DIVISION OF ENVIRONMENTAL QUALITY

DRAFT MINOR SOURCE AIR PERMIT

PERMIT NUMBER: 0196-AR-11

IS ISSUED TO:
Halliburton Energy Services, Inc. - Magnet Cove Plant
1743 Darby Lane
Malvern, AR 72104
Hot Spring County
AFIN: 30-00009

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:

Demetria Kimbrough
Deputy Director, Office of Air Quality

Date

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List of Acronyms and Abbreviations

Ark. Code Ann.	Arkansas Code Annotated
AFIN	Arkansas DEQ Facility Identification Number
CAR	Code of Arkansas Rules
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_x	Nitrogen Oxide
NSPS	New Source Performance Standards
PM	Particulate Matter
PM_{10}	Particulate Matter Equal To Or Smaller Than Ten Microns
$PM_{2.5}$	Particulate Matter Equal To Or Smaller Than 2.5 Microns
SO_2	Sulfur Dioxide
Tpy	Tons Per Year
UTM	Universal Transverse Mercator
VOC	Volatile Organic Compound

Section I: FACILITY INFORMATION

PERMITTEE:	Halliburton Energy Services, Inc. - Magnet Cove Plant
AFIN:	30-00009
PERMIT NUMBER:	0196-AR-11
FACILITY ADDRESS:	1743 Darby Lane Malvern, AR 72104
MAILING ADDRESS:	1743 Darby Lane Malvern, AR 72104
COUNTY:	Hot Spring County
CONTACT NAME:	Tucker Goodvin
CONTACT POSITION:	Plant Manager
TELEPHONE NUMBER:	(501) 229-4853
REVIEWING ENGINEER:	Sterling Powers
UTM North South (Y):	Zone 15: 3814595.64 m
UTM East West (X):	Zone 15: 517703.72 m

Section II: INTRODUCTION

Summary of Permit Activity

Halliburton Energy Services, Inc. has a facility at Magnet Cove, Arkansas. This facility manufactures organophilic clay products for use in the oil and gas industry. This permit modification proposes to:

- add a new unit SN-27 to the Extruder process, to be known as the Big Bag Dumping Station. This unit will include a dust collector and will allow the facility to add clay in various sized bags, and does not increase the rate of the Extruder process;
- To rename the natural gas fired boilers on the Insignificant Activities (IA) List to denote what source numbers they were in previous permits and add back to the IA List the source "Raw Material Transfer – Extruder Circuit (SN-08).' This IA unit was not included in the previous permit, an administrative error;
- To remove the specific conditions from the permit from 40 C.F.R. 60 Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants. These conditions, upon review, are not applicable to the organophilic clay used by the facility, as nonmetallic mineral mixtures that consist of less than 50% nonmetallic minerals do not qualify as nonmetallic minerals according to the definitions listed in § 60.670.

Permitted emissions will increase by 0.2 tpy PM and 0.2 PM_{10}.

Process Description

The Magnet Cove facility prepares several products used in the oil and gas industry. Production is divided between two independent circuits. These are referred to as the Duratone and the Extruder Circuits.

THE DURATONE CIRCUIT

The Duratone Circuit is both a continuous and batch process which manufactures Duratone (an organophilic lignite). Raw materials such as clay and lignite are received in powder form in bulk bags. These bags are dumped into negative air pneumatic air conveying systems and transferred to storage silos, each controlled with a fabric filter. The Clay Silo is designated as SN-19 and the Lignite Silo is designated as SN-18.

The process begins with lignite raw material being extracted from bulk storage where it is mixed and heated with a solution of water and caustic soda in a pre-mix tank. The mixture is then pumped to one of the three reactor tanks, where liquid raw materials are added. These organics and the lignite raw material react, forming an organophilic lignite. Each of the reactor tanks are vented to the thermal oxidizer (SN-16) to destroy the organic compounds volatilized in the reactor tanks. The reacted lignite slurry is then gravity fed to a table filter, where the liquid is

separated from the Duratone slurry. Another vent from the table filter sends any volatiles generated to the thermal oxidizer.

The Duratone slurry is then conveyed by a transfer screw where clay from bulk storage is added before entering the natural gas-fired Scott Dryer (SN-21) which is rated at 3.0 MMBtu/hr. The dried Duratone is then conveyed by a transfer screw to a hammermill (SN-23), which is heated by a natural gas-fired heater (SN-22) rated at 1.0 MMBtu/hr. Exhaust gases from the Scott dryer are sent to a dust collector where the particulate (PM/PM_{10}) is controlled and any volatile organic compounds (VOCs) pass through the dust collector to the thermal oxidizer (SN-16).

The final Duratone product is collected and transported via a screw conveyor to a packer bin (SN-12). Particulate emissions from the milling process are controlled by a dust collector. Exhaust gases are routed to the thermal oxidizer (SN-16) and the collected product is also routed to the packer bin (SN-12). Final product is packed into 50-pound sacks or bulk supersacks.

THE EXTRUDER CIRCUIT

The Extruder Circuit manufactures various organophilic clay products. Clay is fed into an extruder where it is mixed with an amine and periodic additions of water. The process of adding clay to the circuit is completed by dumping sacks or bags at the appropriate dumping stations that are equipped with dust collectors (Sack Dumping Station SN-10 and Big Bag Dumping Station SN-27).

The amine is stored in the Amine Storage Tanks (SN-01, SN-03, & SN-20). The amine reacts with the clay to form an organophilic clay. The organophilic clay is then conveyed by transfer screw to a mill which is also fed hot air by a natural gas-fired 2.4 MMBtu/hr flash dryer (Insignificant Activity SN-07).

Other specialty chemicals may also be used in the process upon the customer's request or product requirements, which are added to the circuit using a sack dump station with an associated dust collector (Insignificant Activity SN-08).

The resulting product is then classified, collected and sent to the packer bin (SN-13). The generated dust or organic compounds volatilized by the flash dryer are routed to the thermal oxidizer system (SN-16) where they are collected to be destroyed. The collected dust from the dust collector is sent back to the packer bin screw for packing into 50 or 55-pound sacks or bulk supersacks.

WASTEWATER

Wastewater from facility sumps will be collected and sent to the wastewater storage tanks (Insignificant Category A-13) before being sent to a local publicly-owned treatment works (POTW).

INSIGNIFICANT SOURCES

Several emission sources at Halliburton are considered as Insignificant Activities: A rework bag dump (SN-26) insignificant source at the Duratone, another insignificant source at the Extruder circuits, a diesel storage tank, and a product packaging source at the Duratone circuit, are considered insignificant. These sources have low aggregate emissions and are not subject to the NSPS Subpart OOO, and therefore qualify as A-13 insignificant activities. See Section V for a complete list of insignificant activities.

Rules and Regulations

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

Rules and Regulations
Arkansas Air Pollution Control Code, 8 CAR pt. 40, effective March 14, 2016
Rules of the Arkansas Plan of Implementation for Air Pollution Control, 8 CAR pt. 41, effective May 6, 2022
40 CFR Part 60, Subpart IIII - *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*

Discussion of 40 CFR Part 60, Subpart OOO – Applicability

Under 40 CFR § 60.671, a "nonmetallic mineral processing plant" is defined as equipment used to "crush or grind any nonmetallic mineral." The regulation specifically lists 18 minerals, including Bentonite and Kaolin, as regulated materials. Furthermore, an "affected facility" under this subpart only includes equipment, such as grinding mills and crushers, that process these specific minerals.

While this facility utilizes Bentonite and Kaolin as raw materials, these minerals undergo a fundamental chemical transformation prior to reaching the size-reduction stage. Before the materials enter the mills, they react with amines. In this chemical process, both the Bentonite and Kaolin act as limiting reagents and are completely consumed.

The resulting material is a new chemical product (e.g., an organoclay) that is distinct from the 18 minerals listed in the NSPS Subpart OOO definition. Because the reaction is complete before the milling stage, no Bentonite or Kaolin remains to be crushed or ground.

Because the size reduction occurs only after the minerals have been chemically transformed into non-regulated substances, the mills do not meet the definition of a "grinding mill" or "crusher" that is "processing nonmetallic minerals" as defined in § 60.671. Therefore, the equipment at this facility does not constitute an "affected facility" and is not subject to the requirements of Subpart OOO.

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	4.8	18.7
PM_{10}	4.8	18.7
SO_2	0.4	0.2
VOC	181.3	80.2
CO	2.2	4.5
NO_x	3.6	10.3
Total HAP	0.07	0.21
Methyl Chloride	0.03	0.09
Benzyl Chloride	0.04	0.12

Section III: PERMIT HISTORY

Permit 196-A was issued on 11-30-73. This permit covered the operation of 3 barite ore dryers which were controlled with dust collectors. On 12-27-84 this permit was voided.

Permit 196-AR-1 was issued on 9-10-90. This permit covered several emission limit changes as well as the permitting of previously unpermitted operations. The facility had been operating without an air permit since 12-27-84, when 196-A was voided.

Permit 196-AR-2 was issued on 3-27-91 to incorporate a few emission changes.

Permit 196-AR-3 was issued on 7-3-97. This modification included an expansion of the plant to increase production, and the installation of two new RTOs and a baghouse type dust collector. Previously, there were two production circuits which could not be operated simultaneously. This modification allowed Baroid the capability of operating both production circuits simultaneously, allowing the potential production capacity to increase.

Permit 196-AR-4 was issued on 10-18-99. This modification increased production to 100% of plant capacity, an increase from 55% in the previous permit. There is a reduction of permitted volatile organic compounds emission rate from 99.9 tons per year to 49.8 tons per year based on a report performed by Radian International. It was learned through this testing that the anaerobic biodegradation of Isopropyl Alcohol in the wastewater pond was much greater than originally calculated in the previous permit application. This reduction in permitted emissions allowed Baroid to increase the plant production to 100% without triggering major source thresholds.

Permit 0196-AR-5 was issued on December 15, 2004. This permit modification allowed an alternative compliance mechanism. New permit conditions limited total product at each circuit as opposed to the previous material-specific limits. Recalculations based on the worst cases while operating within the maximum productions caused permitted VOC emissions to increase by 24.0 tons per year. Additionally a new amine storage tank was permitted as SN-15.

There were two Administrative Amendments issued for Permit 0196-AR-5. The first was issued on August 8, 2006, to add a 250 gallon diesel tank and a 600 gallon gasoline tank to the Insignificant Activity list. The second was issued on December 19, 2006, to add two (2) 42,000 gallon primary wastewater tanks and two (2) 7,000 gallon secondary wastewater tanks to the Insignificant Activity list.

Permit 0196-AR-6 was issued on March 19, 2009. This permit modification allowed the replacement of the two (2) existing Thermal Oxidizers (SN-04 and SN-05) with a single, more efficient Thermal Oxidizer (SN-16). Halliburton also removed the 250-gallon diesel storage tank and 600-gallon gasoline storage tank from the Insignificant Activities list. Emissions from the Amine and Benzyl Amine Storage Tanks were not affected by the installation of the new Thermal Oxidizer, but have been revised based on updated densities for amine and benzyl amine. Halliburton did not increase any production limits. The permitted emission decreases included 2.9 tpy of PM/PM_{10}, 0.1 tpy of SO_2, 0.8 tpy of VOC, 0.5 tpy of CO, 1.2 tpy of NO_x, 3.43 tpy of Methyl Chloride, and 5.51 tpy of Benzyl Chloride.

Permit 0196-AR-7 was issued on August 1, 2012. This administrative amendment allowed Halliburton to replace the 75 horsepower natural gas fired boiler listed in the Insignificant Activities with a new 100 horsepower natural gas fired boiler. There were no permitted emission changes with this permitting action.

Permit 0196-AR-8 was issued on November 26, 2013. This permit modification allowed Halliburton to add a 139 BHp fire pump engine (SN-17) to the permit. The permitted emission increases included 0.1 tpy of PM/PM_{10}, 0.1 tpy of SO_2, 0.3 tpy of VOC, 0.3 tpy of CO, and 0.3 tpy of NO_x.

Permit 0196-AR-9 was issued on November 24, 2014. This de minimis application:

a. removed the opacity requirements of SN-17, replaced the bulk bag dump stations of lignite and clay with negative air vacuum systems (the lignite bulk system silo and clay bulk system silo (SN-18 and 19) are each controlled by a fabric filter;
b. the application also replaced the existing 4.5 MMBtu/hr duratone circuit dryer with a new natural gas-fired Scott Dryer (SN-21). The exhaust from the dryer will be ducted to a dust collector and then routed to the thermal oxidizer (SN-16).
c. Replaced the existing mill in the duratone circuit with a new hammer mill system (SN-23), which is also heated with a 1.0 MMBtu/hr natural gas-fired heater (SN-22). Exhaust from the hammer mill will be ducted to a dust collector then routed to the thermal oxidizer (SN-16).
d. The wastewater pond (SN-14) will be closed and covered. Wastewater will be routed to the wastewater tanks (as an insignificant activity) and trucked off-site.
e. Replaced the 12,000 gallon Amine storage tank (SN-15) with a 15,000 gallon Amine storage tank (SN-20).
f. Increase the duratone line capacity from 13,900 tpy to 19,272 tpy.
g. Add a rework bag dump (SN-26).

In addition, during the review of this de minimis application, it was discovered that the Product Packaging – Duratone Circuit (SN-12), which was listed as an insignificant activity, is actually subject to 40 CFR Part 60, Subpart OOO. Therefore, this source is moved to a permitted source. The permitted emissions increased by 0.8 PM/PM_{10}, 0.1 tpy of SO2, 7.2 tpy of VOC, 0.03 tpy Total HAP, 0.02 tpy methyl chloride, and 0.01 tpy Benzyl Chloride. The permitted emissions decreased by 1.2 tpy CO and 0.8 tpy NO_X.

Permit 0196-AR-10 was approved May 1st, 2024. With this administrative amendment, the facility proposed to replace a 15,000-gallon benzyl amine storage tank (SN-03) and a natural gas fired water heater (as an insignificant activity) with like-kind replacements. Permitted emissions were unchanged.

Section IV: EMISSION UNIT INFORMATION

Specific Conditions

1. The permittee shall not exceed the emission rates set forth in the following table. [8 CAR § 41-401 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
01	Amine Storage Tank – Duratone Circuit (15,000 gal)	VOC	54.3	3.1
02	Amide Chloride Storage Tank – Duratone Circuit (10,000 gal)	VOC	57.2	1.6
03	Benzyl Amine Storage Tank – Duratone Circuit (15,000 gal)	VOC	49.3	2.4
10	Raw Material Transfer – Extruder Circuit (Sack Dumping Station)	PM_{10}	0.1	0.2
11	Raw Material Transfer – Duratone Circuit	PM_{10}	0.1	0.1
12	Product Packaging (Duratone Circuit)	PM_{10}	0.1	0.2
13	Product Packaging – Extruder Circuit	PM_{10}	0.1	0.2
14	Wastewater Ponds	VOC	3.9	15.4
16	Thermal Oxidizer (7.0 MMBtu/hr) Duratone Circuit Scott Dryer (3.0 MMBtu/hr) & Extruder Circuit Rotary Dryers (2.4 MMBtu/hr)	PM_{10}	3.9	17.0
		SO_2	0.1	0.1
		VOC	15.5	56.4
		CO	1.0	4.2
		NO_x	2.6	10.0
17	139 BHp Fire Pump Engine	PM_{10}	0.1	0.1
		SO_2	0.3	0.1
		VOC	1.0	0.3
		CO	1.2	0.3
		NO_x	1.0	0.3
19	Clay Bulk Storage Silo	PM_{10}	0.1	0.1
20	Amine Storage Tank (15,000 gal)	VOC	0.1	1.0
23	Hammer Mill Operations	PM_{10}	0.1	0.5
26	Rework Bag Dump	PM_{10}	0.1	0.1
27	Raw Material Transfer – Extruder Circuit (Big Bag Dumping Station)	PM_{10}	0.1	0.2

2. The permittee shall not exceed the emission rates set forth in the following table. [8 CAR § 40-701 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-3 11]

SN	Description	Pollutant	lb/hr	tpy
01	Amine Storage Tank Duratone Circuit (15,000 gal)	Methyl Chloride	*	*
03	Benzyl Amine Storage Tank Duratone Circuit (15,000 gal)	Methyl Chloride	*	*
		Benzyl Chloride	**	**
10	Raw Material Transfer – Extruder Circuit (Sack Dumping Station)	PM	0.1	0.2
11	Raw Material Transfer – Duratone Circuit	PM	0.1	0.1
12	Product Packaging (Duratone Circuit)	PM	0.1	0.2
13	Product Packaging – Extruder Circuit	PM	0.1	0.2
16	Thermal Oxidizer (7.0 MMBtu/hr) Duratone Circuit Scott Dryer (3.0 MMBtu/hr) & Extruder Circuit Rotary Dryers (2.4 MMBtu/hr)	PM	3.9	17.0
		Methyl Chloride	0.03*	0.09*
		Benzyl Chloride	0.04**	0.12**
17	139 BHp Fire Pump Engine	PM	0.1	0.1
19	Clay Bulk Storage Silo	PM	0.1	0.1
23	Hammer Mill Operations	PM	0.1	0.5
26	Rework Bag Dump	PM	0.1	0.1
27	Raw Material Transfer – Extruder Circuit (Big Bag Dumping Station)	PM	0.1	0.2

* - Facility-wide bubble limit for SN-01, SN-03, SN-15, and SN-16.
** - Facility-wide bubble limit for SN-03 and SN-16.

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 Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Limit	Regulatory Citation
10, 11, 12, 13, 19, 23, 26, 27	10%	8 CAR § 40-401
16	20%	8 CAR § 40-401
17	20%	8 CAR § 40-401

4. The permittee shall conduct annual visible emissions observations as a method of compliance verification for the opacity limits assigned for SN-10, SN-11, SN-12, SN-13, SN-16, SN-19, SN-23, SN-26, and SN-27 to verify compliance with limits set by Specific Condition 3. Observations shall be conducted by someone trained in EPA Reference Method 9. Each observation shall consist of at least three six-minute periods at each source. If during the observations, visible emissions are detected which appear to be in excess of the permitted opacity limit, the permittee shall:

    1. Take immediate action to identify the cause of the visible emissions,
    2. Implement corrective action, and
    3. If excessive visible emissions are still detected, an opacity reading shall be conducted in accordance with EPA Reference Method 9 for point sources and in accordance with EPA Method 22 for non-point sources. This reading shall be conducted by a person trained and certified in the reference method. If the opacity reading exceeds the permitted limit, further corrective measures shall be taken.
    4. If no excessive visible emissions are detected, the incident shall be noted in the records as described below.

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

    5. The time and date of each observation/reading,
    6. Any observance of visible emissions appearing to be above permitted limits or any Method 9 reading which indicates exceedance,
    7. The cause of any observed exceedance of opacity limits, corrective actions taken, and results of the reassessment, and
    8. The name of the person conducting the observation/reading.

    [8 CAR § 40-401; 8 CAR § 41-403, 8 CAR § 41-602, and 8 CAR § 41-605; and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

5. 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, if the emission of the air contaminant constitutes air pollution within the meaning of A.C.A. §8-4-303. [8 CAR § 40-701 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

6. The permittee shall not conduct operations in such a manner as to unnecessarily cause air contaminants and other pollutants to become airborne. [8 CAR pt. 40, §18.901 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

Plantwide Conditions

7. The permittee shall not exceed more than 19,272 tons production at the Duratone circuit and 15,800 tons production at the Extruder circuit per consecutive 12-month period. [8 CAR § 41-605 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

8. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition 7. A rolling 12-month total shall be kept with each individual month's records. Records shall be updated by the 15th day of the month following the month to which the records pertain. The permittee shall keep the records onsite, and make the records available to Department personnel upon request. [8 CAR § 41-605 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

9. The permittee shall not exceed more than 50% wt content of nonmetallic minerals in the mixture of organophilic clay before crushing and grinding in the Duratone and Extruder Circuit process. [8 CAR § 41-605 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

10. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition #9. Records shall consist of the % wt content of nonmetallic minerals in the mixture of organophilic clay before crushing or grinding. Records shall be updated by the 15th day of the month following the month to which the records pertain. The permittees shall keep the records onsite, and make the records available to Department personnel upon request. [8 CAR § 41-605 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

RTO Operations

11. The permittee shall measure the VOC from SN-16 on an annual basis using EPA Reference Methods 25A. If the permittee chooses not to include methane in the total VOCs, then Method 18 shall be used simultaneously with Method 25A to determine the concentration of methane in the exhaust gas stream. Testing shall be performed with the equipment operating at least at 90% of its permitted capacity and in accordance with

General Condition 7. [8 CAR § 41-602 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

12. The permittee shall use only pipeline quality natural gas as fuel in SN-16. [8 CAR § 41-605 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

13. The permittee shall operate all dust collector / filter pre-control devices to the RTO according to manufacturer specifications. [8 CAR § 41-203 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Material Content Limits

14. The permittee shall not use Methyl Amine with a Methyl Chloride content greater than 0.03% by weight. [8 CAR § 40-904 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

15. The permittee shall not use Benzyl Amine with a Benzyl Chloride content greater than 0.08% by weight. [8 CAR § 40-904 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

16. The permittee shall maintain the MSDS on site for the Methyl Amine and Benzyl Amine solutions showing the percent content of Methyl Chloride and Benzyl Chloride. These records shall be made available for inspection upon request. [8 CAR § 40-904 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

SN-17 Conditions

17. The permittee shall not operate the fire pump engine (SN-17) in excess of 500 hours per calendar year. If the permittee operates SN-17 in excess of 100 hours during any consecutive 12-month period, the permittee shall provide the necessary documentation to demonstrate that the engine still qualifies as an emergency engine as outlined in §60.4211(f). [8 CAR § 41-605 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

18. The permittee shall maintain records of the hours of operation of the fire pump generator SN-17 which demonstrate compliance with Specific Condition #17. A rolling 12-month total shall be kept with each individual month's records. Records shall be updated by the 15th day of the month following the month to which the records pertain. The permittee shall keep the records onsite, and make the records available to Department personnel upon request. [8 CAR § 41-605 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

19. The permittee must install a non-resettable hour meter on SN-17 if one is not already installed. [8 CAR § 41-204 and 40 C.F.R. §60.4209(a)]

20. The fire pump engine (SN-17) is considered an affected source under 40 CFR Part 60, Subpart IIII - *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*, and is subject to, but not limited to, Specific Conditions 21 through 27. [8 CAR § 41-204 and 40 CFR Part 60, Subpart IIII]

21. Owners and operators of fire pump engines with a displacement of less than 30 liters per cylinder must comply with the emission standards in table 4 to 40 CFR Part 60, Subpart IIII, for all pollutants. [8 CAR § 41-204 and 40 C.F.R. §60.4205(c)]

22. Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §60.4204 and §60.4205 over the entire life of the engine. [8 CAR § 41-204 and 40 C.F.R. §60.4206]

23. Beginning October 1, 2010, owners and operators of stationary CI ICE subject to 40 CFR Part 60, Subpart IIII with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. [8 CAR § 41-204 and 40 C.F.R. §60.4207(b)]

24. If you are an owner or operator and must comply with the emission standards specified in 40 CFR Part 60, Subpart IIII, you must do all of the following, except as permitted under paragraph (g) of §60.4211:

    1. Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;
    2. Change only those emission-related settings that are permitted by the manufacturer; and
    3. Meet the requirements of 40 CFR Parts 89, 94 and/or 1068, as they apply to you.

    [8 CAR § 41-204 and 40 C.F.R. §60.4211(a)]

25. If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in §60.4204(b) or §60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to 40 CFR Part 60, Subpart IIII and must comply with the emission standards specified in §60.4205(c), you must comply by purchasing an engine certified to the emission standards in §60.4204(b), or §60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the

manufacturer's emission-related specifications, except as permitted in paragraph (g) of §60.4211. [8 CAR § 41-204 and 40 C.F.R. §60.4211(c)]

26. If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of §60.4211. In order for the engine to be considered an emergency stationary ICE under 40 CFR Part 60, Subpart IIII, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3) of §60.4211, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3) of §60.4211, the engine will not be considered an emergency engine under 40 CFR Part 60, Subpart IIII and must meet all requirements for non-emergency engines.

    1. There is no time limit on the use of emergency stationary ICE in emergency situations.
    2. You may operate your emergency stationary ICE for any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) of §60.4211for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (f)(3) of §60.4211counts as part of the 100 hours per calendar year allowed by paragraph (f)(2).
        i. Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

[8 CAR § 41-204 and 40 C.F.R. §60.4211(f)(1) and (f)(2)(i)]

27. The permittee shall comply with the following table from 40 CFR Part 60, Subpart IIII:

Table 4 to Subpart IIII of Part 60—Emission Standards for Stationary Fire Pump Engines

Maximum engine power	Model year(s)	NMHC + NO_x	CO	PM
75≤KW<130 (100≤HP<175)	2010+ [2]	4.0 (3.0)	5.0 (3.7)	0.30 (0.22)

[2] For model years 2010-2012, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2009 model year engines.

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 8 CAR pt. 40 and pt. 41 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 October 27, 2025. [8 CAR § 41-308 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

Description	Category
Natural Gas Fired Boiler, 4.2 MMBtu/hr (SN-06)	A-1
Natural Gas Fired Water Heater, 2.4 MMBtu/hr (SN-07)	A-1
Scott Dryer, 3.0 MMBtu/hr (SN-21)	A-1
Hammermill Heater, 1.0 MMBtu/hr (SN-22)	A-1
10,000 gallon Nonylphenol storage tank	A-3
185 gallon Diesel Storage Tank (SN-25)	A-3
10,000 gallon Caustic Soda storage tank	A-4
Lab Hoods (SN-27)	A-5
500 Gallon Specialty Chemical Storage Tank	A-13
Unpaved Roads	A-13
Wastewater Tanks (3 tanks with 17,000 gallon capacity each)	A-13
Primary Wastewater Tanks (2 tanks with 42,000 gallon capacity each)	A-13
Raw Material Transfer – Extruder (SN-08)	A-13

Section VI: GENERAL CONDITIONS

1. Any terms or conditions included in this permit that specify and reference Arkansas Pollution Control & Ecology Commission 8 CAR pt. 40 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 8 CAR pt. 40 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 8 CAR pt. 40 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. [8 CAR § 41-604 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. [8 CAR § 41-310(b) and/or 8 CAR § 40-209(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. [8 CAR § 41-605 and/or 8 CAR § 40-904 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://eportal.adeq.state.ar.us or mail them to the address below. [8 CAR § 41-605 and/or 8 CAR § 40-904 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

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. [8 CAR § 41-602 and/or 8 CAR § 40-902 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: [8 CAR § 41-602 and/or 8 CAR § 40-902 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. [8 CAR § 41-203 and/or 8 CAR § 40-1004 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: [8 CAR § 41-501 and/or 8 CAR § 40-1001 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://eportal.adeq.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. [8 CAR § 41-310(a) and/or 8 CAR § 40-209(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. [8 CAR § 41-307(b) and/or 8 CAR § 40-207(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. [8 CAR pt. 40 and/or pt. 41 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 8 CAR pt. 12. [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.

    [8 CAR § 40-214(a) and/or 8 CAR § 41-316(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;
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.

[8 CAR § 40-214(b) and/or 8 CAR § 41-316(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.

    [8 CAR § 40-214(c) and/or 8 CAR § 41-316(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. [8 CAR § 40-901, 8 CAR § 41-601, Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 52 Subpart E]

Appendix A

Subpart IIII

Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

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

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

What This Subpart Covers

§ 60.4200 Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) and other persons as specified in paragraphs (a)(1) through (4) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Manufacturers of stationary CI ICE with a displacement of less than 30 liters per cylinder where the model year is:

(i) 2007 or later, for engines that are not fire pump engines;

(ii) The model year listed in Table 3 to this subpart or later model year, for fire pump engines.

(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005, where the stationary CI ICE are:

(i) Manufactured after April 1, 2006, and are not fire pump engines, or

(ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.

(3) Owners and operators of any stationary CI ICE that are modified or reconstructed after July 11, 2005 and any person that modifies or reconstructs any stationary CI ICE after July 11, 2005.

(4) The provisions of § 60.4208 of this subpart are applicable to all owners and operators of stationary CI ICE that commence construction after July 11, 2005.

(b) The provisions of this subpart are not applicable to stationary CI ICE being tested at a stationary CI ICE test cell/stand.

(c) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous

sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

(d) Stationary CI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C, except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

(e) Owners and operators of facilities with CI ICE that are acting as temporary replacement units and that are located at a stationary source for less than 1 year and that have been properly certified as meeting the standards that would be applicable to such engine under the appropriate nonroad engine provisions, are not required to meet any other provisions under this subpart with regard to such engines.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011; 86 FR 34357, June 29, 2021]

Emission Standards for Manufacturers

§ 60.4201 What emission standards must I meet for non-emergency engines if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later non-emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 kilowatt (KW) (3,000 horsepower (HP)) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 1039.102, 1039.104, 1039.105, 1039.107, and 1039.115 and 40 CFR part 1039, appendix I, as applicable, for all pollutants, for the same model year and maximum engine power.

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 through 2010 model year non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.

(c) Stationary CI internal combustion engine manufacturers must certify their 2011 model year and later non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 40 CFR 1039.102, 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, and 40 CFR 1039.115, as applicable, for all pollutants, for the same maximum engine power.

(d) Stationary CI internal combustion engine manufacturers must certify the following non-emergency stationary CI ICE to the appropriate Tier 2 emission standards for new marine CI engines as described in 40 CFR part 1042, appendix I, for all pollutants, for the same displacement and rated power:

(1) Their 2007 model year through 2012 non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder;

(2) Their 2013 model year non-emergency stationary CI ICE with a maximum engine power greater than or equal to 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and

(3) Their 2013 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.

(e) Stationary CI internal combustion engine manufacturers must certify the following non-emergency stationary CI ICE to the certification emission standards and other requirements for new marine CI engines in 40 CFR 1042.101, 40 CFR 1042.107, 40 CFR 1042.110, 40 CFR 1042.115, 40 CFR 1042.120, and 40 CFR 1042.145, as applicable, for all pollutants, for the same displacement and maximum engine power:

(1) Their 2013 model year non-emergency stationary CI ICE with a maximum engine power less than 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and

(2) Their 2014 model year and later non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder.

(f) Notwithstanding the requirements in paragraphs (a) through (c) of this section, stationary non-emergency CI ICE identified in paragraphs (a) and (c) of this section may be certified to the provisions of 40 CFR part 1042 for commercial engines that are applicable for the engine's model year, displacement, power density, and maximum engine power if the engines will be used solely in either or both of the following locations:

(1) Remote areas of Alaska; and

(2) Marine offshore installations.

(g) Notwithstanding the requirements in paragraphs (a) through (f) of this section, stationary CI internal combustion engine manufacturers are not required to certify reconstructed engines; however manufacturers may elect to do so. The reconstructed engine must be certified to the emission standards specified in paragraphs (a) through (e)

of this section that are applicable to the model year, maximum engine power, and displacement of the reconstructed stationary CI ICE.

(h) Stationary CI ICE certified to the standards in 40 CFR part 1039 and equipped with auxiliary emission control devices (AECDs) as specified in 40 CFR 1039.665 must meet the Tier 1 certification emission standards for new nonroad CI engines in 40 CFR part 1039, appendix I, while the AECD is activated during a qualified emergency situation. A qualified emergency situation is defined in 40 CFR 1039.665. When the qualified emergency situation has ended and the AECD is deactivated, the engine must resume meeting the otherwise applicable emission standard specified in this section.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34357, June 29, 2021]

§ 60.4202 What emission standards must I meet for emergency engines if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (a)(1) through (2) of this section.

(1) For engines with a maximum engine power less than 37 KW (50 HP):

(i) The Tier 2 emission standards for new nonroad CI engines for the appropriate rated power as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105 for model year 2007 engines; and

(ii) The certification emission standards for new nonroad CI engines in 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, 40 CFR 1039.115, and table 2 to this subpart, for 2008 model year and later engines.

(2) For engines with a rated power greater than or equal to 37 KW (50 HP), the Tier 2 or Tier 3 emission standards for new nonroad CI engines for the same rated power as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105 beginning in model year 2007.

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (b)(1) through (2) of this section.

(1) For 2007 through 2010 model years, the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.

(2) For 2011 model year and later, the Tier 2 emission standards as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105.

(c) [Reserved]

(d) Beginning with the model years in table 3 to this subpart, stationary CI internal combustion engine manufacturers must certify their fire pump stationary CI ICE to the emission standards in table 4 to this subpart, for all pollutants, for the same model year and NFPA nameplate power.

(e) Stationary CI internal combustion engine manufacturers must certify the following emergency stationary CI ICE that are not fire pump engines to the appropriate Tier 2 emission standards for new marine CI engines as described in 40 CFR part 1042, appendix I, for all pollutants, for the same displacement and rated power:

(1) Their 2007 model year through 2012 emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder;

(2) Their 2013 model year and later emergency stationary CI ICE with a maximum engine power greater than or equal to 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder;

(3) Their 2013 model year emergency stationary CI ICE with a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder; and

(4) Their 2014 model year and later emergency stationary CI ICE with a maximum engine power greater than or equal to 2,000 KW (2,682 HP) and a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.

(f) Stationary CI internal combustion engine manufacturers must certify the following emergency stationary CI ICE to the certification emission standards and other requirements applicable to Tier 3 new marine CI engines in 40 CFR 1042.101, 40 CFR 1042.107, 40 CFR 1042.115, 40 CFR 1042.120, and 40 CFR 1042.145, for all pollutants, for the same displacement and maximum engine power:

(1) Their 2013 model year and later emergency stationary CI ICE with a maximum engine power less than 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and

(2) Their 2014 model year and later emergency stationary CI ICE with a maximum engine power less than 2,000 KW (2,682 HP) and a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.

(g) Notwithstanding the requirements in paragraphs (a) through (d) of this section, stationary emergency CI ICE identified in paragraphs (a) and (c) of this section may be certified to the provisions of 40 CFR part 1042 for commercial engines that are applicable for the engine's model year, displacement, power density, and maximum engine power if the engines will be used solely in either or both of the locations identified in paragraphs (g)(1) and (2) of this section. Engines that would be subject to the Tier 4 standards in 40 CFR part 1042 that are used solely in either or both of the locations identified in paragraphs (g)(1) and (2) of this section may instead continue to be certified to the previous tier of standards in 40 CFR part 1042. The previous tier is Tier 3 in most cases; however, the previous tier is Tier 2 if there are no Tier 3 standards specified for engines of a certain size or power rating.

(1) Remote areas of Alaska; and

(2) Marine offshore installations.

(h) Notwithstanding the requirements in paragraphs (a) through (f) of this section, stationary CI internal combustion engine manufacturers are not required to certify reconstructed engines; however manufacturers may elect to do so. The reconstructed engine must be certified to the emission standards specified in paragraphs (a) through (f) of this section that are applicable to the model year, maximum engine power and displacement of the reconstructed emergency stationary CI ICE.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021; 88 FR 4471, Jan. 24, 2023]

§ 60.4203 How long must my engines meet the emission standards if I am a manufacturer of stationary CI internal combustion engines?

Engines manufactured by stationary CI internal combustion engine manufacturers must meet the emission standards as required in §§ 60.4201 and 60.4202 during the certified emissions life of the engines.

[76 FR 37968, June 28, 2011]

Emission Standards for Owners and Operators

§ 60.4204 What emission standards must I meet for non-emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of less than 10 liters per cylinder must comply with the emission standards in table 1 to this subpart. Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder must comply with the Tier 1 emission standards in 40 CFR part 1042, appendix I.

(b) Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in § 60.4201 for their 2007 model year and later stationary CI ICE, as applicable.

(c) Owners and operators of non-emergency stationary CI engines with a displacement of greater than or equal to 30 liters per cylinder must meet the following requirements:

(1) For engines installed prior to January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 grams per kilowatt-hour (g/KW-hr) (12.7 grams per horsepower-hr (g/HP-hr)) when maximum engine speed is less than 130 revolutions per minute (rpm);

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/KW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012 and before January 1, 2016, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) For engines installed on or after January 1, 2016, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 3.4 g/KW-hr (2.5 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $9.0 \cdot n^{-0.20}$ g/KW-hr ($6.7 \cdot n^{-0.20}$ g/HP-hr) where n (maximum engine speed) is 130 or more but less than 2,000 rpm; and

(iii) 2.0 g/KW-hr (1.5 g/HP-hr) where maximum engine speed is greater than or equal to 2,000 rpm.

(4) Reduce particulate matter (PM) emissions by 60 percent or more, or limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.15 g/KW-hr (0.11 g/HP-hr).

(d) Owners and operators of non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the not-to-exceed (NTE) standards as indicated in § 60.4212.

(e) Owners and operators of any modified or reconstructed non-emergency stationary CI ICE subject to this subpart must meet the emission standards applicable to the model year, maximum engine power, and displacement of the modified or reconstructed non-emergency stationary CI ICE that are specified in paragraphs (a) through (d) of this section.

(f) Owners and operators of stationary CI ICE certified to the standards in 40 CFR part 1039 and equipped with AECDs as specified in 40 CFR 1039.665 must meet the Tier 1 certification emission standards for new nonroad CI engines in 40 CFR part 1039, appendix I, while the AECD is activated during a qualified emergency situation. A qualified emergency situation is defined in 40 CFR 1039.665. When the qualified emergency situation has ended and the AECD is deactivated, the engine must resume meeting the otherwise applicable emission standard specified in this section.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021]

§ 60.4205 What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of less than 10 liters per cylinder that are not fire pump engines must comply with the emission standards in Table 1 to this subpart. Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that are not fire pump engines must comply with the Tier 1 emission standards in 40 CFR part 1042, appendix I.

(b) Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in § 60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.

(c) Owners and operators of fire pump engines with a displacement of less than 30 liters per cylinder must comply with the emission standards in table 4 to this subpart, for all pollutants.

(d) Owners and operators of emergency stationary CI engines with a displacement of greater than or equal to 30 liters per cylinder must meet the requirements in this section.

(1) For engines installed prior to January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 g/KW-hr (12.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/kW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) Limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.40 g/KW-hr (0.30 g/HP-hr).

(e) Owners and operators of emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the NTE standards as indicated in § 60.4212.

(f) Owners and operators of any modified or reconstructed emergency stationary CI ICE subject to this subpart must meet the emission standards applicable to the model year, maximum engine power, and displacement of the modified or reconstructed CI ICE that are specified in paragraphs (a) through (e) of this section.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 86 FR 34358, June 29, 2021]

§ 60.4206 How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§ 60.4204 and 60.4205 over the entire life of the engine.

[76 FR 37969, June 28, 2011]

Fuel Requirements for Owners and Operators

§ 60.4207 What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?

(a) [Reserved]

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

(c) [Reserved]

(d) Beginning June 1, 2012, owners and operators of stationary CI ICE subject to this subpart with a displacement of greater than or equal to 30 liters per cylinder must use diesel fuel that meets a maximum per-gallon sulfur content of 1,000 parts per million (ppm).

(e) Stationary CI ICE that have a national security exemption under § 60.4200(d) are also exempt from the fuel requirements in this section.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 85 FR 78463, Dec. 4, 2020]

Other Requirements for Owners and Operators

§ 60.4208 What is the deadline for importing or installing stationary CI ICE produced in previous model years?

(a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.

(b) After December 31, 2009, owners and operators may not install stationary CI ICE with a maximum engine power of less than 19 KW (25 HP) (excluding fire pump engines) that do not meet the applicable requirements for 2008 model year engines.

(c) After December 31, 2014, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 KW (25 HP) and less than 56 KW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.

(d) After December 31, 2013, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 56 KW (75 HP) and less than 130 KW (175 HP) that do not meet the applicable requirements for 2012 model year non-emergency engines.

(e) After December 31, 2012, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 130 KW (175 HP), including those above 560 KW (750 HP), that do not meet the applicable requirements for 2011 model year non-emergency engines.

(f) After December 31, 2016, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 560 KW (750 HP) that do not meet the applicable requirements for 2015 model year non-emergency engines.

(g) After December 31, 2018, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power greater than or equal to 600 KW (804 HP) and less than 2,000 KW (2,680 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that do not meet the applicable requirements for 2017 model year non-emergency engines.

(h) In addition to the requirements specified in §§ 60.4201, 60.4202, 60.4204, and 60.4205, it is prohibited to import stationary CI ICE with a displacement of less than 30 liters per cylinder that do not meet the applicable requirements specified in paragraphs (a) through (g) of this section after the dates specified in paragraphs (a) through (g) of this section.

(i) The requirements of this section do not apply to owners or operators of stationary CI ICE that have been modified, reconstructed, and do not apply to engines that were removed from one existing location and reinstalled at a new location.

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

§ 60.4209 What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in § 60.4211.

(a) If you are an owner or operator of an emergency stationary CI internal combustion engine that does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter prior to startup of the engine.

(b) If you are an owner or operator of a stationary CI internal combustion engine equipped with a diesel particulate filter to comply with the emission standards in § 60.4204, the diesel particulate filter must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached.

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

Compliance Requirements

§ 60.4210 What are my compliance requirements if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their stationary CI ICE with a displacement of less than 10 liters per cylinder to the emission standards specified in §§ 60.4201(a) through (c) and 60.4202(a), (b), and (d) using the certification procedures required in 40 CFR part 1039, subpart C, and must test their engines as specified in 40 CFR part 1039. For the purposes of this subpart, engines certified to the standards in Table 1 to this subpart shall be subject to the same certification procedures required for engines certified to the Tier 1 standards in 40 CFR part 1039, appendix I. For the purposes of this subpart, engines certified to the standards in Table 4 to this subpart shall be subject to the same certification procedures required for engines certified to the Tier 1 standards in 40 CFR part 1039, appendix I, except that engines with NFPA nameplate power of less than 37 KW (50 HP) certified to model year 2011 or later standards shall be subject to the same requirements as engines certified to the standards in 40 CFR part 1039.

(b) Stationary CI internal combustion engine manufacturers must certify their stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder to the emission standards specified in §§ 60.4201(d) and (e) and 60.4202(e) and (f) using the certification procedures required in 40 CFR part 1042, subpart C, and must test their engines as specified in 40 CFR part 1042.

(c) Stationary CI internal combustion engine manufacturers must meet the requirements of 40 CFR 1039.120, 1039.125, 1039.130, and 1039.135 and 40 CFR part 1068 for engines that are certified to the emission standards in 40 CFR part 1039. Stationary CI internal combustion engine manufacturers must meet the corresponding provisions of 40 CFR part 1042 for engines that would be covered by that part if they were nonroad (including marine) engines. Labels on such engines must refer to stationary engines, rather than or in addition

to nonroad or marine engines, as appropriate. Stationary CI internal combustion engine manufacturers must label their engines according to paragraphs (c)(1) through (3) of this section.

(1) Stationary CI internal combustion engines manufactured from January 1, 2006 to March 31, 2006 (January 1, 2006 to June 30, 2006 for fire pump engines), other than those that are part of certified engine families under the nonroad CI engine regulations, must be labeled according to 40 CFR 1039.20.

(2) Stationary CI internal combustion engines manufactured from April 1, 2006 to December 31, 2006 (or, for fire pump engines, July 1, 2006 to December 31 of the year preceding the year listed in table 3 to this subpart) must be labeled according to paragraphs (c)(2)(i) through (iii) of this section:

(i) Stationary CI internal combustion engines that are part of certified engine families under the nonroad regulations must meet the labeling requirements for nonroad CI engines, but do not have to meet the labeling requirements in 40 CFR 1039.20.

(ii) Stationary CI internal combustion engines that meet Tier 1 requirements (or requirements for fire pumps) under this subpart, but do not meet the requirements applicable to nonroad CI engines must be labeled according to 40 CFR 1039.20. The engine manufacturer may add language to the label clarifying that the engine meets Tier 1 requirements (or requirements for fire pumps) of this subpart.

(iii) Stationary CI internal combustion engines manufactured after April 1, 2006 that do not meet Tier 1 requirements of this subpart, or fire pumps engines manufactured after July 1, 2006 that do not meet the requirements for fire pumps under this subpart, may not be used in the U.S. If any such engines are manufactured in the U.S. after April 1, 2006 (July 1, 2006 for fire pump engines), they must be exported or must be brought into compliance with the appropriate standards prior to initial operation. The export provisions of 40 CFR 1068.230 would apply to engines for export and the manufacturers must label such engines according to 40 CFR 1068.230.

(3) Stationary CI internal combustion engines manufactured after January 1, 2007 (for fire pump engines, after January 1 of the year listed in table 3 to this subpart, as applicable) must be labeled according to paragraphs (c)(3)(i) through (iii) of this section.

(i) Stationary CI internal combustion engines that meet the requirements of this subpart and the corresponding requirements for nonroad (including marine) engines of the same model year and HP must be labeled according to the provisions in 40 CFR part 1039 or 1042, as appropriate.

(ii) Stationary CI internal combustion engines that meet the requirements of this subpart, but are not certified to the standards applicable to nonroad (including marine) engines of the same model year and HP must be labeled according to the provisions in 40 CFR part 1039 or 1042, as appropriate, but the words "stationary" must be included instead of "nonroad" or "marine" on the label. In addition, such engines must be labeled according to 40 CFR 1039.20.

(iii) Stationary CI internal combustion engines that do not meet the requirements of this subpart must be labeled according to 40 CFR 1068.230 and must be exported under the provisions of 40 CFR 1068.230.

(d) An engine manufacturer certifying an engine family or families to standards under this subpart that are identical to standards applicable under 40 CFR part 1039 or 1042 for that model year may certify any such family that contains both nonroad (including marine) and stationary engines as a single engine family and/or may include any such family containing stationary engines in the averaging, banking, and trading provisions applicable for such engines under those parts.

(e) Manufacturers of engine families discussed in paragraph (d) of this section may meet the labeling requirements referred to in paragraph (c) of this section for stationary CI ICE by either adding a separate label containing the information required in paragraph (c) of this section or by adding the words "and stationary" after the word "nonroad" or "marine," as appropriate, to the label.

(f) Starting with the model years shown in table 5 to this subpart, stationary CI internal combustion engine manufacturers must add a permanent label stating that the engine is for stationary emergency use only to each new emergency stationary CI internal combustion engine greater than or equal to 19 KW (25 HP) that meets all the emission standards for emergency engines in § 60.4202 but does not meet all the emission standards for non-emergency engines in § 60.4201. The label must be added according to the labeling requirements specified in 40 CFR 1039.135(b). Engine manufacturers must specify in the owner's manual that operation of emergency engines is limited to emergency operations and required maintenance and testing.

(g) Manufacturers of fire pump engines may use the test cycle in table 6 to this subpart for testing fire pump engines and may test at the NFPA certified nameplate HP, provided that the engine is labeled as "Fire Pump Applications Only".

(h) Engine manufacturers, including importers, may introduce into commerce uncertified engines or engines certified to earlier standards that were manufactured before the new or changed standards took effect until inventories are depleted, as long as such engines are

part of normal inventory. For example, if the engine manufacturers' normal industry practice is to keep on hand a one-month supply of engines based on its projected sales, and a new tier of standards starts to apply for the 2009 model year, the engine manufacturer may manufacture engines based on the normal inventory requirements late in the 2008 model year, and sell those engines for installation. The engine manufacturer may not circumvent the provisions of § 60.4201 or § 60.4202 by stockpiling engines that are built before new or changed standards take effect. Stockpiling of such engines beyond normal industry practice is a violation of this subpart.

(i) The replacement engine provisions of 40 CFR 1068.240 are applicable to stationary CI engines replacing existing equipment that is less than 15 years old.

(j) Stationary CI ICE manufacturers may equip their stationary CI internal combustion engines certified to the emission standards in 40 CFR part 1039 with AECDs for qualified emergency situations according to the requirements of 40 CFR 1039.665. Manufacturers of stationary CI ICE equipped with AECDs as allowed by 40 CFR 1039.665 must meet all the requirements in 40 CFR 1039.665 that apply to manufacturers. Manufacturers must document that the engine complies with the Tier 1 standard in 40 CFR part 1039, appendix I, when the AECD is activated. Manufacturers must provide any relevant testing, engineering analysis, or other information in sufficient detail to support such statement when applying for certification (including amending an existing certificate) of an engine equipped with an AECD as allowed by 40 CFR 1039.665.

(k) Manufacturers of any size may certify their emergency stationary CI internal combustion engines under this section using assigned deterioration factors established by EPA, consistent with 40 CFR 1039.240 and 1042.240.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021]

§ 60.4211 What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must do all of the following, except as permitted under paragraph (g) of this section:

(1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

(2) Change only those emission-related settings that are permitted by the manufacturer; and

(3) Meet the requirements of 40 CFR part 1068, as they apply to you.

(b) If you are an owner or operator of a pre-2007 model year stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(a) or § 60.4205(a), or if you are an owner or operator of a CI fire pump engine that is manufactured prior to the model years in table 3 to this subpart and must comply with the emission standards specified in § 60.4205(c), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) through (5) of this section.

(1) Purchasing an engine certified to emission standards for the same model year and maximum engine power as described in 40 CFR parts 1039 and 1042, as applicable. The engine must be installed and configured according to the manufacturer's specifications.

(2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.

(3) Keeping records of engine manufacturer data indicating compliance with the standards.

(4) Keeping records of control device vendor data indicating compliance with the standards.

(5) Conducting an initial performance test to demonstrate compliance with the emission standards according to the requirements specified in § 60.4212, as applicable.

(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(b) or § 60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in § 60.4205(c), you must comply by purchasing an engine certified to the emission standards in § 60.4204(b), or § 60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in paragraph (g) of this section.

(d) If you are an owner or operator and must comply with the emission standards specified in § 60.4204(c) or § 60.4205(d), you must demonstrate compliance according to the requirements specified in paragraphs (d)(1) through (3) of this section.

(1) Conducting an initial performance test to demonstrate initial compliance with the emission standards as specified in § 60.4213.

(2) Establishing operating parameters to be monitored continuously to ensure the stationary internal combustion engine continues to meet the emission standards. The owner or operator must petition the Administrator for approval of operating parameters to be monitored continuously. The petition must include the information described in paragraphs (d)(2)(i) through (v) of this section.

(i) Identification of the specific parameters you propose to monitor continuously;

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

(iii) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;

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

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

(3) For non-emergency engines with a displacement of greater than or equal to 30 liters per cylinder, conducting annual performance tests to demonstrate continuous compliance with the emission standards as specified in § 60.4213.

(e) If you are an owner or operator of a modified or reconstructed stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(e) or § 60.4205(f), you must demonstrate compliance according to one of the methods specified in paragraphs (e)(1) or (2) of this section.

(1) Purchasing, or otherwise owning or operating, an engine certified to the emission standards in § 60.4204(e) or § 60.4205(f), as applicable.

(2) Conducting a performance test to demonstrate initial compliance with the emission standards according to the requirements specified in § 60.4212 or § 60.4213, as appropriate. The test must be conducted within 60 days after the engine commences operation after the modification or reconstruction.

(f) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart,

any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

(1) There is no time limit on the use of emergency stationary ICE in emergency situations.

(2) You may operate your emergency stationary ICE for the purpose specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (f)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

(ii)-(iii) [Reserved]

(3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. Except as provided in paragraph (f)(3)(i) of this section, the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

(ii) [Reserved]

(g) If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as follows:

(1) If you are an owner or operator of a stationary CI internal combustion engine with maximum engine power less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, if you do not install and configure the engine and control device according to the manufacturer's emission-related written instructions, or you change the emission-related settings in a way that is not permitted by the manufacturer, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of such action.

(2) If you are an owner or operator of a stationary CI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer.

(3) If you are an owner or operator of a stationary CI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance

and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer. You must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

(h) The requirements for operators and prohibited acts specified in 40 CFR 1039.665 apply to owners or operators of stationary CI ICE equipped with AECDs for qualified emergency situations as allowed by 40 CFR 1039.665.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37970, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 86 FR 34359, June 29, 2021; 87 FR 48605, Aug. 10, 2022]

Testing Requirements for Owners and Operators

§ 60.4212 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (e) of this section.

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F, for stationary CI ICE with a displacement of less than 10 liters per cylinder, and according to 40 CFR part 1042, subpart F, for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. Alternatively, stationary CI ICE that are complying with Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or with Tier 2 emission standards as described in 40 CFR part 1042, appendix I, may follow the testing procedures specified in § 60.4213, as appropriate.

(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This

requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

(c) Exhaust emissions from stationary CI ICE subject to Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or Tier 2 emission standards as described in 40 CFR part 1042, appendix I, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard, determined from the following equation:

$$\text{NTE requirement for each pollutant} = (1.25) \times (\text{STD}) \quad \text{(Eq. 1)}$$

Where:

STD = The standard specified for that pollutant in 40 CFR part 1039 or 1042, as applicable.

(d) Exhaust emissions from stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in § 60.4204(a), § 60.4205(a), or § 60.4205(c) must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in § 60.4204(a), § 60.4205(a), or § 60.4205(c), determined from the equation in paragraph (c) of this section.

Where:

STD = The standard specified for that pollutant in § 60.4204(a), § 60.4205(a), or § 60.4205(c).

Alternatively, stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in § 60.4204(a), § 60.4205(a), or § 60.4205(c) may follow the testing procedures specified in § 60.4213, as appropriate.

(e) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1042 must not exceed the NTE standards for the same model year and maximum engine power as required in 40 CFR 1042.101(c).

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011; 86 FR 34359, June 29, 2021]

§ 60.4213 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of greater than or equal to 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder must conduct performance tests according to paragraphs (a) through (f) of this section.

(a) Each performance test must be conducted according to the requirements in § 60.8 and under the specific conditions that this subpart specifies in table 7. The test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c).

(c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must last at least 1 hour.

(d) To determine compliance with the percent reduction requirement, you must follow the requirements as specified in paragraphs (d)(1) through (3) of this section.

(1) You must use Equation 2 of this section to determine compliance with the percent reduction requirement:

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

Where:

C_i = concentration of NO_X or PM at the control device inlet,

C_o = concentration of NO_X or PM at the control device outlet, and

R = percent reduction of NO_X or PM emissions.

(2) You must normalize the NO_X or PM concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen (O_2) using Equation 3 of this section, or an equivalent percent carbon dioxide (CO_2) using the procedures described in paragraph (d)(3) of this section.

$$C_{adj} = C_d \frac{5.9}{20.9 - \%\ O_2} \qquad \text{(Eq. 3)}$$

Where:

C_{adj} = Calculated NO_X or PM concentration adjusted to 15 percent O_2.

C_d = Measured concentration of NO_X or PM, uncorrected.

5.9 = 20.9 percent O_2−15 percent O_2, the defined O_2 correction value, percent.

$\%O_2$ = Measured O_2 concentration, dry basis, percent.

(3) If pollutant concentrations are to be corrected to 15 percent O_2 and CO_2 concentration is measured in lieu of O_2 concentration measurement, a CO_2 correction factor is needed. Calculate the CO_2 correction factor as described in paragraphs (d)(3)(i) through (iii) of this section.

(i) Calculate the fuel-specific F_o value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

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

Where:

F_o = Fuel factor based on the ratio of O_2 volume to the ultimate CO_2 volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is O_2, percent/100.

F_d = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm^3/J ($dscf/10^6$ Btu).

F_c = Ratio of the volume of CO_2 produced to the gross calorific value of the fuel from Method 19, dsm^3/J ($dscf/10^6$ Btu).

(ii) Calculate the CO_2 correction factor for correcting measurement data to 15 percent O_2, as follows:

$$X_{CO_2} = \frac{5.9}{F_o} \qquad \text{(Eq. 5)}$$

Where:

X_{CO2} = CO_2 correction factor, percent.

5.9 = 20.9 percent O_2−15 percent O_2, the defined O_2 correction value, percent.

(iii) Calculate the NO_X and PM gas concentrations adjusted to 15 percent O_2 using CO_2 as follows:

$$C_{adj} = C_d \frac{X_{CO_2}}{\%CO_2} \qquad \text{(Eq. 6)}$$

Where:

C_{adj} = Calculated NO_X or PM concentration adjusted to 15 percent O_2.

C_d = Measured concentration of NO_X or PM, uncorrected.

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

(e) To determine compliance with the NO_X mass per unit output emission limitation, convert the concentration of NO_X in the engine exhaust using Equation 7 of this section:

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

Where:

ER = Emission rate in grams per KW-hour.

C_d = Measured NO_X concentration in ppm.

1.912×10^{-3} = Conversion constant for ppm NO_X to grams per standard cubic meter at 25 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour.

T = Time of test run, in hours.

KW-hour = Brake work of the engine, in KW-hour.

(f) To determine compliance with the PM mass per unit output emission limitation, convert the concentration of PM in the engine exhaust using Equation 8 of this section:

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

Where:

ER = Emission rate in grams per KW-hour.

C_{adj} = Calculated PM concentration in grams per standard cubic meter.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour.

T = Time of test run, in hours.

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

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

Notification, Reports, and Records for Owners and Operators

§ 60.4214 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of non-emergency stationary CI ICE that are greater than 2,237 KW (3,000 HP), or have a displacement of greater than or equal to 10 liters per cylinder, or are pre-2007 model year engines that are greater than 130 KW (175 HP) and not certified, must meet the requirements of paragraphs (a)(1) and (2) of this section.

(1) Submit an initial notification as required in § 60.7(a)(1). The notification must include the information in paragraphs (a)(1)(i) through (v) of this section. Beginning on February 26, 2025, submit the notification electronically according to paragraph (g) of this section.

(i) Name and address of the owner or operator;

(ii) The address of the affected source;

(iii) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(iv) Emission control equipment; and

(v) Fuel used.

(2) Keep records of the information in paragraphs (a)(2)(i) through (iv) of this section.

(i) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(ii) Maintenance conducted on the engine.

(iii) If the stationary CI internal combustion is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards.

(iv) If the stationary CI internal combustion is not a certified engine, documentation that the engine meets the emission standards.

(b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

(c) If the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached.

(d) If you own or operate an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates for the purpose specified in § 60.4211(f)(3)(i), you must submit an annual report according to the requirements in paragraphs (d)(1) through (3) of this section.

(1) The report must contain the following information:

(i) Company name and address where the engine is located.

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

(iii) Engine site rating and model year.

(iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(v)-(vi) [Reserved]

(vii) Hours spent for operation for the purposes specified in § 60.4211(f)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in § 60.4211(f)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

(3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). However, if the reporting

form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 60.4. Beginning on February 26, 2025, submit annual report electronically according to paragraph (g) of this section.

(e) Owners or operators of stationary CI ICE equipped with AECDs pursuant to the requirements of 40 CFR 1039.665 must report the use of AECDs as required by 40 CFR 1039.665(e).

(f) Beginning on February 26, 2025, within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test required under this section following the procedures specified in paragraphs (f)(1) and (2) of this section.

(1) ***Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert) at the time of the test.*** Submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), according to paragraph (g) of this section. The data must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website.

(2) ***Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test.*** The results of the performance test must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the ERT generated package or alternative file to the EPA via CEDRI according to paragraph (g) of this section.

(g) If you are required to submit notifications or reports following the procedure specified in this paragraph (g), you must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (g)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release

without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (g).

(1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqpscbi@epa.gov*, and as described in paragraph (g) of this section, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqpscbi@epa.gov* to request a file transfer link.

(2) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711. ERT files should be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should be sent to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(h) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (h)(1) through (7) of this section.

(1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

(2) The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due.

(3) The outage may be planned or unplanned.

(4) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(5) You must provide to the Administrator a written description identifying:

(i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

(i) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (i)(1) through (5) of this section.

(1) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (*e.g.,* hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (*e.g.,* large scale power outage).

(2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(3) You must provide to the Administrator:

(i) A written description of the force majeure event;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

(j) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

[71 FR 39172, July 11, 2006, as amended at 78 FR 6696, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 87 FR 48606, Aug. 10, 2022; 89 FR 70512, Aug. 30, 2024]

Special Requirements

§ 60.4215 What requirements must I meet for engines used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands?

(a) Stationary CI ICE with a displacement of less than 30 liters per cylinder that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are required to meet the applicable emission standards in §§ 60.4202 and 60.4205.

(b) Stationary CI ICE that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are not required to meet the fuel requirements in § 60.4207.

(c) Stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are required to meet the following emission standards:

(1) For engines installed prior to January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 g/KW-hr (12.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/KW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) Limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.40 g/KW-hr (0.30 g/HP-hr).

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

§ 60.4216 What requirements must I meet for engines used in Alaska?

(a) Prior to December 1, 2010, owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder located in areas of Alaska not accessible by the FAHS should refer to 40 CFR part 69 to determine the diesel fuel requirements applicable to such engines.

(b) Except as indicated in paragraph (c) of this section, manufacturers, owners and operators of stationary CI ICE with a displacement of less than 10 liters per cylinder located in remote areas of Alaska may meet the requirements of this subpart by manufacturing and installing engines meeting the Tier 2 or Tier 3 emission standards described in 40 CFR part 1042 for the same model year, displacement, and maximum engine power, as appropriate, rather than the otherwise applicable requirements of 40 CFR part 1039, as indicated in §§ 60.4201(f) and 60.4202(g).

(c) Manufacturers, owners, and operators of stationary CI ICE that are located in remote areas of Alaska may choose to meet the applicable emission standards for emergency engines in §§ 60.4202 and 60.4205, and not those for non-emergency engines in §§ 60.4201 and 60.4204, except that for 2014 model year and later nonemergency CI ICE, the owner or operator of any such engine must have that engine certified as meeting at least the Tier 3 PM standards identified in appendix I of 40 CFR part 1039 or in 40 CFR 1042.101.

(d) The provisions of § 60.4207 do not apply to owners and operators of pre-2014 model year stationary CI ICE subject to this subpart that are located in remote areas of Alaska.

(e) The provisions of § 60.4208(a) do not apply to owners and operators of stationary CI ICE subject to this subpart that are located in areas of Alaska not accessible by the FAHS until after December 31, 2009.

(f) The provisions of this section and § 60.4207 do not prevent owners and operators of stationary CI ICE subject to this subpart that are located in remote areas of Alaska from using fuels mixed with used lubricating oil, in volumes of up to 1.75 percent of the total fuel. The sulfur content of the used lubricating oil must be less than 200 parts per million. The used lubricating oil must meet the on-specification levels and properties for used oil in 40 CFR 279.11.

[76 FR 37971, June 28, 2011, as amended at 81 FR 44219, July 7, 2016; 86 FR 34359, June 29, 2021]

§ 60.4217 What emission standards must I meet if I am an owner or operator of a stationary internal combustion engine using special fuels?

Owners and operators of stationary CI ICE that do not use diesel fuel may petition the Administrator for approval of alternative emission standards, if they can demonstrate that they use a fuel that is not the fuel on which the manufacturer of the engine certified the engine and that the engine cannot meet the applicable standards required in § 60.4204 or § 60.4205 using such fuels and that use of such fuel is appropriate and reasonably necessary, considering cost, energy, technical feasibility, human health and environmental, and other factors, for the operation of the engine.

[76 FR 37972, June 28, 2011]

General Provisions

§ 60.4218 What General Provisions and confidential information provisions apply to me?

(a) Table 8 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.

(b) The provisions of 40 CFR 1068.10 and 1068.11 apply for engine manufacturers. For others, the general confidential business information (CBI) provisions apply as described in 40 CFR part 2.

[88 FR 4471, Jan. 24, 2023]

Definitions

§ 60.4219 What definitions apply to this subpart?

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

Alaska Railbelt Grid means the service areas of the six regulated public utilities that extend from Fairbanks to Anchorage and the Kenai Peninsula. These utilities are Golden Valley Electric Association; Chugach Electric Association; Matanuska Electric Association; Homer Electric Association; Anchorage Municipal Light & Power; and the City of Seward Electric System.

Certified emissions life means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or calendar years, whichever comes first. The values for certified emissions life for stationary CI ICE with a displacement of less than 10 liters per cylinder are given in 40 CFR 1039.101(g). The values for certified emissions life for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder are given in 40 CFR 1042.101(e).

Combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle combustion turbine, any regenerative/recuperative cycle combustion turbine, the combustion turbine portion of any cogeneration cycle combustion system, or the combustion turbine portion of any combined cycle steam/electric generating system.

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Date of manufacture means one of the following things:

(1) For freshly manufactured engines and modified engines, date of manufacture means the date the engine is originally produced.

(2) For reconstructed engines, date of manufacture means the date the engine was originally produced, except as specified in paragraph (3) of this definition.

(3) Reconstructed engines are assigned a new date of manufacture if the fixed capital cost of the new and refurbished components exceeds 75 percent of the fixed capital cost of a comparable entirely new facility. An engine that is produced from a previously used engine block does not retain the date of manufacture of the engine in which the engine block was

previously used if the engine is produced using all new components except for the engine block. In these cases, the date of manufacture is the date of reconstruction or the date the new engine is produced.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is number 2 distillate oil.

Diesel particulate filter means an emission control technology that reduces PM emissions by trapping the particles in a flow filter substrate and periodically removes the collected particles by either physical action or by oxidizing (burning off) the particles in a process called regeneration.

Emergency stationary internal combustion engine means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary ICE must comply with the requirements specified in § 60.4211(f) in order to be considered emergency stationary ICE. If the engine does not comply with the requirements specified in § 60.4211(f), then it is not considered to be an emergency stationary ICE under this subpart.

(1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc.

(2) The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 60.4211(f).

(3) The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 60.4211(f)(3)(i).

Engine manufacturer means the manufacturer of the engine. See the definition of "manufacturer" in this section.

Fire pump engine means an emergency stationary internal combustion engine certified to NFPA requirements that is used to provide power to pump water for fire suppression or protection.

Freshly manufactured engine means an engine that has not been placed into service. An engine becomes freshly manufactured when it is originally produced.

Installed means the engine is placed and secured at the location where it is intended to be operated.

Manufacturer has the meaning given in section 216(1) of the Act. In general, this term includes any person who manufactures a stationary engine for sale in the United States or otherwise introduces a new stationary engine into commerce in the United States. This includes importers who import stationary engines for sale or resale.

Maximum engine power means maximum engine power as defined in 40 CFR 1039.801.

Model year means the calendar year in which an engine is manufactured (see "date of manufacture"), except as follows:

(1) Model year means the annual new model production period of the engine manufacturer in which an engine is manufactured (see "date of manufacture"), if the annual new model production period is different than the calendar year and includes January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year.

(2) For an engine that is converted to a stationary engine after being placed into service as a nonroad or other non-stationary engine, model year means the calendar year or new model production period in which the engine was manufactured (see "date of manufacture").

Other internal combustion engine means any internal combustion engine, except combustion turbines, which is not a reciprocating internal combustion engine or rotary internal combustion engine.

Reciprocating internal combustion engine means any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work.

Remote areas of Alaska means areas of Alaska that meet either paragraph (1) or (2) of this definition.

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

(2) Areas of Alaska that meet all of the following criteria:

(i) The only connection to the FAHS is through the Alaska Marine Highway System, or the stationary CI ICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.

(ii) At least 10 percent of the power generated by the stationary CI ICE on an annual basis is used for residential purposes.

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

Rotary internal combustion engine means any internal combustion engine which uses rotary motion to convert heat energy into mechanical work.

Spark ignition means relating to a gasoline, natural gas, or liquefied petroleum gas fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary internal combustion engine means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle, aircraft, or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.

Subpart means 40 CFR part 60, subpart IIII.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37972, June 28, 2011; 78 FR 6696, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 86 FR 34360, June 29, 2021; 87 FR 48606, Aug. 10, 2022]

Table 1 to Subpart IIII of Part 60—Emission Standards for Stationary Pre-2007 Model Year Engines With a Displacement of <10 Liters per Cylinder and 2007-2010 Model Year Engines >2,237 KW (3,000 HP) and With a Displacement of <10 Liters per Cylinder

[As stated in §§ 60.4201(b), 60.4202(b), 60.4204(a), and 60.4205(a), you must comply with the following emission standards]

Maximum engine power	Emission standards for stationary pre-2007 model year engines with a displacement of <10 liters per cylinder and 2007-2010 model year engines >2,237 KW (3,000 HP) and with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)				
	NMHC + NO_x	HC	NO_x	CO	PM
KW<8 (HP<11)	10.5 (7.8)			8.0 (6.0)	1.0 (0.75)
8≤KW<19 (11≤HP<25)	9.5 (7.1)			6.6 (4.9)	0.80 (0.60)
19≤KW<37 (25≤HP<50)	9.5 (7.1)			5.5 (4.1)	0.80 (0.60)
37≤KW<56 (50≤HP<75)			9.2 (6.9)		
56≤KW<75 (75≤HP<100)			9.2 (6.9)		
75≤KW<130 (100≤HP<175)			9.2 (6.9)		
130≤KW<225 (175≤HP<300)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
225≤KW<450 (300≤HP<600)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
450≤KW≤560 (600≤HP≤750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
KW>560 (HP>750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)

Table 2 to Subpart IIII of Part 60—Emission Standards for 2008 Model Year and Later Emergency Stationary CI ICE <37 KW (50 HP) With a Displacement of <10 Liters per Cylinder

[As stated in § 60.4202(a)(1), you must comply with the following emission standards]

Engine power	Emission standards for 2008 model year and later emergency stationary CI ICE <37 KW (50 HP) with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)			
	Model year(s)	NO_x + NMHC	CO	PM
KW<8 (HP<11)	2008 +	7.5 (5.6)	8.0 (6.0)	0.40 (0.30)
8≤KW<19 (11≤HP<25)	2008 +	7.5 (5.6)	6.6 (4.9)	0.40 (0.30)
19≤KW<37 (25≤HP<50)	2008 +	7.5 (5.6)	5.5 (4.1)	0.30 (0.22)

Table 3 to Subpart IIII of Part 60—Certification Requirements for Stationary Fire Pump Engines

As stated in § 60.4202(d), you must certify new stationary fire pump engines beginning with the following model years:

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

As stated in § 60.4202(d), you must certify new stationary fire pump engines beginning with the following model years:

Engine power	Starting model year engine manufacturers must certify new stationary fire pump engines according to § 60.4202(d)[1]

[1] Manufacturers of fire pump stationary CI ICE with a maximum engine power greater than or equal to 37 kW (50 HP) and less than 450 KW (600 HP) and a rated speed of greater than 2,650 revolutions per minute (rpm) are not required to certify such engines until three model years following the model year indicated in this Table 3 for engines in the applicable engine power category.

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

Table 4 to Subpart IIII of Part 60—Emission Standards for Stationary Fire Pump Engines

[As stated in §§ 60.4202(d) and 60.4205(c), you must comply with the following emission standards for stationary fire pump engines]

Maximum engine power	Model year(s)	Emission standards for stationary fire pump engines in g/KW-hr (g/HP-hr)		
		NMHC + NO_x	CO	PM
KW<8 (HP<11)	2010 and earlier	10.5 (7.8)	8.0 (6.0)	1.0 (0.75)
KW<8 (HP<11)	2011 +	7.5 (5.6)	8.0 (6.0)	0.40 (0.30)
8≤KW<19 (11≤HP<25)	2010 and earlier	9.5 (7.1)	6.6 (4.9)	0.80 (0.60)
8≤KW<19 (11≤HP<25)	2011 +	7.5 (5.6)	6.6 (4.9)	0.40 (0.30)
19≤KW<37 (25≤HP<50)	2010 and earlier	9.5 (7.1)	5.5 (4.1)	0.80 (0.60)
19≤KW<37 (25≤HP<50)	2011 +	7.5 (5.6)	5.5 (4.1)	0.30 (0.22)

[As stated in §§ 60.4202(d) and 60.4205(c), you must comply with the following emission standards for stationary fire pump engines]

Maximum engine power	Model year(s)	Emission standards for stationary fire pump engines in g/KW-hr (g/HP-hr)		
		NMHC + NO_x	CO	PM
37≤KW<56 (50≤HP<75)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
37≤KW<56 (50≤HP<75)	2011 + [1]	4.7 (3.5)	5.0 (3.7)	0.40 (0.30)
56≤KW<75 (75≤HP<100)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
56≤KW<75 (75≤HP<100)	2011 + [1]	4.7 (3.5)	5.0 (3.7)	0.40 (0.30)
75≤KW<130 (100≤HP<175)	2009 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
75≤KW<130 (100≤HP<175)	2010 + [2]	4.0 (3.0)	5.0 (3.7)	0.30 (0.22)
130≤KW<225 (175≤HP<300)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
130≤KW<225 (175≤HP<300)	2009 + [3]	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
225≤KW<450 (300≤HP<600)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
225≤KW<450 (300≤HP<600)	2009 + [3]	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
450≤KW≤560 (600≤HP≤750)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
450≤KW≤560 (600≤HP≤750)	2009 +	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
KW>560 (HP>750)	2007 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
KW>560 (HP>750)	2008 +	6.4 (4.8)	3.5 (2.6)	0.20 (0.15)

[1] For model years 2011-2013, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 revolutions per minute (rpm) may comply with the emission limitations for 2010 model year engines.

[As stated in §§ 60.4202(d) and 60.4205(c), you must comply with the following emission standards for stationary fire pump engines]

Maximum engine power	Model year(s)	Emission standards for stationary fire pump engines in g/KW-hr (g/HP-hr)		
		NMHC + NO_x	CO	PM
[2] For model years 2010-2012, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2009 model year engines.				
[3] In model years 2009-2011, manufacturers of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2008 model year engines.				

[89 FR 70513, Aug. 30, 2024]

Table 5 to Subpart IIII of Part 60—Labeling and Recordkeeping Requirements for New Stationary Emergency Engines

[You must comply with the labeling requirements in § 60.4210(f) and the recordkeeping requirements in § 60.4214(b) for new emergency stationary CI ICE beginning in the following model years:]

Engine power	Starting model year
19≤KW<56 (25≤HP<75)	2013
56≤KW<130 (75≤HP<175)	2012
KW≥130 (HP≥175)	2011

Table 6 to Subpart IIII of Part 60—Optional 3-Mode Test Cycle for Stationary Fire Pump Engines

[As stated in § 60.4210(g), manufacturers of fire pump engines may use the following test cycle for testing fire pump engines:]

Mode No.	Engine speed [1]	Torque (percent) [2]	Weighting factors
1	Rated	100	0.30
2	Rated	75	0.50
3	Rated	50	0.20

[1] Engine speed: ±2 percent of point.

[2] Torque: NFPA certified nameplate HP for 100 percent point. All points should be ±2 percent of engine percent load value.

Table 7 to Subpart IIII of Part 60—Requirements for Performance Tests for Stationary CI ICE With a Displacement of ≥30 Liters per Cylinder

As stated in § 60.4213, you must comply with the following requirements for performance tests for stationary CI ICE with a displacement of ≥30 liters per cylinder:

Each	Complying with the requirement to	You must	Using	According to the following requirements
1. Stationary CI internal combustion engine with a displacement of ≥ 30 liters per cylinder	a. Reduce NO_X emissions by 90 percent or more;	i. Select the sampling port location and number/location of traverse points at the inlet and outlet of the control device;		(a) For NO_X, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7,

Each	Complying with the requirement to	You must	Using	According to the following requirements
				50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A-4.
		ii. Measure O_2 at the inlet and outlet of the control device;	(1) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the

Each	Complying with the requirement to	You must	Using	According to the following requirements
				measurements for NO_X concentration.
		iii. If necessary, measure moisture content at the inlet and outlet of the control device; and	(2) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see § 60.17)	(c) Measurements to determine moisture content must be made at the same time as the measurements for NO_X concentration.
		iv. Measure NO_X at the inlet and outlet of the control device.	(3) Method 7E of 40 CFR part 60, appendix A-4, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see § 60.17)	(d) NO_X concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	b. Limit the concentration of NO_X in the stationary CI internal combustion	i. Select the sampling port location and number/location of traverse points at the exhaust of the stationary internal		(a) For NO_X, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the

Each	Complying with the requirement to	You must	Using	According to the following requirements
	engine exhaust.	combustion engine;		duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A-4.

Each	Complying with the requirement to	You must	Using	According to the following requirements
		ii. Determine the O_2 concentration of the stationary internal combustion engine exhaust at the sampling port location;	(1) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurement for NO_X concentration.
		iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(2) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see § 60.17)	(c) Measurements to determine moisture content must be made at the same time as the measurement for NO_X concentration.
		iv. Measure NO_X at the exhaust of the stationary internal combustion engine; if using a control device, the sampling site must be located at the outlet of the control device.	(3) Method 7E of 40 CFR part 60, appendix A-4, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see § 60.17)	(d) NO_X concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

Each	Complying with the requirement to	You must	Using	According to the following requirements
	c. Reduce PM emissions by 60 percent or more	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A-1	(a) Sampling sites must be located at the inlet and outlet of the control device.
		ii. Measure O_2 at the inlet and outlet of the control device;	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for PM concentration.
		iii. If necessary, measure moisture content at the inlet and outlet of the control device; and	(3) Method 4 of 40 CFR part 60, appendix A-3	(c) Measurements to determine and moisture content must be made at the same time as the measurements for PM concentration.
		iv. Measure PM at the inlet and outlet of the control device.	(4) Method 5 of 40 CFR part 60, appendix A-3	(d) PM concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	d. Limit the concentration	i. Select the sampling port	(1) Method 1 or 1A of 40 CFR	(a) If using a control device, the

Each	Complying with the requirement to	You must	Using	According to the following requirements
	of PM in the stationary CI internal combustion engine exhaust	location and the number of traverse points;	part 60, appendix A-1	sampling site must be located at the outlet of the control device.
		ii. Determine the O_2 concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for PM concentration.
		iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(3) Method 4 of 40 CFR part 60, appendix A-3	(c) Measurements to determine moisture content must be made at the same time as the measurements for PM concentration.
		iv. Measure PM at the exhaust of the stationary internal combustion engine.	(4) Method 5 of 40 CFR part 60, appendix A-3	(d) PM concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

[79 FR 11251, Feb. 27, 2014]

Table 8 to Subpart IIII of Part 60—Applicability of General Provisions to Subpart IIII

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

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§ 60.1	General applicability of the General Provisions	Yes	
§ 60.2	Definitions	Yes	Additional terms defined in § 60.4219.
§ 60.3	Units and abbreviations	Yes	
§ 60.4	Address	Yes	
§ 60.5	Determination of construction or modification	Yes	
§ 60.6	Review of plans	Yes	
§ 60.7	Notification and Recordkeeping	Yes	Except that § 60.7 only applies as specified in § 60.4214(a).
§ 60.8	Performance tests	Yes	Except that § 60.8 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder and engines that are not certified.
§ 60.9	Availability of information	Yes	
§ 60.10	State Authority	Yes	
§ 60.11	Compliance with standards and maintenance requirements	No	Requirements are specified in subpart IIII.
§ 60.12	Circumvention	Yes	

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

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§ 60.13	Monitoring requirements	Yes	Except that § 60.13 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder.
§ 60.14	Modification	Yes	
§ 60.15	Reconstruction	Yes	
§ 60.16	Priority list	Yes	
§ 60.17	Incorporations by reference	Yes	
§ 60.18	General control device requirements	No	
§ 60.19	General notification and reporting requirements	Yes	