, 60.4 tpy CO, 81.5 tpy NO<sub>x</sub>, and 60.0 tpy ammonia.

**Permit 1582-AR-5** was issued on June 17, 2005. This modification allowed the permittee to add a fry-bake oven (SN-38), a fry-bake fryer (SN-39), and a Fulton Heater (SN-40) which provided heated oil for process heat for emission units. The thermal fluid heater was not subject to 40 CFR 60, Subpart Dc – Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units since the fluid heated was not water.

**Permit 1582-AR-6** was issued on January 29, 2009. ConAgra expanded their facility and removed four boilers (SN-23, SN-24, SN-25 and SN-26), removed one hot water heater (SN-35), removed three emission sources (SN-04, SN-05, SN-06) associated with the two ovens, added two new boilers (SN-41 and SN-42), added two new ovens, added a thermal fluid heater (SN-43), added two hot water heaters (SN-44 and SN-45), and added two new rotary branders (SN-46 and SN-47). Fuel types for all new sources were natural gas. The Russellville facility did not maintain the existing dual fuel (natural gas and diesel fuel) capability for the boilers. Boiler SN-37 was relocated on-site and kept for use during lower steam demand periods (i.e., summer months). Typically, only one of these two boilers (SN-41 and SN-42) will operate at a time; the exception will be when transitioning between these boilers.

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**Permit #1582-AR-7** was issued on June 22, 2012. ConAgra requested authorization to install a wet scrubber for the Fry-Bake Fryer #1 exhaust (SN-39). The permitted emission decreases due to the modification were 0.9 (tons per year) tpy PM/PM<sub>10</sub> and 3.54 tpy VOC.

**Permit #1582-AR-8** was issued on March 28, 2013. In this Administrative Amendment, the facility's Insignificant Activities list was corrected to reflect a 1.5 MMBtu/hr rating for the Totilla ovens, a 1.2 MMBtu rating for Rotary Brand #1, and removal of Rotary Brand #2. The Insignificant Activities list was also updated to include a new bulk material handler.

**Permit #1582-AR-9** was issued on October 31, 2013. In this modification, the facility installed a new line called the Cortina Line (SN-46) that will manufacture sauces. The changes resulted in emissions increases of 0.9 tpy of PM/PM<sub>10</sub>, 0.1 tpy of SO<sub>2</sub>, 0.7 tpy of VOC, 10.3 tpy of CO, and 12.2 tpy of NO<sub>x</sub>.

**Permit #1582-AR-10** was issued on December 1, 2016. In this modification, the facility added an emergency generator (SN-47) to the permit. 40 C.F.R. Part 63 Subpart ZZZZ conditions were added to the permit for SN-47. The patty ovens (SN-01 through SN-03) were also removed from the permit as well as SN-31, SN-34, and multiple insignificant activities. The following summarizes the emission changes from this modification: decrease of 5.1 tpy PM/PM<sub>10</sub>, decrease of 1.1 tpy SO<sub>2</sub>, decrease of 2.4 tpy VOC, decrease of 0.7 tpy CO, and a decrease of 3.3 tpy NO<sub>x</sub>.

**Permit #1582-AR-11** was issued on November 1, 2017. In this modification, the facility added a 2.5 MMBtu/hr hot oil heater and a 1.2 MMBtu/hr char-marker to the insignificant activities list. There are no permitted emissions changes as a result of this revision.

**Permit #1582-AR-12** was issued on January 7, 2020. This permitting action was to add a 3,000 cubic feet silo for flour storage, including a vacuum-based delivery system (SN-48 and SN-49), two mixers (SN-50 and SN-51), a certified 175 kW emergency generator (SN-52) and six natural gas fired combustion units to the insignificant activities list. Permitted emissions were changed as follows: increase of 6.1 tpy PM, increase of 2.2 tpy of PM<sub>10</sub>, increase of 0.1 tpy SO<sub>2</sub>, increase of 0.2 tpy VOC, increase of 4.6 tpy CO, and an increase of 0.2 tpy NO<sub>x</sub>.

Section IV: EMISSION UNIT INFORMATION

Specific Conditions

1. The permittee shall not exceed the emission rates set forth in the following table. [Rule 19.501 *et seq.* and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Description	Pollutant	lb/hr	tpy
37	Boiler #5 25.1 MMBtu/hr	PM <sub>10</sub>	0.6	2.6
		SO <sub>2</sub>	1.2	5.3
		VOC	0.2	0.9
		CO	2.2	9.6
		NO <sub>x</sub>	3.4	14.9
38	Fry-Bake Oven #1	PM <sub>10</sub>	1.4	6.1
39	Fry-Bake Fryer #1 (Wet Scrubber)	PM <sub>10</sub>	0.4	0.8
		VOC	2.6	5.5
40	Fulton Heater #1	PM <sub>10</sub>	0.1	0.4
		SO <sub>2</sub>	0.1	0.1
		VOC	0.1	0.3
		CO	1.1	4.6
		NO <sub>x</sub>	1.3	5.5
41	Boiler #6	PM <sub>10</sub>	0.8	3.5
		SO <sub>2</sub>	0.1	0.4
		VOC	0.6	2.5
42	Boiler #7	CO	8.3	37.4
		NO <sub>x</sub>	3.7	15.9
43	Red Meat Thermal Fluid Heater	PM <sub>10</sub>	0.1	0.4
		SO <sub>2</sub>	0.1	0.1
		VOC	0.1	0.3
		CO	0.9	3.7
		NO <sub>x</sub>	1.0	4.4
44	Hot Water Heater #1	PM <sub>10</sub>	0.3	1.1
		SO <sub>2</sub>	0.1	0.1
		VOC	0.2	0.8
		CO	2.5	10.9
		NO <sub>x</sub>	3.0	13.0
45	Hot Water Heater #2	PM <sub>10</sub>	0.3	1.1
		SO <sub>2</sub>	0.1	0.1
		VOC	0.2	0.8
		CO	2.5	10.9
		NO <sub>x</sub>	3.0	13.0

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SN	Description	Pollutant	lb/hr	tpy	
46	Cortina Line Refrigeration Sources	Kitchen 8 Refrigeration Unit (5,184 cfh)	PM <sub>10</sub> SO <sub>2</sub> VOC CO NO <sub>x</sub>	0.2 0.1 0.2 2.4 2.8	0.9 0.1 0.7 10.3 12.2
		Kitchen 9 Refrigeration Unit (2,188 cfh)			
		STIM 81 Refrigeration Unit (4,752 cfh)			
		STIM 91 Refrigeration Unit (4,752 cfh)			
		Line 11 Refrigeration Unit (3,465 cfh)			
		Line 12 Box Refrigeration Unit (250 cfh)			
		Line 12 Scaling Refrigeration Unit (6,804 cfh)			
47	Generator (35 kW)	PM <sub>10</sub> SO <sub>2</sub> VOC CO NO <sub>x</sub>	0.1 0.1 0.1 1.9 1.2	0.1 0.1 0.1 0.5 0.3	
48	Bulk Silo – Filter Emissions	PM <sub>10</sub>	0.1	0.3	
49	Vacuum Blower Emissions	PM <sub>10</sub>	0.1	0.2	
50	Mixer #1	PM <sub>10</sub>	0.3	1.1	
51	Mixer #2	PM <sub>10</sub>	0.2	0.5	
52	Emergency Generator (80 kW)	PM <sub>10</sub>	0.1	0.1	
		SO <sub>2</sub>	0.1	0.1	
		VOC	2.4	0.2	
		CO	91.5	4.6	
		NO <sub>x</sub>	2.4	0.2	

- The permittee shall not exceed the emission rates set forth in the following table. [Rule 18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

ConAgra Foods Packaged Foods, LLC

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SN	Description		Pollutant	lb/hr	tpy
36	Refrigeration System		Ammonia	14.0	60.0
37	Boiler #5		PM	0.6	2.6
			Single HAP	0.05	0.20
			Total HAPs	0.05	0.21
38	Fry-Bake Oven #1		PM	1.4	6.1
39	Fry-Bake Fryer #1 (Wet Scrubber)		PM	0.4	0.8
40	Fulton Heater #1		PM	0.1	0.4
			Single HAP	0.03	0.10
			Total HAPs	0.03	0.11
41	Boiler #6		PM	0.8	3.5
42	Boiler #7		Single HAP	0.18	0.79
			Total HAPs	0.20	0.85
43	Red Meat Thermal Fluid Heater		PM	0.1	0.4
			Single HAP	0.02	0.08
			Total HAPs	0.02	0.09
44	Hot Water Heater #1		PM	0.3	1.1
			Single HAP	0.06	0.24
			Total HAPs	0.06	0.26
45	Hot Water Heater #2		PM	0.3	1.1
			Single HAP	0.06	0.24
			Total HAPs	0.06	0.26
46	Cortina Line Refrigeration Sources	Kitchen 8 Refrigeration Unit (5,184 cfh)	PM Single HAP Total HAPs	0.2 0.05 0.06	0.9 0.22 0.24
		Kitchen 9 Refrigeration Unit (2,188 cfh)			
		STIM 81 Refrigeration Unit (4,752 cfh)			
		STIM 91 Refrigeration Unit (4,752 cfh)			
		Line 11 Refrigeration Unit (3,465 cfh)			
		Line 12 Box Refrigeration Unit (250 cfh)			
		Line 12 Scaling Refrigeration Unit			

ConAgra Foods Packaged Foods, LLC

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SN	Description	Pollutant	lb/hr	tpy
	(6,804 cfh)			
47	Generator (35 kW)	PM Single HAP Total HAPs	0.1 0.04 0.06	0.1 0.16 0.23
48	Bulk Silo – Filter Emissions	PM	0.1	0.3
49	Vacuum Blower Emissions	PM	0.1	0.2
50	Mixer #1	PM	0.9	3.8
51	Mixer #2	PM	0.4	1.7
52	Emergency Generator (80 kW)	PM	0.1	0.1

3. Visible emissions may not exceed the limits specified in the following table of this permit as measured by EPA Reference Method 9. [Ark. Code Ann. § 8-4-203 as referenced by §§ 8-4-304 and 8-4-311]

SN	Limit	Regulatory Citation
SN-36, SN-37, SN-38, SN-40, SN-41, SN-42, SN-43, SN-44, SN-45, SN-46, SN-48, SN-49, SN-50, SN-51	5%	Rule 18.501
SN-39, SN-47, SN-52	20%	Rule 18.501

4. The permittee shall not cause or permit the emission of air contaminants, including odors or water vapor and including an air contaminant whose emission is not otherwise prohibited by Regulation #18, if the emission of the air contaminant constitutes air pollution within the meaning of A.C.A. §8-4-303. [Rule 18.801 and Ark. Code Ann. § 8-4-203 as referenced by §§ 8-4-304 and 8-4-311]
5. The permittee shall not conduct operations in such a manner as to unnecessarily cause air contaminants and other pollutants to become airborne. [Rule 18.901 and Ark. Code Ann. § 8-4-203 as referenced by §§ 8-4-304 and 8-4-311]
6. The permittee shall not use more than 120,000 pounds of ammonia to recharge the Refrigeration Equipment (SN-36) in any consecutive 12 month period. This limit does not include ammonia used in the initial charge of new equipment; however, a record of new equipment and the amount of ammonia used to charge that equipment must also be kept to demonstrate that the facility has not exceeded the 120,000 pound limit. [Rule 19.705 and Ark. Code Ann. § 8-4-203 as referenced by §§ 8-4-304 and 8-4-311]



7. The permittee shall maintain monthly records which demonstrate compliance with Specific Condition #6. 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, and shall be made available to Department personnel upon request. [Rule 19.705 and Ark. Code Ann. § 8-4-203 as referenced by §§ 8-4-304 and 8-4-311]
8. In the removal of equipment from the Refrigeration System (SN-36), the permittee must remove the ammonia from the equipment before disconnecting the equipment from the system. [Rule 19.705 and Ark. Code Ann. § 8-4-203 as referenced by §§ 8-4-304 and 8-4-311]
9. The facility shall burn only pipeline quality natural gas at the facility. [Rule 19.705 and Ark. Code Ann. § 8-4-203 as referenced by §§ 8-4-304 and 8-4-311]
10. The permittee will not exceed the throughput rates of processed poultry per consecutive twelve month period for SN-39 listed in the following table. [§19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Source No.	Poultry Processing Throughput Pounds / consecutive 12 Months
39	52,000,000

11. The permittee will maintain monthly records which demonstrate compliance with Specific Condition #10. The permittee will maintain a twelve month rolling total and each individual month's data on-site and made available to the Department personnel upon request. The permittee will update the records by the fifteenth day of the month following the month to which the records pertain. [Rule 19.705 and Ark. Code Ann. § 8-4-203 as referenced by §§ 8-4-304 and 8-4-311]
12. The permittee shall not operate the emergency generator SN-47 in excess of 500 total hours per calendar year in order to demonstrate compliance with the annual emission rate limits [Rule 19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
13. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition #12. 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 and made available to Department personnel upon request. [Rule 19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
14. The permittee shall not operate the emergency generator SN-52 in excess of 100 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 Rule 19.602 and other applicable regulations. [Rule 19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

15. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition #14. 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 and made available to Department personnel upon request. [Rule 19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

**NSPS Requirements for SN-37, SN-41, SN-42, SN-43, SN-44 and SN-45**

16. The fuel for the Boiler #5 (SN-37), Boiler #6 (SN-41), Boiler #7 (SN-42), Red Meat Thermal Fluid Heater (SN-43), Hot Water Heater #1 (SN-44), and Hot Water Heater #2 (SN-45) shall be accounted for monthly. Fuel usage shall be prorated based on the maximum Btu rating for each fuel consuming source when compared to the total of the Btu ratings (maximum) for all equipment using the same type of fuel. [40 C.F.R. § 60 Subpart Dc and Ark. Code Ann. § 8-4-203 as referenced by §§ 8-4-304 and 8-4-311]

<i>Fuel Usage<sub>source</sub></i> =	<i>Fuel Usage<sub>total</sub></i> x	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;"><i>Max Btu<sub>source</sub></i></td> </tr> <tr> <td style="text-align: center;"><i>Max Btu<sub>total (all sources)</sub></i></td> </tr> </table>	<i>Max Btu<sub>source</sub></i>	<i>Max Btu<sub>total (all sources)</sub></i>
<i>Max Btu<sub>source</sub></i>				
<i>Max Btu<sub>total (all sources)</sub></i>				

17. The permittee shall maintain records that demonstrate compliance with Specific Condition #16. These records shall: [Rule 19.705 of and Ark. Code Ann. § 8-4-203 as referenced by §§ 8-4-304 and 8-4-311]
  - a. Document the monthly meter readings or the prorated results accompanied with the calculations;
  - b. Be updated by the fifteenth day of the month following the month to which the records pertain;
  - c. Be maintained on site for a minimum of two years;
  - d. Be made available to Department personnel upon request.

**40 C.F.R. Subpart ZZZZ Requirements for SN-47**

18. The permittee must comply with the requirements in Table 2d to this subpart to this subpart that apply to the permittee. [Rule 19.705 and 40 C.F.R. § 63.6603(a)]

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
Non-Emergency, non-black	a. Change oil and filter	Minimize the engine's time

start CI stationary RICE ≤300 HP	every 1,000 hours of operation or annually, whichever comes first; <sup>1</sup> 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.	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.
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<sup>1</sup> Sources have the option to utilize an oil analysis program as described in § 63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of this subpart.

19. The permittee 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 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:
  - a. 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;

[Rule 19.705 and 40 C.F.R. § 63.6625(e)]

20. The permittee 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. [Rule 19.705 and 40 C.F.R. § 63.6625(h)]

21. If the permittee 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, the permittee has 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. [Rule 19.705 and 40 C.F.R. § 63.6625(i)]
22. The permittee must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to the permittee at all times. [Rule 19.705 and 40 C.F.R. § 63.6605(a)]
  23. At all times the permittee 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 the permittee 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. [Rule 19.705 and 40 C.F.R. § 63.6625(b)]
  24. If the permittee 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 the permittee according to methods specified in Table 6 to this subpart. [Rule 19.705 and 40 C.F.R. § 63.6640(a)]
  25. The permittee must report each instance in which they 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 the permittee. 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 the permittee change their catalyst, the permittee must reestablish the values of the operating parameters measured during the initial performance test. When the permittee reestablish the values of their operating parameters, the permittee must also conduct a performance test to demonstrate that they are meeting the required emission limitation applicable to their stationary RICE. [Rule 19.705 and 40 C.F.R. § 63.6640(b)]
  26. 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). [Rule 19.705 and 40 C.F.R. § 63.6625(d)]

27. The permittee must also report each instance in which they did not meet the requirements in Table 8 to this subpart that apply to them. If the permittee owns or operates a new or reconstructed stationary RICE located at an area source of HAP emissions, the permittee do not need to comply with the requirements in Table 8 to this subpart Rule 19.705 and 40 C.F.R. § 63.6640(e)]

[Rule 19.705 and 40 C.F.R. § 63.6640(f)]

28. If the permittee must comply with the emission and operating limitations, they must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.
- a. A copy of each notification and report that they submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that they submitted, according to the requirement in § 63.10(b)(2)(xiv).
  - b. Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.
  - c. Records of performance tests and performance evaluations as required in § 63.10(b)(2)(viii).
  - d. Records of all required maintenance performed on the air pollution control and monitoring equipment.
  - e. 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.

[Rule 19.705 and 40 C.F.R. § 63.6655(a)]

29. For each CEMS or CPMS, the permittee must keep the records listed in paragraphs (b)(1) through (3) of this section.
- a. Records described in § 63.10(b)(2)(vi) through (xi).
  - b. Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in § 63.8(d)(3).
  - c. Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in § 63.8(f)(6)(i), if applicable.

[Rule 19.705 and 40 C.F.R. § 63.6655(b)]

30. The permittee must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to them.  
[Rule 19.705 and 40 C.F.R. § 63.6655(d)]

31. The permittee must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that they operated and maintained the stationary RICE and after-

treatment control device (if any) according to their own maintenance plan if they own or operate any of the following stationary RICE;

- a. An existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.
- b. An existing stationary emergency RICE.
- c. An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.

[Rule 19.705 and 40 C.F.R. § 63.6655(e)]

### NSPS Subpart JJJJ Requirements for SN-52

32. SN-52 is subject to 40 C.F.R. § 60 Subpart JJJJ. The permittee shall comply with all applicable provisions of 40 C.F.R. § 60 Subpart JJJJ which includes, but is not limited to, Specific Conditions #33 through #42 [Rule 19.304 and 40 C.F.R. § 60 Subpart JJJJ]
33. The provisions of 40 C.F.R. Part 60 Subpart JJJJ are applicable to owners and operators of stationary spark ignition (SI) internal combustion engines (ICE) that commence construction after June 12, 2006, where the stationary SI ICE are manufactured on or after January 1, 2009, for emergency engines with a maximum engine power greater than 19 KW (25 HP). For the purposes of 40 C.F.R. Part 60 Subpart JJJJ, the date that construction commences is the date the engine is ordered by the owner or operator. [Rule 19.304 and 40 C.F.R. §60.4230(a)(4)(iv)]
34. 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. [Rule 19.304, 40 C.F.R. §60.4233(e), and Table 1 to 40 C.F.R. Part 60 Subpart JJJJ]

Engine type and fuel	Maximum engine power	Manufacture date	Emission Standards <sup>a</sup>					
			g/HP-hr			ppmvd at 15% O <sub>2</sub>		
			NO <sub>x</sub>	CO	VOC <sup>d</sup>	NO <sub>x</sub>	CO	VOC <sup>d</sup>
Emergency	25<HP<130	1/1/2009	≤10	387	N/A	N/A	N/A	N/A
	HP≥130		2.0	4.0	1.0	160	540	86



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<sup>a</sup>Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent O<sub>2</sub>.

<sup>b</sup>Owners and operators of new or reconstructed non-emergency lean burn SI stationary engines with a site rating of greater than or equal to 250 brake HP located at a major source that are meeting the requirements of 40 CFR part 63, subpart ZZZZ, Table 2a do not have to comply with the CO emission standards of Table 1 of this subpart.

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

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

35. 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. [Rule 19.304 and 40 C.F.R. §60.4234]
36. 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. [Rule 19.304 and 40 C.F.R. §60.4236(c)]
37. The permittee must install a non-resettable hour meter upon startup of their emergency engine. [Rule 19.304 and 40 C.F.R. §60.4237(c)]
38. If the permittee 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), they 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, they must meet one of the requirements specified in (a)(1) and (2) of this section. [Rule 19.304 and 40 C.F.R. §60.4243(a)]
  - a. If the permittee do not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, their engine will be considered a non-certified engine, and they must demonstrate compliance according to (a)(2)(i) through (iii) of this section, as appropriate. [Rule 19.304 and 40 C.F.R. §60.4243(a)(2)]
    - i. If the permittee 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, they 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, they must conduct an initial performance test within 1 year of engine startup to demonstrate compliance. [Rule 19.304 and 40 C.F.R. §60.4243(a)(2)(ii)]
39. If the permittee 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), they must

demonstrate compliance according to one of the methods specified in paragraphs (b)(1) and (2) of this section. [Rule 19.304 and 40 C.F.R. §60.4243(b)]

- a. 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. [40 C.F.R. §60.4243(b)(1)]

40. If the permittee own or operate an emergency stationary ICE, they 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 they 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. [Rule 19.304 and 40 C.F.R. §60.4243(d)]

- a. There is no time limit on the use of emergency stationary ICE in emergency situations. [40 C.F.R. §60.4243(d)(1)]
- b. The permittee may operate their 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). [40 C.F.R. §60.4243(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. [40 C.F.R. §60.4243(d)(2)(i)]
  - i. 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. [40 C.F.R. §60.4243(d)(2)(ii)]



- ii. 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. [40 C.F.R. §60.4243(d)(2)(iii)]
  - b. 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. [40 C.F.R. §60.4243(d)(3)]
    - 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: [40 C.F.R. §60.4243(d)(3)(i)]
      1. The engine is dispatched by the local balancing authority or local transmission and distribution system operator; [40 C.F.R. §60.4243(d)(3)(i)(A)]
      2. 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. [40 C.F.R. §60.4243(d)(3)(i)(B)]
      3. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines. [40 C.F.R. §60.4243(d)(3)(i)(C)]
      4. The power is provided only to the facility itself or to support the local transmission and distribution system. [40 C.F.R. §60.4243(d)(3)(i)(D)]
      5. 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. [40 C.F.R. §60.4243(d)(3)(i)(E)]
41. 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. [40 C.F.R. §60.4243(e)]

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42. Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of this section. [Rule 19.304 and 40 C.F.R. §60.4245(a)]
- a. All notifications submitted to comply with this subpart and all documentation supporting any notification. [40 C.F.R. §60.4245(a)(1)]
  - b. Maintenance conducted on the engine. [40 C.F.R. §60.4245(a)(2)]
  - c. 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. [40 C.F.R. §60.4245(a)(3)]
  - d. 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. [40 C.F.R. §60.4245(a)(4)]

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### Section V: INSIGNIFICANT ACTIVITIES

The Division of Environmental Quality deems the following types of activities or emissions as insignificant on the basis of size, emission rate, production rate, or activity in accordance with Group A of the Insignificant Activities list found in Rule 18 and Rule 19 Appendix A. Group B insignificant activities may be listed but are not required to be listed in permits. Insignificant activity emission determinations rely upon the information submitted by the permittee in an application dated January 12, 2023. [Rule 19.408 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

Description	Category
(1) 1.5 MMBtu/hr Tortilla Ovens	A-1
(1) 1.2 MMBtu/hr Rotary Brander #1	A-1
(1) 2.5 MMBtu/hr Hot Oil Heater	A-1
(1) 1.2 MMBtu/hr char-marker	A-1
4RMAU-6 Cleanup Burner	A-1
4RMAU-6 O/A Heating Burner	A-1
4RMAU-7 Cleanup Burner	A-1
4RMAU-7 Regeneration Burner	A-1
4RMAU-8 Cleaning/Heating Burner	A-1
4RMAU-9 Cleanup/Heating Burner	A-1
PASTA Mixer #1	A-13
PASTA Mixer #2	A-13
Cleaning Operations (Acetic Acid and Peroxyacetic Acid)	A-13

Section VI: GENERAL CONDITIONS

1. Any terms or conditions included in this permit that specify and reference Arkansas Pollution Control & Ecology Commission Rule 18 or the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 *et seq.*) as the sole origin of and authority for the terms or conditions are not required under the Clean Air Act or any of its applicable requirements, and are not federally enforceable under the Clean Air Act. Arkansas Pollution Control & Ecology Commission Rule 18 was adopted pursuant to the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 *et seq.*). Any terms or conditions included in this permit that specify and reference Arkansas Pollution Control & Ecology Commission Rule 18 or the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 *et seq.*) as the origin of and authority for the terms or conditions are enforceable under this Arkansas statute.
2. This permit does not relieve the owner or operator of the equipment and/or the facility from compliance with all applicable provisions of the Arkansas Water and Air Pollution Control Act and the rules promulgated under the Act. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
3. The permittee shall notify the Division of Environmental Quality in writing within thirty (30) days after each of the following events: commencement of construction, completion of construction, first operation of equipment and/or facility, and first attainment of the equipment and/or facility target production rate. [Rule 19.704 and/or Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
4. Construction or modification must commence within eighteen (18) months from the date of permit issuance. [Rule 19.410(B) and/or Rule 18.309(B) and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
5. The permittee must keep records for five years to enable the Division of Environmental Quality to determine compliance with the terms of this permit such as hours of operation, throughput, upset conditions, and continuous monitoring data. The Division of Environmental Quality may use the records, at the discretion of the Division of Environmental Quality, to determine compliance with the conditions of the permit. [Rule 19.705 and/or Rule 18.1004 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
6. A responsible official must certify any reports required by any condition contained in this permit and submit any reports to the Division of Environmental Quality electronically using <https://portal.adeg.state.ar.us> or mail them to the address below. [Rule 19.705 and/or Rule 18.1004 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

Division of Environmental Quality  
Office of Air Quality

ConAgra Foods Packaged Foods, LLC

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ATTN: Compliance Inspector Supervisor  
5301 Northshore Drive  
North Little Rock, AR 72118-5317

7. The permittee shall test any equipment scheduled for testing, unless stated in the Specific Conditions of this permit or by any federally regulated requirements, within the following time frames: (1) newly constructed or 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) existing equipment already operating according to the time frames set forth by the Division of Environmental Quality. The permittee must notify the Division of Environmental Quality of the scheduled date of compliance testing at least fifteen (15) business days in advance of such test. The permittee must submit compliance test results to the Division of Environmental Quality within sixty (60) calendar days after the completion of testing. [Rule 19.702 and/or Rule 18.1002 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
8. The permittee shall provide: [Rule 19.702 and/or Rule 18.1002 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
  - a. Sampling ports adequate for applicable test methods;
  - b. Safe sampling platforms;
  - c. Safe access to sampling platforms; and
  - d. Utilities for sampling and testing equipment
9. The permittee shall operate equipment, control apparatus and emission monitoring equipment within their design limitations. The permittee shall maintain in good condition at all times equipment, control apparatus and emission monitoring equipment. [Rule 19.303 and/or Rule 18.1104 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
10. If the permittee exceeds an emission limit established by this permit, the permittee will be deemed in violation of said permit and will be subject to enforcement action. The Division of Environmental Quality may forego enforcement action for emissions exceeding any limits established by this permit provided the following requirements are met: [Rule 19.601 and/or Rule 18.1101 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
  - a. The permittee demonstrates to the satisfaction of the Division of Environmental Quality that the emissions resulted from an equipment malfunction or upset and are not the result of negligence or improper maintenance, and the permittee took all reasonable measures to immediately minimize or eliminate the excess emissions.
  - b. The permittee reports the occurrence or upset or breakdown of equipment (by telephone, facsimile, overnight delivery, or online at <https://portal.adeg.state.ar.us>) to the Division of Environmental Quality by the

- end of the next business day after the occurrence or the discovery of the occurrence.
- c. The permittee must submit to the Division of Environmental Quality, within five business days after the occurrence or the discovery of the occurrence, a full, written report of such occurrence, including a statement of all known causes and of the scheduling and nature of the actions to be taken to minimize or eliminate future occurrences, including, but not limited to, action to reduce the frequency of occurrence of such conditions, to minimize the amount by which said limits are exceeded, and to reduce the length of time for which said limits are exceeded. If the information is included in the initial report, the information need not be submitted again.
11. The permittee shall allow representatives of the Division of Environmental Quality upon the presentation of credentials: [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
    - a. To enter upon the permittee's premises, or other premises under the control of the permittee, where an air pollutant source is located or in which any records are required to be kept under the terms and conditions of this permit;
    - b. To have access to and copy any records required to be kept under the terms and conditions of this permit, or the Act;
    - c. To inspect any monitoring equipment or monitoring method required in this permit;
    - d. To sample any emission of pollutants; and
    - e. To perform an operation and maintenance inspection of the permitted source.
  12. The Division of Environmental Quality issued this permit in reliance upon the statements and presentations made in the permit application. The Division of Environmental Quality has no responsibility for the adequacy or proper functioning of the equipment or control apparatus. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
  13. The Division of Environmental Quality may revoke or modify this permit when, in the judgment of the Division of Environmental Quality, such revocation or modification is necessary to comply with the applicable provisions of the Arkansas Water and Air Pollution Control Act and the rules promulgated the Arkansas Water and Air Pollution Control Act. [Rule 19.410(A) and/or Rule 18.309(A) and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
  14. This permit may be transferred. An applicant for a transfer must submit a written request for transfer of the permit on a form provided by the Division of Environmental Quality and submit the disclosure statement required by Arkansas Code Annotated §8-1-106 at least thirty (30) days in advance of the proposed transfer date. The permit will be automatically transferred to the new permittee unless the Division of Environmental Quality denies the request to transfer within thirty (30) days of the receipt of the disclosure statement. The Division of Environmental Quality may deny a transfer on the

basis of the information revealed in the disclosure statement or other investigation or, deliberate falsification or omission of relevant information. [Rule 19.407(B) and/or Rule 18.307(B) and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

15. This permit shall be available for inspection on the premises where the control apparatus is located. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
16. This permit authorizes only those pollutant emitting activities addressed herein. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
17. This permit supersedes and voids all previously issued air permits for this facility. [Rule 18 and/or Rule 19 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
18. The permittee must pay all permit fees in accordance with the procedures established in Rule 9. [Ark. Code Ann. § 8-1-105(c)]
19. The permittee may request in writing and at least 15 days in advance of the deadline, an extension to any testing, compliance or other dates in this permit. No such extensions are authorized until the permittee receives written Division of Environmental Quality approval. The Division of Environmental Quality may grant such a request, at its discretion in the following circumstances:
  - a. Such an extension does not violate a federal requirement;
  - b. The permittee demonstrates the need for the extension; and
  - c. The permittee documents that all reasonable measures have been taken to meet the current deadline and documents reasons it cannot be met.

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

20. The permittee may request in writing and at least 30 days in advance, temporary emissions and/or testing that would otherwise exceed an emission rate, throughput requirement, or other limit in this permit. No such activities are authorized until the permittee receives written Division of Environmental Quality approval. Any such emissions shall be included in the facility's total emissions and reported as such. The Division of Environmental Quality may grant such a request, at its discretion under the following conditions:
  - a. Such a request does not violate a federal requirement;
  - b. Such a request is temporary in nature;
  - c. Such a request will not result in a condition of air pollution;
  - d. The request contains such information necessary for the Division of Environmental Quality to evaluate the request, including but not limited to, quantification of such emissions and the date/time such emission will occur;



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- 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.

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

21. The permittee may request in writing and at least 30 days in advance, an alternative to the specified monitoring in this permit. No such alternatives are authorized until the permittee receives written Division of Environmental Quality approval. The Division of Environmental Quality may grant such a request, at its discretion under the following conditions:
- a. The request does not violate a federal requirement;
  - b. The request provides an equivalent or greater degree of actual monitoring to the current requirements; and
  - c. Any such request, if approved, is incorporated in the next permit modification application by the permittee.

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

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



## **Appendix A**

40 C.F.R. Part 60, Subpart Dc - *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*

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This content is from the eCFR and is authoritative but unofficial.

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## Title 40 - Protection of Environment

### Chapter I - Environmental Protection Agency

#### Subchapter C - Air Programs

#### Part 60 - Standards of Performance for New Stationary Sources

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

**Source:** 36 FR 24877, Dec. 23, 1971, unless otherwise noted.

#### Subpart Dc Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units

§ 60.40c Applicability and delegation of authority.

§ 60.41c Definitions.

§ 60.42c Standard for sulfur dioxide (SO<sub>2</sub>).

§ 60.43c Standard for particulate matter (PM).

§ 60.44c Compliance and performance test methods and procedures for sulfur dioxide.

§ 60.45c Compliance and performance test methods and procedures for particulate matter.

§ 60.46c Emission monitoring for sulfur dioxide.

§ 60.47c Emission monitoring for particulate matter.

§ 60.48c Reporting and recordkeeping requirements.

#### 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<sub>2</sub>) 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 combustion turbines and 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 heat recovery steam generators, fuel heaters, and other affected facilities that are capable of combusting more than or equal to 2.9 MW (10 MMBtu/h) heat input of fossil fuel but less than or equal to 29 MW (100 MMBtu/h) heat input of fossil fuel. If the heat recovery steam generator, fuel heater, or other affected facility 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.)
- (f) Any affected facility that meets the applicability requirements of and is subject to subpart AAAA or subpart CCCC of this part is not subject to this subpart.
- (g) Any facility that meets the applicability requirements and is subject to an EPA approved State or Federal section 111(d)/129 plan implementing subpart BBBB of this part is not subject to this subpart.
- (h) Affected facilities that also meet the applicability requirements under subpart J or subpart Ja of this part are subject to the PM and NO<sub>x</sub> standards under this subpart and the SO<sub>2</sub> standards under subpart J or subpart Ja of this part, as applicable.
- (i) Temporary boilers are not subject to this subpart.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5090, Jan. 28, 2009; 77 FR 9461, Feb. 16, 2012]

### § 60.41c 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 an individual fuel or combination of fuels during a period of 12 consecutive calendar months and the potential heat input to the steam generating unit from all fuels had the steam generating unit been operated for 8,760 hours during that 12-month period at the maximum 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 during a period of 12 consecutive calendar months.

**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 derived from coal for the purposes of creating useful heat, including but not limited to solvent refined coal, gasified coal not meeting the definition of natural gas, coal-oil mixtures, and coal-water mixtures, are also included in this definition for the purposes of this subpart.

**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 (kJ/kg) (6,000 Btu per pound (Btu/lb) on a dry basis.

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

**Combustion research** means the experimental firing of any fuel or combination of fuels in a steam generating unit for the purpose of conducting research and development of more efficient combustion or more effective prevention or control of air pollutant emissions from combustion, provided that, during these periods of research and development, the heat generated is not used for any purpose other than preheating combustion air for use by that steam generating unit (i.e., the heat generated is released to the atmosphere without being used for space heating, process heating, driving pumps, preheating combustion air for other units, generating electricity, or any other purpose).

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

**Distillate oil** means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396 (incorporated by reference, see § 60.17), diesel fuel oil numbers 1 or 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<sub>2</sub> control system that is located between the steam generating unit and the exhaust vent or stack, and that 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 reagents used in dry flue gas desulfurization systems include, but are not limited to, lime and sodium compounds.

**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<sub>2</sub> control system that is not defined as a conventional technology under this section, and for which the owner or operator of the affected facility has received approval from the Administrator to operate as an emerging technology under § 60.48c(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 a device wherein fuel is distributed onto a bed (or series of beds) of limestone aggregate (or other sorbent materials) for combustion; and these materials are forced upward in the device by the flow of combustion air and the gaseous products of combustion. Fluidized bed combustion technology includes, but is not limited to, bubbling bed units and circulating bed units.

**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.

**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 stationary gas turbines, internal combustion engines, and kilns).

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

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

**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 (LP) 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 oil and residual oil.

**Potential sulfur dioxide emission rate** means the theoretical SO<sub>2</sub> 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.

**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.

**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 for Testing and Materials in ASTM D396 (incorporated by reference, see § 60.17).

**Steam generating unit** means a device that combusts any fuel and produces steam or heats water or heats any heat transfer medium. This term includes any duct burner that combusts fuel and is part of a combined cycle system. This term does not include process heaters as 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 a steam generating unit that combusts natural gas or distillate oil with a potential SO<sub>2</sub> emissions rate no greater than 26 ng/J (0.060 lb/MMBtu), and the unit 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.

**Wet flue gas desulfurization technology** means an SO<sub>2</sub> control system that is located between the steam generating unit and the exhaust vent or stack, and that removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline slurry or solution and forming a liquid material. This definition includes devices where the liquid material is subsequently converted to another form. Alkaline reagents used in wet flue gas desulfurization systems include, but are not limited to, lime, limestone, and sodium compounds.

**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<sub>2</sub>.

**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 32759, June 13, 2007, as amended at 74 FR 5090, Jan. 28, 2009; 77 FR 9461, Feb. 16, 2012]

### § 60.42c Standard for sulfur dioxide (SO<sub>2</sub>).

- (a) Except as provided in paragraphs (b), (c), and (e) of this section, on and after the date on which the 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 combusts only coal shall neither: cause to be discharged into the atmosphere from the affected facility any gases that contain SO<sub>2</sub> in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 10 percent (0.10) of the potential SO<sub>2</sub> emission rate (90 percent reduction), nor cause to be discharged into the atmosphere from the affected facility any gases that contain SO<sub>2</sub> in excess of 520 ng/J (1.2 lb/MMBtu) heat input. If coal is combusted with other fuels, the affected facility shall neither: cause to be discharged into the atmosphere from the affected facility any gases that contain SO<sub>2</sub> in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 10 percent (0.10) of the potential SO<sub>2</sub> emission rate (90 percent reduction), nor cause to be discharged into the atmosphere from the affected facility any gases that contain SO<sub>2</sub> in excess of the emission limit is determined pursuant to paragraph (e)(2) of this section.
- (b) Except as provided in paragraphs (c) and (e) of this section, on and after the date on which the 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:
  - (1) Combusts only coal refuse alone in a fluidized bed combustion steam generating unit shall neither:
    - (i) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 20 percent (0.20) of the potential SO<sub>2</sub> emission rate (80 percent reduction); nor
    - (ii) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of SO<sub>2</sub> in excess of 520 ng/J (1.2 lb/MMBtu) heat input. If coal is fired with coal refuse, the affected facility subject to paragraph (a) of this section. If oil or any other fuel (except coal) is fired with coal refuse, the affected facility is subject to the 87 ng/J (0.20 lb/



MMBtu) heat input SO<sub>2</sub> emissions limit or the 90 percent SO<sub>2</sub> reduction requirement specified in paragraph (a) of this section and the emission limit is determined pursuant to paragraph (e)(2) of this section.

- (2) Combusts only coal and that uses an emerging technology for the control of SO<sub>2</sub> emissions shall neither:
  - (i) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of 50 percent (0.50) of the potential SO<sub>2</sub> emission rate (50 percent reduction); nor
  - (ii) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of 260 ng/J (0.60 lb/MMBtu) heat input. If coal is combusted with other fuels, the affected facility is subject to the 50 percent SO<sub>2</sub> reduction requirement specified in this paragraph and the emission limit determined pursuant to paragraph (e)(2) of this section.
- (c) On and after the date on which the initial 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 combusts coal, alone or in combination with any other fuel, and is listed in paragraphs (c)(1), (2), (3), or (4) of this section shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of the emission limit determined pursuant to paragraph (e)(2) of this section. Percent reduction requirements are not applicable to affected facilities under paragraphs (c)(1), (2), (3), or (4).
  - (1) Affected facilities that have a heat input capacity of 22 MW (75 MMBtu/h) or less;
  - (2) Affected facilities that have an annual capacity for coal of 55 percent (0.55) or less and are subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor for coal of 55 percent (0.55) or less.
  - (3) Affected facilities located in a noncontinental area; or
  - (4) Affected facilities that combust coal 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 in the duct burner and 70 percent (0.70) or more of the heat entering the steam generating unit is from exhaust gases entering the duct burner.
- (d) On and after the date on which the initial 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 combusts oil shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of 215 ng/J (0.50 lb/MMBtu) heat input from oil; or, as an alternative, no owner or operator of an affected facility that combusts oil shall combust oil in the affected facility that contains greater than 0.5 weight percent sulfur. The percent reduction requirements are not applicable to affected facilities under this paragraph.
- (e) On and after the date on which the initial 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 combusts coal, oil, or coal and oil with any other fuel shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of the following:
  - (1) The percent of potential SO<sub>2</sub> emission rate or numerical SO<sub>2</sub> emission rate required under paragraph (a) or (b)(2) of this section, as applicable, for any affected facility that
    - (i) Combusts coal in combination with any other fuel;

- (ii) Has a heat input capacity greater than 22 MW (75 MMBtu/h); and
  - (iii) Has an annual capacity factor for coal greater than 55 percent (0.55); and
- (2) The emission limit determined according to the following formula for any affected facility that combusts coal, oil, or coal and oil with any other fuel:

$$E_s = \frac{(K_a H_a + K_b H_b + K_c H_c)}{(H_a + H_b + H_c)}$$

Where:

$E_s$  = SO<sub>2</sub> emission limit, expressed in ng/J or lb/MMBtu heat input;

$K_a$  = 520 ng/J (1.2 lb/MMBtu);

$K_b$  = 260 ng/J (0.60 lb/MMBtu);

$K_c$  = 215 ng/J (0.50 lb/MMBtu);

$H_a$  = Heat input from the combustion of coal, except coal combusted in an affected facility subject to paragraph (b)(2) of this section, in Joules (J) [MMBtu];

$H_b$  = Heat input from the combustion of coal in an affected facility subject to paragraph (b)(2) of this section, in J (MMBtu); and

$H_c$  = Heat input from the combustion of oil, in J (MMBtu).

- (f) Reduction in the potential SO<sub>2</sub> emission rate through fuel pretreatment is not credited toward the percent reduction requirement under paragraph (b)(2) of this section unless:
  - (1) Fuel pretreatment results in a 50 percent (0.50) or greater reduction in the potential SO<sub>2</sub> emission rate; and
  - (2) Emissions from the pretreated fuel (without either combustion or post-combustion SO<sub>2</sub> control) are equal to or less than the emission limits specified under paragraph (b)(2) of this section.
- (g) Except as provided in paragraph (h) of this section, compliance with the percent reduction requirements, fuel oil sulfur limits, and emission limits of this section shall be determined on a 30-day rolling average basis.
- (h) For affected facilities listed under paragraphs (h)(1), (2), (3), or (4) of this section, compliance with the emission limits or fuel oil sulfur limits under this section may be determined based on a certification from the fuel supplier, as described under § 60.48c(f), as applicable.
  - (1) Distillate oil-fired affected facilities with heat input capacities between 2.9 and 29 MW (10 and 100 MMBtu/hr).
  - (2) Residual oil-fired affected facilities with heat input capacities between 2.9 and 8.7 MW (10 and 30 MMBtu/hr).



- (3) Coal-fired affected facilities with heat input capacities between 2.9 and 8.7 MW (10 and 30 MMBtu/h).
- (4) Other fuels-fired affected facilities with heat input capacities between 2.9 and 8.7 MW (10 and 30 MMBtu/h).
- (i) The SO<sub>2</sub> emission limits, fuel oil sulfur limits, and percent reduction requirements under this section apply at all times, including periods of startup, shutdown, and malfunction.
- (j) For affected facilities located in noncontinental areas and affected 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 under this section. No credit is provided for the heat input to the affected facility from wood or other fuels or for heat derived from exhaust gases from other sources, such as stationary gas turbines, internal combustion engines, and kilns.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5090, Jan. 28, 2009; 77 FR 9462, Feb. 16, 2012]

### § 60.43c Standard for particulate matter (PM).

- (a) On and after the date on which the initial 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 or combusts mixtures of coal with other fuels and has a heat input capacity of 8.7 MW (30 MMBtu/h) or greater, 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 if the affected facility combusts only coal, or combusts coal with 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 with other fuels, 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.
- (b) On and after the date on which the initial 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 wood or combusts mixtures of wood with other fuels (except coal) and has a heat input capacity of 8.7 MW (30 MMBtu/h) or greater, shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of the following emissions limits:
  - (1) 43 ng/J (0.10 lb/MMBtu) heat input if the affected facility has an annual capacity factor for wood greater than 30 percent (0.30); or
  - (2) 130 ng/J (0.30 lb/MMBtu) heat input if the affected facility has an annual capacity factor for wood of 30 percent (0.30) or less and is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor for wood of 30 percent (0.30) or less.
- (c) On and after the date on which the initial 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 combusts coal, wood, or oil and has a heat input capacity of 8.7 MW (30 MMBtu/h) or greater shall cause to be discharged into the atmosphere from that affected facility 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. Owners and operators of an affected facility that elect to install, calibrate, maintain, and operate a continuous emissions monitoring system (CEMS) for measuring PM emissions according to the requirements of this subpart and are subject to a federally enforceable PM limit of 0.030 lb/MMBtu or less are exempt from the opacity standard specified in this paragraph (c).

- (d) The PM and opacity standards under this section apply at all times, except during periods of startup, shutdown, or malfunction.
- (e)
  - (1) 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, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels and has a heat input capacity of 8.7 MW (30 MMBtu/h) or greater 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, except as provided in paragraphs (e)(2), (e)(3), and (e)(4) of this section.
  - (2) As an alternative to meeting the requirements of paragraph (e)(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, whichever date comes first, 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 heat input capacity of 8.7 MW (30 MMBtu/h) or greater 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) An owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts only oil that contains no more than 0.50 weight percent sulfur or a mixture of 0.50 weight percent sulfur oil with other fuels not subject to a PM standard under § 60.43c and not using a post-combustion technology (except a wet scrubber) to reduce PM or SO<sub>2</sub> emissions is not subject to the PM limit in this section.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009; 77 FR 9462, Feb. 16, 2012]

### § 60.44c Compliance and performance test methods and procedures for sulfur dioxide.

- (a) Except as provided in paragraphs (g) and (h) of this section and § 60.8(b), performance tests required under § 60.8 shall be conducted following the procedures specified in paragraphs (b), (c), (d), (e), and (f) of this section, as applicable. 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.
- (b) The initial performance test required under § 60.8 shall be conducted over 30 consecutive operating days of the steam generating unit. Compliance with the percent reduction requirements and SO<sub>2</sub> emission limits under § 60.42c 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 affect facility will be operated, but not later than 180 days after the initial startup of the facility. The steam generating unit load during the 30-day period does not have to be the maximum design heat input capacity, but must be representative of future operating conditions.
- (c) After the initial performance test required under paragraph (b) of this section and § 60.8, compliance with the percent reduction requirements and SO<sub>2</sub> emission limits under § 60.42c is based on the average percent reduction and the average SO<sub>2</sub> emission rates for 30 consecutive steam generating unit operating days. A separate performance test is completed at the end of each steam generating unit operating day, and a new 30-day average percent reduction and SO<sub>2</sub> emission rate are calculated to show compliance with the standard.
- (d) If only coal, only oil, or a mixture of coal and oil is combusted in an affected facility, the procedures in Method 19 of appendix A of this part are used to determine the hourly SO<sub>2</sub> emission rate (E<sub>ho</sub>) and the 30-day average SO<sub>2</sub> emission rate (E<sub>ao</sub>). The hourly averages used to compute the 30-day averages are obtained from the CEMS. Method 19 of appendix A of this part shall be used to calculate E<sub>ao</sub> when using daily fuel sampling or Method 6B of appendix A of this part.
- (e) If coal, oil, or coal and oil are combusted with other fuels:
  - (1) An adjusted E<sub>ho</sub> (E<sub>ho0</sub>) is used in Equation 19-19 of Method 19 of appendix A of this part to compute the adjusted E<sub>ao</sub> (E<sub>ao0</sub>). The E<sub>ho0</sub> is computed using the following formula:

$$E_{ho0} = \frac{E_{ho} - E_w(1 - X_k)}{X_k}$$

Where:

E<sub>ho0</sub> = Adjusted E<sub>ho</sub>, ng/J (lb/MMBtu);

E<sub>ho</sub> = Hourly SO<sub>2</sub> emission rate, ng/J (lb/MMBtu);

E<sub>w</sub> = SO<sub>2</sub> concentration in fuels other than coal and oil combusted in the affected facility, as determined by fuel sampling and analysis procedures in Method 9 of appendix A of this part, ng/J (lb/MMBtu). The value E<sub>w</sub> for each fuel lot is used for each hourly average during the time that the lot is being combusted. The owner or operator does not have to measure E<sub>w</sub> if the owner or operator elects to assume E<sub>w</sub> = 0.

X<sub>k</sub> = Fraction of the total heat input from fuel combustion derived from coal and oil, as determined by applicable procedures in Method 19 of appendix A of this part.

- (2) The owner or operator of an affected facility that qualifies under the provisions of § 60.42c(c) or (d) (where percent reduction is not required) does not have to measure the parameters  $E_w$  or  $X_k$  if the owner or operator of the affected facility elects to measure emission rates of the coal or oil using the fuel sampling and analysis procedures under Method 19 of appendix A of this part.
- (f) Affected facilities subject to the percent reduction requirements under § 60.42c(a) or (b) shall determine compliance with the SO<sub>2</sub> emission limits under § 60.42c pursuant to paragraphs (d) or (e) of this section, and shall determine compliance with the percent reduction requirements using the following procedures:
- (1) If only coal is combusted, the percent of potential SO<sub>2</sub> emission rate 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<sub>2</sub> emission rate, in percent;

$\%R_g$  = SO<sub>2</sub> removal efficiency of the control device as determined by Method 19 of appendix A of this part, in percent; and

$\%R_f$  = SO<sub>2</sub> removal efficiency of fuel pretreatment as determined by Method 19 of appendix A of this part, in percent.

- (2) If coal, oil, or coal and oil are combusted with other fuels, the same procedures required in paragraph (f)(1) of this section are used, except as provided for in the following:
- (i) To compute the  $\%P_s$ , an adjusted  $\%R_g$  ( $\%R_{gO}$ ) is computed from  $E_{aO}$  from paragraph (e)(1) of this section and an adjusted average SO<sub>2</sub> inlet rate ( $E_{aiO}$ ) using the following formula:

$$\%R_{gO} = 100 \left( 1 - \frac{E_{so}^o}{E_{ai}^o} \right)$$

Where:

$\%R_{gO}$  = Adjusted  $\%R_g$ , in percent;

$E_{aO}$  = Adjusted  $E_{aO}$ , ng/J (lb/MMBtu); and

$E_{aiO}$  = Adjusted average SO<sub>2</sub> inlet rate, ng/J (lb/MMBtu).

- (ii) To compute  $E_{aiO}$ , an adjusted hourly SO<sub>2</sub> inlet rate ( $E_{hiO}$ ) is used. The  $E_{hiO}$  is computed using the following formula:

$$E_{hi0} = \frac{E_w - E_w(1 - X_k)}{X_k}$$

Where:

$E_{hi0}$  = Adjusted  $E_{hi}$ , ng/J (lb/MMBtu);

$E_{hi}$  = Hourly  $SO_2$  inlet 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 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. The owner or operator does not have to measure  $E_w$  if the owner or operator elects to assume  $E_w = 0$ ; and

$X_k$  = Fraction of the total heat input from fuel combustion derived from coal and oil, as determined by applicable procedures in Method 19 of appendix A of this part.

- (g) For oil-fired affected facilities where the owner or operator seeks to demonstrate compliance with the fuel oil sulfur limits under § 60.42c based on shipment fuel sampling, the initial performance test shall consist of sampling and analyzing the oil in the initial tank of oil to be fired in the steam generating unit to demonstrate that the oil contains 0.5 weight percent sulfur or less. Thereafter, the owner or operator of the affected facility shall sample the oil in the fuel tank after each new shipment of oil is received, as described under § 60.46c(d)(2).
- (h) For affected facilities subject to § 60.42c(h)(1), (2), or (3) where the owner or operator seeks to demonstrate compliance with the  $SO_2$  standards based on fuel supplier certification, the performance test shall consist of the certification from the fuel supplier, as described in § 60.48c(f), as applicable.
- (i) The owner or operator of an affected facility seeking to demonstrate compliance with the  $SO_2$  standards under § 60.42c(c)(2) shall demonstrate the maximum design heat input capacity of the steam generating unit by operating the steam generating unit at this capacity for 24 hours. This demonstration shall be made during the initial performance test, and a subsequent demonstration may be requested at any other time. If the demonstrated 24-hour average firing rate for the affected facility is less than the maximum design heat input capacity stated by the manufacturer of the affected facility, the demonstrated 24-hour average firing rate shall be used to determine the annual capacity factor for the affected facility; otherwise, the maximum design heat input capacity provided by the manufacturer shall be used.
- (j) The owner or operator of an affected facility shall use all valid  $SO_2$  emissions data in calculating  $\%P_s$  and  $E_{ho}$  under paragraphs (d), (e), or (f) of this section, as applicable, whether or not the minimum emissions data requirements under § 60.46c(f) are achieved. All valid emissions data, including valid data collected during periods of startup, shutdown, and malfunction, shall be used in calculating  $\%P_s$  or  $E_{ho}$  pursuant to paragraphs (d), (e), or (f) of this section, as applicable.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009]

### § 60.45c Compliance and performance test methods and procedures for particulate matter.

- (a) The owner or operator of an affected facility subject to the PM and/or opacity standards under § 60.43c shall conduct an initial performance test as required under § 60.8, and shall conduct subsequent performance tests as requested by the Administrator, to determine compliance with the standards using the following procedures and reference methods, except as specified in paragraph (c) of this section.
- (1) Method 1 of appendix A of this part shall be used to select the sampling site and the number of traverse sampling points.
  - (2) Method 3A or 3B of appendix A-2 of this part shall be used for gas analysis when applying Method 5 or 5B of appendix A-3 of this part or 17 of appendix A-6 of this part.
  - (3) 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 may be used only at affected facilities without wet scrubber systems.
    - (ii) Method 17 of appendix A of this part may be used at affected 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 of this part may be used in Method 17 of appendix A of this part only if Method 17 of appendix A of this part is used in conjunction with a wet scrubber system. Method 17 of appendix A of this part shall not be used in conjunction with a wet scrubber system if the effluent is saturated or laden with water droplets.
    - (iii) Method 5B of appendix A of this part may be used in conjunction with a wet scrubber system.
  - (4) The sampling time for each run shall be at least 120 minutes and the minimum sampling volume shall be 1.7 dry standard cubic meters (dscm) [60 dry standard cubic feet (dscf)] except that smaller sampling times or volumes may be approved by the Administrator when necessitated by process variables or other factors.
  - (5) For Method 5 or 5B of appendix A of this part, the temperature of the sample gas in the probe and filter holder shall be monitored and maintained at 160 ±14 °C (320±25 °F).
  - (6) For determination of PM emissions, an oxygen (O<sub>2</sub>) or carbon dioxide (CO<sub>2</sub>) measurement shall be 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.
  - (7) For each run using Method 5, 5B, or 17 of appendix A of this part, the emission rates expressed in ng/J (lb/MMBtu) heat input shall be determined using:
    - (i) The O<sub>2</sub> or CO<sub>2</sub> 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.
  - (8) Method 9 of appendix A-4 of this part shall be used for determining the opacity of stack emissions.



- (b) The owner or operator of an affected facility seeking to demonstrate compliance with the PM standards under § 60.43c(b)(2) shall demonstrate the maximum design heat input capacity of the steam generating unit by operating the steam generating unit at this capacity for 24 hours. This demonstration shall be made during the initial performance test, and a subsequent demonstration may be requested at any other time. If the demonstrated 24-hour average firing rate for the affected facility is less than the maximum design heat input capacity stated by the manufacturer of the affected facility, the demonstrated 24-hour average firing rate shall be used to determine the annual capacity factor for the affected facility; otherwise, the maximum design heat input capacity provided by the manufacturer shall be used.
- (c) 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 install, calibrate, maintain, and operate a CEMS and shall comply with the requirements specified in paragraphs (c)(1) through (c)(14) of this section.
- (1) Notify the Administrator 1 month before starting use of the system.
  - (2) Notify the Administrator 1 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 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 (d) 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 paragraph (c)(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 (c)(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 (c)(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<sub>2</sub> (or CO<sub>2</sub>) 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<sub>2</sub> (or CO<sub>2</sub>), 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 Audits 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 on a 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/](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.
- (d) The owner or operator of an affected facility seeking to demonstrate compliance under § 60.43c(e)(4) shall follow the applicable procedures under § 60.48c(f). For residual oil-fired affected facilities, fuel supplier certifications are only allowed for facilities with heat input capacities between 2.9 and 8.7 MW (10 to 30 MMBtu/h).

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009; 76 FR 3523, Jan. 20, 2011; 77 FR 9463, Feb. 16, 2012]

### § 60.46c Emission monitoring for sulfur dioxide.

- (a) Except as provided in paragraphs (d) and (e) of this section, the owner or operator of an affected facility subject to the SO<sub>2</sub> emission limits under § 60.42c shall install, calibrate, maintain, and operate a CEMS for measuring SO<sub>2</sub> concentrations and either O<sub>2</sub> or CO<sub>2</sub> concentrations at the outlet of the SO<sub>2</sub> control device (or the outlet of the steam generating unit if no SO<sub>2</sub> control device is used), and shall record the output of the system. The owner or operator of an affected facility subject to the percent reduction requirements under § 60.42c shall measure SO<sub>2</sub> concentrations and either O<sub>2</sub> or CO<sub>2</sub> concentrations at both the inlet and outlet of the SO<sub>2</sub> control device.
- (b) The 1-hour average SO<sub>2</sub> emission rates measured by a CEMS shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the average emission rates under § 60.42c. Each 1-hour average SO<sub>2</sub> emission rate must be based on at least 30 minutes of operation, and shall be calculated using the data



points required under § 60.13(h)(2). Hourly SO<sub>2</sub> emission rates are not calculated if the affected facility is operated less than 30 minutes in a 1-hour period and are not counted toward determination of a steam generating unit operating day.

- (c) The procedures under § 60.13 shall be followed for installation, evaluation, and operation of the CEMS.
- (1) 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) 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 subject to the percent reduction requirements under § 60.42c, the span value of the SO<sub>2</sub> CEMS at the inlet to the SO<sub>2</sub> control device shall be 125 percent of the maximum estimated hourly potential SO<sub>2</sub> emission rate of the fuel combusted, and the span value of the SO<sub>2</sub> CEMS at the outlet from the SO<sub>2</sub> control device shall be 50 percent of the maximum estimated hourly potential SO<sub>2</sub> emission rate of the fuel combusted.
  - (4) For affected facilities that are not subject to the percent reduction requirements of § 60.42c, the span value of the SO<sub>2</sub> CEMS at the outlet from the SO<sub>2</sub> control device (or outlet of the steam generating unit if no SO<sub>2</sub> control device is used) shall be 125 percent of the maximum estimated hourly potential SO<sub>2</sub> emission rate of the fuel combusted.
- (d) As an alternative to operating a CEMS at the inlet to the SO<sub>2</sub> control device (or outlet of the steam generating unit if no SO<sub>2</sub> control device is used) as required under paragraph (a) of this section, an owner or operator may elect to determine the average SO<sub>2</sub> emission rate by sampling the fuel prior to combustion. As an alternative to operating a CEMS at the outlet from the SO<sub>2</sub> control device (or outlet of the steam generating unit if no SO<sub>2</sub> control device is used) as required under paragraph (a) of this section, an owner or operator may elect to determine the average SO<sub>2</sub> emission rate by using Method 6B of appendix A of this part. Fuel sampling shall be conducted pursuant to either paragraph (d)(1) or (d)(2) of this section. Method 6B of appendix A of this part shall be conducted pursuant to paragraph (d)(3) of this section.
- (1) For affected facilities combusting coal or oil, coal or oil samples shall be collected daily in an as-fired condition at the inlet to the steam generating unit and analyzed for sulfur content and heat content according the 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<sub>2</sub> input rate.
  - (2) As an alternative fuel sampling procedure for affected facilities combusting oil, oil samples may be collected from the fuel tank for each steam generating unit immediately after the fuel tank is filled and before any oil is combusted. The owner or operator of the affected facility shall analyze the oil sample to determine the sulfur content of the oil. If a partially empty fuel tank is refilled, a new sample and analysis of the fuel in the tank would be required upon filling. Results of the fuel analysis taken after each new shipment of oil is received shall be used as the daily value when calculating the 30-day rolling average until the next shipment is received. If the fuel analysis shows that the sulfur content in the fuel tank is greater than 0.5 weight percent sulfur, the owner or operator shall ensure that the sulfur content of subsequent oil shipments is low enough to cause the 30-day rolling average sulfur content to be 0.5 weight percent sulfur or less.

- (3) Method 6B of appendix A of this part may be used in lieu of CEMS to measure SO<sub>2</sub> at the inlet or outlet of the SO<sub>2</sub> 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<sub>2</sub> and CO<sub>2</sub> measurement train operated at the candidate location and a second similar train operated according to the procedures in § 3.2 and the applicable procedures in section 7 of Performance Specification 2 of appendix B of this part. Method 6B of appendix A of this part, Method 6A of appendix A of this part, or a combination of Methods 6 and 3 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 (0.10).
- (e) The monitoring requirements of paragraphs (a) and (d) of this section shall not apply to affected facilities subject to § 60.42c(h) (1), (2), or (3) where the owner or operator of the affected facility seeks to demonstrate compliance with the SO<sub>2</sub> standards based on fuel supplier certification, as described under § 60.48c(f), as applicable.
- (f) The owner or operator of an affected facility operating a CEMS pursuant to paragraph (a) of this section, or conducting as-fired fuel sampling pursuant to paragraph (d)(1) of this section, shall obtain emission data for at least 75 percent of the operating hours in at least 22 out of 30 successive steam generating unit 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.

### § 60.47c Emission monitoring for particulate matter.

- (a) Except as provided in paragraphs (c), (d), (e), and (f) of this section, the owner or operator of an affected facility combusting coal, oil, or wood that is subject to the opacity standards under § 60.43c shall install, calibrate, maintain, and operate a continuous opacity monitoring system (COMS) for measuring the opacity of the 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 in § 60.43c(c) that is not required to use a COMS due to paragraphs (c), (d), (e), or (f) of this section that 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 § 60.43c 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 § 60.45c(a)(8).
  - (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) All COMS shall be operated in accordance with the applicable procedures under Performance Specification 1 of appendix B of this part. The span value of the opacity COMS shall be between 60 and 80 percent.
- (c) Owners and operators of an affected facilities that burn only distillate oil that contains no more than 0.5 weight percent sulfur and/or liquid or gaseous fuels with potential sulfur dioxide emission rates of 26 ng/J (0.060 lb/MMBtu) heat input or less and that do not use a post-combustion technology to reduce SO<sub>2</sub> or PM emissions and that are subject to an opacity standard in § 60.43c(c) are not required to operate a COMS if they follow the applicable procedures in § 60.48c(f).
- (d) 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 § 60.45c(c). The CEMS specified in paragraph § 60.45c(c) 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.
- (e) Owners and operators of an affected facility that is subject to an opacity standard in § 60.43c(c) and that does not use post-combustion technology (except a wet scrubber) for reducing PM, SO<sub>2</sub>, or carbon monoxide (CO) emissions, burns only gaseous fuels or fuel oils that contain less than or equal to 0.5 weight percent sulfur, and is operated such that emissions of CO discharged to the atmosphere from the affected facility are maintained at levels less than or equal to 0.15 lb/MMBtu on a boiler operating day average basis is not required to operate a COMS. Owners and operators of affected facilities electing to comply with this paragraph must demonstrate compliance according to the procedures specified in paragraphs (e)(1) through (4) of this section; or
  - (1) You must monitor CO emissions using a CEMS according to the procedures specified in paragraphs (e)(1)(i) through (iv) of this section.
    - (i) 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.
    - (ii) 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).
    - (iii) 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).
    - (iv) 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.
  - (2) 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.

- (3) 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.
  - (4) You must record the CO measurements and calculations performed according to paragraph (e) 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.
- (f) An owner or operator of an affected facility that is subject to an opacity standard in § 60.43c(c) is not required to operate a COMS provided that the affected facility meets the conditions in either paragraphs (f)(1), (2), or (3) of this section.
- (1) The affected facility uses a fabric filter (baghouse) as the primary PM control device and, the owner or operator operates a bag leak detection system to monitor the performance of the fabric filter according to the requirements in section § 60.48Da of this part.
  - (2) The affected facility uses an ESP as the primary PM control device, and the owner or operator uses an ESP predictive model to monitor the performance of the ESP developed in accordance and operated according to the requirements in section § 60.48Da of this part.
  - (3) The affected facility burns only gaseous fuels and/or fuel oils that contain no greater than 0.5 weight percent sulfur, and the owner or operator operates the unit 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. 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 § 60.48c(c).

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009; 76 FR 3523, Jan. 20, 2011; 77 FR 9463, Feb. 16, 2012]

### § 60.48c Reporting and recordkeeping requirements.

- (a) The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction and actual startup, as provided by § 60.7 of this part. This notification shall include:
  - (1) The design heat input capacity of the affected facility and identification of 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 § 60.42c, or § 60.43c.
  - (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.



- (4) Notification if an emerging technology will be used for controlling SO<sub>2</sub> emissions. The Administrator will examine the description of the control device 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 § 60.42c(a) or (b)(1), unless and until this determination is made by the Administrator.
- (b) The owner or operator of each affected facility subject to the SO<sub>2</sub> emission limits of § 60.42c, or the PM or opacity limits of § 60.43c, shall submit to the Administrator the performance test data from the initial and any subsequent performance tests and, if applicable, the performance evaluation of the CEMS and/or COMS using the applicable performance specifications in appendix B of this part.
- (c) In addition to the applicable requirements in § 60.7, the owner or operator of an affected facility subject to the opacity limits in § 60.43c(c) shall submit excess emission reports for any excess emissions from the affected facility that occur during the reporting period and maintain records according to the requirements specified in paragraphs (c)(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 (c)(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 (c)(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
- (d) The owner or operator of each affected facility subject to the SO<sub>2</sub> emission limits, fuel oil sulfur limits, or percent reduction requirements under § 60.42c shall submit reports to the Administrator.
- (e) The owner or operator of each affected facility subject to the SO<sub>2</sub> emission limits, fuel oil sulfur limits, or percent reduction requirements under § 60.42c shall keep records and submit reports as required under paragraph (d) of this section, including the following information, as applicable.
  - (1) Calendar dates covered in the reporting period.

- (2) Each 30-day average SO<sub>2</sub> emission rate (ng/J or lb/MMBtu), or 30-day average sulfur content (weight percent), calculated during the reporting period, ending with the last 30-day period; reasons for any noncompliance with the emission standards; and a description of corrective actions taken.
  - (3) Each 30-day average percent of potential SO<sub>2</sub> emission rate calculated during the reporting period, ending with the last 30-day period; reasons for any noncompliance with the emission standards; and a description of the corrective actions taken.
  - (4) Identification of any steam generating unit operating days for which SO<sub>2</sub> or diluent (O<sub>2</sub> or CO<sub>2</sub>) 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 a description of corrective actions taken.
  - (5) Identification of any times when emissions data have been excluded from the calculation of average emission rates; justification for excluding data; and a description of corrective actions 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 the F factor used in calculations, method of determination, and type of fuel combusted.
  - (7) Identification of whether averages have been obtained based on CEMS rather than manual sampling methods.
  - (8) If a CEMS is used, identification of any times when the pollutant concentration exceeded the full span of the CEMS.
  - (9) If a CEMS is used, description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specifications 2 or 3 of appendix B of this part.
  - (10) If a CEMS is used, results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1 of this part.
  - (11) If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph (f)(1), (2), (3), or (4) of this section, as applicable. In addition to records of fuel supplier certifications, the report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.
- (f) Fuel supplier certification shall include the following information:
- (1) For distillate oil:
    - (i) The name of the oil supplier;
    - (ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in § 60.41c; and
    - (iii) The sulfur content or maximum sulfur content of the oil.
  - (2) For residual oil:
    - (i) The name of the oil supplier;

- (ii) The location of the oil when the sample was drawn for analysis to determine the sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility, or whether the sample was drawn from oil in storage at the oil supplier's or oil refiner's facility, or other location;
- (iii) The sulfur content of the oil from which the shipment came (or of the shipment itself); and
- (iv) The method used to determine the sulfur content of the oil.

(3) For coal:

- (i) The name of the coal supplier;
- (ii) The location of the coal when the sample was collected for analysis to determine the properties of the coal, specifically including whether the coal was sampled as delivered to the affected facility or whether the sample was collected from coal in storage at the mine, at a coal preparation plant, at a coal supplier's facility, or at another location. The certification shall include the name of the coal mine (and coal seam), coal storage facility, or coal preparation plant (where the sample was collected);
- (iii) The results of the analysis of the coal from which the shipment came (or of the shipment itself) including the sulfur content, moisture content, ash content, and heat content; and
- (iv) The methods used to determine the properties of the coal.

(4) For other fuels:

- (i) The name of the supplier of the fuel;
- (ii) The potential sulfur emissions rate or maximum potential sulfur emissions rate of the fuel in ng/J heat input; and
- (iii) The method used to determine the potential sulfur emissions rate of the fuel.

(g)

- (1) Except as provided under paragraphs (g)(2) and (g)(3) of this section, the owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each operating day.
- (2) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in § 60.48c(f) to demonstrate compliance with the SO<sub>2</sub> standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.
- (3) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility or multiple affected facilities located on a contiguous property unit where the only fuels combusted in any steam generating unit (including steam generating units not subject to this subpart) at that property are natural gas, wood, distillate oil meeting the most current requirements in § 60.42C to use fuel certification to demonstrate compliance with the SO<sub>2</sub> standard, and/or fuels, excluding coal and residual oil, not subject to an emissions standard (excluding opacity) may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month.



- (h) The owner or operator of each affected facility subject to a federally enforceable requirement limiting the annual capacity factor for any fuel or mixture of fuels under § 60.42c or § 60.43c shall calculate the annual capacity factor individually for each fuel combusted. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of the calendar month.
- (i) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.
- (j) The reporting period for the reports required under this subpart is each six-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.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009]

## **Appendix B**

40 C.F.R. Part 63, Subpart ZZZZ - *National Emissions Standards for Hazardous Air Pollutants  
for Stationary Reciprocating Internal Combustion Engines*

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This content is from the eCFR and is authoritative but unofficial.

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## Title 40 - Protection of Environment

### Chapter I - Environmental Protection Agency

#### Subchapter C - Air Programs

#### Part 63 - National Emission Standards for Hazardous Air Pollutants for Source Categories

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

##### What This Subpart Covers

- § 63.6580 What is the purpose of subpart ZZZZ?
- § 63.6585 Am I subject to this subpart?
- § 63.6590 What parts of my plant does this subpart cover?
- § 63.6595 When do I have to comply with this subpart?

##### 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?
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- § 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?
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§ 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?

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

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#### Notifications, Reports, and Records

§ 63.6645 What notifications must I submit and when?

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#### 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

#### 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

#### 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  $\geq$ 250 HP Located at a Major Source of HAP Emissions

#### 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  
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**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  
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HAP Emissions

**Table 2d to Subpart ZZZZ of Part 63**

Requirements for Existing Stationary RICE Located at Area  
Sources of HAP Emissions

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Subsequent Performance Tests

**Table 4 to Subpart ZZZZ of Part 63**

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**Table 5 to Subpart ZZZZ of Part 63**

Initial Compliance With Emission Limitations, Operating  
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**Table 6 to Subpart ZZZZ of Part 63**

Continuous Compliance With Emission Limitations, and Other  
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Applicability of General Provisions to Subpart ZZZZ.

**Appendix A to Subpart ZZZZ of Part 63**

Protocol for Using an Electrochemical Analyzer to Determine  
Oxygen and Carbon Monoxide Concentrations From Certain  
Engines

**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 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 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 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; 87 FR 48607, Aug. 10, 2022]

## § 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.
  - (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.
  - (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; 87 FR 48607, Aug. 10, 2022]

### § 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 1090.305 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 for the purpose specified in § 63.6640(f)(4)(ii), you must use diesel fuel that meets the requirements in 40 CFR 1090.305 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) [Reserved]
- (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, as amended at 85 FR 78463, Dec. 4, 2020; 87 FR 48607, Aug. 10, 2022]

#### 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:

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

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<sub>2</sub>). If pollutant concentrations are to be corrected to 15 percent oxygen and CO<sub>2</sub> concentration is measured in lieu of oxygen concentration measurement, a CO<sub>2</sub> correction factor is needed. Calculate the CO<sub>2</sub> correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.
- (i) Calculate the fuel-specific F<sub>O</sub> value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

$$F_O = \frac{0.209 F_d}{F_C} \quad (\text{Eq. 2})$$

Where:

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

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

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

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

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

$$X_{CO_2} = \frac{5.9}{F_O} \quad (\text{Eq. 3})$$

Where:

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

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

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

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

Where:

C<sub>adj</sub> = Calculated concentration of CO, THC, or formaldehyde adjusted to 15 percent O<sub>2</sub>.

C<sub>d</sub> = Measured concentration of CO, THC, or formaldehyde, uncorrected.

$X_{CO_2}$  = CO<sub>2</sub> correction factor, percent.

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

- (f) If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitation to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or NSCR, you must petition the Administrator for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Administrator.
- (g) If you petition the Administrator for approval of operating limitations, your petition must include the information described in paragraphs (g)(1) through (5) of this section.
- (1) Identification of the specific parameters you propose to use as operating limitations;
  - (2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters, and how limitations on these parameters will serve to limit HAP emissions;
  - (3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;
  - (4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and
  - (5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.
- (h) If you petition the Administrator for approval of no operating limitations, your petition must include the information described in paragraphs (h)(1) through (7) of this section.
- (1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally (e.g., operator adjustment, automatic controller adjustment, etc.) or unintentionally (e.g., wear and tear, error, etc.) on a routine basis or over time;
  - (2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;
  - (3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;
  - (4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;
  - (5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;
  - (6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

- (7) A discussion of why, from your point of view, it is infeasible or unreasonable to adopt the parameters as operating limitations.
- (i) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided.

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

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

- (a) If you elect to install a CEMS as specified in Table 5 of this subpart, you must install, operate, and maintain a CEMS to monitor CO and either O<sub>2</sub> or CO<sub>2</sub> according to the requirements in paragraphs (a)(1) through (4) of this section. If you are meeting a requirement to reduce CO emissions, the CEMS must be installed at both the inlet and outlet of the control device. If you are meeting a requirement to limit the concentration of CO, the CEMS must be installed at the outlet of the control device.
  - (1) Each CEMS must be installed, operated, and maintained according to the applicable performance specifications of 40 CFR part 60, appendix B.
  - (2) You must conduct an initial performance evaluation and an annual relative accuracy test audit (RATA) of each CEMS according to the requirements in § 63.8 and according to the applicable performance specifications of 40 CFR part 60, appendix B as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.
  - (3) As specified in § 63.8(c)(4)(ii), each CEMS must complete a minimum of one cycle of operation (sampling, 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<sub>2</sub> concentration.
- (b) If you are required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of this subpart, you must install, operate, and maintain each CPMS according to the requirements in paragraphs (b)(1) through (6) of this section. For an affected source that is complying with the emission limitations and operating limitations on March 9, 2011, the requirements in paragraph (b) of this section are applicable September 6, 2011.

- (1) You must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of this section and in § 63.8(d). As specified in § 63.8(f)(4), you may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs (b)(1) through (5) of this section in your site-specific monitoring plan.
    - (i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;
    - (ii) Sampling interface (e.g., thermocouple) location such that the monitoring system will provide representative measurements;
    - (iii) Equipment performance evaluations, system accuracy audits, or other audit procedures;
    - (iv) Ongoing operation and maintenance procedures in accordance with provisions in § 63.8(c)(1)(ii) and (c)(3); and
    - (v) Ongoing reporting and 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<sub>2</sub> using one of the O<sub>2</sub> measurement methods specified in Table 4 of this subpart. Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurements for CO or THC concentration.
  - (6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O<sub>2</sub> emissions simultaneously at the inlet and outlet of the control device.

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

## CONTINUOUS COMPLIANCE REQUIREMENTS

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

- (a) If you must comply with emission and operating limitations, you must monitor and collect data according to this section.
- (b) Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, you must monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
- (c) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods.

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



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

- (a) You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.
- (b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in § 63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.
- (c) The annual compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:
  - (1) The compliance demonstration must consist of at least one test run.
  - (2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.
  - (3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.
  - (4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.
  - (5) You must measure O<sub>2</sub> using one of the O<sub>2</sub> measurement methods specified in Table 4 of this subpart. Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurements for CO or THC concentration.
  - (6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O<sub>2</sub> emissions simultaneously at the inlet and outlet of the control device.
  - (7) If the results of the annual compliance demonstration show that the emissions exceed the levels specified in Table 6 of this subpart, the stationary RICE must be shut down as soon as safely possible, and appropriate corrective action must be taken (e.g., repairs, catalyst cleaning, catalyst replacement). The stationary RICE must be retested within 7 days of being restarted and the emissions must meet the levels specified in Table 6 of this subpart. If the retest shows that the emissions continue to exceed the specified levels, the stationary RICE must again be shut down as soon as safely possible, and the stationary RICE may not operate, except for purposes of startup and testing, until the owner/operator demonstrates through testing that the emissions do not exceed the levels specified in Table 6 of this subpart.

- (d) For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations. Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR 94.11(a).
- (e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.
- (f) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4), 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 the purpose specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 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)-(iii) [Reserved]
  - (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 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 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; 87 FR 48607, Aug. 10, 2022]

## 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, or no later than 120 days after the source becomes subject to this subpart, whichever is later.
  - (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, or no later than 120 days after the source becomes subject to this subpart, whichever is later.
  - (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; 85 FR 73912, Nov. 19, 2020]

### § 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 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)-(vi) {Reserved}
  - (vii) Hours spent for operation for the purpose specified in § 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in § 63.6640(f)(4)(ii). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.
  - (viii) If there were no deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.
  - (ix) If there were deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken.
- (2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.
  - (3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) ([www.epa.gov/cdx](http://www.epa.gov/cdx)). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the 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; 87 FR 48607, Aug. 10, 2022]

### § 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 purpose specified in § 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; 87 FR 48607, Aug. 10, 2022]

### § 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 of whether or not such failure is permitted by this subpart.
- (4) Fails to satisfy the general duty to minimize emissions established by § 63.6(e)(1)(i).

**Diesel engine** means any stationary RICE in which a high boiling point liquid fuel injected into the combustion chamber ignites when the air charge has been compressed to a temperature sufficiently high for auto-ignition. This process is also known as compression ignition.

**Diesel fuel** means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is fuel oil number 2. Diesel fuel also includes any non-distillate fuel with comparable physical and chemical properties (e.g. biodiesel) that is suitable for use in compression ignition engines.

**Digester gas** means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and CO<sub>2</sub>.

**Dual-fuel engine** means any stationary RICE in which a liquid fuel (typically diesel fuel) is used for compression ignition and gaseous fuel (typically natural gas) is used as the primary fuel.

**Emergency stationary RICE** means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary RICE must comply with the requirements specified in § 63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in § 63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.

- (1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc.
- (2) The stationary RICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 63.6640(f).
- (3) The stationary RICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 63.6640(f)(4)(i) or (ii).

**Engine startup** means the time from initial start until applied load and engine and associated equipment reaches steady state or normal operation. For stationary engine with catalytic controls, engine startup means the time from initial start until applied load and engine and associated equipment, including the catalyst, reaches steady state or normal operation.

**Four-stroke engine** means any type of engine which completes the power cycle in two crankshaft revolutions, with intake and compression strokes in the first revolution and power and exhaust strokes in the second revolution.

**Gaseous fuel** means a material used for combustion which is in the gaseous state at standard atmospheric temperature and pressure conditions.

**Gasoline** means any fuel sold in any State for use in motor vehicles and motor vehicle engines, or nonroad or stationary engines, and commonly or commercially known or sold as gasoline.

**Glycol dehydration unit** means a device in which a liquid glycol (including, but not limited to, ethylene glycol, diethylene glycol, or triethylene glycol) absorbent directly contacts a natural gas stream and absorbs water in a contact tower or absorption column (absorber). The glycol contacts and absorbs water vapor and other gas stream constituents from the natural gas and becomes "rich" glycol. This glycol is then regenerated in the glycol dehydration unit reboiler. The "lean" glycol is then recycled.

**Hazardous air pollutants (HAP)** means any air pollutants listed in or pursuant to section 112(b) of the CAA.

**Institutional emergency stationary RICE** means an emergency stationary RICE used in institutional establishments such as medical centers, nursing homes, research centers, institutions of higher education, correctional facilities, elementary and secondary schools, libraries, religious establishments, police stations, and fire stations.

**ISO standard day conditions** means 288 degrees Kelvin (15 degrees Celsius), 60 percent relative humidity and 101.3 kilopascals pressure.

**Landfill gas** means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO<sub>2</sub>.

**Lean burn engine** means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

**Limited use stationary RICE** means any stationary RICE that operates less than 100 hours per year.

**Liquefied petroleum gas** means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining of natural gas production.

**Liquid fuel** means any fuel in liquid form at standard temperature and pressure, including but not limited to diesel, residual/crude oil, kerosene/naphtha (jet fuel), and gasoline.

**Major Source**, as used in this subpart, shall have the same meaning as in § 63.2, except that:

- (1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;
- (2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated;
- (3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and
- (4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated.

**Malfunction** means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

**Natural gas** means a naturally occurring mixture of hydrocarbon and non-hydrocarbon gases found in geologic formations beneath the Earth's surface, of which the principal constituent is methane. Natural gas may be field or pipeline quality.



*Non-selective catalytic reduction (NSCR)* means an add-on catalytic nitrogen oxides (NO<sub>x</sub>) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, NO<sub>x</sub>, CO, and volatile organic compounds (VOC) into CO<sub>2</sub>, nitrogen, and water.

*Oil and gas production facility* as used in this subpart means any grouping of equipment where hydrocarbon liquids are processed, upgraded (*i.e.*, remove impurities or other constituents to meet contract specifications), or stored prior to the point of custody transfer; or where natural gas is processed, upgraded, or stored prior to entering the natural gas transmission and storage source category. For purposes of a major source determination, facility (including a building, structure, or installation) means oil and natural gas production and processing equipment that is located within the boundaries of an individual surface site as defined in this section. Equipment that is part of a facility will typically be located within close proximity to other equipment located at the same facility. Pieces of production equipment or groupings of equipment located on different oil and gas leases, mineral fee tracts, lease tracts, subsurface or surface unit areas, surface fee tracts, surface lease tracts, or separate surface sites, whether or not connected by a road, waterway, power line or pipeline, shall not be considered part of the same facility. Examples of facilities in the oil and natural gas production source category include, but are not limited to, well sites, satellite tank batteries, central tank batteries, a compressor station that transports natural gas to a natural gas processing plant, and natural gas processing plants.

*Oxidation catalyst* means an add-on catalytic control device that controls CO and VOC by oxidation.

*Peaking unit or engine* means any standby engine intended for use during periods of high demand that are not emergencies.

*Percent load* means the fractional power of an engine compared to its maximum manufacturer's design capacity at engine site conditions. Percent load may range between 0 percent to above 100 percent.

*Potential to emit* means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. For oil and natural gas production facilities subject to subpart HH of this part, the potential to emit provisions in § 63.760(a) may be used. For natural gas transmission and storage facilities subject to subpart HHH of this part, the maximum annual facility gas throughput for storage facilities may be determined according to § 63.1270(a)(1) and the maximum annual throughput for transmission facilities may be determined according to § 63.1270(a)(2).

*Production field facility* means those oil and gas production facilities located prior to the point of custody transfer.

*Production well* means any hole drilled in the earth from which crude oil, condensate, or field natural gas is extracted.

*Propane* means a colorless gas derived from petroleum and natural gas, with the molecular structure C<sub>3</sub>H<sub>8</sub>.

*Remote stationary RICE* means stationary RICE meeting any of the following criteria:

- (1) Stationary RICE located in an offshore area that is beyond the line of ordinary low water along that portion of the coast of the United States that is in direct contact with the open seas and beyond the line marking the seaward limit of inland waters.



- (2) Stationary RICE located on a pipeline segment that meets both of the criteria in paragraphs (2)(i) and (ii) of this definition.
  - (i) A pipeline segment with 10 or fewer buildings intended for human occupancy and no buildings with four or more stories within 220 yards (200 meters) on either side of the centerline of any continuous 1-mile (1.6 kilometers) length of pipeline. Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.
  - (ii) The pipeline segment does not lie within 100 yards (91 meters) of either a building or a small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12-month period. The days and weeks need not be consecutive. The building or area is considered occupied for a full day if it is occupied for any portion of the day.
  - (iii) For purposes of this paragraph (2), the term pipeline segment means all parts of those physical facilities through which gas moves in transportation, including but not limited to pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies. Stationary RICE located within 50 yards (46 meters) of the pipeline segment providing power for equipment on a pipeline segment are part of the pipeline segment. Transportation of gas means the gathering, transmission, or distribution of gas by pipeline, or the storage of gas. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.
- (3) Stationary RICE that are not located on gas pipelines and that have 5 or fewer buildings intended for human occupancy and no buildings with four or more stories within a 0.25 mile radius around the engine. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

**Residential emergency stationary RICE** means an emergency stationary RICE used in residential establishments such as homes or apartment buildings.

**Responsible official** means responsible official as defined in [40 CFR 70.2](#).

**Rich burn engine** means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to December 19, 2002 with passive emission control technology for NO<sub>x</sub> (such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen 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 non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

**Stationary RICE test cell/stand** means an engine test cell/stand, as defined in subpart 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; 87 FR 48608, Aug. 10, 2022]

**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	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. <sup>1</sup>
	b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbv or less at 15 percent O <sub>2</sub>	

<sup>1</sup> Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9679, Mar. 3, 2010, as amended at 75 FR 51592, Aug. 20, 2010]

**Table 1b to Subpart ZZZZ of Part 63 - Operating Limitations for Existing, New, and Reconstructed SI 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions**

As stated in §§ 63.6600, 63.6603, 63.6630 and 63.6640, you must comply with the following operating limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
1. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and using NSCR; or existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O <sub>2</sub> and using NSCR;	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 750 °F and less than or equal to 1250 °F. <sup>1</sup>
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	Comply with any operating limitations approved by the Administrator.
existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O <sub>2</sub> and not using NSCR.	

<sup>1</sup> Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.

[78 FR 6706, Jan. 30, 2013]

**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 b. Limit concentration of formaldehyde in the stationary RICE exhaust to 12 ppmvd or less at 15 percent O <sub>2</sub> . If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may limit concentration of formaldehyde to 17 ppmvd or less at 15 percent O <sub>2</sub> until June 15, 2007	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. <sup>1</sup>
2. 4SLB stationary RICE	a. Reduce CO emissions by 93 percent or more; or	
	b. Limit concentration of formaldehyde in the stationary RICE exhaust to 14 ppmvd or less at 15 percent O <sub>2</sub>	
3. CI stationary RICE	a. Reduce CO emissions by 70 percent or more; or	
	b. Limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbvd or less at 15 percent O <sub>2</sub>	

<sup>1</sup> Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9680, Mar. 3, 2010]

**Table 2b to Subpart ZZZZ of Part 63 - Operating Limitations for New and 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 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 b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. <sup>1</sup>
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 b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. <sup>1</sup>
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 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	Comply with any operating limitations approved by the Administrator.

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
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.	

<sup>1</sup> Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.

[78 FR 6707, Jan. 30, 2013]

**Table 2c to Subpart ZZZZ of Part 63 - Requirements for Existing Compression Ignition Stationary RICE Located at a Major Source of HAP Emissions and Existing Spark Ignition Stationary RICE ≤500 HP Located at a Major Source of HAP Emissions**

As stated in §§ 63.6600, 63.6602, and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE located at a major source of HAP emissions and existing spark ignition stationary RICE ≤500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Emergency stationary CI RICE and black start stationary CI RICE <sup>1</sup>	a. Change oil and filter every 500 hours of operation or annually, whichever comes first. <sup>2</sup> 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. <sup>3</sup>	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. <sup>3</sup>
2. Non-Emergency, non-black start stationary CI RICE <100 HP	a. Change oil and filter every 1,000 hours of operation or annually, whichever comes	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	first. <sup>2</sup> 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. <sup>3</sup>	
3. Non-Emergency, non-black start CI stationary RICE 100≤HP≤300 HP	Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent O <sub>2</sub> .	
4. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent O <sub>2</sub> ; or 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 <sub>2</sub> ; or b. Reduce CO emissions by 70 percent or more.	
6. Emergency stationary SI RICE and black start stationary SI RICE. <sup>1</sup>	a. Change oil and filter every 500 hours of operation or annually, whichever comes first; <sup>2</sup> b. Inspect spark plugs every 1,000 hours of operation or annually,	



For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. <sup>3</sup>	
7. Non-Emergency, non-black start stationary SI RICE <100 HP that are not 2SLB stationary RICE	a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first; <sup>2</sup> b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary;	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary. <sup>3</sup>	
8. Non-Emergency, non-black start 2SLB stationary SI RICE <100 HP	a. Change oil and filter every 4,320 hours of operation or annually, whichever comes first; <sup>2</sup> b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first, and replace as necessary;	
	c. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	comes first, and replace as necessary. <sup>3</sup>	
9. Non-emergency, non-black start 2SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 225 ppmvd or less at 15 percent O <sub>2</sub> .	
10. Non-emergency, non-black start 4SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd or less at 15 percent O <sub>2</sub> .	
11. Non-emergency, non-black start 4SRB stationary RICE 100≤HP≤500	Limit concentration of formaldehyde in the stationary RICE exhaust to 10.3 ppmvd or less at 15 percent O <sub>2</sub> .	
12. Non-emergency, non-black start stationary RICE 100≤HP≤500 which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	Limit concentration of CO in the stationary RICE exhaust to 177 ppmvd or less at 15 percent O <sub>2</sub> .	

<sup>1</sup> If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Table 2c of this subpart, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

<sup>2</sup> Sources have the option to utilize an oil analysis program as described in § 63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2c of this subpart.

<sup>3</sup> Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[78 FR 6708, Jan. 30, 2013, as amended at 78 FR 14457, Mar. 6, 2013]

**Table 2d to Subpart ZZZZ of Part 63 - Requirements for Existing Stationary RICE Located at Area Sources of HAP Emissions**

As stated in §§ 63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Non-Emergency, non-black start CI stationary RICE ≤300 HP	a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first; <sup>1</sup> 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.	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 <sub>2</sub> ; or	
	b. Reduce CO emissions by 70 percent or more.	
3. Non-Emergency, non-black start CI stationary RICE >500 HP	a. Limit concentration of	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O <sub>2</sub> ; or	
	b. Reduce CO emissions by 70 percent or more.	
4. Emergency stationary CI RICE and black start stationary CI RICE. <sup>2</sup>	a. Change oil and filter every 500 hours of operation or annually, whichever comes first; <sup>1</sup>	
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and	
	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. <sup>2</sup>	a. Change oil and filter every 500 hours of operation or annually, whichever comes first; <sup>1</sup> b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	as necessary; and 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; <sup>1</sup>	
	b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first, and replace as necessary; and	
	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; <sup>1</sup>	
	b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	as necessary; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.	
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; <sup>1</sup>	
	b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and	
	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; <sup>1</sup>	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and	
	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; <sup>1</sup>	
	b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and	
	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	a. Change oil and	



For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
stationary RICE which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	filter every 1,440 hours of operation or annually, whichever comes first; <sup>1</sup> b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.	

<sup>1</sup> Sources have the option to utilize an oil analysis program as described in § 63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of this subpart.

<sup>2</sup> If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

[78 FR 6709, Jan. 30, 2013]

**Table 3 to Subpart ZZZZ of Part 63 - Subsequent Performance Tests**

As stated in §§ 63.6615 and 63.6620, you must comply with the following subsequent performance test requirements:

For each . . .	Complying with the requirement to . . .	You must . . .
1. New or reconstructed 2SLB stationary RICE >500 HP located at major sources; new or reconstructed 4SLB stationary RICE ≥250 HP located at major sources; and new or reconstructed CI stationary RICE >500 HP located at major sources	Reduce CO emissions and not using a CEMS	Conduct subsequent performance tests semiannually. <sup>1</sup>
2. 4SRB stationary RICE ≥5,000 HP located at major sources	Reduce formaldehyde emissions	Conduct subsequent performance tests semiannually. <sup>1</sup>
3. Stationary RICE >500 HP located at major sources and new or reconstructed 4SLB stationary RICE 250≤HP≤500 located at major sources	Limit the concentration of formaldehyde in the stationary RICE exhaust	Conduct subsequent performance tests semiannually. <sup>1</sup>
4. Existing non-emergency, non-black start CI stationary RICE >500 HP that are not limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours or 3 years, whichever comes first.
5. Existing non-emergency, non-black start CI stationary RICE >500 HP that are limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours or 5 years, whichever comes first.

<sup>1</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume 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, 63.6620, 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. Select the sampling port location and the number/ location of traverse points at the inlet and outlet of the control device; and		(a) For CO and O <sub>2</sub> measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A-4.
		ii. Measure the O <sub>2</sub> at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM Method D6522-00 (Reapproved 2005) <sup>a c</sup> (heated probe not necessary)	(b) Measurements to determine O <sub>2</sub> must be made at the same time as the measurements for CO concentration.
		iii. Measure the CO at the inlet and the outlet of the control device	(1) ASTM D6522-00 (Reapproved 2005) <sup>a b c</sup> (heated probe not necessary) or Method 10 of 40 CFR part 60, appendix	(c) The CO concentration must be at 15 percent O <sub>2</sub> , dry basis.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
			A-4	
2. 4SRB stationary RICE	a. reduce formaldehyde emissions	i. Select the sampling port location and the number/ location of traverse points at the inlet and outlet of the control device; and		(a) For formaldehyde, O <sub>2</sub> , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A.
		ii. Measure O <sub>2</sub> at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM Method D6522-00 (Reapproved 2005) <sup>a</sup> (heated probe not necessary)	(a) Measurements to determine O <sub>2</sub> concentration must be made at the same time as the measurements for formaldehyde or THC concentration.
		iii. Measure moisture content at the inlet and outlet of the control device; and	(1) Method 4 of 40 CFR part 60, appendix A-3, or Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 <sup>a</sup>	(a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or THC concentration.
		iv. If demonstrating compliance	(1) Method 320 or 323 of 40 CFR	(a) Formaldehyde concentration must be at 15 percent O <sub>2</sub> , dry basis. Results of this test consist of the average of the three 1-hour or

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		with the formaldehyde percent reduction requirement, measure formalde-hyde at the inlet and the outlet of the control device	part 63, appendix A; or ASTM D6348-03 <sup>a</sup> , provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130	longer runs.
		v. If demonstrating compliance with the THC percent reduction requirement, measure THC at the inlet and the outlet of the control device	(1) Method 25A, reported as propane, of 40 CFR part 60, appendix A-7	(a) THC concentration must be at 15 percent O <sub>2</sub> , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
3. Stationary RICE	a. limit the concentration of formalde-hyde or CO in the stationary RICE exhaust	i. Select the sampling port location and the number/ location of traverse points at the exhaust of the stationary RICE; and		(a) For formaldehyde, CO, O <sub>2</sub> , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
				Method 7E of 40 CFR part 60, appendix A. If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O <sub>2</sub> 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-2, or ASTM Method D6522-00 (Reapproved 2005) <sup>a</sup> (heated probe not necessary)	(a) Measurements to determine O <sub>2</sub> concentration must be made at the same time and location as the measurements for formaldehyde or CO concentration.
		iii. Measure moisture content of the station-ary RICE exhaust at the sampling port location; and	(1) Method 4 of 40 CFR part 60, appendix A-3, or Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 <sup>a</sup>	(a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or CO concentration.
		iv. Measure formalde-hyde at the exhaust of the station-ary RICE; or	(1) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348-03 <sup>a</sup> , provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be	(a) Formaldehyde concentration must be at 15 percent O <sub>2</sub> , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
			greater than or equal to 70 and less than or equal to 130	
		v. measure CO at the exhaust of the stationary RICE	(1) Method 10 of 40 CFR part 60, appendix A-4, ASTM Method D6522-00 (2005) <sup>a c</sup> , Method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03 <sup>a</sup>	(a) CO concentration must be at 15 percent O <sub>2</sub> , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

<sup>a</sup> You may also use Methods 3A and 10 as options to ASTM-D6522-00 (2005). You may obtain a copy of ASTM-D6522-00 (2005) from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

<sup>b</sup> You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

[79 FR 11290, Feb. 27, 2014]

**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-	a. Reduce CO emissions and using	i. The average reduction of emissions of CO determined from the initial performance test achieves the required



For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
<p>emergency 4SLB stationary RICE <math>\geq</math>250 HP located at a major source of HAP, non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP</p>	<p>oxidation catalyst, and using a CPMS</p>	<p>CO percent reduction; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.</p>
<p>2. Non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP</p>	<p>a. Limit the concentration of CO, using oxidation catalyst, and using a CPMS</p>	<p>i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and</p>
		<p>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and</p>
		<p>iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.</p>
<p>3. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE <math>\geq</math>250 HP located at a major source of HAP, non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP</p>	<p>a. Reduce CO emissions and not using oxidation catalyst</p>	<p>i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.</p>
<p>4. Non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP</p>	<p>a. Limit the concentration of CO, and not using oxidation catalyst</p>	<p>i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the</p>

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
		requirements in § 63.6625(b); and
		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 <sub>2</sub> or CO <sub>2</sub> at both the inlet and outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and
		iii. The average reduction of CO calculated using § 63.6620 equals or exceeds the required percent reduction. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved during the 4-hour period.
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 <sub>2</sub> or CO <sub>2</sub> at the outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and
		ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and
		iii. The average 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

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
		test is equal to or greater than 30 percent; and
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
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
		ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.
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 <sub>2</sub> , dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
10. New or reconstructed non-emergency	a. Limit the	i. The average formaldehyde

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
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	concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	concentration, corrected to 15 percent O <sub>2</sub> , dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.
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 <sub>2</sub> , 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 <sub>2</sub> ;
		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	a. Install NSCR	i. You have conducted an initial compliance demonstration as specified in § 63.6630(e) to show that the average

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
operated more than 24 hours per calendar year		reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O <sub>2</sub> , or the average reduction of emissions of THC is 30 percent or more;
		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 <sup>a</sup> ; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
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 <sup>a</sup> ; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
<p>3. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, new or reconstructed non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP</p>	<p>a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using a CEMS</p>	<p>the performance test.</p> <p>i. Collecting the monitoring data according to § 63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction or concentration of CO emissions according to § 63.6620; and</p> <p>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</p>
		<p>iii. Conducting an annual RATA of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.</p>
<p>4. Non-emergency 4SRB stationary RICE &gt;500 HP located at a major source of HAP</p>	<p>a. Reduce formaldehyde emissions and using NSCR</p>	<p>i. Collecting the catalyst inlet temperature data according to § 63.6625(b); and</p>



For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		ii. Reducing these data to 4-hour rolling averages; and
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		iv. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
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
		ii. Reducing these data to 4-hour rolling averages; and
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
6. Non-emergency 4SRB stationary RICE with a brake HP ≥5,000 located at a major source of HAP	a. Reduce formaldehyde	Conducting semiannual

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
	emissions	performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved, or to demonstrate that the average reduction of emissions of THC determined from the performance test is equal to or greater than 30 percent. <sup>a</sup>
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 <sup>a</sup> ; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		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 <sup>a</sup> ; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
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	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer's

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
<p>area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency stationary SI RICE located at an area source of HAP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, existing non-emergency 4SLB and 4SRB stationary RICE ≤500 HP located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE &gt;500 HP located at an area source of HAP that operate 24 hours or less per calendar year, and existing non-emergency 4SLB and 4SRB stationary RICE &gt;500 HP located at an area source of HAP that are remote stationary RICE</p>		<p>emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.</p>
<p>10. Existing stationary CI RICE &gt;500 HP that are not limited use stationary RICE</p>	<p>a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and using oxidation catalyst</p>	<p>i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and</p>
		<p>ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and</p>
		<p>iii. Reducing these data to 4-hour</p>

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
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
		ii. Collecting the approved operating parameter (if any) data according to §

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
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
		ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
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
		ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and
		iii. Reducing these data to 4-hour



For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
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 <sub>2</sub> ; and either ii. Collecting the catalyst inlet temperature data according to § 63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than 450 °F and less than or equal to 1350 °F for the catalyst inlet temperature; or

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		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 <sub>2</sub> , or the average reduction of emissions of THC is 30 percent or more; and either ii. Collecting the catalyst inlet temperature data according to § 63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than or equal to 750 °F and less than or equal to 1250 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		temperature exceeds 1250 °F.

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual 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 ii. Annually according to the requirements in § 63.6650(b)(6)-(9) for engines that are limited use stationary

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
			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)-

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
			(5).
4. Emergency stationary RICE 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).

[87 FR 48608, Aug. 10, 2022]

**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.	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 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.	
§ 63.7(g)	Performance test data	Yes.	

General provisions citation	Subject of citation	Applies to subpart	Explanation
	analysis, recordkeeping, and reporting		
§ 63.7(h)	Waiver of tests	Yes.	
§ 63.8(a)(1)	Applicability of monitoring requirements	Yes	Subpart ZZZZ contains specific requirements for monitoring at § 63.6625.
§ 63.8(a)(2)	Performance specifications	Yes.	
§ 63.8(a)(3)	[Reserved]		
§ 63.8(a)(4)	Monitoring for control devices	No.	
§ 63.8(b)(1)	Monitoring	Yes.	
§ 63.8(b)(2)-(3)	Multiple effluents and multiple monitoring systems	Yes.	
§ 63.8(c)(1)	Monitoring system operation and maintenance	Yes.	
§ 63.8(c)(1)(i)	Routine and predictable SSM	No	
§ 63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan	Yes.	
§ 63.8(c)(1)(iii)	Compliance with operation and maintenance requirements	No	
§ 63.8(c)(2)-(3)	Monitoring system installation	Yes.	
§ 63.8(c)(4)	Continuous monitoring system (CMS) requirements	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§ 63.8(c)(5)	COMS minimum procedures	No	Subpart ZZZZ does not require COMS.
§ 63.8(c)(6)-(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.
§ 63.8(d)	CMS quality control	Yes.	
§ 63.8(e)	CMS performance evaluation	Yes	Except for § 63.8(e)(5)(ii), which applies to COMS.
		Except that § 63.8(e) only applies as specified in §	



General provisions citation	Subject of citation	Applies to subpart	Explanation
		63.6645.	
§ 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	Except that § 63.9(b)(3) is reserved.
		Except that § 63.9(b) only applies as specified in § 63.6645.	
§ 63.9(c)	Request for compliance extension	Yes	Except that § 63.9(c) only applies as specified in § 63.6645.
§ 63.9(d)	Notification of special compliance requirements for new sources	Yes	Except that § 63.9(d) only applies as specified in § 63.6645.
§ 63.9(e)	Notification of performance test	Yes	Except that § 63.9(e) only applies as specified in § 63.6645.
§ 63.9(f)	Notification of visible emission (VE)/opacity test	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(1)	Notification of performance evaluation	Yes	Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(g)(2)	Notification of use of COMS data	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded	Yes	If alternative is in use.
		Except that § 63.9(g) only applies as specified in § 63.6645.	
§ 63.9(h)(1)-(6)	Notification of compliance status	Yes	Except that notifications for sources using a CEMS are due 30 days after completion

General provisions citation	Subject of citation	Applies to subpart	Explanation
			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.	
§ 63.9(k)	Electronic reporting procedures	Yes	Only as specified in § 63.9(j).
§ 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.	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 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; 85 FR 73912, Nov. 19, 2020]

## Appendix A to Subpart ZZZZ of Part 63 - 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<sub>2</sub>) concentrations in controlled and uncontrolled emissions from existing stationary 4-stroke lean burn and 4-stroke rich burn reciprocating internal combustion engines as specified in the applicable rule.

### 1.1 Analytes. What does this protocol determine?

This protocol measures the engine exhaust gas concentrations of carbon monoxide (CO) and oxygen (O<sub>2</sub>).

Analyte	CAS No.	Sensitivity
Carbon monoxide (CO)	630-08-0	Minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.
Oxygen (O <sub>2</sub> )	7782-44-7	

### 1.2 Applicability. When is this protocol acceptable?

This protocol is applicable to 40 CFR part 63, subpart ZZZZ. Because of inherent cross sensitivities of EC cells, you must not apply this protocol to other emissions sources without specific instruction to that effect.

### 1.3 Data Quality Objectives. How good must my collected data be?

Refer to Section 13 to verify and document acceptable analyzer performance.

### 1.4 Range. What is the targeted analytical range for this protocol?

The measurement system and EC cell design(s) conforming to this protocol will determine the analytical range for each gas component. The nominal ranges are defined by choosing up-scale calibration gas concentrations near the maximum anticipated flue gas concentrations for CO and O<sub>2</sub>, or no more than twice the permitted CO level.

### 1.5 Sensitivity. What minimum detectable limit will this protocol yield for a particular gas component?

The minimum detectable limit depends on the nominal range and resolution of the specific EC cell used, and the signal to noise ratio of the measurement system. The minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.

## 2.0 Summary of Protocol

In this protocol, a gas sample is extracted from an engine exhaust system and then conveyed to a portable EC analyzer for measurement of CO and O<sub>2</sub> gas concentrations. This method provides measurement system performance specifications and sampling protocols to ensure reliable data. You may use additions to, or modifications of vendor supplied measurement systems (e.g., heated or unheated sample lines, thermocouples, flow meters, selective gas scrubbers, etc.) to meet the design specifications of this protocol. Do not make changes to the measurement system from the as-verified configuration (Section 3.12).

## 3.0 Definitions

**3.1 Measurement System.** The total equipment required for the measurement of CO and O<sub>2</sub> concentrations. The measurement system consists of the following major subsystems:

**3.1.1 Data Recorder.** A strip chart recorder, computer or digital recorder for logging measurement data from the analyzer output. You may record measurement data from the digital data display manually or electronically.

**3.1.2 Electrochemical (EC) Cell.** A device, similar to a fuel cell, used to sense the presence of a specific analyte and generate an electrical current output proportional to the analyte concentration.

**3.1.3 Interference Gas Scrubber.** A device used to remove or neutralize chemical compounds that may interfere with the selective operation of an EC cell.

- 3.1.4 Moisture Removal System.** Any device used to reduce the concentration of moisture in the sample stream so as to protect the EC cells from the damaging effects of condensation and to minimize errors in measurements caused by the scrubbing of soluble gases.
- 3.1.5 Sample Interface.** The portion of the system used for one or more of the following: sample acquisition; sample transport; sample conditioning or protection of the EC cell from any degrading effects of the engine exhaust effluent; removal of particulate matter and condensed moisture.
- 3.2 Nominal Range.** The range of analyte concentrations over which each EC cell is operated (normally 25 percent to 150 percent of up-scale calibration gas value). Several nominal ranges can be used for any given cell so long as the calibration and repeatability checks for that range remain within specifications.
- 3.3 Calibration Gas.** A vendor certified concentration of a specific analyte in an appropriate balance gas.
- 3.4 Zero Calibration Error.** The analyte concentration output exhibited by the EC cell in response to zero-level calibration gas.
- 3.5 Up-Scale Calibration Error.** The mean of the difference between the analyte concentration exhibited by the EC cell and the certified concentration of the up-scale calibration gas.
- 3.6 Interference Check.** A procedure for quantifying analytical interference from components in the engine exhaust gas other than the targeted analytes.
- 3.7 Repeatability Check.** A protocol for demonstrating that an EC cell operated over a given nominal analyte concentration range provides a stable and consistent response and is not significantly affected by repeated exposure to that gas.
- 3.8 Sample Flow Rate.** The flow rate of the gas sample as it passes through the EC cell. In some situations, EC cells can experience drift with changes in flow rate. The flow rate must be monitored and documented during all phases of a sampling run.
- 3.9 Sampling Run.** A timed three-phase event whereby an EC cell's response rises and plateaus in a sample conditioning phase, remains relatively constant during a measurement data phase, then declines during a refresh phase. The sample conditioning phase exposes the EC cell to the gas sample for a length of time sufficient to reach a constant response. The measurement data phase is the time interval during which gas sample measurements can be made that meet the acceptance criteria of this protocol. The refresh phase then purges the EC cells with CO-free air. The refresh phase replenishes requisite O<sub>2</sub> and moisture in the electrolyte reserve and provides a mechanism to de-gas or desorb any interference gas scrubbers or filters so as to enable a stable CO EC cell response. There are four primary types of sampling runs: pre-sampling calibrations; stack gas sampling; post-sampling calibration checks; and measurement system repeatability checks. Stack gas sampling runs can be chained together for extended evaluations, providing all other procedural specifications are met.
- 3.10 Sampling Day.** A time not to exceed twelve hours from the time of the pre-sampling calibration to the post-sampling calibration check. During this time, stack gas sampling runs can be repeated without repeated recalibrations, providing all other sampling specifications have been met.
- 3.11 Pre-Sampling Calibration/Post-Sampling Calibration Check.** The protocols executed at the beginning and end of each sampling day to bracket measurement readings with controlled performance checks.

- 3.12 **Performance-Established Configuration.** The EC cell and sampling system configuration that existed at the time that it initially met the performance requirements of this protocol.

## 4.0 Interferences.

When present in sufficient concentrations, NO and NO<sub>2</sub> are two gas species that have been reported to interfere with CO concentration measurements. In the likelihood of this occurrence, it is the protocol user's responsibility to employ and properly maintain an appropriate CO EC cell filter or scrubber for removal of these gases, as described in Section 6.2.12.

## 5.0 Safety. [Reserved]

## 6.0 Equipment and Supplies.

### 6.1 What equipment do I need for the measurement system?

The system must maintain the gas sample at conditions that will prevent moisture condensation in the sample transport lines, both before and as the sample gas contacts the EC cells. The essential components of the measurement system are described below.

### 6.2 Measurement System Components.

- 6.2.1 **Sample Probe.** A single extraction-point probe constructed of glass, stainless steel or other non-reactive material, and of length sufficient to reach any designated sampling point. The sample probe must be designed to prevent plugging due to condensation or particulate matter.
- 6.2.2 **Sample Line.** Non-reactive tubing to transport the effluent from the sample probe to the EC cell.
- 6.2.3 **Calibration Assembly (optional).** A three-way valve assembly or equivalent to introduce calibration gases at ambient pressure at the exit end of the sample probe during calibration checks. The assembly must be designed such that only stack gas or calibration gas flows in the sample line and all gases flow through any gas path filters.
- 6.2.4 **Particulate Filter (optional).** Filters before the inlet of the EC cell to prevent accumulation of particulate material in the measurement system and extend the useful life of the components. All filters must be fabricated of materials that are non-reactive to the gas mixtures being sampled.
- 6.2.5 **Sample Pump.** A leak-free pump to provide undiluted sample gas to the system at a flow rate sufficient to minimize the response time of the measurement system. If located upstream of the EC cells, the pump must be constructed of a material that is non-reactive to the gas mixtures being sampled.

6.2.8 **Sample Flow Rate Monitoring.** An adjustable rotameter or equivalent device used to adjust and maintain the sample flow rate through the analyzer as prescribed.

**6.2.9 Sample Gas Manifold (optional).** A manifold to divert a portion of the sample gas stream to the analyzer and the remainder to a by-pass discharge vent. The sample gas manifold may also include provisions for introducing calibration gases directly to the analyzer. The manifold must be constructed of a material that is non-reactive to the gas mixtures being sampled.

**6.2.10 EC cell.** A device containing one or more EC cells to determine the CO and O<sub>2</sub> concentrations in the sample gas stream. The EC cell(s) must meet the applicable performance specifications of Section 13 of this protocol.

**6.2.11 Data Recorder.** A strip chart recorder, computer or digital recorder to make a record of analyzer output data. The data recorder resolution (i.e., readability) must be no greater than 1 ppm for CO; 0.1 percent for O<sub>2</sub>; and one degree (either °C or °F) for temperature. Alternatively, you may use a digital or analog meter having the same resolution to observe and manually record the analyzer responses.

**6.2.12 Interference Gas Filter or Scrubber.** A device to remove interfering compounds upstream of the CO EC cell. Specific interference gas filters or scrubbers used in the performance-established configuration of the analyzer must continue to be used. Such a filter or scrubber must have a means to determine when the removal agent is exhausted. Periodically replace or replenish it in accordance with the manufacturer's recommendations.

## 7.0 Reagents and Standards. What calibration gases are needed?

**7.1 Calibration Gases.** CO calibration gases for the EC cell must be CO in nitrogen or CO in a mixture of nitrogen and O<sub>2</sub>. Use CO calibration gases with labeled concentration values certified by the manufacturer to be within ±5 percent of the label value. Dry ambient air (20.9 percent O<sub>2</sub>) is acceptable for calibration of the O<sub>2</sub> cell. If needed, any lower percentage O<sub>2</sub> calibration gas must be a mixture of O<sub>2</sub> in nitrogen.

**7.1.1 Up-Scale CO Calibration Gas Concentration.** Choose one or more up-scale gas concentrations such that the average of the stack gas measurements for each stack gas sampling run are between 25 and 150 percent of those concentrations. Alternatively, choose an up-scale gas that does not exceed twice the concentration of the applicable outlet standard. If a measured gas value exceeds 150 percent of the up-scale CO calibration gas value at any time during the stack gas sampling run, the run must be discarded and repeated.

**7.1.2 Up-Scale O<sub>2</sub> Calibration Gas Concentration.**

Select an O<sub>2</sub> gas concentration such that the difference between the gas concentration and the average stack gas measurement or reading for each sample run is less than 15 percent O<sub>2</sub>. When the average exhaust gas O<sub>2</sub> readings are above 6 percent, you may use dry ambient air (20.9 percent O<sub>2</sub>) for the up-scale O<sub>2</sub> calibration gas.

**7.1.3 Zero Gas.** Use an inert gas that contains less than 0.25 percent of the up-scale CO calibration gas concentration. You may use dry air that is free from ambient CO and other combustion gas products (e.g., CO<sub>2</sub>).

## 8.0 Sample Collection and Analysis

**8.1 Selection of Sampling Sites.**



**8.1.1 Control Device Inlet.** Select a sampling site sufficiently downstream of the engine so that the combustion gases should be well mixed. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.

**8.1.2 Exhaust Gas Outlet.** Select a sampling site located at least two stack diameters downstream of any disturbance (e.g., turbocharger exhaust, crossover junction or recirculation take-off) and at least one-half stack diameter upstream of the gas discharge to the atmosphere. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.

**8.2 Stack Gas Collection and Analysis.** Prior to the first stack gas sampling run, conduct that the pre-sampling calibration in accordance with Section 10.1. Use Figure 1 to record all data. Zero the analyzer with zero gas. Confirm and record that the scrubber media color is correct and not exhausted. Then position the probe at the sampling point and begin the sampling run at the same flow rate used during the up-scale calibration. Record the start time. Record all EC cell output responses and the flow rate during the "sample conditioning phase" once per minute until constant readings are obtained. Then begin the "measurement data phase" and record readings every 15 seconds for at least two minutes (or eight readings), or as otherwise required to achieve two continuous minutes of data that meet the specification given in Section 13.1. Finally, perform the "refresh phase" by introducing dry air, free from CO and other combustion gases, until several minute-to-minute readings of consistent value have been obtained. For each run use the "measurement data phase" readings to calculate the average stack gas CO and O<sub>2</sub> concentrations.

**8.3 EC Cell Rate.** Maintain the EC cell sample flow rate so that it does not vary by more than ±10 percent throughout the pre-sampling calibration, stack gas sampling and post-sampling calibration check. Alternatively, the EC cell sample flow rate can be maintained within a tolerance range that does not affect the gas concentration readings by more than ±3 percent, as instructed by the EC cell manufacturer.

## 9.0 Quality Control (Reserved)

## 10.0 Calibration and Standardization

**10.1 Pre-Sampling Calibration.** Conduct the following protocol once for each nominal range to be used on each EC cell before performing a stack gas sampling run on each field sampling day. Repeat the calibration if you replace an EC cell before completing all of the sampling runs. There is no prescribed order for calibration of the EC cells; however, each cell must complete the measurement data phase during calibration. Assemble the measurement system by following the manufacturer's recommended protocols including for preparing and preconditioning the EC cell. Assure the measurement system has no leaks and verify the gas scrubbing agent is not depleted. Use Figure 1 to record all data.

**10.1.1 Zero Calibration.** For both the O<sub>2</sub> and CO cells, introduce zero gas to the measurement system (e.g., at the calibration assembly) and record the concentration reading every minute until readings are constant for at least two consecutive minutes. Include the time and sample flow rate. Repeat the steps in this section at least once to verify the zero calibration for each component gas.

**10.1.2 Zero Calibration Tolerance.** For each zero gas introduction, the zero level output must be less than or equal to ±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<sub>2</sub> for the O<sub>2</sub> channel.

**10.1.3 Up-Scale Calibration.** Individually introduce each calibration gas to the measurement system (e.g., at the calibration assembly) and record the start time. Record all EC cell output responses and the flow rate during this “sample conditioning phase” once per minute until readings are constant for at least two minutes. Then begin the “measurement data phase” and record readings every 15 seconds for a total of two minutes, or as otherwise required. Finally, perform the “refresh phase” by introducing dry air, free from CO and other combustion gases, until readings are constant for at least two consecutive minutes. Then repeat the steps in this section at least once to verify the calibration for each component gas. Introduce all gases to flow through the entire sample handling system (i.e., at the exit end of the sampling probe or the calibration assembly).

**10.1.4 Up-Scale Calibration Error.** The mean of the difference of the “measurement data phase” readings from the reported standard gas value must be less than or equal to  $\pm 5$  percent or  $\pm 1$  ppm for CO or  $\pm 0.5$  percent O<sub>2</sub>, whichever is less restrictive, respectively. The maximum allowable deviation from the mean measured value of any single “measurement data phase” reading must be less than or equal to  $\pm 2$  percent or  $\pm 1$  ppm for CO or  $\pm 0.5$  percent O<sub>2</sub>, whichever is less restrictive, respectively.

**10.2 Post-Sampling Calibration Check.** Conduct a stack gas post-sampling calibration check after the stack gas sampling run or set of runs and within 12 hours of the initial calibration. Conduct up-scale and zero calibration checks using the protocol in Section 10.1. Make no changes to the sampling system or EC cell calibration until all post-sampling calibration checks have been recorded. If either the zero or up-scale calibration error exceeds the respective specification in Sections 10.1.2 and 10.1.4 then all measurement data collected since the previous successful calibrations are invalid and re-calibration and re-sampling are required. If the sampling system is disassembled or the EC cell calibration is adjusted, repeat the calibration check before conducting the next analyzer sampling run.

## 11.0 Analytical Procedure

The analytical procedure is fully discussed in Section 8.

## 12.0 Calculations and Data Analysis

Determine the CO and O<sub>2</sub> concentrations for each stack gas sampling run by calculating the mean gas concentrations of the data recorded during the “measurement data phase”.

## 13.0 Protocol Performance

Use the following protocols to verify consistent analyzer performance during each field sampling day.

**13.1 Measurement Data Phase Performance Check.** Calculate the mean of the readings from the “measurement data phase”. The maximum allowable deviation from the mean for each of the individual readings is  $\pm 2$  percent, or  $\pm 1$  ppm, whichever is less restrictive. Record the mean value and maximum deviation for each gas monitored. Data must conform to Section 10.1.4. The EC cell flow rate must conform to the specification in Section 8.3.

*Example:* A measurement data phase is invalid if the maximum deviation of any single reading comprising that mean is greater than  $\pm 2$  percent or  $\pm 1$  ppm (the default criteria). For

example, if the mean = 30 ppm, single readings of below 29 ppm and above 31 ppm are disallowed).

**13.2 Interference Check.** Before the initial use of the EC cell and interference gas scrubber in the field, and semi-annually thereafter, challenge the interference gas scrubber with NO and NO<sub>2</sub> gas standards that are generally recognized as representative of diesel-fueled engine NO and NO<sub>2</sub> emission values. Record the responses displayed by the CO EC cell and other pertinent data on Figure 1 or a similar form.

**13.2.1 Interference Response.** The combined NO and NO<sub>2</sub> interference response should be less than or equal to ±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:	(-)	(-)	(-)	(-)
(X)	Pre-Sample Calibration	Stack Gas Sample	Post-Sample Cal. Check	Repeatability Check

Run #	1	1	2	2	3	3	4	4	4	Time	Scrub. OK	Flow- Rate
Gas	O <sub>2</sub>	CO	O <sub>2</sub>	CO	O <sub>2</sub>	CO	O <sub>2</sub>	CO	CO			
Sample Cond.												
Phase												
"												
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Measurement												
Data Phase												
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[78 FR 6721, Jan. 30, 2013]

## **Appendix C**

40 C.F.R. Part 63, Subpart JJJJ - *National Emissions Standards for Hazardous Air Pollutants:  
Paper and Other Web Coating*



The *Code of Federal Regulations* (CFR) is the official legal print publication containing the codification of the general and permanent rules published in the *Federal Register* by the departments and agencies of the Federal Government. You are viewing a representation of the Electronic Code of Federal Regulations (eCFR), a continuously updated version of the CFR. It is not an official legal edition of the CFR.



Displaying title 40, up to date as of 3/24/2022. Title 40 was last amended 3/22/2022.

## Title 40 - Protection of Environment

### Chapter I - Environmental Protection Agency

#### Subchapter C - Air Programs

#### Part 63 - National Emission Standards for Hazardous Air Pollutants for Source Categories

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#### Subpart JJJJ - National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating

**Source:** 67 FR 72341, Dec. 4, 2002, unless otherwise noted.

##### WHAT THIS SUBPART COVERS

#### § 63.3280 What is in this subpart?

This subpart describes the actions you must take to reduce emissions of organic hazardous air pollutants (HAP) from paper and other web coating operations. This subpart establishes emission standards for web coating lines and specifies what you must do to comply if you own or operate a facility with web coating lines that is a major source of HAP. Certain requirements apply to all who are subject to this subpart; others depend on the means you use to comply with an emission standard.

#### § 63.3290 Does this subpart apply to me?

The provisions of this subpart apply to each new and existing facility that is a major source of HAP, as defined in § 63.2, at which web coating lines are operated.

#### § 63.3300 Which of my emission sources are affected by this subpart?

The affected source subject to this subpart is the collection of all web coating lines at your facility. This includes web coating lines engaged in the coating of metal webs that are used in flexible packaging, and web coating lines engaged in the coating of fabric substrates for use in pressure sensitive tape and abrasive materials. Web coating lines specified in paragraphs (a) through (g) of this section are not part of the affected source of this subpart.

- (a) Any web coating line that is stand-alone equipment under subpart KK of this part (National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Printing and Publishing Industry) which the owner or operator includes in the affected source under subpart KK.
- (b) Any web coating line that is a product and packaging rotogravure or wide-web flexographic press under subpart KK of this part (NESHAP for the Printing and Publishing Industry) which is included in the affected source under subpart KK.
- (c) Web coating in lithography, screenprinting, letterpress, and narrow-web flexographic printing processes.
- (d) Any web coating line subject to subpart EE of this part (NESHAP for Magnetic Tape Manufacturing Operations).
- (e) Any web coating line subject to subpart SSSS of this part (NESHAP for Surface Coating of Metal Coil).
- (f) Any web coating line subject to subpart OOOO of this part (NESHAP for the Printing, Coating, and Dyeing of Fabrics and Other Textiles). This includes any web coating line that coats both a paper or other web substrate and a fabric or other textile substrate, except for a fabric substrate used for pressure sensitive tape and abrasive materials.
- (g) Any web coating line that is defined as research or laboratory equipment in § 63.3310.
- (h) Any web coating line that coats both paper or a web, and another substrate such as fabric, may comply with the subpart of this part that applies to the predominant activity conducted on the affected source. Predominant activity for this subpart is 90 percent of the mass of substrate coated during the compliance period. For example, a web coating line that coats 90 percent or more of a paper substrate, and 10 percent or less of a fabric or other textile substrate, would be subject to this subpart and not subpart OOOO of this part. You may use data for any reasonable time period of at least one year in determining the relative amount of coating activity, as long as they are expected to represent the way the source will continue to operate in the future. You must demonstrate and document the predominant activity annually.
- (i) Any web coating line subject to this part that is modified to include printing activities, may continue to demonstrate compliance with this part, in lieu of demonstrating compliance with subpart KK of this part. Any web coating line with product and packaging rotogravure print station(s) and/or a wide-web flexographic print station(s) that is subject to this subpart may elect to continue demonstrating compliance with this subpart in lieu of subpart KK of this part, if the mass of the materials applied to the line's print station(s) in a month ever exceed 5 percent of the total mass of materials applied onto the line during the same period.
- (j) If all of the subject web coating lines at your facility utilize non-HAP coatings, you can become exempt from the reporting requirements of this subpart, provided you submit a one-time report as required in § 63.3370(s) to your permitting authority documenting the use of only non-HAP coatings.

[67 FR 72341, Dec. 4, 2002, as amended at 71 FR 29805, May 24, 2006; 85 FR 41295, July 9, 2020]

### § 63.3310 What definitions are used in this subpart?

All terms used in this subpart that are not defined in this section have the meaning given to them in the Clean Air Act (CAA) and in subpart A of this part.

*Always-controlled work station* means a work station associated with a dryer from which the exhaust is delivered to a control device with no provision for the dryer exhaust to bypass the control device unless there is an interlock to interrupt and prevent continued coating during a bypass. Sampling lines for analyzers, relief valves needed for safety purposes, and periodic cycling of exhaust dampers to ensure safe operation are not considered bypass lines.

*Applied* means, for the purposes of this subpart, the amount of organic HAP, coating material, or coating solids (as appropriate for the emission standards in § 63.3320(b)) used by the affected source during the compliance period.

*As-applied* means the condition of a coating at the time of application to a substrate, including any added solvent.

*As-purchased* means the condition of a coating as delivered to the user.

*Capture efficiency* means the fraction of all organic HAP emissions generated by a process that is delivered to a control device, expressed as a percentage.

*Capture system* means a hood, enclosed room, or other means of collecting organic HAP emissions into a closed-vent system that exhausts to a control device.

*Car-seal* means a seal that is placed on a device that is used to change the position of a valve or damper (e.g., from open to closed) in such a way that the position of the valve or damper cannot be changed without breaking the seal.

*Coating material(s)* means all liquid or semi-liquid materials (including the solids fraction of those materials as applied), such as inks, varnishes, adhesives (including hot melt adhesives or other hot melt materials), primers, solvents, reducers, and other materials applied to a substrate via a web coating line. Materials used to form a substrate or applied via vapor deposition, and dry abrasive materials deposited on top of a coated web, are not considered coating materials.

*Control device* means a device such as a solvent recovery device or oxidizer which reduces the organic HAP in an exhaust gas by recovery or by destruction.

*Control device efficiency* means the ratio of organic HAP emissions recovered or destroyed by a control device to the total organic HAP emissions that are introduced into the control device, expressed as a percentage.

*Day* means a 24-consecutive-hour period.

*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 (including any operating limit) or work practice standard;
- (2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or
- (3) Fails to meet any emission limitation (including any operating limit) or work practice standard in this subpart during start-up, shutdown, or malfunction, regardless of whether or not such failure is permitted by this subpart.

*Existing affected source* means any affected source the construction or reconstruction of which is commenced on or before September 13, 2000, and has not undergone reconstruction as defined in § 63.2.

*Fabric* means any woven, knitted, plaited, braided, felted, or non-woven material made of filaments, fibers, or yarns including thread. This term includes material made of fiberglass, natural fibers, synthetic fibers, or composite materials.

*Facility* means all contiguous or adjoining property that is under common ownership or control, including properties that are separated only by a road or other public right-of-way.

*Flexible packaging* means any package or part of a package the shape of which can be readily changed. Flexible packaging includes, but is not limited to, bags, pouches, labels, liners and wraps utilizing paper, plastic, film, aluminum foil, metalized or coated paper or film, or any combination of these materials.

*Formulation data* means data on the organic HAP mass fraction, volatile matter mass fraction, or coating solids mass fraction of a material that is generated by the manufacturer or means other than a test method specified in this subpart or an approved alternative method.

*HAP* means hazardous air pollutants.

*HAP applied* means the organic HAP content of all coating materials applied to a substrate by a web coating line at an affected source.

*Intermittently-controlled work station* means a work station associated with a dryer with provisions for the dryer exhaust to be delivered to or diverted from a control device through a bypass line, depending on the position of a valve or damper. Sampling lines for analyzers, relief valves needed for safety purposes, and periodic cycling of exhaust dampers to ensure safe operation are not considered bypass lines.

*Metal coil* means a continuous metal strip that is at least 0.15 millimeter (0.006 inch) thick which is packaged in a roll or coil prior to coating. After coating, it may or may not be rewound into a roll or coil. Metal coil does not include metal webs that are coated for use in flexible packaging.

*Month* means a calendar month or a pre-specified period of 28 days to 35 days to allow for flexibility in recordkeeping when data are based on a business accounting period.

*Never-controlled work station* means a work station that is not equipped with provisions by which any emissions, including those in the exhaust from any associated dryer, may be delivered to a control device.

*New affected source* means any affected source the construction or reconstruction of which is commenced after September 13, 2000.

*Overall organic HAP control efficiency* means the total efficiency of a capture and control system.

*Pressure sensitive tape* means a flexible backing material with a pressure-sensitive adhesive coating on one or both sides of the backing. Examples include, but are not limited to, duct/duct insulation tape and medical tape.

*Research or laboratory equipment* means any equipment for which the primary purpose is to conduct research and development into new processes and products where such equipment is operated under the close supervision of technically trained personnel and is not engaged in the manufacture of products for commercial sale in commerce except in a *de minimis* manner.

*Rewind or cutting station* means a unit from which substrate is collected at the outlet of a web coating line.

*Uncontrolled coating line* means a coating line consisting of only never-controlled work stations.

*Unwind or feed station* means a unit from which substrate is fed to a web coating line.

*Web* means a continuous substrate (e.g., paper, film, foil) which is flexible enough to be wound or unwound as rolls.

*Web coating line* means any number of work stations, of which one or more applies a continuous layer of liquid or semi-liquid coating material across the entire width or any portion of the width of a web substrate, and any associated curing/drying equipment between an unwind or feed station and a rewind or cutting station.

*Work station* means a unit on a web coating line where coating material is deposited onto a web substrate.

[67 FR 72341, Dec. 4, 2002, as amended at 85 FR 41296, July 9, 2020]

## EMISSION STANDARDS AND COMPLIANCE DATES

**§ 63.3320 What emission standards must I meet?**

- (a) If you own or operate any affected source that is subject to the requirements of this subpart, you must comply with these requirements on and after the compliance dates as specified in § 63.3330.
- (b) You must limit organic HAP emissions to the level specified in paragraph (b)(1), (2), (3), or (4) of this section for all periods of operation, including startup, shutdown, and malfunction (SSM).
  - (1) No more than 5 percent of the organic HAP applied for each month (95 percent reduction) at existing affected sources, and no more than 2 percent of the organic HAP applied for each month (98 percent reduction) at new affected sources; or
  - (2) No more than 4 percent of the mass of coating materials applied for each month at existing affected sources, and no more than 1.6 percent of the mass of coating materials applied for each month at new affected sources; or
  - (3) No more than 20 percent of the mass of coating solids applied for each month at existing affected sources, and no more than 8 percent of the coating solids applied for each month at new affected sources.
  - (4) If you use an oxidizer to control organic HAP emissions, operate the oxidizer such that an outlet organic HAP concentration of no greater than 20 parts per million by volume (ppmv) on a dry basis is achieved and the efficiency of the capture system is 100 percent.
- (c) You must demonstrate compliance with this subpart by following the procedures in § 63.3370.

[67 FR 72341, Dec. 4, 2002, as amended at 85 FR 41296, July 9, 2020]

**§ 63.3321 What operating limits must I meet?**

- (a) For any web coating line or group of web coating lines for which you use add-on control devices to demonstrate compliance with the emission standards in § 63.3320, unless you use a solvent recovery system and conduct a liquid-liquid material balance, you must meet the operating limits specified in Table 1 to this subpart or according to paragraph (b) of this section. These operating limits apply to emission capture systems and control devices used to demonstrate compliance with this subpart, and you must establish the operating limits during the performance test according to the requirements in § 63.3360(e)(3). You must meet the operating limits at all times after you establish them.
- (b) If you use an add-on control device other than those listed in Table 1 to this subpart or wish to monitor an alternative parameter and comply with a different operating limit, you must apply to the Administrator for approval of alternative monitoring under § 63.8(f).

[67 FR 72341, Dec. 4, 2002, as amended at 85 FR 41296, July 9, 2020]

**§ 63.3330 When must I comply?**

- (a) For affected sources which commenced construction or reconstruction prior to September 19, 2019, you must comply as follows:
  - (1) Before July 9, 2021, the affected coating operation(s) must be in compliance with the applicable emission limit in § 63.3320 at all times, except during periods of SSM. On and after July 9, 2021, the affected coating operation(s) must be in compliance with the applicable emission limit in § 63.3320 at all times, including periods of SSM.
  - (2) A periodic emissions performance test must be performed by July 9, 2023, or within 60 months of the previous test, whichever is later, and subsequent tests no later than 60 months thereafter, as required in § 63.3360. Performance testing for HAP or VOC destruction efficiency required by state agencies can be used to meet this requirement.
  - (3) After July 9, 2021, you must electronically submit initial notifications, notifications of compliance status, performance evaluation reports, and performance test reports, as required in § 63.3400. Semiannual compliance reports must be submitted electronically for the first full semiannual compliance period after the template has been available in the Compliance and Emissions Data Reporting Interface (CEDRI) for 1 year.
- (b) For new affected sources which commenced construction or reconstruction after September 19, 2019, you must comply as indicated in paragraphs (b)(1) through (3) of this section. Existing affected sources which have undergone reconstruction as defined in § 63.2 are subject to the requirements for new affected sources. The costs associated with the purchase and installation of air pollution control equipment are not considered in determining whether the existing affected source has been reconstructed. Additionally, the costs of retrofitting and replacing of equipment that is installed specifically to comply with this subpart are not considered reconstruction costs.
  - (1) The coating operation(s) must be in compliance with the applicable emission limit in § 63.3320 at all times, including periods of SSM, starting July 9, 2020, or immediately upon startup, whichever is later.
  - (2) You must complete any initial performance test required in § 63.3360 within the time limits specified in § 63.7(a)(2), and subsequent tests no later than 60 months thereafter.
  - (3) You must electronically submit initial notifications, notifications of compliance status, performance evaluation reports, and performance test reports as required in § 63.3400 starting July 9, 2020, or immediately upon startup, whichever is later. Semiannual compliance reports must be submitted electronically for the first full semiannual compliance period after the template has been



[85 FR 41296, July 9, 2020]

## GENERAL REQUIREMENTS FOR COMPLIANCE WITH THE EMISSION STANDARDS AND FOR MONITORING AND PERFORMANCE TESTS

**§ 63.3340 What general requirements must I meet to comply with the standards?**

- (a) Before July 9, 2021, for each existing source for which construction or reconstruction commenced on or before September 19, 2019, you must be in compliance with the emission limits and operating limits in this subpart at all times, except during periods of SSM. On and after July 9, 2021, for each such source you must be in compliance with the emission limits and operating limits in this subpart at all times. For new and reconstructed sources for which construction or reconstruction commenced after September 19, 2019, you must be in compliance with the emission limits and operating limits in this subpart at all times, starting July 9, 2020, or immediately upon startup, whichever is later.
- (b) For affected sources as of September 19, 2019, before July 9, 2021, you must always operate and maintain your affected source, including all air pollution control and monitoring equipment you use for purposes of complying with this subpart, according to the provisions in § 63.6(e)(1)(i). On and after July 9, 2021, for such sources and on July 9, 2020, or immediately upon startup, whichever is later, for new or reconstructed affected sources, you must always operate and maintain your affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether a source is operating in compliance with operation and maintenance requirements 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.
- (c) You must conduct each performance test required by § 63.3360 according to the requirements in § 63.3360(e)(2) and under the conditions in this section unless you obtain a waiver of the performance test according to the provisions in § 63.7(h).
- (1) Representative coating operation operating conditions. You must conduct the performance test under representative operating conditions for the coating operation. Operations during periods of startup, shutdown, and nonoperation do not constitute representative conditions. You may not conduct performance tests during periods of malfunction. You must record the process information that is necessary to document operating conditions during the test and explain why the conditions represent normal operation. Upon request, you shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.
- (2) Representative emission capture system and add-on control device operating conditions. You must conduct the performance test when the emission capture system and add-on control device are operating at a representative flow rate, and the add-on control device is operating at a representative inlet concentration. Representative conditions exclude periods of startup and shutdown. You may not conduct performance tests during periods of malfunction. You must record information that is necessary to document emission capture system and add-on control device operating conditions during the test and explain why the conditions represent normal operation.
- (d) Table 2 to this subpart specifies the provisions of subpart A of this part that apply if you are subject to subpart JJJJ.

[85 FR 41296, July 9, 2020]

**§ 63.3350 If I use a control device to comply with the emission standards, what monitoring must I do?**

- (a) A summary of monitoring you must do follows:

<b>If you operate a web coating line, and have the following:</b>	<b>Then you must:</b>
(1) Intermittently-controlled work stations	Record parameters related to possible exhaust flow bypass of control device and to coating use (§ 63.3350(c)).
(2) Solvent recovery unit	Operate continuous emission monitoring system and perform quarterly audits or determine volatile matter recovered and conduct a liquid-liquid material balance (§ 63.3350(d)).
(3) Control Device	Operate continuous parameter monitoring system (§ 63.3350(e)).
(4) Capture system	Monitor capture system operating parameter (§ 63.3350(f)).

- (b) Following the date on which the initial or periodic performance test of a control device is completed to demonstrate continuing compliance with the standards, you must monitor and inspect each capture system and each control device used to comply with § 63.3320. You must install and operate the monitoring equipment as specified in paragraphs (c) and (f) of this section.
- (c) **Bypass and coating use monitoring.** If you own or operate web coating lines with intermittently-controlled work stations, you must monitor bypasses of the control device and the mass of each coating material applied at the work station during any such bypass. If using a control device for complying with the requirements of this subpart, you must demonstrate that any coating material applied on a never-controlled work station or an intermittently-controlled work station operated in bypass mode is allowed in your compliance demonstration according to § 63.3370(o) and (p). The bypass monitoring must be conducted using at least one of the procedures in paragraphs (c)(1) through (4) of this section for each work station and associated dryer.
- (1) **Flow control position indicator.** Install, calibrate, maintain, and operate according to the manufacturer's specifications a flow control position indicator that provides a record indicating whether the exhaust stream from the dryer was directed to the control device or was diverted from the control device. The time and flow control position must be recorded at least once per hour as well as every time the flow direction is changed. A flow control position indicator must be installed at the entrance to any bypass line that could divert the exhaust stream away from the control device to the atmosphere.
  - (2) **Car-seal or lock-and-key valve closures.** Secure any bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism must be performed at least once every month to ensure that the valve or damper is maintained in the closed position, and the exhaust stream is not diverted through the bypass line.
  - (3) **Valve closure continuous monitoring.** Ensure that any bypass line valve or damper is in the closed position through continuous monitoring of valve position when the emission source is in operation and is using a control device for compliance with the requirements of this subpart. The monitoring system must be inspected at least once every month to verify that the monitor will indicate valve position.
  - (4) **Automatic shutdown system.** Use an automatic shutdown system in which the web coating line is stopped when flow is diverted away from the control device to any bypass line when the control device is in operation. The automatic system must be inspected at least once every month to verify that it will detect diversions of flow and would shut down operations in the event of such a diversion.
- (d) **Solvent recovery unit.** If you own or operate a solvent recovery unit to comply with § 63.3320, you must meet the requirements in either paragraph (d)(1) or (2) of this section depending on how control efficiency is determined.
- (1) **Continuous emission monitoring system (CEMS).** If you are demonstrating compliance with the emission standards in § 63.3320 through continuous emission monitoring of a control device, you must install, calibrate, operate, and maintain the CEMS according to paragraphs (d)(1)(i) through (iii) of this section.
    - (i) Measure the total organic volatile matter mass flow rate at both the control device inlet and the outlet such that the reduction efficiency can be determined. Each continuous emission monitor must comply with performance specification 6, 8, or 9 of 40 CFR part 60, appendix B, as appropriate.
    - (ii) You must follow the quality assurance procedures in procedure 1, appendix F of 40 CFR part 60. In conducting the quarterly audits of the monitors as required by procedure 1, appendix F, you must use compounds representative of the gaseous emission stream being controlled.
    - (iii) You must have valid data from at least 90 percent of the hours when the process is operated. Invalid or missing data should be reported as a deviation in the semiannual compliance report.
  - (2) **Liquid-liquid material balance.** If you are demonstrating compliance with the emission standards in § 63.3320 through liquid-liquid material balance, you must install, calibrate, maintain, and operate according to the manufacturer's specifications a device that indicates the cumulative amount of volatile matter recovered by the solvent recovery device on a monthly basis. The device must be certified by the manufacturer to be accurate to within  $\pm 2.0$  percent by mass.
- (e) **Continuous parameter monitoring system (CPMS).** If you are using a control device to comply with the emission standards in § 63.3320, you must install, operate, and maintain each CPMS specified in paragraphs (e)(10) and (11) and (f) of this section according to the requirements in paragraphs (e)(1) through (9) of this section. You must install, operate, and maintain each CPMS specified in paragraph (c) of this section according to paragraphs (e)(5) through (8) of this section.
- (1) Each CPMS must complete a minimum of one cycle of operation for each successive 15-minute period. You must have a minimum of four equally spaced successive cycles of CPMS operation to have a valid hour of data.
  - (2) You must have valid data from at least 90 percent of the hours when the process operated.
  - (3) You must determine the hourly average of all recorded readings according to paragraphs (e)(3)(i) and (ii) of this section.
    - (i) To calculate a valid hourly value, you must have at least three of four equally spaced data values from that hour from a continuous monitoring system (CMS) that is not out-of-control.
    - (ii) Provided all of the readings recorded in accordance with paragraph (e)(3) of this section clearly demonstrate continuous compliance with the standard that applies to you, then you are not required to determine the hourly average of all recorded readings.
  - (4) You must determine the block 3-hour average of all recorded readings for each operating period. To calculate the average for each 3-hour averaging period, you must have at least two of three of the hourly averages for that period using only average values that are based on valid data (i.e., not from out-of-control periods).

- (5) Except for temperature sensors, you must develop a quality control program that must contain, at a minimum, a written protocol that describes the procedures for each of the operations in § 63.3350(e)(5)(i) through (vi). The owner or operator shall keep these written procedures on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator. If the performance evaluation plan is revised, the owner or operator shall keep previous (*i.e.*, superseded) versions of the performance evaluation plan on record to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan. For temperature sensors, you must follow the requirements in § 63.3350(e)(10).
- (i) Initial and any subsequent calibration of the continuous monitoring system (CMS);
  - (ii) Determination and adjustment of the calibration drift of the CMS;
  - (iii) Preventative maintenance of the CMS, including spare parts inventory;
  - (iv) Data recording, calculations, and reporting;
  - (v) Accuracy audit procedures, including sampling and analysis methods; and
  - (vi) Program of corrective action for a malfunctioning CMS.
- (6) You must record the results of each inspection, calibration, and validation check of the CPMS.
- (7) At all times, you must maintain the monitoring system in proper working order including, but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.
- (8) Except for monitoring malfunctions, associated repairs, or required quality assurance or control activities (including calibration checks or required zero and span adjustments), you must conduct all monitoring at all times that the unit is operating. Data recorded during monitoring malfunctions, associated repairs, out-of-control periods, or required quality assurance or control activities shall not be used for purposes of calculating the emissions concentrations and percent reductions specified in § 63.3370. You must use all the valid data collected during all other periods in assessing compliance of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
- (9) Any averaging period for which you do not have valid monitoring data and such data are required constitutes a deviation, and you must notify the Administrator in accordance with § 63.3400(c).
- (10) **Oxidizer.** If you are using an oxidizer to comply with the emission standards of this subpart, you must comply with paragraphs (e)(10)(i) through (vi) of this section.
- (i) Install, maintain, and operate temperature monitoring equipment according to the manufacturer's specifications.
  - (ii) For an oxidizer other than a catalytic oxidizer, install, operate, and maintain a temperature monitoring device equipped with a continuous recorder. The device must be capable of monitoring temperature with an accuracy of  $\pm 1$  percent of the temperature being monitored in degrees Fahrenheit or  $\pm 1.8$  degrees Fahrenheit, whichever is greater. The temperature sensor must be installed in the combustion chamber at a location in the combustion zone.
  - (iii) For a catalytic oxidizer, install, operate, and maintain a temperature monitoring device equipped with a continuous recorder. The device must be capable of monitoring temperature with an accuracy of  $\pm 1$  percent of the temperature being monitored in degrees Fahrenheit or  $\pm 1.8$  degrees Fahrenheit, whichever is greater. The temperature sensor must be installed in the vent stream at the nearest feasible point to the inlet and outlet of the catalyst bed. Calculate the temperature rise across the catalyst.
  - (iv) For temperature sensors, you must develop a quality control program that must contain, at a minimum, a written protocol that describes the procedures for verifying that the temperature sensor is operating properly using at least one of the methods in paragraph (e)(10)(iv)(A), (B), (C), (D), (E), or (F) of this section. The owner or operator shall keep these written procedures on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator:
    - (A) Semiannually, compare measured readings to a National Institute of Standards and Technology (NIST) traceable temperature measurement device or simulate a typical operating temperature using a NIST traceable temperature simulation device. When the temperature measurement device method is used, the sensor of the calibrated device must be placed as close as practicable to the process sensor, and both devices must be subjected to the same environmental conditions. The accuracy of the temperature measured must be 2.5 percent of the temperature measured by the NIST traceable device or 5 degrees Fahrenheit whichever is greater.
    - (B) Annually validate the temperature sensor by following applicable mechanical and electrical validation procedures in the manufacturer owner's manual.
    - (C) Annually request the temperature sensor manufacturer to certify or re-certify electromotive force (electrical properties) of the thermocouple.
    - (D) Annually replace the temperature sensor with a new certified temperature sensor in lieu of validation.
    - (E) Permanently install a redundant temperature sensor as close as practicable to the process temperature sensor. The sensors must yield a reading within 2.5 percent of each other for thermal oxidizers and catalytic oxidizers.
    - (F) Permanently install a temperature sensor with dual sensors to account for the possibility of failure.



- (v) Conduct the validation checks in paragraph (e)(10)(iv)(A), (B), or (C) of this section any time the temperature sensor exceeds the manufacturer's specified maximum operating temperature range or install a new temperature sensor.
- (vi) At least quarterly, inspect temperature sensor components for proper connection and integrity or continuously operate an electronic monitoring system designed to notify personnel if the signal from the temperature sensor is interrupted.
- (11) **Other types of control devices.** If you use a control device other than an oxidizer or wish to monitor an alternative parameter and comply with a different operating limit, you must apply to the Administrator for approval of an alternative monitoring method under § 63.8(f).
- (f) **Capture system monitoring.** If you are complying with the emission standards in § 63.3320 through the use of a capture system and control device for one or more web coating lines, you must develop a site-specific monitoring plan containing the information specified in paragraphs (f)(1) and (2) of this section for these capture systems. You must monitor the capture system in accordance with paragraph (f)(3) of this section. You must make the monitoring plan available for inspection by the permitting authority upon request.
  - (1) The monitoring plan must:
    - (i) Identify the operating parameter to be monitored to ensure that the capture efficiency determined during the initial compliance test is maintained; and
    - (ii) Explain why this parameter is appropriate for demonstrating ongoing compliance; and
    - (iii) Identify the specific monitoring procedures.
  - (2) The monitoring plan must specify the operating parameter value or range of values that demonstrate compliance with the emission standards in § 63.3320. The specified operating parameter value or range of values must represent the conditions present when the capture system is being properly operated and maintained.
  - (3) You must conduct all capture system monitoring in accordance with the plan.
  - (4) Any deviation from the operating parameter value or range of values which are monitored according to the plan will be considered a deviation from the operating limit.
  - (5) You must review and update the capture system monitoring plan at least annually.

[67 FR 72341, Dec. 4, 2002, as amended at 85 FR 41297, July 9, 2020]

**§ 63.3360 What performance tests must I conduct?**

- (a) The performance test methods you must conduct are as follows:

<p><b>If you control organic HAP on any individual web coating line or any group of web coating lines to demonstrate compliance with the emission limits in § 63.3320 by:</b></p>	<p><b>You must:</b></p>
<p>(1) Limiting organic HAP or volatile matter content of coatings</p>	<p>Determine the organic HAP or volatile matter and coating solids content of coating materials according to procedures in paragraphs (c) and (d) of this section. If applicable, determine the mass of volatile matter retained in the coated web or otherwise not emitted to the atmosphere according to paragraph (g) of this section.</p>

(2) Using a capture and control system	(i) Initially, conduct a performance test for each capture and control system to determine: The destruction or removal efficiency of each control device other than solvent recovery according to § 63.3360(e), and the capture efficiency of each capture system according to § 63.3360(f). If applicable, determine the mass of volatile matter retained in the coated web or otherwise not emitted to the atmosphere according to § 63.3360(g).
	(ii) Perform a periodic test once every 5 years for each thermal oxidizer to determine the destruction or removal efficiency according to § 63.3360(e). If applicable, determine the mass of volatile matter retained in the coated web or otherwise not emitted to the atmosphere according to § 63.3360(g).
	(iii) Either perform a periodic test once every 5 years for each catalytic oxidizer to determine the destruction or removal efficiency according to § 63.3360(e) OR perform a catalyst activity test annually on each catalytic oxidizer to ensure that the catalyst is performing properly according to § 63.3360(e)(3)(ii)(D)(1). If applicable, determine the mass of volatile matter retained in the coated web or otherwise not emitted to the atmosphere according to § 63.3360(g).

- (b) **Control Device.** If you are using a control device to comply with the emission standards in § 63.3320, you are not required to conduct a performance test to demonstrate compliance if one or more of the criteria in paragraphs (b)(1) through (3) of this section are met.
- (1) The control device is equipped with continuous emission monitoring systems (CEMS) for determining inlet and outlet total organic volatile matter concentration and meeting the requirements of Performance Specification 6, 8, or 9 in appendix B to 40 CFR part 60 and capture efficiency has been determined in accordance with the requirements of this subpart such that an overall organic HAP control efficiency can be calculated, and the CEMS are used to demonstrate continuous compliance in accordance with § 63.3350; or
  - (2) You have met the requirements of § 63.7(h) (for waiver of performance testing); or
  - (3) The control device is a solvent recovery system and you comply by means of a monthly liquid-liquid material balance.
- (c) **Organic HAP content.** If you determine compliance with the emission standards in § 63.3320 by means other than determining the overall organic HAP control efficiency of a control device, you must determine the organic HAP mass fraction of each coating material “as-purchased” by following one of the procedures in paragraphs (c)(1) through (3) of this section, and determine the organic HAP mass fraction of each coating material “as-applied” by following the procedures in paragraph (c)(4) of this section. If the organic HAP content values are not determined using the procedures in paragraphs (c)(1) through (3) of this section, the owner or operator must submit an alternative test method for determining their values for approval by the Administrator in accordance with § 63.7(f). The recovery efficiency of the test method must be determined for all of the target organic HAP and a correction factor, if necessary, must be determined and applied.
- (1) **Method 311.** You may test the coating material in accordance with Method 311 of appendix A of this part. The Method 311 determination may be performed by the manufacturer of the coating material and the results provided to the owner or operator. The organic HAP content must be calculated according to the criteria and procedures in paragraphs (c)(1)(i) through (iii) of this section.
    - (i) Include each organic HAP determined to be present at greater than or equal to 0.1 mass percent for Occupational Safety and Health Administration (OSHA)-defined carcinogens as specified in section A.6.4 of appendix A to 29 CFR 1910.1200 and greater than or equal to 1.0 mass percent for other organic HAP compounds.
    - (ii) Express the mass fraction of each organic HAP you include according to paragraph (c)(1)(i) of this section as a value truncated to four places after the decimal point (for example, 0.3791).
    - (iii) Calculate the total mass fraction of organic HAP in the tested material by summing the counted individual organic HAP mass fractions and truncating the result to three places after the decimal point (for example, 0.763).
  - (2) **Method 24.** For coatings, determine the volatile organic content as mass fraction of nonaqueous volatile matter and use it as a substitute for organic HAP using Method 24 of appendix A-7 to 40 CFR part 60. The Method 24 determination may be performed by the manufacturer of the coating and the results provided to you. One of the voluntary consensus standards in paragraphs (c)(2)(i) through (v) of this section may be used as an alternative to using Method 24.
    - (i) ASTM D1963-85 (Reapproved 1996), (incorporated by reference, see § 63.14);
    - (ii) ASTM D2111-10 (Reapproved 2015), (incorporated by reference, see § 63.14);
    - (iii) ASTM D2369-10 (Reapproved 2015)<sup>e</sup>, (incorporated by reference, see § 63.14);
    - (iv) ASTM D2697-03 (Reapproved 2014), (incorporated by reference, see § 63.14); and
    - (v) ASTM D6093-97 (Reapproved 2016), (incorporated by reference, see § 63.14).

- (3) **Formulation data.** You may use formulation data to determine the organic HAP mass fraction of a coating material. Formulation data may be provided to the owner or operator by the manufacturer of the material. In the event of an inconsistency between Method 311 (appendix A to this part) test data and a facility's formulation data, and the Method 311 test value is higher, the Method 311 data will govern. Formulation data may be used provided that the information represents all organic HAP present at a level equal to or greater than 0.1 percent for OSHA-defined carcinogens as specified in section A.6.4 of appendix A to 29 CFR 1910.1200 and equal to or greater than 1.0 percent for other organic HAP compounds in any raw material used.
- (4) **As-applied organic HAP mass fraction.** If the as-purchased coating material is applied to the web without any solvent or other material added, then the as-applied organic HAP mass fraction is equal to the as-purchased organic HAP mass fraction. Otherwise, the as-applied organic HAP mass fraction must be calculated using Equation 4 of § 63.3370.
- (d) **Volatile organic and coating solids content.** If you determine compliance with the emission standards in § 63.3320 by means other than determining the overall organic HAP control efficiency of a control device and you choose to use the volatile organic content as a surrogate for the organic HAP content of coatings, you must determine the as-purchased volatile organic content and coating solids content of each coating material applied by following the procedures in paragraph (d)(1) or (2) of this section, and the as-applied volatile organic content and coating solids content of each coating material by following the procedures in paragraph (d)(3) of this section.
- (1) **Method 24.** You may determine the volatile organic and coating solids mass fraction of each coating applied using Method 24 (appendix A-7 to 40 CFR part 60). The Method 24 determination may be performed by the manufacturer of the material and the results provided to you. When using volatile organic compound content as a surrogate for HAP, you may also use ASTM D3960-98, (incorporated by reference, see § 63.14) as an alternative to Method 24. If these values cannot be determined using either of these methods, you must submit an alternative technique for determining their values for approval by the Administrator.
- (2) **Formulation data.** You may determine the volatile organic content and coating solids content of a coating material based on formulation data and may rely on volatile organic content data provided by the manufacturer of the material. In the event of any inconsistency between the formulation data and the results of Method 24 of appendix A-7 to 40 CFR part 60 and the Method 24 results are higher, the results of Method 24 will govern.
- (3) **As-applied volatile organic content and coating solids content.** If the as-purchased coating material is applied to the web without any solvent or other material added, then the as-applied volatile organic content is equal to the as-purchased volatile content and the as-applied coating solids content is equal to the as-purchased coating solids content. Otherwise, the as-applied volatile organic content must be calculated using Equation 5 to § 63.3370(c)(4) and the as-applied coating solids content must be calculated using Equation 6 to § 63.3370(d).
- (e) **Control device efficiency.** If you are using an add-on control device other than solvent recovery, such as an oxidizer, to comply with the emission standards in § 63.3320, you must conduct a performance test to establish the destruction or removal efficiency of the control device according to the methods and procedures in paragraphs (e)(1) and (2) of this section. During the performance test, you must establish the operating limits required by § 63.3321 according to paragraph (e)(3) of this section.
- (1) **Initial performance test.** An initial performance test to establish the destruction or removal efficiency of the control device used to comply with the emission standards in § 63.3320 must be conducted such that control device inlet and outlet testing is conducted simultaneously, and the data are reduced in accordance with the test methods and procedures in paragraphs (e)(1)(i) through (ix) of this section. You must conduct three test runs as specified in § 63.7(e)(3), and each test run must last at least 1 hour.
- (i) Method 1 or 1A of appendix A-1 to 40 CFR part 60 must be used for sample and velocity traverses to determine sampling locations.
- (ii) Method 2, 2A, 2C, 2D, or 2F of appendix A-1 to 40 CFR part 60, or Method 2G of appendix A-2 to 40 CFR part 60 must be used to determine gas volumetric flow rate.
- (iii) Method 3, 3A, or 3B of appendix A-2 to 40 CFR part 60 must be used for gas analysis to determine dry molecular weight. You may also use as an alternative to Method 3B the manual method for measuring the oxygen, carbon dioxide, and carbon monoxide content of exhaust gas in ANSI/ASME PTC 19.10-1981 Part 10, (incorporated by reference, see § 63.14).
- (iv) Method 4 of appendix A-3 to 40 CFR part 60 must be used to determine stack gas moisture.
- (v) Methods for determining the gas volumetric flow rate, dry molecular weight, and stack gas moisture must be performed, as applicable, during each test run.
- (vi) Method 25 or 25A of appendix A-7 to 40 CFR part 60 must be used to determine total gaseous non-methane organic matter concentration. Use the same test method for both the inlet and outlet measurements which must be conducted simultaneously. You must submit notice of the intended test method to the Administrator for approval along with notification of the performance test required under § 63.7(b). You must use Method 25A if any of the conditions described in paragraphs (e)(1)(vi)(A) through (D) of this section apply to the control device.
- (A) The control device is not an oxidizer.
- (B) The control device is an oxidizer but an exhaust gas volatile organic matter concentration of 50 ppmv or less is required to comply with the emission standards in § 63.3320; or
- (C) The control device is an oxidizer but the volatile organic matter concentration at the inlet to the control system and the required level of control are such that they result in exhaust gas volatile organic matter concentrations of 50 ppmv or less; or

- (D) The control device is an oxidizer but because of the high efficiency of the control device the anticipated volatile organic matter concentration at the control device exhaust is 50 ppmv or less, regardless of inlet concentration.
- (vii) Except as provided in § 63.7(e)(3), each performance test must consist of three separate runs with each run conducted for at least 1 hour under the conditions that exist when the affected source is operating under normal operating conditions. For the purpose of determining volatile organic compound concentrations and mass flow rates, the average of the results of all the runs will apply.
- (viii) Volatile organic matter mass flow rates must be determined for each run specified in paragraph (e)(1)(vii) of this section using Equation 1:

Where:

$M_f$  = Total organic volatile matter mass flow rate, kilograms (kg)/hour (h).

$Q_{sd}$  = Volumetric flow rate of gases entering or exiting the control device, as determined according to paragraph (e)(1)(ii) of this section, dry standard cubic meters (dscm)/h.

$C_c$  = Concentration of organic compounds as carbon, ppmv.

12.0 = Molecular weight of carbon.

0.0416 = Conversion factor for molar volume, kg-moles per cubic meter ( $\text{mol}/\text{m}^3$ ) (@293 Kelvin (K) and 760 millimeters of mercury (mmHg)).

- (ix) For each run, emission control device destruction or removal efficiency must be determined using Equation 2:

Where:

E = Organic volatile matter control efficiency of the control device, percent.

$M_{fi}$  = Organic volatile matter mass flow rate at the inlet to the control device, kg/h.

$M_{fo}$  = Organic volatile matter mass flow rate at the outlet of the control device, kg/h.

- (x) The control device destruction or removal efficiency is determined as the average of the efficiencies determined in the test runs and calculated in Equation 2.
- (2) **Process information.** You must record such process information as may be necessary to determine the conditions in existence at the time of the performance test. Representative conditions exclude periods of startup and shutdown. You may not conduct performance tests during periods of malfunction. You must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. Upon request, you shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.
- (3) **Operating limits.** If you are using one or more add-on control device other than a solvent recovery system for which you conduct a liquid-liquid material balance to comply with the emission standards in § 63.3320, you must establish the applicable operating limits required by § 63.3321. These operating limits apply to each add-on emission control device, and you must establish the operating limits during the performance test required by paragraph (e) of this section according to the requirements in paragraphs (e)(3)(i) and (ii) of this section.
- (i) Thermal oxidizer. If your add-on control device is a thermal oxidizer, establish the operating limits according to paragraphs (e)(3)(i)(A) and (B) of this section.
- (A) During the performance test, you must monitor and record the combustion temperature at least once every 15 minutes during each of the three test runs. You must monitor the temperature in the firebox of the thermal oxidizer or immediately downstream of the firebox before any substantial heat exchange occurs.
- (B) Use the data collected during the performance test to calculate and record the average combustion temperature maintained during the performance test. Maintain the 3-hour average combustion temperature no more than 50 degrees Fahrenheit lower than this average combustion temperature.
- (ii) Catalytic oxidizer. If your add-on control device is a catalytic oxidizer, establish the operating limits according to paragraphs (e)(3)(ii)(A) and (B) or paragraphs (e)(3)(ii)(C) and (D) of this section.
- (A) During the performance test, you must monitor and record the temperature just before the catalyst bed and the temperature difference across the catalyst bed at least once every 15 minutes during each of the three test runs.



- (B) Use the data collected during the performance test to calculate and record the average temperature just before the catalyst bed and the average temperature difference across the catalyst bed maintained during the performance test. Maintain the 3-hour average combustion temperature no more than 50 degrees Fahrenheit lower than this average combustion temperature or maintain the 3-hour average temperature difference across the catalyst bed at no less than 80 percent of this average temperature differential, provided that the minimum temperature is always 50 degrees Fahrenheit above the catalyst's ignition temperature.
- (C) As an alternative to monitoring the temperature difference across the catalyst bed, you may monitor the temperature at the inlet to the catalyst bed and implement a site-specific inspection and maintenance plan for your catalytic oxidizer as specified in paragraph (e)(3)(ii)(D) of this section. During the performance test, you must monitor and record the temperature just before the catalyst bed at least once every 15 minutes during each of the three test runs. Use the data collected during the performance test to calculate and record the average temperature just before the catalyst bed during the performance test. Maintain the 3-hour average combustion temperature no more than 50 degrees Fahrenheit lower than this average combustion temperature.
- (D) You must develop and implement an inspection and maintenance plan for your catalytic oxidizer(s) for which you elect to monitor according to paragraph (e)(3)(ii)(C) of this section. The plan must address, at a minimum, the elements specified in paragraphs (e)(3)(ii)(D)(1) through (3) of this section.
- (1) Annual sampling and analysis of the catalyst activity (*i.e.*, conversion efficiency) following the manufacturer's or catalyst supplier's recommended procedures,
  - (2) Monthly inspection of the oxidizer system including the burner assembly and fuel supply lines for problems, and
  - (3) Annual internal and monthly external visual inspection of the catalyst bed to check for channeling, abrasion, and settling. If problems are found, you must take corrective action consistent with the manufacturer's recommendations and conduct a new performance test to determine destruction efficiency in accordance with this section.
- (4) **Control Destruction Efficiency Curve Development.** If you are using one or more add-on control devices other than a solvent recovery system for which you conduct a liquid-liquid material balance to comply with the emission standards in § 63.3320, you may establish a control destruction efficiency curve for use in estimating emissions that occur during deviations of the 3-hour operating parameters. This curve can be generated using test data or manufacturer's data that specifically documents the level of control at varying temperatures for your control device.
- (f) **Capture efficiency.** If you demonstrate compliance by meeting the requirements of § 63.3370(f), (g), (h), (i), (j)(2), (l), (o)(2) or (3), or (q), you must determine capture efficiency using the procedures in paragraph (f)(1), (2), or (3) of this section, as applicable.
- (1) You may assume your capture efficiency equals 100 percent if your capture system is a permanent total enclosure (PTE). You must confirm that your capture system is a PTE by demonstrating that it meets the requirements of section 6 of EPA Method 204 of 40 CFR part 51, appendix M, and that all exhaust gases from the enclosure are delivered to a control device.
  - (2) You may determine capture efficiency according to the protocols for testing with temporary total enclosures that are specified in Methods 204 and 204A through F of 40 CFR part 51, appendix M. You may exclude never-controlled work stations from such capture efficiency determinations.
  - (3) You may use any capture efficiency protocol and test methods that satisfy the criteria of either the Data Quality Objective or the Lower Confidence Limit approach as described in appendix A of subpart KK of this part. You may exclude never-controlled work stations from such capture efficiency determinations.
- (g) **Volatile matter retained in the coated web or otherwise not emitted to the atmosphere.** You may choose to take into account the mass of volatile matter retained in the coated web after curing or drying or otherwise not emitted to the atmosphere when determining compliance with the emission standards in § 63.3320. If you choose this option, you must develop a site- and product-specific emission factor (EF) and determine the amount of volatile matter retained in the coated web or otherwise not emitted using Equation 3 to § 63.3360(g)(1). The EF must be developed by conducting a performance test using an approved EPA test method, or alternative approved by the Administrator by obtaining the average of a three-run test. You may additionally use manufacturer's emissions test data (as long as it replicates the facility's coating formulation and operating conditions), or a mass-balance type approach using a modified Method 24 (including ASTM D5403-93 for radiation-cureable coatings). The EF should equal the proportion of the mass of volatile organics emitted to the mass of volatile organics in the coating materials evaluated. You may use the EF in your compliance calculations only for periods that the work station(s) was (were) used to make the product, or a similar product, corresponding to that produced during the performance test. You must develop a separate EF for each group of different products that you choose to utilize an EF for calculating emissions by conducting a separate performance test for that group of products. You must conduct a periodic performance test to re-establish the EF if there is a change in coating formulation, operating conditions, or other change that could reasonably be expected to increase emissions since the time of the last test that was used to establish the EF.
- (1) Calculate the mass of volatile organics retained in the coated web or otherwise not emitted for the month from each group of similar products using Equation 3:

Where:

$M_{\text{vret}}$  = Mass of volatile matter retained in the coated web after curing or drying, or otherwise not emitted to the atmosphere, kg.

$C_{vi}$  = Volatile organic content of coating material,  $i$ , expressed as a mass fraction, kg/kg.

$M_i$  = Mass of as-purchased coating material,  $i$ , applied in a month, kg.

$q$  = Number of different materials added to the coating material.

$C_{vij}$  = Volatile organic content of material,  $j$ , added to as-purchased coating material,  $i$ , expressed as a mass fraction, kg/kg.

$M_{ij}$  = Mass of material,  $j$ , added to as-purchased coating material,  $i$ , in a month, kg.

$EF_i$  = Volatile organic matter site- and product-specific emission factor (three-run average determined from performance testing, evaluated as proportion of mass volatile organics emitted to mass of volatile organics in the coatings used during the performance test).

(2) [Reserved]

- (h) **Control devices in series.** If you use multiple control devices in series to comply with the emission standards in § 63.3320, the performance test must include, at a minimum, the inlet to the first control device in the series, the outlet of the last control device in the series, and all intermediate streams (e.g., gaseous exhaust to the atmosphere or a liquid stream from a recovery device) that are not subsequently treated by any of the control devices in the series.

[67 FR 72341, Dec. 4, 2002, as amended at 85 FR 41298, July 9, 2020]

#### REQUIREMENTS FOR SHOWING COMPLIANCE

### § 63.3370 How do I demonstrate compliance with the emission standards?

You must demonstrate compliance each month with the emission limitations in § 63.3320(b)(1) through (4). For each monthly demonstration, you may apply any combination of the emission limitations to each of your web coating lines individually, to each of one or more groupings of your lines (including a single grouping encompassing all lines of your affected source), or to any combination of individual and grouped lines, so long as each web coating line is included in the compliance demonstration for the month (i.e., you are not required to apply the same emission limitation to each of the individual lines or groups of lines). You may change the emission limitation that you apply each month to your individual or grouped lines, and you may change line groupings for your monthly compliance demonstration.

- (a) A summary of how you must demonstrate compliance follows:

If you choose to demonstrate compliance by:	Then you must demonstrate that:	To accomplish this:
(1) Use of "as-purchased" compliant coating materials	(i) Each coating material used at an existing affected source does not exceed 0.04 kg organic HAP per kg coating material, and each coating material used at a new affected source does not exceed 0.016 kg organic HAP per kg coating material as-purchased; or	Follow the procedures set out in § 63.3370(b).
	(ii) Each coating material used at an existing affected source does not exceed 0.2 kg organic HAP per kg coating solids, and each coating material used at a new affected source does not exceed 0.08 kg organic HAP per kg coating solids as-purchased	Follow the procedures set out in § 63.3370(b).

<b>If you choose to demonstrate compliance by:</b>	<b>Then you must demonstrate that:</b>	<b>To accomplish this:</b>
(2) Use of "as-applied" compliant coating materials	(i) Each coating material used at an existing affected source does not exceed 0.04 kg organic HAP per kg coating material, and each coating material used at a new affected source does not exceed 0.016 kg organic HAP per kg coating material as-applied; or	Follow the procedures set out in § 63.3370(c)(1). Use either Equation 4 or 5 of § 63.3370 to determine compliance with § 63.3320(b)(2) in accordance with § 63.3370(c)(5)(i).
	(ii) Each coating material used at an existing affected source does not exceed 0.2 kg organic HAP per kg coating solids, and each coating material used at a new affected source does not exceed 0.08 kg organic HAP per kg coating solids as-applied; or	Follow the procedures set out in § 63.3370(c)(2). Use Equations 6 and 7 of § 63.3370 to determine compliance with § 63.3320(b)(3) in accordance with § 63.3370(c)(5)(i).
	(iii) Monthly average of all coating materials used at an existing affected source does not exceed 0.04 kg organic HAP per kg coating material, and monthly average of all coating materials used at a new affected source does not exceed 0.016 kg organic HAP per kg coating material as-applied on a monthly average basis; or	Follow the procedures set out in § 63.3370(c)(3). Use Equation 8 of § 63.3370 to determine compliance with § 63.3320(b)(2) in accordance with § 63.3370(c)(5)(ii).
	(iv) Monthly average of all coating materials used at an existing affected source does not exceed 0.2 kg organic HAP per kg coating solids, and monthly average of all coating materials used at a new affected source does not exceed 0.08 kg organic HAP per kg coating solids as-applied on a monthly average basis	Follow the procedures set out in § 63.3370(c)(4). Use Equation 9 of § 63.3370 to determine compliance with § 63.3320(b)(3) in accordance with § 63.3370(c)(5)(ii).
(3) Tracking total monthly organic HAP applied	Total monthly organic HAP applied does not exceed the calculated limit based on emission limitations	Follow the procedures set out in § 63.3370(d). Show that total monthly HAP applied (Equation 10 of § 63.3370) is less than the calculated equivalent allowable organic HAP (Equation 17 or 18 of § 63.3370).



<b>If you choose to demonstrate compliance by:</b>	<b>Then you must demonstrate that:</b>	<b>To accomplish this:</b>
(4) Accounting for volatile matter retained in the coated web or otherwise not emitted	A site- and product-specific emission factor was appropriately established for the group of products for which the site- and product-specific emission factor was used in the compliance calculations	Follow the procedures set out in § 63.3360(g) and § 63.3370(e)
(5) Use of a capture system and control device	(i) Overall organic HAP control efficiency is equal to 95 percent at an existing affected source and 98 percent at a new affected source on a monthly basis; or oxidizer outlet organic HAP concentration is no greater than 20 ppmv and capture efficiency is 100 percent; or operating parameters are continuously monitored; or	Follow the procedures set out in § 63.3370(f) to determine compliance with § 63.3320(b)(1) according to § 63.3370(j) if using a solvent recovery device, or § 63.3370(k) if using a control device and CPMS, or § 63.3370(l) if using an oxidizer.
	(ii) Overall organic HAP emission rate does not exceed 0.2 kg organic HAP per kg coating solids for an existing affected source or 0.08 kg organic HAP per kg coating solids for a new affected source on a monthly average as-applied basis;	Follow the procedures set out in § 63.3370(g) to determine compliance with § 63.3320(b)(3) according to § 63.3370(j) if using a solvent recovery device, or § 63.3370(l) if using an oxidizer.
	(iii) Overall organic HAP emission rate does not exceed 0.04 kg organic HAP per kg coating material for an existing affected source or 0.016 kg organic HAP per kg coating material for a new affected source on a monthly average as-applied basis; or	Follow the procedures set out in § 63.3370(h) to determine compliance with § 63.3320(b)(2) according to § 63.3370(j) if using a solvent recovery device, or § 63.3370(l) if using an oxidizer.
	(iv) Overall organic HAP emission rate does not exceed the calculated limit based on emission limitations	Follow the procedures set out in § 63.3370(i). Show that the monthly organic HAP emission rate is less than the calculated equivalent allowable organic HAP emission rate (Equation 17 or 18 of § 63.3370). Calculate the monthly organic HAP emission rate according to § 63.3370(j) if using a solvent recovery device, or § 63.3370(l) if using an oxidizer.

<b>If you choose to demonstrate compliance by:</b>	<b>Then you must demonstrate that:</b>	<b>To accomplish this:</b>
(6) Use of multiple capture and/or control devices	(i) Overall organic HAP control efficiency is equal to 95 percent at an existing affected source and 98 percent at a new affected source on a monthly basis; or	Follow the procedures set out in § 63.3370(f) to determine compliance with § 63.3320(b)(1) according to § 63.3370(f)(1) or (2).
	(ii) Average equivalent organic HAP emission rate does not exceed 0.2 kg organic HAP per kg coating solids for an existing affected source or 0.08 kg organic HAP per kg coating solids for a new affected source on a monthly average as-applied basis; or	Follow the procedures set out in § 63.3370(g) to determine compliance with § 63.3320(b)(3) according to § 63.3370(o).
	(iii) Average equivalent organic HAP emission rate does not exceed 0.04 kg organic HAP per kg coating material for an existing affected source or 0.016 kg organic HAP per kg coating material for a new affected source on a monthly average as-applied basis; or	Follow the procedures set out in § 63.3370(h) to determine compliance with § 63.3320(b)(2) according to § 63.3370(o).
	(iv) Average equivalent organic HAP emission rate does not exceed the calculated limit based on emission limitations	Follow the procedures set out in § 63.3370(i). Show that the monthly organic HAP emission rate is less than the calculated equivalent allowable organic HAP emission rate (Equation 17 or 18 of § 63.3370) according to § 63.3370(o).
(7) Use of a combination of compliant coatings and control devices	(i) Average equivalent organic HAP emission rate does not exceed 0.2 kg organic HAP per kg coating solids for an existing affected source or 0.08 kg organic HAP per kg coating solids for a new affected source on a monthly average as-applied basis; or	Follow the procedures set out in § 63.3370(g) to determine compliance with § 63.3320(b)(3) according to § 63.3370(o).
	(ii) Average equivalent organic HAP emission rate does not exceed 0.04 kg organic HAP per kg coating material for an existing affected source or 0.016 kg organic HAP per kg coating material for a new affected source on a monthly average as-applied basis; or	Follow the procedures set out in § 63.3370(h) to determine compliance with § 63.3320(b)(2) according to § 63.3370(o).

If you choose to demonstrate compliance by:	Then you must demonstrate that:	To accomplish this:
	(iii) Average equivalent organic HAP emission rate does not exceed the calculated limit based on emission limitations	Follow the procedures set out in § 63.3370(i). Show that the monthly organic HAP emission rate is less than the calculated equivalent allowable organic HAP emission rate (Equation 17 or 18 of § 63.3370) according to § 63.3370(o).
(8) Use of non-HAP coatings	All coatings for all coating lines at an affected source have organic HAP contents below 0.1 percent by mass for OSHA-defined carcinogens as specified in section A.6.4 of appendix A to 29 CFR 1910.1200, and below 1.0 percent by mass for other organic HAP compounds	Follow the procedures set out in § 63.3370(s).

(b) *As-purchased "compliant" coating materials.*

- (1) If you comply by using coating materials that individually meet the emission standards in § 63.3320(b)(2) or (3), you must demonstrate that each coating material applied during the month at an existing affected source contains no more than 0.04 mass fraction organic HAP or 0.2 kg organic HAP per kg coating solids, and that each coating material applied during the month at a new affected source contains no more than 0.016 mass fraction organic HAP or 0.08 kg organic HAP per kg coating solids on an as-purchased basis as determined in accordance with § 63.3360(c).
- (2) You are in compliance with emission standards in § 63.3320(b)(2) and (3) if each coating material applied at an existing affected source is applied as-purchased and contains no more than 0.04 kg organic HAP per kg coating material or 0.2 kg organic HAP per kg coating solids, and each coating material applied at a new affected source is applied as-purchased and contains no more than 0.016 kg organic HAP per kg coating material or 0.08 kg organic HAP per kg coating solids.

(c) *As-applied "compliant" coating materials.* If you comply by using coating materials that meet the emission standards in § 63.3320(b)(2) or (3) as-applied, you must demonstrate compliance by following one of the procedures in paragraphs (c)(1) through (4) of this section. Compliance is determined in accordance with paragraph (c)(5) of this section.

- (1) *Each coating material as-applied meets the mass fraction of coating material standard (§ 63.3320(b)(2)).* You must demonstrate that each coating material applied at an existing affected source during the month contains no more than 0.04 kg organic HAP per kg coating material applied, and each coating material applied at a new affected source contains no more than 0.016 kg organic HAP per kg coating material applied as determined in accordance with paragraphs (c)(1)(i) and (ii) of this section. You must calculate the as-applied organic HAP content of as-purchased coating materials which are reduced, thinned, or diluted prior to application.
  - (i) Determine the organic HAP content or volatile organic content of each coating material applied on an as-purchased basis in accordance with § 63.3360(c).
  - (ii) Calculate the as-applied organic HAP content of each coating material using Equation 4:

Where:

 $C_{ahi}$  = Monthly average, as-applied, organic HAP content of coating material, i, expressed as a mass fraction, kg/kg. $C_{hi}$  = Organic HAP content of coating material, i, as-purchased, expressed as a mass fraction, kg/kg. $M_i$  = Mass of as-purchased coating material, i, applied in a month, kg.

q = number of different materials added to the coating material.

 $C_{hij}$  = Organic HAP content of material, j, added to as-purchased coating material, i, expressed as a mass fraction, kg/kg.

$M_{ij}$  = Mass of material, j, added to as-purchased coating material, i, in a month, kg. or calculate the as-applied volatile organic content of each coating material using Equation 5:

Where:

$C_{avi}$  = Monthly average, as-applied, volatile organic content of coating material, i, expressed as a mass fraction, kg/kg.

$C_{vi}$  = Volatile organic content of coating material, i, expressed as a mass fraction, kg/kg.

$M_i$  = Mass of as-purchased coating material, i, applied in a month, kg.

q = Number of different materials added to the coating material.

$C_{vij}$  = Volatile organic content of material, j, added to as-purchased coating material, i, expressed as a mass fraction, kg/kg.

$M_{ij}$  = Mass of material, j, added to as-purchased coating material, i, in a month, kg.

- (2) **Each coating material as-applied meets the mass fraction of coating solids standard (§ 63.3320(b)(3)).** You must demonstrate that each coating material applied at an existing affected source contains no more than 0.20 kg of organic HAP per kg of coating solids applied and each coating material applied at a new affected source contains no more than 0.08 kg of organic HAP per kg of coating solids applied. You must demonstrate compliance in accordance with paragraphs (c)(2)(i) and (ii) of this section.

- (i) Determine the as-applied coating solids content of each coating material following the procedure in § 63.3360(d). You must calculate the as-applied coating solids content of coating materials which are reduced, thinned, or diluted prior to application, using Equation 6:

Where:

$C_{si}$  = Coating solids content of coating material, i, expressed as a mass fraction, kg/kg.

$M_i$  = Mass of as-purchased coating material, i, applied in a month, kg.

q = Number of different materials added to the coating material.

$C_{sij}$  = Coating solids content of material, j, added to as-purchased coating material, i, expressed as a mass-fraction, kg/kg.

$M_{ij}$  = Mass of material, j, added to as-purchased coating material, i, in a month, kg.

- (ii) Calculate the as-applied organic HAP to coating solids ratio using Equation 7:

Where:

$H_{si}$  = As-applied, organic HAP to coating solids ratio of coating material, i.

$C_{ahi}$  = Monthly average, as-applied, organic HAP content of coating material, i, expressed as a mass fraction, kg/kg.

$C_{asi}$  = Monthly average, as-applied, coating solids content of coating material, i, expressed as a mass fraction, kg/kg.

- (3) **Monthly average organic HAP content of all coating materials as-applied is less than the mass percent limit (§ 63.3320(b)(2)).** Demonstrate that the monthly average as-applied organic HAP content of all coating materials applied at an existing affected source is less than 0.04 kg organic HAP per kg of coating material applied, and all coating materials applied at a new affected source are less than 0.016 kg organic HAP per kg of coating material applied, as determined by Equation 8:

Where:

$H_L$  = Monthly average, as-applied, organic HAP content of all coating materials applied, expressed as kg organic HAP per kg of coating material applied, kg/kg.

p = Number of different coating materials applied in a month.

$C_{hi}$  = Organic HAP content of coating material, i, as-purchased, expressed as a mass fraction, kg/kg.

$M_i$  = Mass of as-purchased coating material, i, applied in a month, kg.

$q$  = Number of different materials added to the coating material.

$C_{hij}$  = Organic HAP content of material, j, added to as-purchased coating material, i, expressed as a mass fraction, kg/kg.

$M_{ij}$  = Mass of material, j, added to as-purchased coating material, i, in a month, kg.

$M_{\text{vret}}$  = Mass of volatile matter retained in the coated web after curing or drying, or otherwise not emitted to the atmosphere, kg. The value of this term will be zero in all cases except where you choose to take into account the volatile matter retained in the coated web or otherwise not emitted to the atmosphere for the compliance demonstration procedures in § 63.3370.

- (4) **Monthly average organic HAP content of all coating materials as-applied is less than the mass fraction of coating solids limit (§ 63.3320(b)(3)).** Demonstrate that the monthly average as-applied organic HAP content on the basis of coating solids applied of all coating materials applied at an existing affected source is less than 0.20 kg organic HAP per kg coating solids applied, and all coating materials applied at a new affected source are less than 0.08 kg organic HAP per kg coating solids applied, as determined by Equation 9:

Where:

$H_s$  = Monthly average, as-applied, organic HAP to coating solids ratio, kg organic HAP/kg coating solids applied.

$p$  = Number of different coating materials applied in a month.

$C_{hi}$  = Organic HAP content of coating material, i, as-purchased, expressed as a mass fraction, kg/kg.

$M_i$  = Mass of as-purchased coating material, i, applied in a month, kg.

$q$  = Number of different materials added to the coating material.

$C_{hij}$  = Organic HAP content of material, j, added to as-purchased coating material, i, expressed as a mass fraction, kg/kg.

$M_{ij}$  = Mass of material, j, added to as-purchased coating material, i, in a month, kg.

$M_{\text{vret}}$  = Mass of volatile matter retained in the coated web after curing or drying, or otherwise not emitted to the atmosphere, kg. The value of this term will be zero in all cases except where you choose to take into account the volatile matter retained in the coated web or otherwise not emitted to the atmosphere for the compliance demonstration procedures in § 63.3370.

$C_{si}$  = Coating solids content of coating material, i, expressed as a mass fraction, kg/kg.

$C_{sij}$  = Coating solids content of material, j, added to as-purchased coating material, i, expressed as a mass-fraction, kg/kg.

- (5) The affected source is in compliance with emission standards in § 63.3320(b)(2) or (3) if:
- (i) The organic HAP content of each coating material as-applied at an existing affected source is no more than 0.04 kg organic HAP per kg coating material or 0.2 kg organic HAP per kg coating solids, and the organic HAP content of each coating material as-applied at a new affected source contains no more than 0.016 kg organic HAP per kg coating material or 0.08 kg organic HAP per kg coating solids; or
  - (ii) The monthly average organic HAP content of all as-applied coating materials at an existing affected source are no more than 0.04 kg organic HAP per kg coating material or 0.2 kg organic HAP per kg coating solids, and the monthly average organic HAP content of all as-applied coating materials at a new affected source is no more than 0.016 kg organic HAP per kg coating material or 0.08 kg organic HAP per kg coating solids.
- (d) **Monthly allowable organic HAP applied.** Demonstrate that the total monthly organic HAP applied as determined by Equation 10 is less than the calculated equivalent allowable organic HAP as determined by Equation 17 or 18 in paragraph (m) of this section:

Where:

$H_m$  = Total monthly organic HAP applied, kg.

$p$  = Number of different coating materials applied in a month.



$C_{hi}$  = Organic HAP content of coating material,  $i$ , as-purchased, expressed as a mass fraction, kg/kg.

$M_i$  = Mass of as-purchased coating material,  $i$ , applied in a month, kg.

$q$  = Number of different materials added to the coating material.

$C_{hij}$  = Organic HAP content of material,  $j$ , added to as-purchased coating material,  $i$ , expressed as a mass fraction, kg/kg.

$M_{ij}$  = Mass of material,  $j$ , added to as-purchased coating material,  $i$ , in a month, kg.

$M_{\text{vret}}$  = Mass of volatile matter retained in the coated web after curing or drying, or otherwise not emitted to the atmosphere, kg. The value of this term will be zero in all cases except where you choose to take into account the volatile matter retained in the coated web or otherwise not emitted to the atmosphere for the compliance demonstration procedures in § 63.3370.

- (e) **Accounting for volatile matter retained in the coated web or otherwise not emitted.** If you choose to use the equation in § 63.3360(g) to take into account volatile organic matter that is retained in the coated web or otherwise not emitted, you must identify each group of similar products that can utilize each site- and product-specific emission factor. Details regarding the test methods and calculations are provided in § 63.3360(g).
- (f) **Capture and control to reduce emissions to no more than allowable limit (§ 63.3320(b)(1)).** Operate a capture system and control device and demonstrate an overall organic HAP control efficiency of at least 95 percent at an existing affected source and at least 98 percent at a new affected source for each month, or operate a capture system and oxidizer so that an outlet organic HAP concentration of no greater than 20 ppmv on a dry basis is achieved as long as the capture efficiency is 100 percent as detailed in § 63.3320(b)(4). Unless one of the cases described in paragraph (f)(1), (2), or (3) of this section applies to the affected source, you must either demonstrate compliance in accordance with the procedure in paragraph (i) of this section when emissions from the affected source are controlled by a solvent recovery device, or the procedure in paragraph (l) of this section when emissions are controlled by an oxidizer or demonstrate compliance for a web coating line by operating each capture system and each control device and continuous parameter monitoring according to the procedures in paragraph (k) of this section.
- (1) If the affected source has only always-controlled work stations and operates more than one capture system or more than one control device, you must demonstrate compliance in accordance with the provisions of either paragraph (o) or (q) of this section.
  - (2) If the affected source operates one or more never-controlled work stations or one or more intermittently-controlled work stations, you must demonstrate compliance in accordance with the provisions of paragraph (o) of this section.
  - (3) An alternative method of demonstrating compliance with § 63.3320(b)(1) is the installation of a PTE around the web coating line that achieves 100 percent capture efficiency and ventilation of all organic HAP emissions from the total enclosure to an oxidizer with an outlet organic HAP concentration of no greater than 20 ppmv on a dry basis. If this method is selected, you must demonstrate compliance by following the procedures in paragraphs (f)(3)(i) and (ii) of this section. Compliance is determined according to paragraph (f)(3)(iii) of this section.
    - (i) Demonstrate that a total enclosure is installed. An enclosure that meets the requirements in § 63.3360(f)(1) will be considered a total enclosure.
    - (ii) Determine the organic HAP concentration at the outlet of your total enclosure using the procedures in paragraph (f)(3)(ii)(A) or (B) of this section.
      - (A) Determine the control device efficiency using Equation 2 of § 63.3360 and the applicable test methods and procedures specified in § 63.3360(e).
      - (B) Use a CEMS to determine the organic HAP emission rate according to paragraphs (j)(2)(i) through (x) of this section.
    - (iii) You are in compliance if the installation of a total enclosure is demonstrated and the organic HAP concentration at the outlet of the incinerator is demonstrated to be no greater than 20 ppmv on a dry basis.
- (g) **Capture and control to achieve mass fraction of coating solids applied limit (§ 63.3320(b)(3)).** Operate a capture system and control device and limit the organic HAP emission rate from an existing affected source to no more than 0.20 kg organic HAP emitted per kg coating solids applied, and from a new affected source to no more than 0.08 kg organic HAP emitted per kg coating solids applied as determined on a monthly average as-applied basis. If the affected source operates more than one capture system, more than one control device, one or more never-controlled work stations, or one or more intermittently-controlled work stations, then you must demonstrate compliance in accordance with the provisions of paragraph (o) of this section. Otherwise, you must demonstrate compliance following the procedure in paragraph (j) of this section when emissions from the affected source are controlled by a solvent recovery device or the procedure in paragraph (l) of this section when emissions are controlled by an oxidizer.
- (h) **Capture and control to achieve mass fraction limit (§ 63.3320(b)(2)).** Operate a capture system and control device and limit the organic HAP emission rate to no more than 0.04 kg organic HAP emitted per kg coating material applied at an existing affected source, and no more than 0.016 kg organic HAP emitted per kg coating material applied at a new affected source as determined on a monthly average as-applied basis. If the affected source operates more than one capture system, more than one control device, one or more never-controlled work stations, or one or more intermittently-controlled work stations, then you must demonstrate compliance in accordance

with the provisions of paragraph (o) of this section. Otherwise, you must demonstrate compliance following the procedure in paragraph (j) of this section when emissions from the affected source are controlled by a solvent recovery device or the procedure in paragraph (l) of this section when emissions are controlled by an oxidizer.

- (i) **Capture and control to achieve allowable emission rate.** Operate a capture system and control device and limit the monthly organic HAP emissions to less than the allowable emissions as calculated in accordance with paragraph (m) of this section. If the affected source operates more than one capture system, more than one control device, one or more never-controlled work stations, or one or more intermittently-controlled work stations, then you must demonstrate compliance in accordance with the provisions of paragraph (o) of this section. Otherwise, the owner or operator must demonstrate compliance following the procedure in paragraph (j) of this section when emissions from the affected source are controlled by a solvent recovery device or the procedure in paragraph (l) of this section when emissions are controlled by an oxidizer.
- (j) **Solvent recovery device compliance demonstration.** If you use a solvent recovery device to control emissions, you must show compliance by following the procedures in either paragraph (j)(1) or (2) of this section:
  - (1) **Liquid-liquid material balance.** Perform a monthly liquid-liquid material balance as specified in paragraphs (j)(1)(i) through (v) of this section and use the applicable equations in paragraphs (j)(1)(vi) through (ix) of this section to convert the data to units of the selected compliance option in paragraphs (f) through (i) of this section. Compliance is determined in accordance with paragraph (j)(1)(x) of this section.
    - (i) Determine the mass of each coating material applied on the web coating line or group of web coating lines controlled by a common solvent recovery device during the month.
    - (ii) If demonstrating compliance on the basis of organic HAP emission rate based on coating solids applied, organic HAP emission rate based on coating material applied, or emission of less than the calculated allowable organic HAP, determine the organic HAP content of each coating material as-applied during the month following the procedure in § 63.3360(c).
    - (iii) Determine the volatile organic content of each coating material as-applied during the month following the procedure in § 63.3360(d).
    - (iv) If demonstrating compliance on the basis of organic HAP emission rate based on coating solids applied or emission of less than the calculated allowable organic HAP, determine the coating solids content of each coating material applied during the month following the procedure in § 63.3360(d).
    - (v) Determine and monitor the amount of volatile organic matter recovered for the month according to the procedures in § 63.3350(d).
    - (vi) **Recovery efficiency.** Calculate the volatile organic matter collection and recovery efficiency using Equation 11:

Where:

$R_v$  = Organic volatile matter collection and recovery efficiency, percent.

$M_{vr}$  = Mass of volatile matter recovered in a month, kg.

$M_{vret}$  = Mass of volatile matter retained in the coated web after curing or drying, or otherwise not emitted to the atmosphere, kg. The value of this term will be zero in all cases except where you choose to take into account the volatile matter retained in the coated web or otherwise not emitted to the atmosphere for the compliance demonstration procedures in this section.

$p$  = Number of different coating materials applied in a month.

$C_{vi}$  = Volatile organic content of coating material,  $i$ , expressed as a mass fraction, kg/kg.

$M_i$  = Mass of as-purchased coating material,  $i$ , applied in a month, kg.

$q$  = Number of different materials added to the coating material.

$C_{vij}$  = Volatile organic content of material,  $j$ , added to as-purchased coating material,  $i$ , expressed as a mass fraction, kg/kg.

$M_{ij}$  = Mass of material,  $j$ , added to as-purchased coating material,  $i$ , in a month, kg.

- (vii) **Organic HAP emitted.** Calculate the organic HAP emitted during the month using Equation 12:

Where:

$H_e$  = Total monthly organic HAP emitted, kg.

$R_v$  = Organic volatile matter collection and recovery efficiency, percent.



$p$  = Number of different coating materials applied in a month.

$C_{hi}$  = Organic HAP content of coating material,  $i$ , as-purchased, expressed as a mass fraction, kg/kg.

$M_i$  = Mass of as-purchased coating material,  $i$ , applied in a month, kg.

$q$  = Number of different materials added to the coating material.

$C_{hij}$  = Organic HAP content of material,  $j$ , added to as-purchased coating material,  $i$ , expressed as a mass fraction, kg/kg.

$M_{ij}$  = Mass of material,  $j$ , added to as-purchased coating material,  $i$ , in a month, kg.

$M_{vret}$  = Mass of volatile matter retained in the coated web after curing or drying, or otherwise not emitted to the atmosphere, kg. The value of this term will be zero in all cases except where you choose to take into account the volatile matter retained in the coated web or otherwise not emitted to the atmosphere for the compliance demonstration procedures in this section.

(viii) **Organic HAP emission rate based on coating solids applied.** Calculate the organic HAP emission rate based on coating solids applied using Equation 13:

Where:

$L$  = Mass organic HAP emitted per mass of coating solids applied, kg/kg.

$H_e$  = Total monthly organic HAP emitted, kg.

$p$  = Number of different coating materials applied in a month.

$C_{si}$  = Coating solids content of coating material,  $i$ , expressed as a mass fraction, kg/kg.

$M_i$  = Mass of as-purchased coating material,  $i$ , applied in a month, kg.

$q$  = Number of different materials added to the coating material.

$C_{sij}$  = Coating solids content of material,  $j$ , added to as-purchased coating material,  $i$ , expressed as a mass-fraction, kg/kg.

$M_{ij}$  = Mass of material,  $j$ , added to as-purchased coating material,  $i$ , in a month, kg.

(ix) **Organic HAP emission rate based on coating materials applied.** Calculate the organic HAP emission rate based on coating material applied using Equation 14:

Where:

$S$  = Mass organic HAP emitted per mass of material applied, kg/kg.

$H_e$  = Total monthly organic HAP emitted, kg.

$p$  = Number of different coating materials applied in a month.

$M_i$  = Mass of as-purchased coating material,  $i$ , applied in a month, kg.

$q$  = Number of different materials added to the coating material.

$M_{ij}$  = Mass of material,  $j$ , added to as-purchased coating material,  $i$ , in a month, kg.

(x) You are in compliance with the emission standards in § 63.3320(b) if:

- (A) The volatile organic matter collection and recovery efficiency is 95 percent or greater at an existing affected source and 98 percent or greater at a new affected source; or
- (B) The organic HAP emission rate based on coating solids applied is no more than 0.20 kg organic HAP per kg coating solids applied at an existing affected source and no more than 0.08 kg organic HAP per kg coating solids applied at a new affected source; or

- (C) The organic HAP emission rate based on coating material applied is no more than 0.04 kg organic HAP per kg coating material applied at an existing affected source and no more than 0.016 kg organic HAP per kg coating material applied at a new affected source; or
- (D) The organic HAP emitted during the month is less than the calculated allowable organic HAP as determined using paragraph (m) of this section.
- (2) **Continuous emission monitoring of capture system and control device performance.** Demonstrate initial compliance through a performance test on capture efficiency and continuing compliance through continuous emission monitors and continuous monitoring of capture system operating parameters following the procedures in paragraphs (j)(2)(i) through (vii) of this section. Use the applicable equations specified in paragraphs (j)(2)(viii) through (x) of this section to convert the monitoring and other data into units of the selected compliance option in paragraphs (f) through (i) of this section. Compliance is determined in accordance with paragraph (j)(2)(xi) of this section.
- (i) **Control device efficiency.** Continuously monitor the gas stream entering and exiting the control device to determine the total organic volatile matter mass flow rate (e.g., by determining the concentration of the vent gas in grams per cubic meter and the volumetric flow rate in cubic meters per second such that the total organic volatile matter mass flow rate in grams per second can be calculated) such that the control device efficiency of the control device can be calculated for each month using Equation 2 of § 63.3360.
- (ii) **Capture efficiency monitoring.** Whenever a web coating line is operated, continuously monitor the operating parameters established in accordance with § 63.3350(f) to ensure capture efficiency.
- (iii) Determine the percent capture efficiency in accordance with § 63.3360(f).
- (iv) **Control efficiency.** Calculate the overall organic HAP control efficiency achieved for each month using Equation 15:

Where:

R = Overall organic HAP control efficiency, percent.

E = Organic volatile matter control efficiency of the control device, percent.

CE = Organic volatile matter capture efficiency of the capture system, percent.

- (v) If demonstrating compliance on the basis of organic HAP emission rate based on coating solids applied, organic HAP emission rate based on coating materials applied, or emission of less than the calculated allowable organic HAP, determine the mass of each coating material applied on the web coating line or group of web coating lines controlled by a common control device during the month.
- (vi) If demonstrating compliance on the basis of organic HAP emission rate based on coating solids applied, organic HAP emission rate based on coating material applied, or emission of less than the calculated allowable organic HAP, determine the organic HAP content of each coating material as-applied during the month following the procedure in § 63.3360(c).
- (vii) If demonstrating compliance on the basis of organic HAP emission rate based on coating solids applied or emission of less than the calculated allowable organic HAP, determine the coating solids content of each coating material as-applied during the month following the procedure in § 63.3360(d).
- (viii) **Organic HAP emitted.** Calculate the organic HAP emitted during the month for each month using Equation 16:

Where:

$H_e$  = Total monthly organic HAP emitted, kg.

R = Overall organic HAP control efficiency, percent.

p = Number of different coating materials applied in a month.

$C_{ahi}$  = Monthly average, as-applied, organic HAP content of coating material, i, expressed as a mass fraction, kg/kg.

$M_i$  = Mass of as-purchased coating material, i, applied in a month, kg.

$M_{vret}$  = Mass of volatile matter retained in the coated web after curing or drying, or otherwise not emitted to the atmosphere, kg. The value of this term will be zero in all cases except where you choose to take into account the volatile matter retained in the coated web or otherwise not emitted to the atmosphere for the compliance demonstration procedures in this section.

- (ix) **Organic HAP emission rate based on coating solids applied.** Calculate the organic HAP emission rate based on coating solids applied using Equation 13 of this section.

- (x) **Organic HAP emission rate based on coating materials applied.** Calculate the organic HAP emission rate based on coating material applied using Equation 14 of this section.
- (xi) **Compare actual performance to the performance required by compliance option.** The affected source is in compliance with the emission standards in § 63.3320(b) for each month if the capture system is operated such that the average capture system operating parameter is greater than or less than (as appropriate) the operating parameter value established in accordance with § 63.3350(f); and
- (A) The organic volatile matter collection and recovery efficiency is 95 percent or greater at an existing affected source and 98 percent or greater at a new affected source; or
- (B) The organic HAP emission rate based on coating solids applied is no more than 0.20 kg organic HAP per kg coating solids applied at an existing affected source and no more than 0.08 kg organic HAP per kg coating solids applied at a new affected source; or
- (C) The organic HAP emission rate based on coating material applied is no more than 0.04 kg organic HAP per kg coating material applied at an existing affected source and no more than 0.016 kg organic HAP per kg coating material applied at a new affected source; or
- (D) The organic HAP emitted during the month is less than the calculated allowable organic HAP as determined using paragraph (m) of this section.
- (k) **Capture and control system compliance demonstration procedures using a CPMS.** If you use an add-on control device, you must demonstrate initial compliance for each capture system and each control device through performance tests and demonstrate continuing compliance through continuous monitoring of capture system and control device operating parameters as specified in paragraphs (k)(1) through (3) of this section. Compliance is determined in accordance with paragraph (k)(4) or (k)(5) of this section.
- (1) Determine the control device destruction or removal efficiency using the applicable test methods and procedures in § 63.3360(e).
- (2) Determine the emission capture efficiency in accordance with § 63.3360(f).
- (3) Whenever a web coating line is operated, continuously monitor the operating parameters established according to § 63.3350(e) and (f).
- (4) **No operating limit deviations.** You are in compliance with the emission standards in § 63.3320(b) if the thermal oxidizer is operated such that the average combustion temperature does not fall more than 50 degrees Fahrenheit below the temperature established in accordance with § 63.3360(e)(3)(i) for each 3-hour period or if the catalytic oxidizer is operating such that the three-hour average temperature difference across the bed does not fall more than 80 percent of the average temperature established in accordance with § 63.3360(e)(3)(ii) and the minimum temperature is always 50 degrees Fahrenheit above the catalyst's ignition temperature, or the catalytic oxidizer average combustion temperature does not fall more than 50 °F below the temperature established in accordance with § 63.3360(e)(3)(ii) for each 3-hour period, and the capture system operating parameter is operated at an average value greater than or less than (as appropriate) the operating parameter value established in accordance with § 63.3350(f); and
- (i) The overall organic HAP control efficiency is 95 percent or greater at an existing affected source and 98 percent or greater at a new affected source; or
- (ii) The organic HAP emission rate based on coating solids applied is no more than 0.20 kg organic HAP per kg coating solids applied at an existing affected source and no more than 0.08 kg organic HAP per kg coating solids applied at a new affected source; or
- (iii) The organic HAP emission rate based on coating material applied is no more than 0.04 kg organic HAP per kg coating material applied at an existing affected source and no more than 0.016 kg organic HAP per kg coating material applied at a new affected source; or
- (iv) The organic HAP emitted during the month is less than the calculated allowable organic HAP as determined using paragraph (m) of this section.
- (5) **Operating limit deviations.** If one or more operating limit deviations occurred during the monthly averaging period, compliance with the emission standards in § 63.3320(b) is determined by either assuming no control of emissions or by estimating the emissions using a control destruction efficiency curve during each 3-hour period that was a deviation. You are in compliance with the emission standards in § 63.3320(b) if, including the periods of deviations:
- (i) The overall organic HAP control efficiency is 95 percent or greater at an existing affected source and 98 percent or greater at a new affected source; or
- (ii) The organic HAP emission rate based on coating solids applied is no more than 0.20 kg organic HAP per kg coating solids applied at an existing affected source and no more than 0.08 kg organic HAP per kg coating solids applied at a new affected source; or
- (iii) The organic HAP emission rate based on coating material applied is no more than 0.04 kg organic HAP per kg coating material applied at an existing affected source and no more than 0.016 kg organic HAP per kg coating material applied at a new affected source; or
- (iv) The organic HAP emitted during the month is less than the calculated allowable organic HAP as determined using paragraph (m) of this section.

- (l) **Oxidizer compliance demonstration procedures.** If you use an oxidizer to control emissions to comply with this subpart, you must show compliance by following the procedures in paragraph (l)(1) of this section. Use the applicable equations specified in paragraph (l)(2) of this section to convert the monitoring and other data into units of the selected compliance option in paragraph (f) through (i) of this section. Compliance is determined in accordance with paragraph (l)(3) or (l)(4) of this section.
- (1) Demonstrate initial compliance through performance tests of capture efficiency and control device efficiency and continuing compliance through continuous monitoring of capture system and control device operating parameters as specified in paragraphs (l)(1)(i) through (vi) of this section:
- (i) Determine the oxidizer destruction efficiency using the procedure in § 63.3360(e).
  - (ii) Determine the capture system capture efficiency in accordance with § 63.3360(f).
  - (iii) **Capture and control efficiency monitoring.** Whenever a web coating line is operated, continuously monitor the operating parameters established in accordance with § 63.3350(e) and (f) to ensure capture and control efficiency.
  - (iv) If demonstrating compliance on the basis of organic HAP emission rate based on coating solids applied, organic HAP emission rate based on coating materials applied, or emission of less than the calculated allowable organic HAP, determine the mass of each coating material applied on the web coating line or group of web coating lines controlled by a common oxidizer during the month.
  - (v) If demonstrating compliance on the basis of organic HAP emission rate based on coating solids applied, organic HAP emission rate based on coating material applied, or emission of less than the calculated allowable organic HAP, determine the organic HAP content of each coating material as-applied during the month following the procedure in § 63.3360(c).
  - (vi) If demonstrating compliance on the basis of organic HAP emission rate based on coating solids applied or emission of less than the calculated allowable organic HAP, determine the coating solids content of each coating material applied during the month following the procedure in § 63.3360(d).
- (2) Convert the information obtained under paragraph (q)(1) of this section into the units of the selected compliance option using the calculation procedures specified in paragraphs (l)(2)(i) through (iv) of this section.
- (i) **Control efficiency.** Calculate the overall organic HAP control efficiency achieved using Equation 15.
  - (ii) **Organic HAP emitted.** Calculate the organic HAP emitted during the month using Equation 16.
  - (iii) **Organic HAP emission rate based on coating solids applied.** Calculate the organic HAP emission rate based on coating solids applied for each month using Equation 13.
  - (iv) **Organic HAP emission rate based on coating materials applied.** Calculate the organic HAP emission rate based on coating material applied using Equation 14.
- (3) **No operating limit deviations.** You are in compliance with the emission standards in § 63.3320(b) if the oxidizer is operated such that the average combustion temperature does not fall more than 50 degrees Fahrenheit below the temperature established in accordance with § 63.3360(e)(3)(i) for each 3-hour period, or the catalytic oxidizer average combustion temperature does not fall more than 50 degrees Fahrenheit below the temperature established in accordance with § 63.3360(e)(3)(ii) for each 3-hour period or the temperature difference across the bed does not fall more than 80 percent of the average temperature established in accordance with § 63.3360(e)(3)(ii) and the minimum temperature is always 50 degrees Fahrenheit above the catalyst's ignition temperature, and the capture system operating parameter is operated at an average value greater than or less than (as appropriate) the operating parameter value established in accordance with § 63.3350(f); and
- (i) The overall organic HAP control efficiency is 95 percent or greater at an existing affected source and 98 percent or greater at a new affected source; or
  - (ii) The organic HAP emission rate based on coating solids applied is no more than 0.20 kg organic HAP per kg coating solids applied at an existing affected source and no more than 0.08 kg organic HAP per kg coating solids applied at a new affected source; or
  - (iii) The organic HAP emission rate based on coating material applied is no more than 0.04 kg organic HAP per kg coating material applied at an existing affected source and no more than 0.016 kg organic HAP per kg coating material applied at a new affected source; or
  - (iv) The organic HAP emitted during the month is less than the calculated allowable organic HAP as determined using paragraph (m) of this section.
- (4) **Operating limit deviations.** If one or more operating limit deviations occurred during the monthly averaging period, compliance with the emission standards in § 63.3320(b) is determined by assuming no control of emissions or by estimating the emissions using a control destruction efficiency curve during each 3-hour period that was a deviation. You are in compliance with the emission standards in § 63.3320(b) if, including the periods of deviation:
- (i) The overall organic HAP control efficiency is 95 percent or greater at an existing affected source and 98 percent or greater at a new affected source; or
  - (ii) The organic HAP emission rate based on coating solids applied is no more than 0.20 kg organic HAP per kg coating solids applied at an existing affected source and no more than 0.08 kg organic HAP per kg coating solids applied at a new affected source; or

- (iii) The organic HAP emission rate based on coating material applied is no more than 0.04 kg organic HAP per kg coating material applied at an existing affected source and no more than 0.016 kg organic HAP per kg coating material applied at a new affected source; or
- (iv) The organic HAP emitted during the month is less than the calculated allowable organic HAP as determined using paragraph (m) of this section.
- (m) **Monthly allowable organic HAP emissions.** This paragraph provides the procedures and calculations for determining monthly allowable organic HAP emissions for use in demonstrating compliance in accordance with paragraph (d), (i), (j)(1)(x)(D), (j)(2)(xi)(D), or (l)(3)(iv) of this section. You will need to determine the amount of coating material applied at greater than or equal to 20 mass percent coating solids and the amount of coating material applied at less than 20 mass percent coating solids. The allowable organic HAP limit is then calculated based on coating material applied at greater than or equal to 20 mass percent coating solids complying with 0.2 kg organic HAP per kg coating solids at an existing affected source or 0.08 kg organic HAP per kg coating solids at a new affected source, and coating material applied at less than 20 mass percent coating solids complying with 4 mass percent organic HAP at an existing affected source and 1.6 mass-percent organic HAP at a new affected source as follows:
- (1) Determine the as-purchased mass of each coating material applied each month.
  - (2) Determine the as-purchased coating solids content of each coating material applied each month in accordance with § 63.3360(d)(1).
  - (3) Determine the as-purchased mass fraction of each coating material which was applied at 20 mass percent or greater coating solids content on an as-applied basis.
  - (4) Determine the total mass of each solvent, diluent, thinner, or reducer added to coating materials which were applied at less than 20 mass percent coating solids content on an as-applied basis each month.
  - (5) Calculate the monthly allowable organic HAP emissions using Equation 17 for an existing affected source:

Where:

$H_a$  = Monthly allowable organic HAP emissions, kg.

$p$  = Number of different coating materials applied in a month.

$M_i$  = mass of as-purchased coating material,  $i$ , applied in a month, kg.

$G_i$  = Mass fraction of each coating material,  $i$ , which was applied at 20 mass percent or greater coating solids content, on an as-applied basis, kg/kg.

$C_{si}$  = Coating solids content of coating material,  $i$ , expressed as a mass fraction, kg/kg.

$q$  = Number of different materials added to the coating material.

$M_{Lj}$  = Mass of non-coating-solids-containing coating material,  $j$ , added to coating-solids-containing coating materials which were applied at less than 20 mass percent coating solids content, on an as-applied basis, in a month, kg.

or Equation 18 for a new affected source:

Where:

$H_a$  = Monthly allowable organic HAP emissions, kg.

$p$  = Number of different coating materials applied in a month.

$M_i$  = Mass of as-purchased coating material,  $i$ , applied in a month, kg.

$G_i$  = Mass fraction of each coating material,  $i$ , which was applied at 20 mass percent or greater coating solids content, on an as-applied basis, kg/kg.

$C_{si}$  = Coating solids content of coating material,  $i$ , expressed as a mass fraction, kg/kg.

$q$  = Number of different materials added to the coating material.

$M_{Lj}$  = Mass of non-coating-solids-containing coating material,  $j$ , added to coating-solids-containing coating materials which were applied at less than 20 mass percent coating solids content, on an as-applied basis, in a month, kg.



- (n) [Reserved]
- (o) **Combinations of capture and control.** If you operate more than one capture system, more than one control device, one or more never-controlled work stations, or one or more intermittently-controlled work stations, you must calculate organic HAP emissions according to the procedures in paragraphs (o)(1) through (4) of this section, and use the calculation procedures specified in paragraph (o)(5) of this section to convert the monitoring and other data into units of the selected control option in paragraphs (f) through (i) of this section. Use the procedures specified in paragraph (o)(6) of this section to demonstrate compliance.
- (1) **Solvent recovery system using liquid-liquid material balance compliance demonstration.** If you choose to comply by means of a liquid-liquid material balance for each solvent recovery system used to control one or more web coating lines, you must determine the organic HAP emissions for those web coating lines controlled by that solvent recovery system either:
- (i) In accordance with paragraphs (j)(1)(i) through (iii) and (v) through (vii) of this section, if the web coating lines controlled by that solvent recovery system have only always-controlled work stations; or
  - (ii) In accordance with paragraphs (j)(1)(ii), (iii), (v), and (vi) and (p) of this section, if the web coating lines controlled by that solvent recovery system have one or more never-controlled or intermittently-controlled work stations.
- (2) **Solvent recovery system using performance test compliance demonstration and CEMS.** To demonstrate compliance through an initial test of capture efficiency, continuous monitoring of a capture system operating parameter, and a CEMS on each solvent recovery system used to control one or more web coating lines, you must:
- (i) For each capture system delivering emissions to that solvent recovery system, monitor the operating parameter established in accordance with § 63.3350(f) to ensure capture system efficiency; and
  - (ii) Determine the organic HAP emissions for those web coating lines served by each capture system delivering emissions to that solvent recovery system either:
    - (A) In accordance with paragraphs (j)(2)(i) through (iii), (v), (vi), and (viii) of this section, if the web coating lines served by that capture and control system have only always-controlled work stations; or
    - (B) In accordance with paragraphs (j)(2)(i) through (iii), (vi), and (p) of this section, if the web coating lines served by that capture and control system have one or more never-controlled or intermittently-controlled work stations.
- (3) **Oxidizer.** To demonstrate compliance through performance tests of capture efficiency and control device efficiency, continuous monitoring of capture system, and CPMS for control device operating parameters for each oxidizer used to control emissions from one or more web coating lines, you must:
- (i) Monitor the operating parameter in accordance with § 63.3350(e) to ensure control device efficiency; and
  - (ii) For each capture system delivering emissions to that oxidizer, monitor the operating parameter established in accordance with § 63.3350(f) to ensure capture efficiency; and
  - (iii) Determine the organic HAP emissions for those web coating lines served by each capture system delivering emissions to that oxidizer either:
    - (A) In accordance with paragraphs (l)(1)(i) through (vi) of this section, if the web coating lines served by that capture and control system have only always-controlled work stations; or
    - (B) In accordance with paragraphs (l)(1)(i) through (iii), (v), and (p) of this section, if the web coating lines served by that capture and control system have one or more never-controlled or intermittently-controlled work stations.
- (4) **Uncontrolled coating lines.** If you own or operate one or more uncontrolled web coating lines, you must determine the organic HAP applied on those web coating lines using Equation 10. The organic HAP emitted from an uncontrolled web coating line is equal to the organic HAP applied on that web coating line.
- (5) Convert the information obtained under paragraphs (o)(1) through (4) of this section into the units of the selected compliance option using the calculation procedures specified in paragraphs (o)(5)(i) through (iv) of this section.
- (i) **Organic HAP emitted.** Calculate the organic HAP emissions for the affected source for the month by summing all organic HAP emissions calculated according to paragraphs (o)(1), (o)(2)(ii), (o)(3)(iii), and (o)(4) of this section.
  - (ii) **Coating solids applied.** If demonstrating compliance on the basis of organic HAP emission rate based on coating solids applied or emission of less than the calculated allowable organic HAP, the owner or operator must determine the coating solids content of each coating material applied during the month following the procedure in § 63.3360(d).
  - (iii) **Organic HAP emission rate based on coating solids applied.** Calculate the organic HAP emission rate based on coating solids applied for each month using Equation 13.
  - (iv) **Organic HAP based on materials applied.** Calculate the organic HAP emission rate based on material applied using Equation 14.
- (6) **Compliance.** The affected source is in compliance with the emission standards in § 63.3320(b) for the month if all operating parameters required to be monitored under paragraphs (o)(1) through (3) of this section were maintained at the values established under §§ 63.3350 and 63.3360 and one of the standards in paragraphs (o)(6)(i) through (iv) of this section were met. If operating

parameter deviations occurred, the affected source is in compliance with the emission standards in § 63.3320(b) for the month if, assuming no control of emissions or by estimating the emissions using a control destruction efficiency curve for each 3-hour deviation period, one of the standards in paragraphs (6)(i) through (iv) of this section were met.

- (i) The total mass of organic HAP emitted by the affected source based on coating solids applied is no more than 0.20 kg organic HAP per kg coating solids applied at an existing affected source and no more than 0.08 kg organic HAP per kg coating solids applied at a new affected source; or
  - (ii) The total mass of organic HAP emitted by the affected source based on material applied is no more than 0.04 kg organic HAP per kg material applied at an existing affected source and no more than 0.016 kg organic HAP per kg material applied at a new affected source; or
  - (iii) The total mass of organic HAP emitted by the affected source during the month is less than the calculated allowable organic HAP as determined using paragraph (m) of this section; or
  - (iv) The total mass of organic HAP emitted by the affected source was not more than 5 percent of the total mass of organic HAP applied for the month at an existing affected source and no more than 2 percent of the total mass of organic HAP applied for the month at a new affected source. The total mass of organic HAP applied by the affected source in the month must be determined using Equation 10.
- (p) **Intermittently-controlled and never-controlled work stations.** If you have been expressly referenced to this paragraph by paragraph (o)(1)(ii), (o)(2)(ii)(B), or (o)(3)(iii)(B) of this section for calculation procedures to determine organic HAP emissions for your intermittently-controlled and never-controlled work stations, you must:
- (1) Determine the sum of the mass of all coating materials as-applied on intermittently-controlled work stations operating in bypass mode and the mass of all coating materials as-applied on never-controlled work stations during the month.
  - (2) Determine the sum of the mass of all coating materials as-applied on intermittently-controlled work stations operating in a controlled mode and the mass of all coating materials applied on always-controlled work stations during the month.
  - (3) **Liquid-liquid material balance compliance demonstration.** For each web coating line or group of web coating lines for which you use the provisions of paragraph (o)(1)(ii) of this section, you must calculate the organic HAP emitted during the month using Equation 19 of this section:

Where:

$H_e$  = Total monthly organic HAP emitted, kg.

$p$  = Number of different coating materials applied in a month.

$M_{ci}$  = Sum of the mass of coating material,  $i$ , as-applied on intermittently-controlled work stations operating in controlled mode and the mass of coating material,  $i$ , as-applied on always-controlled work stations, in a month, kg.

$C_{ahi}$  = Monthly average, as-applied, organic HAP content of coating material,  $i$ , expressed as a mass fraction, kg/kg.

$R_v$  = Organic volatile matter collection and recovery efficiency, percent.

$M_{bi}$  = Sum of the mass of coating material,  $i$ , as-applied on intermittently-controlled work stations operating in bypass mode and the mass of coating material,  $i$ , as-applied on never-controlled work stations, in a month, kg.

$C_{ahi}$  = Monthly average, as-applied, organic HAP content of coating material,  $i$ , expressed as a mass fraction, kg/kg.

$M_{vret}$  = Mass of volatile matter retained in the coated web after curing or drying, or otherwise not emitted to the atmosphere, kg. The value of this term will be zero in all cases except where you choose to take into account the volatile matter retained in the coated web or otherwise not emitted to the atmosphere for the compliance demonstration procedures in this section.

- (4) **Performance test to determine capture efficiency and control device efficiency.** For each web coating line or group of web coating lines for which you use the provisions of paragraph (o)(2)(ii)(B) or (o)(3)(iii)(B) of this section, you must calculate the organic HAP emitted during the month using Equation 20:

Where:

$H_e$  = Total monthly organic HAP emitted, kg.

$p$  = Number of different coating materials applied in a month.

$M_{ci}$  = Sum of the mass of coating material,  $i$ , as-applied on intermittently-controlled work stations operating in controlled mode and the mass of coating material,  $i$ , as-applied on always-controlled work stations, in a month, kg.



$C_{ahi}$  = Monthly average, as-applied, organic HAP content of coating material,  $i$ , expressed as a mass fraction, kg/kg.

$R$  = Overall organic HAP control efficiency, percent.

$M_{Bi}$  = Sum of the mass of coating material,  $i$ , as-applied on intermittently-controlled work stations operating in bypass mode and the mass of coating material,  $i$ , as-applied on never-controlled work stations, in a month, kg.

$C_{ahi}$  = Monthly average, as-applied, organic HAP content of coating material,  $i$ , expressed as a mass fraction, kg/kg.

$M_{vret}$  = Mass of volatile matter retained in the coated web after curing or drying, or otherwise not emitted to the atmosphere, kg. The value of this term will be zero in all cases except where you choose to take into account the volatile matter retained in the coated web or otherwise not emitted to the atmosphere for the compliance demonstration procedures in this section.

- (q) **Always-controlled work stations with more than one capture and control system.** If you operate more than one capture system or more than one control device and only have always-controlled work stations, then you are in compliance with the emission standards in § 63.3320(b)(1) for the month if for each web coating line or group of web coating lines controlled by a common control device:
- (1) The volatile matter collection and recovery efficiency as determined by paragraphs (j)(1)(i), (iii), (v), and (vi) of this section is at least 95 percent at an existing affected source and at least 98 percent at a new affected source; or
  - (2) The overall organic HAP control efficiency as determined by paragraphs (j)(2)(i) through (iv) of this section for each web coating line or group of web coating lines served by that control device and a common capture system is at least 95 percent at an existing affected source and at least 98 percent at a new affected source; or
  - (3) The overall organic HAP control efficiency as determined by paragraphs (l)(1)(i) through (iii) and (l)(2)(i) of this section for each web coating line or group of web coating lines served by that control device and a common capture system is at least 95 percent at an existing affected source and at least 98 percent at a new affected source.
- (r) **Mass-balance approach.** As an alternative to § 63.3370(b) through (p), you may demonstrate monthly compliance using a mass-balance approach in accordance with this section, except for any month that you elect to meet the emission limitation in § 63.3320(b)(4). The mass-balance approach should be performed as follows:
- (1) Separately for each individual/grouping(s) of lines, you must sum the mass of organic HAP emitted during the month and divide by the corresponding total mass of all organic HAP applied on the lines, or total mass of coating materials applied on the lines, or total mass of coating solids applied on the lines, for the same period, in accordance with the emission limitation that you have elected at § 63.3320(b)(1) through (3) for the month's demonstration. You may also choose to use volatile organic content as a surrogate for organic HAP for the compliance demonstration in accordance with § 63.3360(d). You are required to include all emissions and inputs that occur during periods that each line or grouping of lines operates in accordance with the applicability criteria in § 63.3300.
  - (2) You must include all of the organic HAP emitted by your individual/grouping(s) of lines, as follows.
    - (i) You must record the mass of organic HAP or volatile organic content utilized at all work stations of all of your individual/grouping(s) of lines. You must additionally record the mass of all coating materials applied at these work stations if you are demonstrating compliance for the month with the emission limitation at § 63.3320(b)(2) (the "coating materials" option). You must additionally record the mass of all coating solids applied at these work stations if you are demonstrating compliance for the month with the emission limitation at § 63.3320(b)(3) (the "coating solids" option).
    - (ii) You must assume that all of the organic HAP input to all never-controlled work stations is emitted, unless you have determined an emission factor in accordance with § 63.3360(g).
    - (iii) For all always-controlled work stations, you must assume that all of the organic HAP or volatile organic content is emitted, less the reductions provided by the corresponding capture system and control device, in accordance with the most recently measured capture and destruction efficiencies, or in accordance with the measured mass of volatile organic compounds (VOC) recovered for the month (e.g., carbon control or condensers). You may account for organic HAP or volatile organic content retained in the coated web or otherwise not emitted if you have determined an emission factor in accordance with § 63.3360(g).
    - (iv) For all intermittently-controlled work stations, you must assume that all of the organic HAP or volatile organic content is emitted during periods of no control. During periods of control, you must assume that all of the organic HAP or volatile organic content is emitted, less the reductions provided by the corresponding capture system and control device, in accordance with the most recently measured capture and destruction efficiencies, or in accordance with the measured mass of VOC recovered for the month (e.g., carbon control or condensers). You may account for organic HAP or volatile organic content retained in the coated web or otherwise not emitted if you have determined an emission factor in accordance with § 63.3360(g).
    - (v) You must record the organic HAP or volatile organic content input to all work stations of your individual/grouping(s) of lines and the mass of coating materials and/or solids applied, if applicable, and determine corresponding emissions during all periods of operation, including malfunctions or startups and shutdowns of any web coating line or control device.
  - (3) You are in compliance with the emission standards in § 63.3320(b) if each of your individual/grouping(s) of lines, meets one of the requirements in paragraphs (r)(3)(i) through (iii) of this section, as applicable. If operating parameter limit deviations occurred, including periods that the oxidizer control device(s), if any, operated at an average combustion temperature more than 50 degrees

Fahrenheit below the temperature established in accordance with § 63.3360(e), or the 3-hour average temperature difference across the catalyst bed at no less than 80 percent of this average temperature differential and the catalytic oxidizer maintained a minimum temperature 50 degrees Fahrenheit above the catalyst's ignition temperature, you are in compliance with the emission standards in § 63.3320(b) for the month, if assuming no control of emissions for each 3-hour deviation period (or in accordance with an alternate approved method), one of the requirements in paragraphs (r)(3)(i) through (iii) of this section was met.

- (i) The total mass of organic HAP emitted by the affected source based on HAP applied is no more than 0.05 kg organic HAP per kg HAP applied at an existing affected source and no more than 0.02 kg organic HAP per kg HAP applied at a new affected source; or
  - (ii) The total mass of organic HAP emitted by the affected source based on coating solids applied is no more than 0.20 kg organic HAP per kg coating solids applied at an existing affected source and no more than 0.08 kg organic HAP per kg coating solids applied at a new affected source; or
  - (iii) The total mass of organic HAP emitted by the affected source based on material applied is no more than 0.04 kg organic HAP per kg material applied at an existing affected source and no more than 0.016 kg organic HAP per kg material applied at a new affected source.
- (s) **Non-HAP coating.** You must demonstrate that all of the coatings applied at all of the web coating lines at the affected source have organic HAP contents below 0.1 percent by mass for OSHA-defined carcinogens as specified in section A.6.4 of appendix A to 29 CFR 1910.1200, and below 1.0 percent by mass for other organic HAP compounds using the procedures in § 63.3370(s)(1) through (3).
- (1) Determine the organic HAP mass fraction of each coating material "as purchased" by following one of the procedures in paragraphs § 63.3360(c)(1) through (3) and determine the organic HAP mass fraction of each coating material "as applied" by following the procedures in paragraph § 63.3360(c)(4).
  - (2) Submit to your permitting authority a report certifying that all coatings applied at all of the web coating lines at your effected source are non-HAP coatings.
  - (3) Maintain records of coating formulations used as required in § 63.3410(a)(1)(iii).
  - (4) Resume reporting requirements if any of the coating formulations are modified to exceed the thresholds in § 63.3370(s) or new coatings which exceed the thresholds in paragraph (s) of this section are used.

[67 FR 72341, Dec. 4, 2002, as amended at 85 FR 41301, July 9, 2020]

#### NOTIFICATIONS, REPORTS, AND RECORDS

### § 63.3400 What notifications and reports must I submit?

- (a) **Reports.** Each owner or operator of an affected source subject to this subpart must submit the reports specified in paragraphs (b) through (k) of this section to the Administrator.
- (b) **Initial notifications.** You must submit an initial notification as required by § 63.9(b), using the procedure in § 63.3400(h).
  - (1) Initial notification for existing affected sources must be submitted no later than 1 year before the compliance date specified in § 63.3330(a), or no later than 120 days after the source becomes subject to this subpart, whichever is later.
  - (2) Initial notification for new and reconstructed affected sources must be submitted as required by § 63.9(b).
  - (3) For the purpose of this subpart, a title V or part 70 permit application may be used in lieu of the initial notification required under § 63.9(b), provided the same information is contained in the permit application as required by § 63.9(b) and the State to which the permit application has been submitted has an approved operating permit program under part 70 of this chapter and has received delegation of authority from the EPA to implement and enforce this subpart.
  - (4) If you are using a permit application in lieu of an initial notification in accordance with paragraph (b)(3) of this section, the permit application must be submitted by the same due date specified for the initial notification.
- (c) You must submit a semiannual compliance report according to paragraphs (c)(1) and (2) of this section.
  - (1) Compliance report dates.
    - (i) The first compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.3330 and ending on June 30 or December 31, whichever date is the first date following the end of the calendar half immediately following the compliance date that is specified for your affected source in § 63.3330.
    - (ii) The first compliance report is due no later than July 31 or January 31, whichever date follows the end of the calendar half immediately following the compliance date that is specified for your affected source in § 63.3330. Prior to the electronic template being available in CEDRI for one year, the report must be postmarked or delivered by the aforementioned dates. After the electronic template has been available in CEDRI for 1 year, the next full report must be submitted electronically as described in paragraph (h) of this section.
    - (iii) 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.

- (iv) Each subsequent compliance report must be submitted electronically no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.
  - (v) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, and the permitting authority has established dates for submitting semiannual reports pursuant to § 70.6(a)(3)(iii)(A) or § 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 (c)(1)(i) through (iv) of this section.
- (2) **Compliance report contents.** The compliance report must contain the information in paragraphs (c)(2)(i) through (viii) of this section:
- (i) Company name and address.
  - (ii) Statement by a responsible official with that official's name, title, and signature certifying the accuracy of the content of the report.
  - (iii) Date of report and beginning and ending dates of the reporting period.
  - (iv) If there are no deviations from any emission limitations (emission limit or operating limit) that apply to you, a statement that there were no deviations from the emission limitations during the reporting period, and that no CMS was inoperative, inactive, malfunctioning, out-of-control, repaired, or adjusted.
  - (v) For each deviation from an emission limitation (emission limit or operating limit) that applies to you and that occurs at an affected source where you are not using a CMS to comply with the emission limitations in this subpart, the compliance report must contain the following information:
    - (A) The total operating time of the web coating line(s) during the reporting period.
    - (B) Information on the number, duration, and cause of deviations (including unknown cause), if applicable, and the corrective action taken.
    - (C) An estimate of the quantity of each regulated pollutant emitted over the emission limits in § 63.3320 for each monthly period covered in the report if the source failed to meet an applicable emission limit of this subpart.
  - (vi) For each deviation from an emission limit occurring at an affected source where you are using a CEMS or CPMS to comply with the emission limit in this subpart, you must include the following information:
    - (A) The total operating time of the web coating line(s) during the reporting period.
    - (B) The date and time that each CEMS and CPMS, if applicable, was inoperative except for zero (low-level) and high-level checks.
    - (C) The date and time that each CEMS and CPMS, if applicable, was out-of-control, including the information in § 63.8(c)(8).
    - (D) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of startup, shutdown, or malfunction or during another period.
    - (E) A summary of the total duration (in hours) of each deviation during the reporting period and the total duration of each deviation as a percent of the total source operating time during that reporting period.
    - (F) A breakdown of the total duration of the deviations during the reporting period into those that are due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes.
    - (G) A summary of the total duration (in hours) of CEMS and/or CPMS downtime during the reporting period and the total duration of CEMS and/or CPMS downtime as a percent of the total source operating time during that reporting period.
    - (H) A breakdown of the total duration of CEMS and/or CPMS downtime during the reporting period into periods that are due to monitoring equipment malfunctions, non-monitoring equipment malfunctions, quality assurance/quality control calibrations, other known causes, and other unknown causes.
    - (I) The date of the latest CEMS and/or CPMS certification or audit.
    - (J) A description of any changes in CEMS, CPMS, or controls since the last reporting period.
    - (K) An estimate of the quantity of each regulated pollutant emitted over the emission limits in § 63.3320 for each monthly period covered in the report if the source failed to meet an applicable emission limit of this subpart.
- (d) You must submit a Notification of Performance Tests as specified in §§ 63.7 and 63.9(e) if you are complying with the emission standard using a control device and you are required to conduct a performance test of the control device. This notification and the site-specific test plan required under § 63.7(c)(2) must identify the operating parameters to be monitored to ensure that the capture efficiency of the capture system and the control efficiency of the control device determined during the performance test are maintained. Unless EPA objects to the parameter or requests changes, you may consider the parameter approved.
- (e) **Notification of Compliance Status.** You must submit a Notification of Compliance Status as specified in § 63.9(h). For affected sources that commence construction or reconstruction after September 19, 2019, the Notification of Compliance Status must be submitted electronically using the procedure in paragraph (h) of this section. For affected sources that commenced construction or reconstruction on or before September 19, 2019, the Notification of Compliance Status must be submitted electronically using the procedure in paragraph (h) starting July 9, 2021.



- (f) **Performance test reports.** You must submit performance test reports as specified in § 63.10(d)(2) if you are using a control device to comply with the emission standard and you have not obtained a waiver from the performance test requirement or you are not exempted from this requirement by § 63.3360(b). Catalyst activity test results are not required to be submitted but must be maintained onsite. Within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test following the procedures specified in paragraphs (f)(1) through (3) of this section. For affected sources that commence construction or reconstruction after September 19, 2019, the performance test reports must be submitted electronically using the procedure in paragraph (h) of this section. For affected sources that commenced construction or reconstruction on or before September 19, 2019, the performance test reports must be submitted electronically using the procedure in paragraph (h) starting July 9, 2021.
- (1) **Data collected using test methods supported by EPA's Electronic Reporting Tool (ERT) as listed on EPA's ERT website** (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test. Submit the results of the performance test to EPA via CEDRI, which can be accessed through EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The data must be submitted in a file format generated through the use of EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on EPA's ERT website.
  - (2) **Data collected using test methods that are not supported by EPA's ERT as listed on EPA's ERT website at the time of the test.** The results of the performance test must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on EPA's ERT website. Submit the ERT generated package or alternative file to EPA via CEDRI.
  - (3) **Confidential business information (CBI).** If you claim some of the information submitted under paragraph (f)(1) of this section is CBI, you must submit a complete file, including information claimed to be CBI, to EPA. The file must be generated through the use of EPA's ERT or an alternate electronic file consistent with the XML schema listed on EPA's ERT website. Submit the file on a compact disc, flash drive, or other commonly used electronic storage medium and clearly mark the medium as CBI. Mail the electronic medium to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted must be submitted to EPA via EPA's CDX as described in paragraph (f)(1) of this section.
- (g) **Performance evaluation reports.** You must submit the results of performance evaluations within 60 days of completing each CMS performance evaluation (as defined in § 63.2) following the procedures specified in paragraphs (g)(1) through (3) of this section. For affected sources that commence construction or reconstruction after September 19, 2019, the performance evaluation reports must be submitted electronically using the procedure in paragraph (h) of this section. For affected sources that commenced construction or reconstruction on or before September 19, 2019, the performance evaluation reports must be submitted electronically using the procedure in paragraph (h) starting July 9, 2021.
- (1) **Performance evaluations of CMS measuring relative accuracy test audit (RATA) pollutants that are supported by EPA's ERT as listed on EPA's ERT website at the time of the evaluation.** Submit the results of the performance evaluation to EPA via CEDRI, which can be accessed through EPA's CDX. The data must be submitted in a file format generated through the use of EPA's ERT. Alternatively, you may submit an electronic file consistent with the XML schema listed on EPA's ERT website.
  - (2) **Performance evaluations of CMS measuring RATA pollutants that are not supported by EPA's ERT as listed on EPA's ERT website at the time of the evaluation.** The results of the performance evaluation must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on EPA's ERT website. Submit the ERT generated package or alternative file to EPA via CEDRI.
  - (3) **Confidential business information (CBI).** If you claim some of the information submitted under paragraph (g)(1) of this section is CBI, you must submit a complete file, including information claimed to be CBI, to EPA. The file must be generated through the use of EPA's ERT or an alternate electronic file consistent with the XML schema listed on EPA's ERT website. Submit the file on a compact disc, flash drive, or other commonly used electronic storage medium and clearly mark the medium as CBI. Mail the electronic medium to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted must be submitted to EPA via EPA's CDX as described in paragraph (g)(1) of this section.
- (h) **Electronic reporting.** If you are required to submit reports following the procedure specified in this paragraph, you must submit reports to EPA via CEDRI, which can be accessed through EPA's CDX (<https://cdx.epa.gov/>). Initial notifications and notifications of compliance status must be submitted as portable document formats (PDF) to CEDRI using the attachment module of the ERT. You must use the semiannual compliance report template on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>) for this subpart 1 year after it becomes available. The date report templates become available will be listed on the CEDRI website. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. If you claim some of the information required to be submitted via CEDRI is CBI, submit a complete report, including information claimed to be CBI to EPA. The report must be generated using the appropriate form on the CEDRI website. Submit the file on a compact disc, flash drive, or other commonly used electronic storage medium and clearly mark the medium as CBI. Mail the electronic medium to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted must be submitted to EPA via EPA's CDX as described earlier in this paragraph.
- (i) **Extension for CDX/CEDRI outage.** If you are required to electronically submit a report through CEDRI in EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with the reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (i)(1) through (7) of this section.
- (1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either EPA's CEDRI or CDX systems.

- (2) The outage must have occurred within the period of time beginning 5 business days prior to the date that the submission is due.
  - (3) The outage may be planned or unplanned.
  - (4) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
  - (5) You must provide to the Administrator a written description identifying:
    - (i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;
    - (ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;
    - (iii) Measures taken or to be taken to minimize the delay in reporting; and
    - (iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.
  - (6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.
  - (7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.
- (j) **Extension for force majeure events.** If you are required to electronically submit a report through CEDRI in EPA's CDX, you may assert a claim of force majeure for failure to timely comply with the reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (j)(1) through (5) of this section.
- (1) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).
  - (2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
  - (3) You must provide to the Administrator:
    - (i) A written description of the force majeure event;
    - (ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;
    - (iii) Measures taken or to be taken to minimize the delay in reporting; and
    - (iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.
  - (4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.
  - (5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.
- (k) **SSM reports.** For affected sources that commenced construction or reconstruction before September 19, 2019, you must submit SSM reports as specified in § 63.10(d)(5), except that the provisions in subpart A of this part pertaining to startups, shutdowns, and malfunctions do not apply unless a control device is used to comply with this subpart. On and after, July 9, 2021, and for affected sources that commence construction or reconstruction after September 19, 2019, this section is no longer relevant.
- (1) If actions taken by an owner or operator during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are not consistent with the procedures specified in the affected source's SSMP required by § 63.6(e)(3), the owner or operator must state such information in the report. The startup, shutdown, or malfunction report must consist of a letter containing the name, title, and signature of the responsible official who is certifying its accuracy and must be submitted to the Administrator.
  - (2) Separate startup, shutdown, and malfunction reports are not required if the information is included in the report specified in paragraph (c)(2)(vi) of this section.

[67 FR 72341, Dec. 4, 2002, as amended at 85 FR 41313, July 9, 2020; 85 FR 73905, Nov. 19, 2020]

### § 63.3410 What records must I keep?

- (a) Each owner or operator of an affected source subject to this subpart must maintain the records specified in paragraphs (a)(1) and (2) of this section on a monthly basis in accordance with the requirements of § 63.10(b)(1):
  - (1) Records specified in § 63.10(b)(2) of all measurements needed to demonstrate compliance with this standard as indicated in Table 2 to subpart JJJJ of part 63, including:

- (i) Continuous emission monitor data in accordance with the requirements of § 63.3350(d);
  - (ii) Control device and capture system operating parameter data in accordance with the requirements of § 63.3350(c), (e), and (f);
  - (iii) Organic HAP content data for the purpose of demonstrating compliance in accordance with the requirements of § 63.3360(c);
  - (iv) Volatile matter and coating solids content data for the purpose of demonstrating compliance in accordance with the requirements of § 63.3360(d);
  - (v) Overall control efficiency determination using capture efficiency and control device destruction or removal efficiency test results in accordance with the requirements of § 63.3360(e) and (f);
  - (vi) Material usage, organic HAP usage, volatile matter usage, and coating solids usage and compliance demonstrations using these data in accordance with the requirements of § 63.3370(b), (c), and (d); and
  - (vii) Emission factor development calculations and HAP content for coating materials used to develop the emission factor as needed for § 63.3360(g).
- (2) Records specified in § 63.10(c) for each CMS operated by the owner or operator in accordance with the requirements of § 63.3350(b), as indicated in Table 2 to subpart JJJJ of part 63.
- (b) Each owner or operator of an affected source subject to this subpart must maintain records of all liquid-liquid material balances performed in accordance with the requirements of § 63.3370. The records must be maintained in accordance with the applicable requirements of § 63.10(b).
- (c) For each deviation from an operating limit occurring at an affected source, you must record the following information.
- (1) The total operating time the web coating line(s) controlled by the corresponding add-on control device and/or emission capture system during the reporting period.
  - (2) Date, time, duration, and cause of the deviations.
  - (3) If the facility determines by its monthly compliance demonstration, in accordance with § 63.3370, as applicable, that the source failed to meet an applicable emission limit of this subpart, you must record the following for the corresponding affected equipment:
    - (i) Record an estimate of the quantity of HAP (or VOC if used a surrogate in accordance with § 63.3360(d)) emitted in excess of the emission limit for the month, and a description of the method used to estimate the emissions.
    - (ii) Record actions taken to minimize emissions in accordance with § 63.3340(a), and any corrective actions taken to return the affected unit to its normal or usual manner of operation.
- (d) Records of results from the annual catalyst activity test, if applicable.
- (e) Any records required to be maintained by this part that are submitted electronically via EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

[85 FR 41316, July 9, 2020]

DELEGATION OF AUTHORITY

**§ 63.3420 What authorities may be delegated to the States?**

- (a) In delegating implementation and enforcement authority to a state, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraph (b) of this section must be retained by the EPA Administrator and not transferred to a state, local, or tribal agency.
- (b) Authority which will not be delegated to state, local, or tribal agencies are listed in paragraphs (b)(1) and (2) of this section:
  - (1) Approval of alternate test method for organic HAP content determination under § 63.3360(c).
  - (2) Approval of alternate test method for volatile matter determination under § 63.3360(d).

[85 FR 41316, July 9, 2020]

**Table 1 to Subpart JJJJ of Part 63 - Operating Limits if Using Add-On Control Devices and Capture System**

If you are required to comply with operating limits by § 63.3321, you must comply with the applicable operating limits in the following table:

<b>For the following device:</b>	<b>You must meet the following operating limit:</b>	<b>And you must demonstrate continuous compliance with operating limits by:</b>
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<b>For the following device:</b>	<b>You must meet the following operating limit:</b>	<b>And you must demonstrate continuous compliance with operating limits by:</b>
1. Thermal oxidizer	a. The average combustion temperature in any 3-hour period must not fall more than 50 °F below the combustion temperature limit established according to § 63.3360(e)(3)(i)	i. Collecting the combustion temperature data according to § 63.3350(e)(10); ii. Reducing the data to 3-hour block averages; and  iii. Maintain the 3-hour average combustion temperature at or above the temperature limit.
2. Catalytic oxidizer	a. The average temperature at the inlet to the catalyst bed in any 3-hour period must not fall more than 50 degrees Fahrenheit below the combustion temperature limit established according to § 63.3360(e)(3)(ii)	i. Collecting the catalyst bed inlet temperature data according to § 63.3350(e)(10); ii. Reducing the data to 3-hour block averages; and iii. Maintain the 3-hour average catalyst bed inlet temperature at or above the temperature limit.
	b. The temperature rise across the catalyst bed must not fall below 80 percent of the limit established according to § 63.3360(e)(3)(ii), provided that the minimum temperature is always 50 degrees Fahrenheit above the catalyst's ignition temperature	i. Collecting the catalyst bed inlet and outlet temperature data according to § 63.3350(e)(10); ii. Reducing the data to 3-hour block averages; and iii. Maintain the 3-hour average temperature rise across the catalyst bed at or above the limit, and maintain the minimum temperature at least 50 degrees Fahrenheit above the catalyst's ignition temperature
3. Emission capture system	Submit monitoring plan to the Administrator that identifies operating parameters to be monitored according to § 63.3350(f)	Conduct monitoring according to the plan (§ 63.3350(f)(3)).

[85 FR 41316, July 9, 2020]

### Table 2 to Subpart JJJJ of Part 63 - Applicability of 40 CFR Part 63 General Provisions to Subpart JJJJ

You must comply with the applicable General Provisions requirements according to the following table:

<b>General provisions reference</b>	<b>Applicable to subpart JJJJ</b>	<b>Explanation</b>
§ 63.1(a)(1)-(4)	Yes	
§ 63.1(a)(5)	No	Reserved.
§ 63.1(a)(6)-(8)	Yes	



General provisions reference	Applicable to subpart JJJJ	Explanation
§ 63.1(a) (9)	No	Reserved.
§ 63.1(a) (10)-(14)	Yes	
§ 63.1(b) (1)	No	Subpart JJJJ specifies applicability.
§ 63.1(b) (2)-(3)	Yes	
§ 63.1(c) (1)	Yes	
§ 63.1(c) (2)	No	Area sources are not subject to emission standards of subpart JJJJ.
§ 63.1(c) (3)	No	Reserved.
§ 63.1(c) (4)	Yes	
§ 63.1(c) (5)	Yes	
§ 63.1(c) (6)	Yes	
§ 63.1(d)	No	Reserved.
§ 63.1(e)	Yes	
§ 63.2	Yes	Additional definitions in subpart JJJJ.
§ 63.3(a)-(c)	Yes	
§ 63.4(a) (1)-(3)	Yes	
§ 63.4(a) (4)	No	Reserved.
§ 63.4(a) (5)	Yes	
§ 63.4(b)-(c)	Yes	
§ 63.5(a) (1)-(2)	Yes	
§ 63.5(b) (1)	Yes	
§ 63.5(b) (2)	No	Reserved.

General provisions reference	Applicable to subpart JJJJ	Explanation
§ 63.5(b)(3)-(6)	Yes	
§ 63.5(c)	No	Reserved.
§ 63.5(d)	Yes	
§ 63.5(e)	Yes	
§ 63.5(f)	Yes	
§ 63.6(a)	Yes	Applies only when capture and control system is used to comply with the standard.
§ 63.6(b)(1)-(5)	No	§ 63.3330 specifies compliance dates.
§ 63.6(b)(6)	No	Reserved.
§ 63.6(b)(7)	Yes	
§ 63.6(c)(1)-(2)	Yes	
§ 63.6(c)(3)-(4)	No	Reserved.
§ 63.6(c)(5)	Yes	
§ 63.6(d)	No	Reserved.
§ 63.6(e)(1)(i)	Depends, see explanation	No, for new or reconstructed sources which commenced construction or reconstruction after September 19, 2019, see § 63.3340(a) for general duty requirement. Yes, for all other affected sources before July 9, 2021, and No thereafter, see § 63.3340(a) for general duty requirement.
§ 63.6(e)(1)(ii)	Depends, see explanation	No, for new or reconstructed sources which commenced construction or reconstruction after September 19, 2019. Yes, for all other affected sources before July 9, 2021, and No thereafter.
§ 63.6(e)(1)(iii)	Yes	
§ 63.6(e)(2)	No	Reserved.
§ 63.6(e)(3)	Depends, see explanation	No, for new or reconstructed sources which commenced construction or reconstruction after September 19, 2019. Yes, for all other affected sources before July 9, 2021, and No thereafter.
§ 63.6(f)(1)	Depends, see explanation	No, for new or reconstructed sources which commenced construction or reconstruction after September 19, 2019. Yes, for all other affected sources before July 9, 2021, and No thereafter.

General provisions reference	Applicable to subpart JJJJ	Explanation
§ 63.6(f) (2)-(3)	Yes	
§ 63.6(g)	Yes	
§ 63.6(h)	No	Subpart JJJJ does not require continuous opacity monitoring systems (COMS).
§ 63.6(i) (1)-(14)	Yes	
§ 63.6(i) (15)	No	Reserved.
§ 63.6(i) (16)	Yes	
§ 63.6(j)	Yes	
§ 63.7(a)-(d)	Yes	
§ 63.7(e) (1)	No	See § 63.3360(e)(2).
§ 63.7(e) (2)-(3)	Yes	
§ 63.7(f)-(h)	Yes	
§ 63.8(a) (1)-(2)	Yes	
§ 63.8(a) (3)	No	Reserved.
§ 63.8(a) (4)	No	Subpart JJJJ does not have monitoring requirements for flares.
§ 63.8(b)	Yes	
§ 63.8(c) (1) and § 63.8(c)(1) (i)	Depends, see explanation	No, for new or reconstructed sources which commenced construction or reconstruction after September 19, 2019, see § 63.3340(a) for general duty requirement. Yes, for all other affected sources before July 9, 2021, and No thereafter, see § 63.3340(a) for general duty requirement.
§ 63.8(c) (1)(ii)	Yes	§ 63.8(c)(1)(ii) only applies if you use capture and control systems.
§ 63.8(c) (1)(iii)	Depends, see explanation	No, for new or reconstructed sources which commenced construction or reconstruction after September 19, 2019. Yes, for all other affected sources before July 9, 2021, and No thereafter.
§ 63.8(c) (2)-(3)	Yes	See § 63.3350(e)(10)(iv) for temperature sensor validation procedures

General provisions reference	Applicable to subpart JJJJ	Explanation
§ 63.8(c)(4)	No	§ 63.3350 specifies the requirements for the operation of CMS for capture systems and add-on control devices at sources using these to comply.
§ 63.8(c)(5)	No	Subpart JJJJ does not require COMS.
§ 63.8(c)(6)-(8)	Yes	Provisions for COMS are not applicable.
§ 63.8(d)(1)-(2)	Yes	Refer to § 63.3350(e)(5) for CPMS quality control procedures to be included in the quality control program.
§ 63.8(d)(3)	No	§ 63.3350(e)(5) specifies the program of corrective action.
§ 63.8(e)-(f)	Yes	§ 63.8(e)(2) does not apply to CPMS. § 63.8(f)(6) only applies if you use CEMS.
§ 63.8(g)	Yes	Only applies if you use CEMS.
§ 63.9(a)	Yes	
§ 63.9(b)(1)	Yes	
§ 63.9(b)(2)	Yes	Except § 63.3400(b)(1) requires submittal of initial notification for existing affected sources no later than 1 year before compliance date.
§ 63.9(b)(3)-(5)	Yes	
§ 63.9(c)-(e)	Yes	
§ 63.9(f)	No	Subpart JJJJ does not require opacity and visible emissions observations.
§ 63.9(g)	Yes	Provisions for COMS are not applicable.
§ 63.9(h)(1)-(3)	Yes	
§ 63.9(h)(4)	No	Reserved.
§ 63.9(h)(5)-(6)	Yes	
§ 63.9(i)	Yes	
§ 63.9(j)	Yes	
§ 63.9(k)	Yes	Only as specified in § 63.9(j).
§ 63.10(a)	Yes	
§ 63.10(b)(1)	Yes	

General provisions reference	Applicable to subpart JJJJ	Explanation
§ 63.10(b)(2)(i)	Depends, see explanation	No, for new or reconstructed sources which commenced construction or reconstruction after September 19, 2019. Yes, for all other affected sources before July 9, 2021, and No thereafter.
§ 63.10(b)(2)(ii)	No	See § 63.3410 for recordkeeping of relevant information.
§ 63.10(b)(2)(iii)	Yes	§ 63.10(b)(2)(iii) only applies if you use a capture and control system.
§ 63.10(b)(2)(iv)-(v)	Depends, see explanation	No, for new or reconstructed sources which commenced construction or reconstruction after September 19, 2019. Yes, for all other affected sources before July 9, 2021, and No thereafter.
§ 63.10(b)(2)(vi)-(xiv)	Yes	
§ 63.10(b)(3)	Yes	
§ 63.10(c)(1)	Yes	
§ 63.10(c)(2)-(4)	No	Reserved.
§ 63.10(c)(5)-(8)	Yes	
§ 63.10(c)(9)	No	Reserved.
§ 63.10(c)(10)-(14)	Yes	
§ 63.10(c)(15)	Depends, see explanation	No, for new or reconstructed sources which commenced construction or reconstruction after September 19, 2019. Yes, for all other affected sources before July 9, 2021, and No thereafter.
§ 63.10(d)(1)-(2)	Yes	
§ 63.10(d)(3)	No	Subpart JJJJ does not require opacity and visible emissions observations.
§ 63.10(d)(4)	Yes	
§ 63.10(d)(5)(i)	Depends, see explanation	No, for new or reconstructed sources which commenced construction or reconstruction after September 19, 2019. Yes, for all other affected sources before July 9, 2021, and No thereafter. See § 63.3400(c) for malfunction reporting requirements.

General provisions reference	Applicable to subpart JJJJ	Explanation
§ 63.10(d)(5)(ii)	Depends, see explanation	No, for new or reconstructed sources which commenced construction or reconstruction after September 19, 2019. Yes, for all other affected sources before July 9, 2021, and No thereafter. See § 63.3400(c) for malfunction reporting requirements.
§ 63.10(e)(1)-(2)	Yes	Provisions for COMS are not applicable.
§ 63.10(e)(3)-(4)	No	Subpart JJJJ does not require opacity and visible emissions observations.
§ 63.10(f)	Yes	
§ 63.11	No	Subpart JJJJ does not specify use of flares for compliance.
§ 63.12	Yes	
§ 63.13	Yes	
§ 63.14	Yes	Subpart JJJJ includes provisions for alternative ASME and ASTM test methods that are incorporated by reference.
§ 63.15	Yes	
§ 63.16	Yes	

[85 FR 41317, July 9, 2020, as amended at 85 FR 73905, Nov. 19, 2020]