DIVISION OF ENVIRONMENTAL QUALITY

DRAFT MINOR SOURCE AIR PERMIT

PERMIT NUMBER: 0288-AR-18

IS ISSUED TO:
GNB Fort Smith LLC
4115 South Zero Street
Fort Smith, AR 72903
Sebastian County
AFIN: 66-00212

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 Associate Director, Office of Air Quality Division of Environmental Quality	Date

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List of Acronyms and Abbreviations

Ark. Code Ann.	Arkansas Code Annotated
AFIN	Arkansas DEQ Facility Identification Number
C.F.R.	Code of Federal Regulations
CO	Carbon Monoxide
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:	GNB Fort Smith LLC
AFIN:	66-00212
PERMIT NUMBER:	0288-AR-18
FACILITY ADDRESS:	4115 South Zero Street Fort Smith, AR 72903
MAILING ADDRESS:	4115 South Zero Street Fort Smith, AR 72903
COUNTY:	Sebastian County
CONTACT NAME:	Donald Lauf
CONTACT POSITION:	Plant Manager
TELEPHONE NUMBER:	(816) 500-0518
REVIEWING ENGINEER:	Amanda Leamons
UTM North South (Y):	Zone 15: 3910335.1 m
UTM East West (X):	Zone 15: 373851.82 m

Section II: INTRODUCTION

Summary of Permit Activity

GNB Fort Smith LLC owns and operates a lead-acid battery manufacturing facility in Fort Smith, Arkansas. This permit revision includes an administrative amendment to add a new heat sealer to the list of Insignificant Activities as a Group A-13 activity and a de minimis modification to allow the installation of a new post casting line with a new lead melting pot to the existing group of sources at SN-58. The new post casting and lead pot will be controlled by the existing baghouse and will generate controlled emission of 0.0008 tpy of PM/PM_{10} and 0.0004 tpy of lead. However, the existing permit limits are set at levels that will accommodate the additional emissions and there will not be any permitted emissions increases due to this permit modification.

Process Description

The manufacturing of lead-acid batteries begins with two casting operations. The post casting and the grid casting operations both have a small gas-fired or electrically heated lead melting pot where lead ingots, also known as pigs, are melted and the temperature is maintained a few degrees above the melting point. By maintaining the lead close to the melting point, lead vapor emissions are minimized. In the post casting operation, the lead is automatically or manually poured by ladle into the mold. After cooling, the mold is opened and the part removed. Some post castings include a bus bar for attaching the plates. Grid casting is a similar operation. The grid is a thin frame with two lugs on one end or side. The center of the frame is made up of several stringers running from side to side and from top to bottom forming a rectangular grid, thus the name. In the next operation, a positive paste is prepared by mixing powdered lead oxide, water, and sulfuric acid. The same ingredients, in slightly different proportions, plus an expander, make a negative paste. After the paste is properly mixed in the pasting machine, a grid is placed in the machine where a quantity of paste is pressed into the voids of the grid. The grid passes under a roller which insures that the paste fills the voids and is of uniform thickness. The pasted grid is now called a plate. The plate passes through an oven where the paste is dried. Upon leaving the pasting machine, the plates are hung on a mobile rack.

When the rack is filled with plates, it is placed in one of the curing ovens. The paste in the plates is cured after several hours at an elevated temperature.

The post and the plates are the only battery components fabricated at this facility. The acid, the battery case, the case top, and the plate insulators are purchased. The assembly operation begins with plate stacking. The plates are stacked in an alternating positive and negative arrangement with insulating material between the plates. In the burning process, a torch is used to weld all the positive plate lugs to the positive post bus bar. The process is repeated for the negative plates and post. At this point, the plate assemblies destined for dry batteries, those to be shipped without acid, are sent to the charging area. The top and the posts are welded in place on the batteries to be shipped “wet,” with acid. The battery is filled with acid and the top is plugged, becoming a sealed unit.

The wet batteries, those filled with acid, are connected to a charging unit. The batteries are charged and discharged twice and then charged a third time. This cycling of the battery improves the life of the battery. This operation requires a week to complete.
Two KDZ wrappers; #1 and #2, involves two pieces of equipment combined into a plate assembly line involving a pasted KDZ positive plate that is automatically wrapped with lamiglass material by equipment piece #1 and then is placed into the 2nd piece of equipment to install and seal a plastic boot and koraseal plastic wrap around the lamiglassed plate. The plates are dispensed below the plastic wrap and sealer into a plate stack that is then picked up by an operator and placed onto a plate rack. This plate rack is then material handled by a forklift to an assembly line. Emissions from the KDZ wrappers are controlled by baghouse SN-04.

The facility also manufactures posts for Absolyte GP, GX, and SVRLA battery groups. This involves a casting process for lead casting of all post seal products (emissions accounted for under SN-58), a coating process using tDCE for all lead casting posts to provide a seal between lead and injection molded plastic (emissions accounted for under SN-54), a plasticizing process (A-13 Insignificant Activity) for over-molding of posts, leak testing (A-13 Insignificant Activity) for posts, and induction welding (A-7 Insignificant Activity) of intermediate parts to produce final posts.

Rules and Regulations

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

Rules and Regulations
Arkansas Air Pollution Control Code, Rule 18, effective March 14, 2016
Rules of the Arkansas Plan of Implementation for Air Pollution Control, Rule 19, effective May 6, 2022
40 C.F.R. Part 60, Subpart KK, *Standards of Performance for Lead-Acid Battery Manufacturing Plants for Which Construction, Modification or Reconstruction Commenced After January 14, 1980 and On or Before February 23, 2022*
40 C.F.R. Part 60, Subpart KKa, *Standards of Performance for Lead-Acid Battery Manufacturing Plants for Which Construction, Modification or Reconstruction Commenced After February 23, 2022*
40 C.F.R. Part 63, Subpart PPPPPP, *National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources*

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	19.38	84.34
PM_{10}	19.38	84.34
$PM_{2.5}$	See Note*	
SO_2	0.6	0.6
VOC	12.2	18.2
CO	2.2	9.1
NO_x	2.8	11.5
Lead	0.96	3.91
H_2SO_4	0.2	0.8

*$PM_{2.5}$ limits are source specific, if required. Not all sources have $PM_{2.5}$ limits.

Section III: PERMIT HISTORY

Permit **#288-A** was issued to Gould Inc. in 1975. Gould proposed to install equipment for the control of particulate matter and fume emissions formed during the manufacture of lead-acid industrial batteries.

Permit **#288-AR-1** was issued to GNB Technologies Inc. (GNB) on April 14, 1987.

Permit **#288-AR-2** was issued to GNB on August 25, 1987. This permit allowed the installation of two new lead melting pots and a new dust collector.

Permit **#288-AR-3** was issued to GNB on July 25, 1991. This permit allowed the installation of a new pasting machine, the routing of the flash dryer to another source, modifications of SN-01 and SN-02, and an increase in the production of absolyte batteries.

Permit **#288-AR-4** was issued to GNB on June 11, 1992. This permit allowed the re-routing of some emissions, the installation of several new sources, and the reactivation of an old source.

Permit **#288-AR-5** was issued to GNB on October 15, 1993. This permit allowed the reconfiguration of duct work and control equipment, the installation of SN-51, and other changes related to processes and the control equipment for each process.

Permit **#288-AR-6** was issued to GNB on June 2, 1994. This permit allowed the installation of new sources and an increase in production.

Permit **#288-AR-7** was issued to GNB on January 23, 1997. In this permit, the plant underwent an equipment rearrangement in the production area. GNB eliminates some outdated product assembly lines and replaced them with assembly lines for new products. All equipment processing lead would now be vented to a baghouse.

Permit **#288-AR-8** was issued to GNB on September 30, 1998. This permit allowed several changes: an increase in the emission rates at several baghouses, a baghouse realignment, the modification of non-point source emissions, the installation of a new grid casting machine, and the correction of some emission rates due to a previous calculation error.

Permit **#288-AR-9** was issued to GNB on November 18, 1999. This de minimis modification included the following changes: (1) The construction of two new automated plate cleaning lines at the positive and negative pasting lines. The emissions of particulate matter and lead from SN-53 were increased as a result of this addition. (2) The construction of one new natural gas fired boiler (SN-55) for the curing ovens, each with a heat input capacity of 3.4 MMBtu/hr.

Permit **#288-AR-10** was issued to GNB on April 21, 2000. This de minimis modification included the following changes: (1) The construction and operation of six new plate curing ovens. The six new curing ovens are controlled by the existing Absolyte Assembly Area

Baghouse and exhaust via SN-51. Each unit has a heat input capacity of 0.15 MMBtu/hr. (2) Relocation of an existing lead melt pot. The existing lead pot was moved from the casting department (controlled by a baghouse and exhausting via SN-04) to the Absolyte Assembly Area (controlled by a baghouse and exhausting via SN-51).

Permit #**288-AR-11** was issued to GNB on June 13, 2001. With this de minimis modification, GNB installed two grid casters, two melt pots and two oxide silos. The two oxide silos are controlled by the existing Paste Mixing and Curing Baghouse and exhaust via SN-03. The emissions of lead and particulate matter from SN-03 did not increase. The two grid casters and the two melt pots are controlled by the existing Curing Ovens, Oxide Unloading, Casting Baghouse and exhaust via SN-04. The total exhaust flow rate from SN-04 did not increase; however, the carbon monoxide emissions increased by 0.6 tons/yr and the nitrogen oxides emissions increased by 0.7 tons/yr. Emissions of other pollutants did not increase. The new grid casters, melt pots, and oxide silos are subject to all applicable requirements of 40 CFR Part 60 Subpart KK.

Permit **#288-AR-12** was issued to Exide Technologies on January 30, 2002. With this de minimis modification, Exide Technologies installed an additional dust collector, reconstructed the existing duct work, rerouted the emissions from the existing production equipment to different collection devices, and modified and/or replaced two baghouses. Total allowable emissions increased 4.8 tons/year of PM/PM_{10} and 0.33 tons/year of lead. Total allowable emissions decreased 0.4 tons/year of volatile organic compounds and 6.7 tons/year of nitrogen oxides.

Permit **#288-AR-13** was issued to Exide Technologies on November 21, 2002. With this modification, Exide did the following:

1. removed the PDQ area and its associated burn box, and rerouted the ventilation from the existing M assembly area to SN-01; the N assembly area remained ducted and controlled by SN-02;
2. installed three new natural gas curing ovens, each with a heat input capacity of 150,000 Btu/hr, and one plate boxing back-draft hood (SN-04);
3. installed four new natural gas curing ovens (approximately 285 ft^3/min each), each with a heat input capacity of 150,000 Btu/hr (SN-51), removed the Absolyte Line 1 ventilation duct (to be rerouted to SN-53), added the ventilation ductwork from Absolyte Line 3 (to be rerouted from SN-53), and added a burn box each to Absolyte Lines 2 and 3 (two burn boxes total);
4. removed the Absolyte Line 3 ventilation ducts (which was rerouted to SN-51), added the ventilation ductwork from Absolyte Line 1 (which was rerouted from SN-51), and added one burn box to Absolyte Line 1 (SN-51); and
5. reconfigured the melting and casting operation to replace outdated equipment (added four new grid casters) at SN-56.
6. was authorized to stack test the nine baghouses for lead and PM/PM_{10} emissions every five years instead of every year.

Total allowable emissions increased by 0.5 tons/year of PM/PM_{10}, 0.1 tons/year of sulfur dioxide, 0.9 tons/year of nitrogen oxides, 0.1 tons/year of volatile organic compounds, 2.6 tons/year of carbon monoxide, and 0.08 tons/year of lead.

Permit **#288-AR-14** was issued to Exide Technologies on December 15, 2008. With this modification, Exide replaced two existing grid casters with a new WIRTZ 450 grind casting machine and added an automated stacking system for assembly of flooded type lead-acid batteries. The new grid casting machine emissions were added to an existing baghouse (SN-56); PM/PM_{10} and lead increased by less than 0.1 tpy for each pollutant. The new stacking system emissions were added to an existing baghouse (SN-01); emissions from this "Flooded Robotic System" were 0.1 tpy of lead and 1.31 tpy of PM/PM_{10}. These limits were based on the maximum capacity of the equipment and 8760 hours per year of operation; therefore, no additional recordkeeping was necessary to demonstrate compliance with these limits.

Permit **#288-AR-15** was issued to Exide Technologies on September 12, 2017. This modification was to add SN-58 (a 60,000 cfm baghouse for Mixing, Pasting, and Oxide Unloading) as well as to update the emission rates/factors for both PM and PM_{10} across the plant. Permitted emissions increases were 36.54 tpy of both PM and PM_{10}, and 0.67 tpy of lead.

Permit **#288-AR-16** was issued to GNB Fort Smith LLC on January 21, 2021. This modification allowed the facility to:

- Add a Casting process involving lead casting of all post seal products including tining station, lead pot, re-melt pot, and drossing. Emissions from this process were accounted for under the SN-58 Baghouse;
- Add a Coating process involving adding a coating to all lead casting posts to provide a seal between lead and injection molded plastic. Emissions form this process were accounted for under SN-54 Non-Point Source Emissions and Specific Condition #7;
- Add a Plasticizing process as an A-13 Insignificant Activity;
- Modify the Helium Leak Tester process that remained an A-13 Insignificant Activity;
- And add an Induction Welding process as an A-7 Insignificant Activity.

The permit's general conditions were updated. Annual permitted emissions did not change with this modification.

Permit **#288-AR-17** was issued to GNB Fort Smith LLC on September 28, 2023. This modification permitted the installation of two (2) KDZ wrappers, #1 and #2. KDZ Wrapper #1 was installed and operational in January 2020 and KDZ Wrapper #2 was installed and operational in October 2021. Emissions limits at SN-04 were updated to match updated calculations provided with this application. Overall annual permitted emissions increased 1.1 tons of CO and 1.3 tons of NOx with this modification.

Section IV: EMISSION UNIT INFORMATION

Specific Conditions

1. The permittee shall not exceed the emission rates set forth in the following table. [Rule 19.501 *et seq.*, Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. §§ 60.372 (a), 60.372a (a), 63.11423 (a)(2)]

SN	Description	Pollutant	lb/hr	tpy	*Max gr/dscf
01	M and H Assembly Line (18,407 dry scfm)	PM_{10}	1.18	5.18	0.0075
		Lead	0.07	0.24	0.00033
02	TekMax Automatic Plate Stacker (18,407 dry scfm)	PM_{10}	1.18	5.18	0.0075
		Lead	0.06	0.23	0.00033
03	Paste Mixing and Curing (18,407 dry scfm)	PM_{10}	1.18	5.18	0.0075
		Lead	0.06	0.25	0.00033
04	Curing Ovens and Casting (18 Ovens, 4 Grid Casters, 2 KDZ Wrappers) (6.0 MMBtu/hr for all sources) (18,407 dry scfm)	PM_{10}	1.18	5.18	0.0075
		SO_2	0.1	0.1	
		VOC	0.1	0.2	
		CO	0.5	2.2	
		NO_x	0.6	2.6	
		Lead	0.05	0.19	0.000274
11	Boiler (2.0 MMBtu/hr)	PM_{10}	0.1	0.2	
		SO_2	0.1	0.1	
		VOC	0.1	0.1	
		CO	0.1	0.2	
		NO_x	0.2	0.9	
37	Pasting Area (16,566 dry scfm)	PM_{10}	1.06	4.66	0.0075
		Lead	0.05	0.22	0.00035
51	Absolyte Assembly Area (4 lead pots @ 0.8 MMBtu/pot) (24 ovens @ 0.15 MMBtu/oven) (55,222 dry scfm)	PM_{10}	3.4	14.7	0.0075
		SO_2	0.1	0.1	
		VOC	0.1	0.2	
		CO	0.6	2.5	
		NO_x	0.7	3.0	
		Lead	0.17	0.69	0.00032

SN	Description	Pollutant	lb/hr	tpy	*Max gr/dscf
53	MST Assembly Area (60,000 actual cfm)	PM_{10}	3.4	15.1	0.0075
		Lead	0.16	0.67	0.00032
54	Non-Point Source Emissions	VOC	11.6	17.3	
55	Boiler (6.8 MMBtu/hr)	PM_{10}	0.2	0.4	
		SO_2	0.2	0.2	
		VOC	0.2	0.2	
		CO	0.6	2.6	
		NO_x	0.8	3.0	
56 (52a)	Grid Casting (13 lead pots) (0.8 MMBtu/hr per pot) (40,000 actual cfm)	PM_{10}	1.6	6.81	0.0075
		SO_2	0.1	0.2	
		VOC	0.1	0.2	
		CO	0.4	1.6	
		NO_x	0.05	2.0	
		Lead	0.07	0.26	00.000176
57	Mixing, Pasting, and Oxide Unloading (40,000 actual cfm)	PM_{10}	1.5	6.65	0.0075
		Lead	0.11	0.49	0.00035
58	Mixing, Pasting, Oxide Unloading (1 lead pot @ 0.8 MMBtu/hr) (Baghouse, 60,000 cfm)	PM_{10}	3.4	15.1	0.0075
		Lead	0.16	0.67	0.00032

*Standards from NSPS KK and KKa or NESHAP PPPPPP.

2. The permittee shall not exceed the emission rates set forth in the following table. [Rule 18.801, Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. §§ 60.372 (a), 60.372a (a), 63.11423 (a)(2)]]

SN	Description	Pollutant	lb/hr	tpy	*Max gr/dscf
01	M and H Assembly Line (18,407 dry scfm)	PM	1.18	5.18	0.0075
02	Tek Max Automatic Plate Stacker (18,407 dry scfm)	PM	1.18	5.18	0.0075
03	Pasting, Mixing and Curing (18,407 dry scfm)	PM	1.18	5.18	0.0075
04	Curing Ovens and Casting (18 Ovens, 4 Grid Casters, 2 KDZ Wrappers) (6.0 MMBtu/hr for all sources)	PM	1.18	5.18	0.0075

SN	Description	Pollutant	lb/hr	tpy	*Max gr/dscf
	(18,407 dry scfm)				
11	Boiler (2.0 MMBtu/hr)	PM	0.1	0.2	
37	Pasting Area (16,566 dry scfm)	PM	1.06	4.66	0.0075
47	No. 1 Acid Storage Tank (3000 gallons)	H_2SO_4	0.1	0.4	
48	No. 2 Acid Storage Tank (3000 gallons)	H_2SO_4	0.1	0.4	
51	Absolyte Assembly Area (4 lead pots @ 0.8 MMBtu/pot) (24 ovens @ 0.15 MMBtu/oven) (55,222 dry scfm)	PM	3.4	14.7	0.0075
53	MST Assembly Area (60,000 actual cfm)	PM	3.4	15.1	0.0075
55	Boiler (6.8 MMBtu/hr)	PM	0.2	0.4	
56 (52a)	Grid Casting (13 lead pots @ 0.8 MMBtu/hr) (7 grid casting systems @ 0.025 MMBTU/hr) (40,000 actual cfm)	PM	1.6	6.81	0.0075
57	Mixing, Pasting, and Oxide Unloading (40,000 actual cfm)	PM	1.5	6.65	0.0075
58	Mixing, Pasting, Oxide Unloading (1 lead pot @ 0.8 MMBtu/hr) (Baghouse, 60,000 cfm)	PM	3.4	15.1	0.0075

*Standards from NSPS KK and KKa or NESHAP PPPPPP

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
01, 02, 03, 04, 37, 47, 48, 51, 53, 54, 56, 57, and 58	0%	Rule 18.501 and 40 C.F.R. §§ 60.372 and 60.372a
11 and 55	5%	Rule 18.501

4. The permittee shall not cause or permit the emission of air contaminants, including odors or water vapor and including an air contaminant whose emission is not otherwise

prohibited by Rule 18, if the emission of the air contaminant constitutes air pollution within the meaning of Ark. Code Ann. § 8-4-303. [Rule 18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

5. The permittee shall not conduct operations in such a manner as to unnecessarily cause air contaminants and other pollutants to become airborne. [Rule 18.901 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

6. Natural gas shall be the only fuel used for the combustion sources at this facility. [Rule 19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311 and Rule 18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

7. The permittee shall not use in excess of 34,584 pounds of VOC per rolling 12-month period. [Rule 19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

8. The permittee shall maintain records which demonstrate compliance with Specific Condition #7. The permittee shall update these records by the last day of the month following the month to which the records pertain. The 12-month rolling totals and each individual month's data shall be maintained on-site and made available to Division of Environmental Quality personnel upon request. [Rule 19.705 and 40 C.F.R. § 52 Subpart E]

9. The equipment, control apparatus and emission monitoring equipment shall be operated within their design specifications as described in the permit application at all times and shall be maintained in good condition at all times. [Rule 19.303 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

    a. The lead oxide unloading building shall be maintained in good and weather-tight condition. All doors shall remain closed during the lead oxide transfer to the silos.

    b. All ten baghouses (SN-01, SN-02, SN-03, SN-04, SN-37, SN-51, SN-53, SN-56, SN-57 and SN-58) shall be operated according to the vendor's specifications at all times. They shall be inspected as necessary, but not less than once per month, to ensure that they are in good working condition. Maintenance records shall be kept on site at all times and shall be made available to Department personnel upon request.

    c. The Department reserves the right to add additional pollution control requirements as needed.

10. The permittee shall conduct a compliance test on all ten baghouses (SN-01, SN-02, SN-03, SN-04, SN-37, SN-51, SN-53, SN-56, SN-57, and SN-58) within one testing period as defined in 40 C.F.R. Part 60, Subparts KK and KKa. The stacks shall be tested for lead and PM/PM_{10}. EPA Reference Method 12, as found in 40 CFR Part 60 Appendix A, shall be used for lead. EPA Reference Method 5, with inclusion of the back half sampling train particulate, as found in 40 CFR Part 60 Appendix A, shall be used for PM/PM_{10}. A testing period shall not exceed ten working days. At least one compliance

test shall be conducted every five calendar years. There shall be no more than sixty-two months between any two compliance tests. [Rule 19.702 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

11. This testing shall be used to demonstrate compliance with the gr/dscf and lb/hr limits of each of the ten baghouses. The annual emission limits are based on the maximum capacity of the baghouse. [Rule 19.702 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

NSPS Subpart KK Conditions *Lead-Acid Battery Manufacturing Plants for Which Construction, Reconstruction, or Modification Commenced After January 14, 1980, and On or Before February 23, 2022*

12. The permittee is subject to and shall comply with all applicable provisions of 40 C.F.R. Part 60, Subpart KK - *Standards of Performance for Lead-Acid Battery Manufacturing Plants. A copy of Subpart KK* is provided in Appendix A. [Rule 19.304 and 40 C.F.R. § 60.370]

13. On and after the date on which the performance test required to be conducted by 40 C.F.R. § 60.8 is completed, no owner or operator subject to the provisions of 40 C.F.R. Part 60, Subpart KK shall cause to be discharged into the atmosphere: [Rule 19.304 and 40 C.F.R. § 60.372 (a)]

    a. From any grid casting facility any gases that contain lead in excess of 0.40 milligram of lead per dry standard cubic meter of exhaust (0.000175 gr/dscf). [40 C.F.R. § 60.372 (a)(1)]

    b. From any paste mixing facility any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf). [40 C.F.R. § 60.372 (a)(2)]

    c. From any three-process operation facility any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf). [40 C.F.R. § 60.372 (a)(3)]

    d. From any lead oxide manufacturing facility any gases that contain in excess of 5.0 milligrams of lead per kilogram of lead feed (0.010 lb/ton). [40 C.F.R. § 60.372 (a)(4)]

    e. From any lead reclamation facility any gases that contain in excess of 4.50 milligrams of lead per dry standard cubic meter of exhaust (0.00197 gr/dscf). [40 C.F.R. § 60.372 (a)(5)]

    f. From any other lead-emitting operation any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf). [40 C.F.R. § 60.372 (a)(6)]

    g. From any affected facility other than a lead reclamation facility any gases with greater than 0 percent opacity (measured according to Method 9 and rounded to the nearest whole percentage). [40 C.F.R. § 60.372 (a)(7)]

h. From any lead reclamation facility any gases with greater than 5 percent opacity (measured according to Method 9 and rounded to the nearest whole percentage). [40 C.F.R. § 60.372 (a)(8)]

14. When two or more facilities at the same plant (except the lead oxide manufacturing facility) are ducted to a common control device, an equivalent standard for the total exhaust from the commonly controlled facilities must be determined using the equation listed in 40 C.F.R. § 60.372 (b). [Rule 19.304 and 40 C.F.R. § 60.372 (b)]

15. In conducting the performance tests required in § 60.8, the owner or operator shall use as reference methods and procedures the test methods in 40 C.F.R. Part 60, Appendix A or other methods and procedures as specified in this section, except as provided in § 60.8(b). [Rule 19.304 and 40 C.F.R. § 60.374 (a)]

16. The permittee shall determine compliance with the lead standards in 40 C.F.R. § 60.372, except § 60.372(a)(4) and as follows: [Rule 19.304 and 40 C.F.R. § 60.374 (b)]

a. Method 12 or Method 29 shall be used to determine the lead concentration (CPb) and, if applicable, the volumetric flow rate (Qsda) of the effluent gas. The sampling time and sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf). [40 C.F.R. § 60.374 (b)(1)]

b. When different operations in a three-process operation facility are ducted to separate control devices, the lead emission concentration (C) from the facility shall be determined using the equation in § 60.374 (b)(2). [40 C.F.R. § 60.374 (b)(2)]

c. EPA Method 9 and the procedures in 40 C.F.R. § 60.11 shall be used to determine opacity. The opacity numbers shall be rounded off to the nearest whole percentage.

NSPS Subpart KKa Conditions (SN-58) *Lead Acid Battery Manufacturing Plants for Which Construction, Modification or Reconstruction Commenced After February 23, 2022*

17. The permittee is subject to and shall comply with all applicable provisions of 40 C.F.R. Part 60, Subpart KKa - *Standards of Performance for Lead-Acid Battery Manufacturing Plants for which Construction, Modification or Reconstruction commenced after February 23, 2022*. A copy of Subpart KKa is provided in Appendix B. [Rule 19.304 and 40 C.F.R. § 60.370a(b)(6)]

18. On and after the date on which the performance test required to be conducted by 40 C.F.R. § 60.8 is completed, no owner or operator subject to the provisions of 40 C.F.R. Part 60 Subpart KKa may cause the emissions listed in § 60.372a (a)(1) through (8) to be discharged into the atmosphere. The emission limitations and opacity limitations listed in § 60.372a (a)(1) through (8) apply at all times, including periods of startup, shutdown and malfunction. As provided in § 60.11(f), this paragraph (a) supersedes the exemptions for periods of startup, shutdown, and malfunction in the general provisions in Subpart A of Part 60. The permittee must also comply with the requirements in § 60.372a (b) and (c). [Rule 19.304 and 40 C.F.R. § 60.372a (a)]

a. From any grid casting facility, any gases that contain lead in excess of 0.08 milligram of lead per dry standard cubic meter of exhaust (0.000035 gr/dscf). [40 C.F.R. § 60.372a (a)(1)]

b. From any paste mixing facility, any gases that contain in excess of 0.10 milligram of lead per dry standard cubic meter of exhaust (0.0000437 gr/dscf) or emit no more than 0.9 gram of lead per hour (0.002 lbs/hr) total from all paste mixing sources. If a facility is complying with the 0.9 gram of lead per hour, you must sum the emission rate from all the paste mixing sources. [40 C.F.R. § 60.372a (a)(2)]

c. From any three-process operation facility, any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf). [40 C.F.R. § 60.372a (a)(3)]

d. From any lead oxide manufacturing facility, any gases that contain in excess of 5.0 milligrams of lead per kilogram of lead feed (0.010 lb/ton). [40 C.F.R. § 60.372a (a)(4)]

e. From any lead reclamation facility, any gases that contain in excess of 0.45 milligrams of lead per dry standard cubic meter of exhaust (0.000197 gr/dscf). [40 C.F.R. § 60.372a (a)(5)]

f. From any other lead-emitting operation, any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf). [40 C.F.R. § 60.372a (a)(6)]

g. From any affected facility other than a lead reclamation facility, any gases with greater than 0 percent opacity (measured according to EPA Method 9 of Appendix A to Part 60 and rounded to the nearest whole percentage or measured according to EPA Method 22 of Appendix A to Part 60). [40 C.F.R. § 60.372a (a)(6)]

h. From any lead reclamation facility, any gases with greater than 5 percent opacity (measured according to EPA Method 9 of appendix A to Part 60 and rounded to the nearest whole percentage). [40 C.F.R. § 60.372a (a)(6)]

19. When two or more facilities at the same plant (except the lead oxide manufacturing facility) are ducted to a common control device, an equivalent standard for the total exhaust from the commonly controlled facilities must be determined using Equation 1 listed in 40 C.F.R. § 60.372a (b). [Rule 19.304 and 40 C.F.R. § 60.372 (b)]

20. The owner or operator must prepare, and at all times operate according to, a fugitive dust mitigation plan that describes in detail the measures that will be put in place and implemented to control fugitive dust emissions in the lead oxide unloading and storage areas. You must prepare a fugitive dust mitigation plan according to the requirements in § 60.372a (c)(1) and (2). [Rule 19.304 and 40 C.F.R. § 60.372a (c)]

a. The owner or operator must submit the fugitive dust mitigation plan to the Administrator or delegated authority for review and approval when initially developed and any time changes are made.

b. The fugitive dust mitigation plan must at a minimum include the requirements specified in § 60.372a (c)(2)(i) through (iv).

i. Lead oxide unloading and storage areas. Surfaces used for vehicular material transfer activity must be cleaned at least once per month, by wet wash or a vacuum equipped with a filter rated by the manufacturer to achieve 99.97 percent capture efficiency for 0.3 micron particles in a manner that does not generate fugitive lead dust, except when sand or a similar material has been spread on the area to provide traction on ice or snow.

ii. Spills in lead oxide unloading and storage areas. For any leak or spill that occurs during the unloading and storage process, complete washing or vacuuming the area to remove all spilled or leaked lead bearing material within 2 hours of the leak or spill occurrence.

iii. Materials storage. Dust forming materials (that contain lead or lead compounds) must be stored in sealed, leak-proof containers or in a total enclosure.

iv. Records. The fugitive dust mitigation plan must specify that records be maintained of all cleaning performed under § 60.372a (c)(2)(i) and (ii).

21. For sources are controlled by a fabric filter without a secondary filter. The permittee must meet the requirements of 40 C.F.R. § 60.373a (b)(1) and (2) and either paragraph (b)(3) or (4). [Rule 19.304 and 40 C.F.R. § 60.373a (b)]

a. The permittee must perform quarterly inspections and maintenance to ensure proper performance of each fabric filter. This includes inspection of structural and filter integrity. [40 C.F.R. § 60.373a (b)(1)]

b. If it is not possible for the permittee to take the corrective actions specified § 60.373a (b)(3)(iii) or (iv) for a process or fabric filter control device, the permittee must keep at least one replacement fabric filter onsite at all times for that process or fabric filter control device. The characteristics of the replacement filters must be the same as the current fabric filters in use or have characteristics that would achieve equal or greater emission reductions. [40 C.F.R. § 60.373a (b)(2)]

c. Install, maintain, and operate a pressure drop monitoring device to measure the differential pressure drop across the fabric filter during all times when the process is operating. The pressure drop must be recorded at least twice per day (at least 8 hours apart) if the results of the most recent performance test indicate that emissions from the facility are greater than 50 percent of the applicable lead emissions limit in § 60.372a(a)(1) through (6). The pressure drop must be recorded at least once per day if the results of the most recent performance test indicate that emissions are less than or equal to 50 percent of the applicable lead emissions limit in § 60.372a(a)(1) through (6). If a pressure drop is observed outside of the normal operational ranges as specified by the manufacturer, the permittee must record the incident and take immediate corrective actions. The permittee must submit an excess emissions and continuous monitoring system performance report and summary report required under § 60.375a(c). The permittee must also record the corrective actions taken and verify pressure drop is within normal operational range. These corrective actions may include but not be limited to those provided below and in § 60.373a (b)(3)(i) through (iv). [40 C.F.R. § 60.373a (b)(3)]

i. Inspecting the filter and filter housing for air leaks and torn or broken filters. [40 C.F.R. § 60.373a (b)(3)(i)]

ii. Replacing defective filter media, or otherwise repairing the control device. [40 C.F.R. § 60.373a (b)(3)(ii)]

iii. Sealing off a defective control device by routing air to other control devices. [40 C.F.R. § 60.373a (b)(3)(iii)]

iv. Shutting down the process producing the lead emissions. [40 C.F.R. § 60.373a (b)(3)(iv)]

d. Conduct a visible emissions observation using EPA Method 9 (6 minutes) or EPA Method 22 (5 minutes) of 40 C.F.R. Part 60, Appendix A while the process is in operation to verify that no visible emissions are occurring at the discharge point to the atmosphere from any emissions source subject to the requirements of § 60.372a(a) or (b). The visible emissions observation must be conducted at least twice daily (at least 6 hours apart) if the results of the most recent performance test indicate that emissions are greater than 50 percent of the applicable lead emissions limit in § 60.372a(a)(1) through (6). The visible emissions observation must be conducted at least once per day if the results of the most recent performance test indicate that emissions are less than or equal to 50 percent of the applicable lead emissions limit in § 60.372a(a)(1) through (6). If visible emissions are detected, the permittee must record the incident and submit this information in an excess emissions and continuous monitoring system performance report and summary report required under § 60.375a(c) and take immediate corrective action. The permittee must also record the corrective actions taken. These corrective actions may include, but are not limited to, those provided in§ 60.373a (b)(3)(i) through (iv). [40 C.F.R. § 60.373a (b)(4)]

22. In conducting the performance tests required in 40 C.F.R. § 60.8, the permittee must use as reference methods and procedures the test methods in 40 C.F.R. Part 60, Appendix A or other methods and procedures as specified in § 60.374a, except as provided in § 60.8(b). [Rule 19.304 and 40 C.F.R. § 60.374a (b)]

23. After the initial performance test required in § 60.8(a), the permittee must conduct subsequent performance tests to demonstrate compliance with the lead and opacity standards in § 60.372a. Performance testing must be conducted for each affected source subject to lead and opacity standards in § 60.372a, that has not had a performance test within the last 5 years, except as described in § 60.374a (c). Thereafter, subsequent performance tests for each affected source must be completed no less frequently than every 5 years from the date the emissions source was last tested. [Rule 19.304 and 40 C.F.R. § 60.374a (c)]

24. The permittee must determine compliance with the lead and opacity standards in § 60.372a, as follows: [Rule 19.304 and 40 C.F.R. § 60.374a (d)]

    a. EPA Method 12 or EPA Method 29 of 40 C.F.R. Part 60, Appendix A must be used to determine the lead concentration (CPb) and the volumetric flow rate (Qsda) of the effluent gas. The sampling time and sample volume for each run must be at least 60 minutes and 0.85 dscm (30 dscf). [40 C.F.R. § 60.374a (d)(1)]

    b. EPA Method 9 of 40 C.F.R. Part 60, Appendix A and the procedures in § 60.11 must be used to determine opacity during the performance test. For EPA Method 9, the opacity numbers must be rounded off to the nearest whole percentage. ASTM D7520-16 (incorporated by reference, see § 60.17) is an acceptable alternative to EPA Method 9 with the specified conditions in §60.374a (d)(2)(i) through (v). [40 C.F.R. § 60.374a (d)(2)]

        i. During the digital camera opacity technique (DCOT) certification procedure outlined in Section 9.2 of ASTM D7520-16, the permittee or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees, and mixed backgrounds (clouds and/or a sparse tree stand). [40 C.F.R. § 60.374a (d)(2)(i)]

        ii. The permittee must also have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520-16. [40 C.F.R. § 60.374a (d)(2)(ii)]

        iii. The permittee must follow the record keeping procedures outlined in § 63.10(b)(1) for the DCOT certification, compliance report, data sheets, and all raw unaltered JPEGs used for opacity and certification determination. [40 C.F.R. § 60.374a (d)(2)(iii)]

        iv. The permittee or the DCOT vendor must have a minimum of four (4) independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15 percent opacity of any one reading and the average error must not exceed 7.5 percent opacity. [40 C.F.R. § 60.374a (d)(2)(iv)]

        v. This approval does not provide or imply a certification or validation of any vendor's hardware or software. The onus to maintain and verify the certification and/or training of the DCOT camera, software and operator in accordance with ASTM D7520-16 and this letter is on the facility, DCOT operator, and DCOT vendor. [40 C.F.R. § 60.374a (d)(2)(v)]

25. The permittee must keep the records specified in 40 C.F.R. § 60.375a (a)(1) through (7) and maintain them in a format readily available for review onsite for a period of 5 years. [Rule 19.304 and 40 C.F.R. § 60.375a (a)]

    a. Records of fabric filter inspections and maintenance activities required in § 60.373a(b)(1). [40 C.F.R. § 60.375a (a)(2)]

b. Records required under § 60.373a(b)(3) or (b)(6)(ii) of fabric filter pressure drop, pressure drop observed outside of normal operating ranges as specified by the manufacturer, and corrective actions taken. [40 C.F.R. § 60.375a (a)(3)]

c. Records of the required opacity measurements in § 60.373a(b)(4) or (b)(6)(iii). [40 C.F.R. § 60.375a (a)(4)]

d. The permittee must keep the records of failures to meet an applicable standard in 40 C.F.R. Part 60, Subpart KKa as specified below and in § 60.375a (a)(7)(i) through (iii). [40 C.F.R. § 60.375a (a)(7)]

   i. In the event that an affected unit fails to meet an applicable standard in this part, record the number of failures. For each failure record the date, time, the cause and duration of each failure. [40 C.F.R. § 60.375a (a)(7)(i)]

   ii. For each failure to meet an applicable standard in this part, record and retain a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit and a description of the method used to estimate the emissions. [40 C.F.R. § 60.375a (a)(7)(ii)]

   iii. Record actions taken to minimize emissions and any corrective actions taken to return the affected unit to its normal or usual manner of operation. [40 C.F.R. § 60.375a (a)(7)(iii)]

26. Beginning on April 24, 2023, within 60 days after the date of completing each performance test or demonstration of compliance required by 40 C.F.R. Part 60, Subpart KKa, the permittee must submit the results of the performance test following the procedures specified in § 60.375a (b)(1) through (3). [Rule 19.304 and 40 C.F.R. § 60.375a (b)]

27. The permittee must submit a report of excess emissions and monitoring systems performance report and summary report according to 40 C.F.R. § 60.7(c) and (d) to the Administrator semiannually. Report the number of failures to meet an applicable standard in this part. For each instance, report the date, time, cause, and duration of each failure. For each failure, the report must include a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit, and a description of the method used to estimate the emissions. You must use the appropriate spreadsheet template on the CEDRI website (https://www.epa.gov/electronic-reporting-air-emissions/cedri) for this subpart. The date report templates become available will be listed on the CEDRI website. The report must be submitted by the deadline specified in 40 C.F.R. Part 40, Subpart KKa, regardless of the method in which the report is submitted. Submit all reports to the EPA via CEDRI, which can be accessed through the EPA's CDX (https://cdx.epa.gov/). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. As stated in § 60.375a (b)(3), do not use CEDRI to submit information you claim as CBI. Anything submitted using CEDRI cannot later be claimed CBI. If you claim CBI, submit the report following description in § 60.375a (b)(3). The same file with the CBI omitted must be

submitted to CEDRI as described in this section. [Rule 19.304 and 40 C.F.R. § 60.375a (c)]

28. 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, the permittee must meet the requirements outlined in 40 C.F.R. § 60.375a (d)(1) through (7). [Rule 19.304 and 40 C.F.R. § 60.375a (d)]

    a. The permittee 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. [40 C.F.R. § 60.375a (d)(1)]

    b. The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due. [40 C.F.R. § 60.375a (d)(2)]

    c. The outage may be planned or unplanned. 40 C.F.R. § 60.375a (d)(3)]

    d. The permittee must submit notification to the Administrator in writing as soon as possible following the date the permittee first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting. [40 C.F.R. § 60.375a (d)(4)]

    e. The permittee must provide to the Administrator a written description identifying: [40 C.F.R. § 60.375a (d)(5)]

        i. The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable; [40 C.F.R. § 60.375a (d)(5)(i)]

        ii. A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage; [40 C.F.R. § 60.375a (d)(5)(ii)]

        iii. A description of measures taken or to be taken to minimize the delay in reporting; and [40 C.F.R. § 60.375a (d)(5)(iii)]

        iv. The date by which the permittee proposes to report, or if the permittee has already met the reporting requirement at the time of the notification, the date the permittee reported. [40 C.F.R. § 60.375a (d)(5)(iv)]

    f. 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. [40 C.F.R. § 60.375a (d)(6)]

    g. In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved. [40 C.F.R. § 60.375a (d)(7)]

29. If the permittee are required to electronically submit a report through CEDRI in the EPA's CDX, the permittee may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, the permittee must meet the requirements outlined in 40 C.F.R. § 60.375a (e)(1) through (5). [Rule 19.304 and 40 C.F.R. § 60.375a (e)]

30. Any records required to be maintained by 40 C.F.R. Part 60, Subpart KKa 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. [Rule 19.304 and 40 C.F.R. § 60.375a (f)]

NESHAP Subpart PPPPPP Conditions

31. The permittee is subject to and shall comply with all applicable provisions of 40 C.F.R. Part 63, Subpart PPPPPP - *National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources*. A copy of Subpart PPPPPP is provided in Appendix C. [Rule 19.304 and 40 C.F.R. § 63.11421]

32. The compliance dates for 40 C.F.R. Part 63, Subpart PPPPPP are as follows: [Rule 19.304 and 40 C.F.R. § 63.11422]

    a. If you own or operate a lead acid battery manufacturing plant existing affected source, you must achieve compliance with the applicable provisions of 40 C.F.R. Part 63, Subpart PPPPPP no later than July 16, 2008, except as specified in § 63.11422 (e) through (h). [40 C.F.R. § 63.11422 (a)]

    b. If you start up a new lead acid battery manufacturing plant affected source on or before July 16, 2007, you must achieve compliance with the applicable provisions in this subpart not later than July 16, 2007, except as specified in § 63.11422 (e) through (h). [40 C.F.R. § 63.11422 (b)]

    c. If you start up a new lead acid battery manufacturing plant affected source after July 16, 2007, but on or before February 23, 2022, you must achieve compliance with the applicable provisions in this subpart upon startup of your affected source, except as specified in § 63.11422 (e) through (h). [40 C.F.R. § 63.11422 (c)]

    d. If you start up a new lead acid battery manufacturing plant or lead acid battery component manufacturing plant affected source after February 23, 2022, you must achieve compliance with the applicable provisions in this subpart not later than February 23, 2023, or upon initial startup of your affected source, whichever is later. [40 C.F.R. § 63.11422 (d)]

    e. Until February 23, 2026, lead acid battery manufacturing plant affected sources that commenced construction or reconstruction on or before February 23, 2023, must meet all the standards for lead and opacity in 40 CFR § 60.372 and the requirements of § 63.11423(a)(1). [40 C.F.R. § 63.11422 (e)]

    f. Lead acid battery manufacturing plant affected sources that commenced construction or reconstruction on or before February 23, 2023, must comply with the requirements in § 63.11423(a)(2) by February 23, 2026. All affected sources that commence construction or reconstruction after February 23, 2023, must comply with the requirements in § 63.11423(a)(2) by initial startup or February 23, 2023, whichever is later. [40 C.F.R. § 63.11422 (f)]

g. Lead acid battery manufacturing plant affected sources that commenced construction or reconstruction on or before February 23, 2023, must comply with the requirements of § 63.11423(a)(3) by August 22, 2023. All affected sources that commence construction or reconstruction after February 23, 2023, must comply with the requirements of § 63.11423(a)(3) by initial startup or February 23, 2023, whichever is later. [40 C.F.R. § 63.11422 (g)]

h. After February 23, 2023, lead acid battery manufacturing plant affected sources must comply with the startup, shutdown, and malfunction requirements specified in 40 C.F.R. Part 63, Subpart PPPPPP, Table 3 except that you must comply with the recordkeeping requirements that Table 3 refers to in § 63.11424(a)(5) by May 24, 2023. [40 C.F.R. § 63.11422 (h)]

i. If you own or operate a lead acid battery component manufacturing plant existing affected source, you must achieve compliance with the applicable provisions in this subpart by no later than February 23, 2026. [40 C.F.R. § 63.11422 (i)]

33. Until the compliance date specified in § 63.11422(e), lead acid battery manufacturing plant affected sources must comply with § 63.11423 (a)(1)(i) or (ii). [Rule 19.304 and 40 C.F.R. § 63.11423 (a)(1)]

a. You meet all the standards for lead and opacity in 40 C.F.R. § 60.372 and the requirements of § 63.11423 (a)(4) and (5), (b), and (c)(1) through (3). [40 C.F.R. § 63.11423 (a)(1)(i)]

b. You comply with§ 63.11423 (a)(2). [40 C.F.R. § 63.11423 (a)(1)(ii)]

34. Beginning no later than the applicable compliance date specified in § 63.11422(f) or (i), the permittee must meet each emission limit in 40 C.F.R. Part 63, Subpart PPPPPP, Table 1 and each opacity standard in Table 2 that applies to the permittee; the permittee must meet the requirements of § 63.11423 (a)(4) and (5), (c), and (d); and the permittee must also comply with the recordkeeping and electronic reporting requirements in § 63.11424(a)(6) and (7) and (b). [Rule 19.304, 40 C.F.R. § 63.11423 (a)(2), Table 1 and Table 2]

Table 1 to Subpart PPPPPP of Part 63—Applicability of General Provisions to Subpart PPPPPP As stated in § 63.11423(a)(2), you must comply with the emission limits in the following table:

For . . .	You must . . .
1. Each new or existing grid casting facility	Emit no more than 0.08 milligram of lead per dry standard cubic meter of exhaust (0.000035 gr/dscf).
2. Each new or existing paste mixing facility	Emit no more than 0.1 milligram of lead per dry standard cubic meter of exhaust (0.0000437 gr/dscf); or emit no more than 0.9 gram of lead per hour (0.002 lbs/hr) total from all paste mixing operations.
3. Each new or existing three-process operation facility	Emit no more than 1.0 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf).

For . . .	You must . . .
4. Each new or existing lead oxide manufacturing facility	Emit no more than 5.0 milligram of lead per kilogram of lead feed (0.010 lb/ton).
5. Each new or existing lead reclamation facility	Emit no more than 0.45 milligram of lead per dry standard cubic meter of exhaust (0.000197 gr/dscf).
6. Each new or existing other lead-emitting operation	Emit no more than 1.0 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf).

Table 2 to Subpart PPPPPP of Part 63—Opacity Standards As stated in § 63.11423(a)(2), you must comply with the opacity standards in the following table:

For . . .	Any gases emitted must not exceed . . .
1. Each new or existing facility other than a lead reclamation facility	0 percent opacity (measured according to EPA Method 9 of appendix A to 40 CFR part 60 and rounded to the nearest whole percentage or measured according to EPA Method 22 of appendix A to 40 CFR part 60).
2. Each new or existing lead reclamation facility	5 percent opacity (measured according to EPA Method 9 and rounded to the nearest whole percentage).

35. At all times, the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by the applicable standard in this part have been achieved. Determination of whether a source is operating in compliance with operation and maintenance requirements will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [Rule 19.304 and 40 C.F.R. § 63.11423 (a)(4)]

36. For any emissions point controlled by a fabric filter, the permittee must meet the requirements of 40 C.F.R. § 63.11423 (b)(2)(i) and either § 63.11423 (b)(2)(ii) or (iii). [Rule 19.304 and 40 C.F.R. § 63.11423 (b)(2)]

    a. The permittee must perform semiannual inspections and maintenance to ensure proper performance of each fabric filter. This includes inspection of structural and filter integrity. The permittee must record the results of these inspections. [40 C.F.R. § 63.11423 (b)(2)(i)]

    b. The permittee must install, maintain, and operate a pressure drop monitoring device to measure the differential pressure drop across the fabric filter during all times when the process is operating. The pressure drop must be recorded at least once per day. If a pressure drop is observed outside of the normal operational ranges as specified by the manufacturer, the permittee must record the incident and take immediate corrective actions. The permittee must also record the corrective actions taken. The permittee must submit a monitoring system performance report in accordance with § 63.10(e)(3). [40 C.F.R. § 63.11423 (b)(2)(ii)]

c. The permittee must conduct a visible emissions observation at least once per day while the process is in operation to verify that no visible emissions are occurring at the discharge point to the atmosphere from any emissions source subject to the requirements of § 63.11423 (a). If visible emissions are detected, the permittee must record the incident and conduct an opacity measurement in accordance with 40 C.F.R. § 60.374(b)(3). The permittee must record the results of each opacity measurement. If the measurement exceeds the applicable opacity standard in 40 C.F.R. § 60.372(a)(7) or (8), the permittee must submit this information in an excess emissions report required under § 63.10(e)(3). [40 C.F.R. § 63.11423 (b)(2)(iii)]

37. As specified in § 63.11423 (a), the permittee must meet the performance testing requirements in § 63.11423 (c)(1) through (6). [Rule 19.304 and 40 C.F.R. § 63.11423 (c)]

a. Existing sources are not required to conduct an initial performance test if a prior performance test was conducted using the same methods specified in § 63.11423 and either no process changes have been made since the test, or the permittee can demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance with Subpart PPPPPP despite process changes. [40 C.F.R. § 63.11423 (c)(1)]

b. Sources without a prior performance test, as described in § 63.11423 (c)(1), must conduct an initial performance test using the methods specified in § 63.11423 (c)(2)(i) through (iv). [40 C.F.R. § 63.11423 (c)(2)]

c. In conducting the initial performance tests required in § 63.7, the permittee must use as reference methods and procedures the test methods in Appendix A to 40 CFR Part 60 or other methods and procedures as specified in § 63.11423, except as provided in § 63.7(f). [40 C.F.R. § 63.11423 (c)(3)]

d. After the initial performance test described in § 63.11423 (c)(1) through (3), the permittee must conduct subsequent performance tests every 5 years to demonstrate compliance with each applicable emissions limitations and opacity standards. Within three years of February 23, 2023, performance testing must be conducted for each affected source subject to an applicable emissions limitation in Subpart PPPPPP, Tables 1 and 2 that has not had a performance test within the last 5 years, except as described in § 63.11423 (c)(6). Thereafter, subsequent performance tests for each affected source must be completed no less frequently than every 5 years from the date the emissions source was last tested. [40 C.F.R. § 63.11423 (c)(4)]

e. The permittee may not conduct performance tests during periods of malfunction. The permittee must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. The permittee must make available to the Administrator in the test report, records as may be necessary to determine the conditions of performance tests. [40 C.F.R. § 63.11423 (c)(6)]

38. Beginning no later than the applicable compliance date specified in 40 C.F.R. § 63.11422(g) or (i), the permittee must meet the monitoring requirements in § 63.11423 (e)(1) through (5). [Rule 19.304 and 40 C.F.R. § 63.11423 (e)]

    a. Emissions points controlled by a fabric filter without a secondary filter must meet the requirements of § 63.11423 (e)(2)(i) and (ii) and either § 63.11423 (e)(2)(iii) or (iv). [40 C.F.R. § 63.11423 (e)(2)]

        i. The permittee must perform quarterly inspections and maintenance to ensure proper performance of each fabric filter. This includes inspection of structural and filter integrity. [40 C.F.R. § 63.11423 (e)(2)(i)]

        ii. If it is not possible for the permittee to take the corrective actions specified in § 63.11423 (e)(2)(iii)(C) or (D) for a process or fabric filter control device, the permittee must keep at least one replacement fabric filter onsite at all times for that process or fabric filter control device. The characteristics of the replacement filters must be the same as the current fabric filters in use or have characteristics that would achieve equal or greater emission reductions. [40 C.F.R. § 63.11423 (e)(2)(ii)]

        iii. Install, maintain, and operate a pressure drop monitoring device to measure the differential pressure drop across the fabric filter during all times when the process is operating. The pressure drop must be recorded at least twice per day (at least 8 hours apart) if the results of the most recent performance test indicate that emissions are greater than 50 percent of the lead emissions limit in 40 C.F.R. Part 63, Subpart PPPPPP, Table 1. The pressure drop must be recorded at least once per day if the results of the most recent performance test indicate that emissions are less than or equal to 50 percent of the lead emissions limit in Table 1. If a pressure drop is observed outside of the normal operational ranges, you must record the incident and take immediate corrective actions. The permittee must submit an excess emissions and continuous monitoring system performance report and summary report required under § 63.11424 (c). The permittee must also record the corrective actions taken and verify pressure drop is within normal operational range. These corrective actions may include but are not limited to those provided in § 63.11423 (e)(2)(iii)(A) through (D). [40 C.F.R. § 63.11423 (e)(2)(iii)]

            A. Inspecting the filter and filter housing for air leaks and torn or broken filters. [40 C.F.R. § 63.11423 (e)(2)(iii)(A)]

            B. Replacing defective filter media, or otherwise repairing the control device. [40 C.F.R. § 63.11423 (e)(2)(iii)(B)]

            C. Sealing off a defective control device by routing air to other control devices. [40 C.F.R. § 63.11423 (e)(2)(iii)(C)]

D. Shutting down the process producing the lead emissions. [40 C.F.R. § 63.11423 (e)(2)(iii)(D)]

iv. Conduct a visible emissions observation using EPA Method 9 or EPA Method 22 of Appendix A to 40 C.F.R. Part 60 while the process is in operation to verify that no visible emissions are occurring at the discharge point to the atmosphere from any emissions source subject to the requirements of § 63.11423 (a). The visible emissions observation must be conducted at least twice daily (at least 6 hours apart) if the results of the most recent performance test indicate that emissions are greater than 50 percent of the lead emissions limit in Subpart PPPPPP Table 1. The visible emissions observation must be conducted at least once per day if the results of the most recent performance test indicate that emissions are less than or equal to 50 percent of the lead emissions limit in Table 1. If visible emissions are detected, the permittee must record the incident and submit this information in an excess emissions and continuous monitoring system performance report and summary report required under § 63.11424 (c) and take immediate corrective action. The permittee must also record the corrective actions taken. These corrective actions may include but are not limited to those provided in § 63.11423 (e)(2)(iii)(A) through (D). [40 C.F.R. § 63.11423 (e)(2)(iv)]

39. The permittee must keep the records specified below according to the applicable compliance date in 40 C.F.R. § 63.11422(f) and (g) or (i) and maintain them in a format readily available for review onsite for a period of 5 years. [Rule 19.304 and 40 C.F.R. § 63.11424 (a)]

a. Records of fabric filter inspections and maintenance activities required in § 63.11423(e)(2)(i) or (e)(3)(i). [40 C.F.R. § 63.11424 (a)(2)]

b. Records required under § 63.11423(e)(2)(iii) or (e)(3)(iii) of fabric filter pressure drop, pressure drop observed outside of normal operating ranges as specified by the manufacturer, and corrective actions taken. [40 C.F.R. § 63.11424 (a)(3)]

c. Records of the required visible emissions observations in § 63.11423(e)(2)(iv) or (e)(3)(iv). [40 C.F.R. § 63.11424 (a)(4)]

d. The permittee must keep the records of failures to meet an applicable standard in Part 63 as specified in § 63.11424 (a)(5)(i) through (iii). [40 C.F.R. § 63.11424 (a)(5)]

i. In the event that an affected unit fails to meet an applicable standard in this part, record the number of failures. For each failure record the date, time, cause, and duration of each failure. [40 C.F.R. § 63.11424 (a)(5)(i)]

ii. For each failure to meet an applicable standard in this part, record and retain a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit and a description of the method used to estimate the emissions. [40 C.F.R. § 63.11424 (a)(5)(ii)]

iii. Record actions taken to minimize emissions and any corrective actions taken to return the affected unit to its normal or usual manner of operation. [40 C.F.R. § 63.11424 (a)(5)(iii)]

40. Beginning on April 24, 2023, within 60 days after the date of completing each performance test or demonstration of compliance required by 40 C.F.R. Part 63, Subpart PPPPPP, the permittee must submit the results of the performance test following the procedures specified in § 63.9(k) and § 63.11424 (b)(1) through (3). [Rule 19.304 and 40 C.F.R. § 63.11424 (b)]

41. Beginning on February 23, 2024, or once the report template for 40 C.F.R. Part 63, Subpart PPPPPP has been available on the CEDRI website for one year, whichever date is later, the permittee must submit a report of excess emissions and monitoring systems performance report and summary report according to §§ 63.9(k) and 63.10(e)(3) to the Administrator semiannually. Report the number of failures to meet an applicable standard in Part 63. For each instance, report the date, time, cause, and duration of each failure. For each failure, the report must include a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit, and a description of the method used to estimate the emissions. The permittee must use the appropriate electronic report template on the CEDRI website (https://www.epa.gov/electronic-reporting-air-emissions/cedri) or an alternate electronic file consistent with the XML schema listed on the CEDRI website for this subpart. The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. Submit all reports to the EPA via CEDRI, which can be accessed through the EPA's 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. Anything submitted using CEDRI cannot later be claimed CBI. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim, follow the requirements specified in § 63.11424 (b)(3). The same file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described earlier in this condition. [Rule 19.304 and 40 C.F.R. § 63.11424 (c)]

42. Any records required to be maintained by for 40 C.F.R. Part 63, Subpart PPPPPP 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. [Rule 19.304 and 40 C.F.R. § 63.11424 (d)]

43. The provisions in Subpart A of 40 C.F.R. Part 63, that are applicable to Subpart PPPPPP are specified in Table 3 of Subpart PPPPPP. For existing sources, the initial notification required by § 63.9(b) must be submitted not later than November 13, 2007, or no later

than 120 days after the source becomes subject to Subpart PPPPPP, whichever is later. For existing sources, the initial notification of compliance required by § 63.9(h) must be submitted not later than March 13, 2009, or no later than 120 days after the source becomes subject to Subpart PPPPPP, whichever is later. [Rule 19.304 and 40 C.F.R. § 63.11425]

Section V: INSIGNIFICANT ACTIVITIES

The Division of Environmental Quality deems the following types of activities or emissions as insignificant on the basis of size, emission rate, production rate, or activity in accordance with Group A of the Insignificant Activities list found in Rule 18 and Rule 19 Appendix A. Group B insignificant activities may be listed but are not required to be listed in permits. Insignificant activity emission determinations rely upon the information submitted by the permittee in an application dated September 24, 2020 and September 11, 2024. [Rule 19.408 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

Description	Category
20 Lead Pots (NG fired at 0.8 MM BTU/hr each)	A-1
2 Linburg ovens (0.5 MM Btu/hr each)	A-1
Milling machine, drill press, grinder, sander at electrical test lab	A-5
23 Battery Chargers Area	A-5
Induction Welding	A-7
Sink Station	A-13
Heat Sealer	A-13
Helium Leak Tester	A-13
Finishing and Pack Operation	A-13
Shop Size Glass Bead Blaster	A-13
Milling and Sawing of Post at Casting Operation	A-13
Plasticizing	A-13

Section VI: GENERAL CONDITIONS

1. Any terms or conditions included in this permit that specify and reference Arkansas Pollution Control & Ecology Commission Rule 18 or the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 *et seq.*) as the sole origin of and authority for the terms or conditions are not required under the Clean Air Act or any of its applicable requirements, and are not federally enforceable under the Clean Air Act. Arkansas Pollution Control & Ecology Commission Rule 18 was adopted pursuant to the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 *et seq.*). Any terms or conditions included in this permit that specify and reference Arkansas Pollution Control & Ecology Commission Rule 18 or the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 *et seq.*) as the origin of and authority for the terms or conditions are enforceable under this Arkansas statute.

2. This permit does not relieve the owner or operator of the equipment and/or the facility from compliance with all applicable provisions of the Arkansas Water and Air Pollution Control Act and the rules promulgated under the Act. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

3. The permittee shall notify the Division of Environmental Quality in writing within thirty (30) days after each of the following events: commencement of construction, completion of construction, first operation of equipment and/or facility, and first attainment of the equipment and/or facility target production rate. [Rule 19.704 and/or Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

4. Construction or modification must commence within eighteen (18) months from the date of permit issuance. [Rule 19.410(B) and/or Rule 18.309(B) and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

5. The permittee must keep records for five years to enable the Division of Environmental Quality to determine compliance with the terms of this permit such as hours of operation, throughput, upset conditions, and continuous monitoring data. The Division of Environmental Quality may use the records, at the discretion of the Division of Environmental Quality, to determine compliance with the conditions of the permit. [Rule 19.705 and/or Rule 18.1004 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

6. A responsible official must certify any reports required by any condition contained in this permit and submit any reports to the Division of Environmental Quality electronically using https://eportal.adeq.state.ar.us or mail them to the address below. [Rule 19.705 and/or Rule 18.1004 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

   Division of Environmental Quality
   Office of Air Quality

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

7. The permittee shall test any equipment scheduled for testing, unless stated in the Specific Conditions of this permit or by any federally regulated requirements, within the following time frames: (1) newly constructed or modified equipment within sixty (60) days of achieving the maximum production rate, but no later than 180 days after initial start up of the permitted source or (2) existing equipment already operating according to the time frames set forth by the Division of Environmental Quality. The permittee must notify the Division of Environmental Quality of the scheduled date of compliance testing at least fifteen (15) business days in advance of such test. The permittee must submit compliance test results to the Division of Environmental Quality within sixty (60) calendar days after the completion of testing. [Rule 19.702 and/or Rule 18.1002 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

8. The permittee shall provide: [Rule 19.702 and/or Rule 18.1002 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

   a. Sampling ports adequate for applicable test methods;
   b. Safe sampling platforms;
   c. Safe access to sampling platforms; and
   d. Utilities for sampling and testing equipment

9. The permittee shall operate equipment, control apparatus and emission monitoring equipment within their design limitations. The permittee shall maintain in good condition at all times equipment, control apparatus and emission monitoring equipment. [Rule 19.303 and/or Rule 18.1104 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

10. If the permittee exceeds an emission limit established by this permit, the permittee will be deemed in violation of said permit and will be subject to enforcement action. The Division of Environmental Quality may forego enforcement action for emissions exceeding any limits established by this permit provided the following requirements are met: [Rule 19.601 and/or Rule 18.1101 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

   a. The permittee demonstrates to the satisfaction of the Division of Environmental Quality that the emissions resulted from an equipment malfunction or upset and are not the result of negligence or improper maintenance, and the permittee took all reasonable measures to immediately minimize or eliminate the excess emissions.
   b. The permittee reports the occurrence or upset or breakdown of equipment (by telephone, facsimile, overnight delivery, or online at https://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. [Rule 19.410(A) and/or Rule 18.309(A) and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

14. This permit may be transferred. An applicant for a transfer must submit a written request for transfer of the permit on a form provided by the Division of Environmental Quality and submit the disclosure statement required by Arkansas Code Annotated §8-1-106 at least thirty (30) days in advance of the proposed transfer date. The permit will be automatically transferred to the new permittee unless the Division of Environmental Quality denies the request to transfer within thirty (30) days of the receipt of the

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

15. This permit shall be available for inspection on the premises where the control apparatus is located. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

16. This permit authorizes only those pollutant emitting activities addressed herein. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

17. This permit supersedes and voids all previously issued air permits for this facility. [Rule 18 and/or Rule 19 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

18. The permittee must pay all permit fees in accordance with the procedures established in Rule 9. [Ark. Code Ann. § 8-1-105(c)]

19. The permittee may request in writing and at least 15 days in advance of the deadline, an extension to any testing, compliance or other dates in this permit. No such extensions are authorized until the permittee receives written Division of Environmental Quality approval. The Division of Environmental Quality may grant such a request, at its discretion in the following circumstances:

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

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

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

    a. Such a request does not violate a federal requirement;
    b. Such a request is temporary in nature;
    c. Such a request will not result in a condition of air pollution;

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

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

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

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

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

Appendix A:

40 C.F.R. Part 60, Subpart KK

Title 40 —Protection of Environment
Chapter I —Environmental Protection Agency
Subchapter C —Air Programs
Part 60 —Standards of Performance for New Stationary Sources

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

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

Subpart KK—Standards of Performance for Lead-Acid Battery Manufacturing Plants for Which Construction, Reconstruction, or Modification Commenced After January 14, 1980, and On or Before February 23, 2022

Source: 47 FR 16573, Apr. 16, 1982, unless otherwise noted.

§ 60.370 Applicability and designation of affected facility.

(a) The provisions of this subpart are applicable to the affected facilities listed in paragraph (b) of this section at any lead-acid battery manufacturing plant that produces or has the design capacity to produce in one day (24 hours) batteries containing an amount of lead equal to or greater than 5.9 Mg (6.5 tons).

(b) The provisions of this subpart are applicable to the following affected facilities used in the manufacture of lead-acid storage batteries:

(1) Grid casting facility.

(2) Paste mixing facility.

(3) Three-process operation facility.

(4) Lead oxide manufacturing facility.

(5) Lead reclamation facility.

(6) Other lead-emitting operations.

(c) Any facility under paragraph (b) of this section the construction or modification of which is commenced after January 14, 1980, and on or before February 23, 2022, is subject to the requirements of this subpart.

[47 FR 16573, Apr. 16, 1982, as amended at 88 FR 11583, Feb. 23, 2023]

§ 60.371 Definitions.

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

(a) ***Grid casting facility*** means the facility which includes all lead melting pots and machines used for casting the grid used in battery manufacturing.

(b) ***Lead-acid battery manufacturing plant*** means any plant that produces a storage battery using lead and lead compounds for the plates and sulfuric acid for the electrolyte.

(c) ***Lead oxide manufacturing facility*** means a facility that produces lead oxide from lead, including product recovery.

(d) ***Lead reclamation facility*** means the facility that remelts lead scrap and casts it into lead ingots for use in the battery manufacturing process, and which is not a furnace affected under subpart L of this part.

(e) ***Other lead-emitting operation*** means any lead-acid battery manufacturing plant operation from which lead emissions are collected and ducted to the atmosphere and which is not part of a grid casting, lead oxide manufacturing, lead reclamation, paste mixing, or three-process operation facility, or a furnace affected under subpart L of this part.

(f) ***Paste mixing facility*** means the facility including lead oxide storage, conveying, weighing, metering, and charging operations; paste blending, handling, and cooling operations; and plate pasting, takeoff, cooling, and drying operations.

(g) ***Three-process operation facility*** means the facility including those processes involved with plate stacking, burning or strap casting, and assembly of elements into the battery case.

§ 60.372 Standards for lead.

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

(1) From any grid casting facility any gases that contain lead in excess of 0.40 milligram of lead per dry standard cubic meter of exhaust (0.000175 gr/dscf).

(2) From any paste mixing facility any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf).

(3) From any three-process operation facility any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf).

(4) From any lead oxide manufacturing facility any gases that contain in excess of 5.0 milligrams of lead per kilogram of lead feed (0.010 lb/ton).

(5) From any lead reclamation facility any gases that contain in excess of 4.50 milligrams of lead per dry standard cubic meter of exhaust (0.00197 gr/dscf).

(6) From any other lead-emitting operation any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf).

(7) From any affected facility other than a lead reclamation facility any gases with greater than 0 percent opacity (measured according to Method 9 and rounded to the nearest whole percentage).

(8) From any lead reclamation facility any gases with greater than 5 percent opacity (measured according to Method 9 and rounded to the nearest whole percentage).

(b) When two or more facilities at the same plant (except the lead oxide manufacturing facility) are ducted to a common control device, an equivalent standard for the total exhaust from the commonly controlled facilities shall be determined as follows:

$$S_e = \sum_{a=1}^{N} S_a (Q_{sd_a} / Q_{sd_T})$$

Where:

S_e = is the equivalent standard for the total exhaust stream.

S_a = is the actual standard for each exhaust stream ducted to the control device.

N = is the total number of exhaust streams ducted to the control device.

Q_{sda} = is the dry standard volumetric flow rate of the effluent gas stream from each facility ducted to the control device.

Q_{sdT} = is the total dry standard volumetric flow rate of all effluent gas streams ducted to the control device.

[47 FR 16573, Apr. 16, 1982, as amended at 65 FR 61760, Oct. 17, 2000]

§ 60.373 Monitoring of emissions and operations.

The owner or operator of any lead-acid battery manufacturing facility subject to the provisions of this subpart and controlled by a scrubbing system(s) shall install, calibrate, maintain, and operate a monitoring device(s) that measures and records the pressure drop across the scrubbing system(s) at least once every 15 minutes. The monitoring device shall have an accuracy of ±5 percent over its operating range.

§ 60.374 Test methods and procedures.

(a) In conducting the performance tests required in § 60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in § 60.8(b).

(b) The owner or operator shall determine compliance with the lead standards in § 60.372, except § 60.372(a)(4), as follows:

(1) Method 12 or Method 29 shall be used to determine the lead concentration (C_{Pb}) and, if applicable, the volumetric flow rate (Q_{sda}) of the effluent gas. The sampling time and sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf).

(2) When different operations in a three-process operation facility are ducted to separate control devices, the lead emission concentration (C) from the facility shall be determined as follows:

$$C = \left[\sum_{a=1}^{n} (C_a Q_{sda}) \right] / \sum_{a=1}^{n} Q_{sda}$$

Where:

C = concentration of lead emissions for the entire facility, mg/dscm (gr/dscf).

C_a = concentration of lead emissions from facility "a", mg/dscm (gr/dscf).

Q_{sda} = volumetric flow rate of effluent gas from facility "a", dscm/hr (dscf/hr).

N = total number of control devices to which separate operations in the facility are ducted.

(3) Method 9 and the procedures in § 60.11 shall be used to determine opacity. The opacity numbers shall be rounded off to the nearest whole percentage.

(c) The owner or operator shall determine compliance with the lead standard in § 60.372(a)(4) as follows:

(1) The emission rate (E) from lead oxide manufacturing facility shall be computed for each run using the following equation:

$$E = \left(\sum_{i=1}^{M} C_{Pbi} Q_{sdi} \right) / (PK)$$

where:

E = emission rate of lead, mg/kg (lb/ton) of lead charged.

C_{Pbi} = concentration of lead from emission point "i," mg/dscm (gr/dscf).

Q_{sdi} = volumetric flow rate of effluent gas from emission point "i," dscm/hr (sdcf/hr).

M = number of emission points in the affected facility.

P = lead feed rate to the facility, kg/hr (ton/hr).

K = conversion factor, 1.0 mg/mg (7000 gr/lb).

(2) Method 12 or Method 29 shall be used to determine the lead concentration (C_{Pb}) and the volumetric flow rate (Q_{sd}) of the effluent gas. The sampling time and sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf).

(3) The average lead feed rate (P) shall be determined for each run using the following equation:

$P = N\ W/\Theta$

> where:
>
> N = number of lead pigs (ingots) charged.
>
> W = average mass of a pig, kg (ton).
>
> Θ = duration of run, hr.

[54 FR 6675, Feb. 14, 1989, as amended at 65 FR 61760, Oct. 17, 2000; 79 FR 11250, Feb. 27, 2014]

Appendix B:

40 C.F.R. Part 60, Subpart KKa

Title 40 —Protection of Environment
Chapter I —Environmental Protection Agency
Subchapter C —Air Programs
Part 60 —Standards of Performance for New Stationary Sources

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

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

Subpart KKa—Standards of Performance for Lead Acid Battery Manufacturing Plants for Which Construction, Modification or Reconstruction Commenced After February 23, 2022

Source: 88 FR 11583, Feb. 23, 2023, unless otherwise noted.

§ 60.370a Applicability and designation of affected facility.

(a) The provisions of this subpart are applicable to the affected facilities listed in paragraph (b) of this section at any lead acid battery manufacturing plant that produces or has the design capacity to produce in one day (24 hours) batteries containing an amount of lead equal to or greater than 5.9 Mg (6.5 tons).

(b) The provisions of this subpart are applicable to the following affected facilities used in the manufacture of lead acid storage batteries:

(1) Grid casting facility.

(2) Paste mixing facility.

(3) Three-process operation facility.

(4) Lead oxide manufacturing facility.

(5) Lead reclamation facility.

(6) Other lead-emitting operations.

(c) Any facility under paragraph (b) of this section for which the construction, modification, or reconstruction is commenced after February 23, 2022, is subject to the requirements of this subpart.

§ 60.371a Definitions.

As used in this subpart, the definitions in paragraphs (a) through (i) of this section apply. All terms not defined in this subpart have the meaning given them in the Act and in subpart A of this part.

(a) ***Bag leak detection system*** means a system that is capable of continuously monitoring particulate matter (dust) loadings in the exhaust of a fabric filter (baghouse) in order to detect bag leaks and other upset conditions. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, light transmittance, or other effect to continuously monitor relative particulate matter loadings.

(b) ***Lead acid battery manufacturing plant*** means any plant that produces a storage battery using lead and lead compounds for the plates and sulfuric acid for the electrolyte.

(c) ***Grid casting facility*** means the facility which includes all lead melting pots that remelt scrap from onsite lead acid battery manufacturing processes, and machines used for casting the grid used in lead acid batteries.

(d) ***Lead oxide manufacturing facility*** means a facility that produces lead oxide from lead for use in lead acid battery manufacturing, including lead oxide production and product recovery operations. Local exhaust ventilation or building ventilation exhausts serving lead oxide production areas are not part of the lead oxide manufacturing facility.

(e) ***Lead reclamation facility*** means the facility that casts remelted lead scrap generated by onsite lead acid battery manufacturing processes into lead ingots for use in the battery manufacturing process, and which is not a furnace affected under subpart L of this part. Lead scrap remelting processes that are used directly (not cast into an ingot first) in a grid casting facility or a three-process operation facility are parts of those facilities and are not part of a lead reclamation facility.

(f) ***Other lead-emitting operation*** means any lead acid battery manufacturing plant operation from which lead emissions are collected and ducted to the atmosphere and which is not part of a grid casting, lead oxide manufacturing, lead reclamation, paste mixing, or three-process operation facility, or a furnace affected under subpart L of this part. These operations also include local exhaust ventilation or building ventilation exhausts serving lead oxide production areas.

(g) ***Paste mixing facility*** means the facility including lead oxide storage, conveying, weighing, metering, and charging operations; paste blending, handling, and cooling operations; and plate pasting, takeoff, cooling, and drying operations.

(h) ***Three-process operation facility*** means the facility including those processes involved with plate stacking, burning or strap casting, and assembly of elements into the battery case.

(i) ***Total enclosure*** means a containment building that is completely enclosed with a floor, walls, and a roof to prevent exposure to the elements and that has limited openings to allow access and egress for people and vehicles.

§ 60.372a Standards for lead.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart may cause the emissions listed in paragraphs (a)(1) through (8) of this section to be discharged into the atmosphere. The emission limitations and opacity limitations listed in paragraphs (a)(1) through (8) of this section apply at all times, including periods of startup, shutdown and malfunction. As provided in § 60.11(f), this paragraph (a) supersedes the exemptions for periods of startup, shutdown, and malfunction in the general provisions in subpart A of this part. You must also comply with the requirements in paragraphs (b) and (c) of this section.

(1) From any grid casting facility, any gases that contain lead in excess of 0.08 milligram of lead per dry standard cubic meter of exhaust (0.000035 gr/dscf).

(2) From any paste mixing facility, any gases that contain in excess of 0.10 milligram of lead per dry standard cubic meter of exhaust (0.0000437 gr/dscf) or emit no more than 0.9 gram of lead per hour (0.002 lbs/hr) total from all paste mixing sources. If a facility is complying with the 0.9 gram of lead per hour, you must sum the emission rate from all the paste mixing sources.

(3) From any three-process operation facility, any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf).

(4) From any lead oxide manufacturing facility, any gases that contain in excess of 5.0 milligrams of lead per kilogram of lead feed (0.010 lb/ton).

(5) From any lead reclamation facility, any gases that contain in excess of 0.45 milligrams of lead per dry standard cubic meter of exhaust (0.000197 gr/dscf).

(6) From any other lead-emitting operation, any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf).

(7) From any affected facility other than a lead reclamation facility, any gases with greater than 0 percent opacity (measured according to EPA Method 9 of appendix A to this part and rounded to the nearest whole percentage or measured according to EPA Method 22 of appendix A to this part).

(8) From any lead reclamation facility, any gases with greater than 5 percent opacity (measured according to EPA Method 9 of appendix A to this part and rounded to the nearest whole percentage).

(b) When two or more facilities at the same plant (except the lead oxide manufacturing facility) are ducted to a common control device, an equivalent standard for the total exhaust from the commonly controlled facilities must be determined using equation 1 to this paragraph (b) as follows:

Equation 1 to paragraph (b): $$S_e = \sum_{a=1}^{N} S_a \left(\frac{Q_{sd_a}}{Q_{sd_T}} \right)$$

Where:

S_e = is the equivalent standard for the total exhaust stream, mg/dscm (gr/dscf).

S_a = is the actual standard for each exhaust stream ducted to the control device, mg/dscm (gr/dscf).

N = is the total number of exhaust streams ducted to the control device.

Q_{sda} = is the dry standard volumetric flow rate of the effluent gas stream from each facility ducted to the control device, dscm/hr (dscf/hr).

Q_{sdT} = is the total dry standard volumetric flow rate of all effluent gas streams ducted to the control device, dscm/hr (dscf/hr).

(c) The owner or operator must prepare, and at all times operate according to, a fugitive dust mitigation plan that describes in detail the measures that will be put in place and implemented to control fugitive dust emissions in the lead oxide unloading and storage areas. You must prepare a fugitive dust mitigation plan according to the requirements in paragraphs (c)(1) and (2) of this section.

(1) The owner or operator must submit the fugitive dust mitigation plan to the Administrator or delegated authority for review and approval when initially developed and any time changes are made.

(2) The fugitive dust mitigation plan must at a minimum include the requirements specified in paragraphs (c)(2)(i) through (iv) of this section.

(i) ***Lead oxide unloading and storage areas.*** Surfaces used for vehicular material transfer activity must be cleaned at least once per month, by wet wash or a vacuum equipped with a filter rated by the manufacturer to achieve 99.97 percent capture efficiency for 0.3 micron particles in a manner that does not generate fugitive lead dust, except when sand or a similar material has been spread on the area to provide traction on ice or snow.

(ii) ***Spills in lead oxide unloading and storage areas.*** For any leak or spill that occurs during the unloading and storage process, complete washing or vacuuming the area to remove all spilled or leaked lead bearing material within 2 hours of the leak or spill occurrence.

(iii) ***Materials storage.*** Dust forming materials (that contain lead or lead compounds) must be stored in sealed, leak-proof containers or in a total enclosure.

(iv) ***Records.*** The fugitive dust mitigation plan must specify that records be maintained of all cleaning performed under paragraph (c)(2)(i) and (ii) of this section.

§ 60.373a Monitoring of emissions and operations.

(a) The owner or operator of any lead acid battery manufacturing facility subject to the provisions of this subpart and controlled by a scrubbing system(s) must install, calibrate, maintain, and operate a monitoring device(s) that measures and records the liquid flow rate and pressure drop across the scrubbing system(s) at least once every 15 minutes. The monitoring device must have an accuracy of ±5 percent over its operating range. The operating liquid flow rate must be maintained within ±10 percent of the average liquid flowrate during the most recent performance test. If a liquid flow rate or pressure drop is observed outside of the normal operational ranges as determined during the most recent performance test, you must record the incident and take immediate corrective actions. You must also record the corrective actions taken. You must submit an excess emissions and monitoring systems performance report and summary report required under § 60.375a(c).

(b) Emissions points controlled by a fabric filter without a secondary filter must meet the requirements of paragraphs (b)(1) and (2) of this section and either paragraph (b)(3) or (4) of this section. New lead acid battery plants with emission points controlled by a fabric filter without a secondary filter must meet the requirements of paragraph (b)(5) of this section. Fabric filters equipped with a high efficiency particulate air (HEPA) filter or other secondary filter must comply with the requirements specified in paragraphs (b)(1) and (6) of this section.

(1) You must perform quarterly inspections and maintenance to ensure proper performance of each fabric filter. This includes inspection of structural and filter integrity.

(2) If it is not possible for you to take the corrective actions specified in paragraph (b)(3)(iii) or (iv) of this section for a process or fabric filter control device, you must keep at least one replacement fabric filter onsite at all times for that process or fabric filter control device. The characteristics of the replacement filters must be the same as the current fabric filters in use or have characteristics that would achieve equal or greater emission reductions.

(3) Install, maintain, and operate a pressure drop monitoring device to measure the differential pressure drop across the fabric filter during all times when the process is operating. The pressure drop must be recorded at least twice per day (at least 8 hours apart) if the results of the most recent performance test indicate that emissions from the facility are greater than 50 percent of the applicable lead emissions limit in § 60.372a(a)(1) through (6). The pressure drop must be recorded at least once per day if the results of the most recent performance test indicate that emissions are less than or equal to 50 percent of the applicable lead emissions limit in § 60.372a(a)(1) through (6). If a pressure drop is observed outside of the normal operational ranges as specified by the manufacturer, you must record the incident and take immediate corrective actions. You must submit an excess emissions and continuous monitoring system performance report and summary report required under § 60.375a(c). You must also record the corrective actions taken and verify pressure drop is within normal operational range. These corrective actions may include but not be limited to those provided in paragraphs (b)(3)(i) through (iv) of this section.

(i) Inspecting the filter and filter housing for air leaks and torn or broken filters.

(ii) Replacing defective filter media, or otherwise repairing the control device.

(iii) Sealing off a defective control device by routing air to other control devices.

(iv) Shutting down the process producing the lead emissions.

(4) Conduct a visible emissions observation using EPA Method 9 (6 minutes) or EPA Method 22 (5 minutes) of appendix A to this part while the process is in operation to verify that no visible emissions are occurring at the discharge point to the atmosphere from any emissions source subject to the requirements of § 60.372a(a) or (b). The visible emissions observation must be conducted at least twice daily (at least 6 hours apart) if the results of the most recent performance test indicate that emissions are greater than 50 percent of the applicable lead emissions limit in § 60.372a(a)(1) through (6). The visible emissions observation must be conducted at least once per day if the results of the most recent performance test indicate that emissions are less than or equal to 50 percent of the applicable lead emissions limit in § 60.372a(a)(1) through (6). If visible emissions are detected, you must record the incident and submit this information in an excess emissions and continuous monitoring system performance report and summary report required under § 60.375a(c) and take immediate corrective action. You must also record the corrective actions taken. These corrective actions may include, but are not limited to, those provided in paragraphs (b)(3)(i) through (iv) of this section.

(5) If the lead acid battery manufacturing plant was constructed after February 23, 2022, and have emissions points controlled by a fabric filter, you must install and operate a bag leak detection system that meets the specifications and requirements in paragraphs (b)(5)(i) through (ix) of this section. For any other affected facility listed in § 60.370a(b) that was constructed, modified, or reconstructed after February 23, 2022, that operates a bag leak detection system, the bag leak detection system must meet the specifications and requirements in paragraphs (b)(5)(i) through (ix)

of this section. Emission points controlled by a fabric filter that is equipped with, and monitored with, a bag leak detection system meeting the specifications and requirements in paragraphs (b)(5)(i) through (ix) of this section may have the inspections required in paragraph (b)(1) of this section performed semiannually.

(i) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter as lead emissions at concentrations at or below the values in § 60.372a(a), as applicable to the process for which the fabric filter is used to control emissions. Where the fabric filter is used as a control device for more than one process, the lowest applicable value in § 60.372a(a) must be used.

(ii) The bag leak detection system sensor must provide output of relative particulate matter loadings.

(iii) The bag leak detection system must be equipped with an alarm system that will alarm when an increase in relative particulate loadings is detected over a preset level.

(iv) You must install and operate the bag leak detection system in a manner consistent with the guidance provided in “Office of Air Quality Planning and Standards (OAQPS) Fabric Filter Bag Leak Detection Guidance” (EPA-454/R-98-015) (incorporated by reference, see § 60.17) and the manufacturer's written specifications and recommendations for installation, operation, and adjustment of the system.

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

(vi) Following initial adjustment, you must not adjust the sensitivity or range, averaging period, alarm set points, or alarm delay time, except as detailed in the approved standard operating procedures manual required under paragraph (b)(2)(ix) of this section. You cannot increase the sensitivity by more than 100 percent or decrease the sensitivity by more than 50 percent over a 365-day period unless such adjustment follows a complete fabric filter inspection that demonstrates that the fabric filter is in good operating condition.

(vii) For negative pressure, induced air baghouses, and positive pressure baghouses that are discharged to the atmosphere through a stack, you must install the bag leak detector downstream of the fabric filter.

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

(ix) You must develop a standard operating procedures manual for the bag leak detection system that includes procedures for making system adjustments and a corrective action plan, which specifies the procedures to be followed in the case of a bag leak detection system alarm. The corrective action plan must include, at a minimum, the procedures that you will use to determine and record the time and cause of the alarm as well as the corrective actions taken to minimize emissions as specified in paragraphs (b)(5)(ix)(A) and (B) of this section.

(A) The procedures used to determine the cause of the alarm must be initiated within 30 minutes of the alarm.

(B) The cause of the alarm must be alleviated by taking the necessary corrective action(s) that may include, but not be limited to, those listed in paragraphs (b)(5)(ix)(B)(*1*) through (*6*) of this section.

(*1*) Inspecting the baghouse for air leaks, torn or broken filter elements, or any other malfunction that may cause an increase in emissions.

(*2*) Sealing off defective bags or filter media.

(*3*) Replacing defective bags or filter media, or otherwise repairing the control device.

(*4*) Sealing off defective baghouse compartment.

(*5*) Cleaning the bag leak detection system probe, or otherwise repairing the bag leak detection system.

(*6*) Shutting down the process producing the lead emissions.

(6) Emissions points controlled by a fabric filter equipped with a secondary filter, such as a HEPA filter, are exempt from the requirement in paragraph (b)(5) of this section to be equipped with a bag leak detection system. You must meet the requirements specified in paragraph (b)(6)(i) of this section and either paragraph (b)(6)(ii) or (iii) of this section.

(i) If it is not possible for you to take the corrective actions specified in paragraph (b)(3)(iii) or (iv) of this section for a process or fabric filter control device, you must keep at least one replacement primary fabric filter and one replacement secondary filter onsite at all times for that process or fabric filter control device. The characteristics of the replacement filters must be the same as the current fabric filters in use or have characteristics that would achieve equal or greater emission reductions.

(ii) You must perform the pressure drop monitoring requirements in paragraph (b)(3) of this section. You may perform these requirements once per week rather than once or twice daily.

(iii) You must perform the visible emissions observation requirements in paragraph (b)(4) of this section. You may perform these requirements once per week rather than once or twice daily.

§ 60.374a Test methods and procedures.

(a) In conducting the performance tests required in § 60.8, the owner or operator must use as reference methods and procedures the test methods in appendix A to this part or other methods and procedures as specified in this section, except as provided in § 60.8(b).

(b) After the initial performance test required in § 60.8(a), you must conduct subsequent performance tests to demonstrate compliance with the lead and opacity standards in § 60.372a. Performance testing must be conducted for each affected source subject to lead and opacity standards in § 60.372a, that has not had a performance test within the last 5 years, except as described in paragraph (c) of this section. Thereafter, subsequent performance tests for each affected source must be completed no less frequently than every 5 years from the date the emissions source was last tested.

(c) In lieu of conducting subsequent performance tests for each affected source, you may elect to group similar affected sources together and conduct subsequent performance tests on one representative affected source within each group of similar affected sources. The determination of whether affected sources are similar must meet the criteria in paragraph (c)(1) of this section. If you decide to test representative affected sources, you must prepare and submit a testing plan as described in paragraph (c)(3) of this section.

(1) If you elect to test representative affected sources, the affected sources that are grouped together must be of the same process type (*e.g.,* grid casting, paste mixing, three-process operations) and also have the same type of air pollution control device (*e.g.,* fabric filters). You cannot group affected sources from different process types or with different air pollution control device types together for the purposes of this section.

(2) The results of the performance test conducted for the affected source selected as representative of a group of similar affected sources will represent the results for each affected source within the group. In the performance test report, all affected sources in the group will need to be listed.

(3) If you plan to conduct subsequent performance tests on representative emission units, you must submit a test plan. This test plan must be submitted to the Administrator or delegated authority for review and approval no later than 90 days prior to the first scheduled performance test. The test plan must contain the information specified in paragraphs (c)(3)(i) through (iii) of this section.

(i) A list of all emission units. This list must clearly identify all emission units that have been grouped together as similar emission units. Within each group of emission units, you must identify the emission unit that will be the representative unit for that group and subject to performance testing.

(ii) A list of the process type and type of air pollution control device on each emission unit.

(iii) The date of last test for each emission unit and a schedule indicating when you will conduct performance tests for each emission unit within the representative groups.

(4) If you conduct subsequent performance tests on representative emission units, the unit with the oldest test must be tested first, and each subsequent performance test must be performed for a different unit until all units in the group have been tested. The order of testing for each subsequent test must proceed such that the unit in the group with the least recent performance test is the next unit to be tested.

(5) You may not conduct performance tests during periods of malfunction. You must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. You must make available to the Administrator in the test report, records as may be necessary to determine the conditions of performance tests.

(d) The owner or operator must determine compliance with the lead and opacity standards in § 60.372a, as follows:

(1) EPA Method 12 or EPA Method 29 of appendix A to this part must be used to determine the lead concentration (CPb) and the volumetric flow rate (Qsda) of the effluent gas. The sampling time and sample volume for each run must be at least 60 minutes and 0.85 dscm (30 dscf).

(2) EPA Method 9 of appendix A to this part and the procedures in § 60.11 must be used to determine opacity during the performance test. For EPA Method 9, the opacity numbers must be rounded off to the nearest whole percentage. ASTM D7520-16 (incorporated by reference, see § 60.17) is an acceptable alternative to EPA Method 9 with the specified conditions in paragraphs (d)(2)(i) through (v) of this section.

(i) During the digital camera opacity technique (DCOT) certification procedure outlined in Section 9.2 of ASTM D7520-16, you or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees, and mixed backgrounds (clouds and/or a sparse tree stand).

(ii) You must also have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520-16.

(iii) You must follow the record keeping procedures outlined in § 63.10(b)(1) for the DCOT certification, compliance report, data sheets, and all raw unaltered JPEGs used for opacity and certification determination.

(iv) You or the DCOT vendor must have a minimum of four (4) independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15 percent opacity of any one reading and the average error must not exceed 7.5 percent opacity.

(v) This approval does not provide or imply a certification or validation of any vendor's hardware or software. The onus to maintain and verify the certification and/or training of the DCOT camera, software and operator in accordance with ASTM D7520-16 and this letter is on the facility, DCOT operator, and DCOT vendor.

(3) When different operations in a three-process operation facility are ducted to separate control devices, the lead emission concentration (C) from the facility must be determined using equation 1 to this paragraph (d)(3) as follows:

$$\text{Equation 1 to paragraph (d)(3):} \quad C = \frac{\sum_{a=1}^{n} (C_a Q_{sda})}{\sum_{a=1}^{n} Q_{sda}}$$

Where:

C = concentration of lead emissions for the entire facility, mg/dscm (gr/dscf).

C_a = concentration of lead emissions from facility “a,” mg/dscm (gr/dscf).

Q_{sda} = volumetric flow rate of effluent gas from facility “a,” dscm/hr (dscf/hr).

n = total number of control devices to which separate operations in the facility are ducted.

(4) The owner or operator of lead oxide manufacturing facility must determine compliance with the lead standard in § 60.372a(a)(5) as follows:

(i) The emission rate (E) from lead oxide manufacturing facility must be computed for each run using equation 2 to this paragraph (d)(4)(i) as follows:

$$\text{Equation 2 to paragraph (d)(4)(i):} \quad E = \frac{\sum_{i=1}^{M} C_{Pbi} Q_{sdi}}{PK}$$

Where:

E = emission rate of lead, mg/kg (lb/ton) of lead charged.

C_{Pbi} = concentration of lead from emission point "i," mg/dscm (gr/dscf).

Q_{sdi} = volumetric flow rate of effluent gas from emission point "i," dscm/hr (dscf/hr).

M = number of emission points in the affected facility.

P = lead feed rate to the facility, kg/hr (ton/hr).

K = conversion factor, 1.0 mg/mg (7000 gr/lb).

(ii) The average lead feed rate (P) must be determined for each run using equation 3 to this paragraph (d)(4)(ii) as follows:

$$\text{Equation 3 to paragraph (d)(4)(ii):} \quad P = N * \frac{W}{\Theta}$$

Where:

N = number of lead ingots charged.

W = average mass of the lead ingots, kg (ton).

Θ = duration of run, hr.

§ 60.375a Recordkeeping and reporting requirements.

(a) The owner or operator must keep the records specified in paragraphs (a)(1) through (7) of this section and maintain them in a format readily available for review onsite for a period of 5 years.

(1) Records of pressure drop values and liquid flow rate from the monitoring required in § 60.373a(a) for scrubbing systems.

(2) Records of fabric filter inspections and maintenance activities required in § 60.373a(b)(1).

(3) Records required under § 60.373a(b)(3) or (b)(6)(ii) of fabric filter pressure drop, pressure drop observed outside of normal operating ranges as specified by the manufacturer, and corrective actions taken.

(4) Records of the required opacity measurements in § 60.373a(b)(4) or (b)(6)(iii).

(5) If a bag leak detection system is used under § 60.373a(b)(5), for a period of 5 years, keep the records specified in paragraphs (a)(5)(i) through (iii) of this section.

(i) Electronic records of the bag leak detection system output.

(ii) An identification of the date and time of all bag leak detection system alarms, the time that procedures to determine the cause of the alarm were initiated, the cause of the alarm, an explanation of the corrective actions taken, and the date and time the cause of the alarm was corrected.

(iii) All records of inspections and maintenance activities required under § 60.373a(b)(5).

(6) Records of all cleaning required as part of the practices described in the fugitive dust mitigation plan required under § 60.372a(c) for the control of fugitive dust emissions.

(7) You must keep the records of failures to meet an applicable standard in this part as specified in paragraphs (a)(7)(i) through (iii) of this section.

(i) In the event that an affected unit fails to meet an applicable standard in this part, record the number of failures. For each failure record the date, time, the cause and duration of each failure.

(ii) For each failure to meet an applicable standard in this part, record and retain a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit and a description of the method used to estimate the emissions.

(iii) Record actions taken to minimize emissions and any corrective actions taken to return the affected unit to its normal or usual manner of operation.

(b) Beginning on April 24, 2023, within 60 days after the date of completing each performance test or demonstration of compliance required by this subpart, you must submit the results of the performance test following the procedures specified in paragraphs (b)(1) through (3) 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), which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). 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.

(3) ***Data collected containing confidential business information (CBI).***

(i) 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 submitted under paragraph (b)(1) or (2) of this section, you must submit a complete file, including information claimed to be CBI, to the EPA.

(ii) The file must be generated using the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website.

(iii) 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.

(iv) The preferred method for CBI submittal is for it to be transmitted electronically using email attachments, File Transfer Protocol (FTP), 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 this paragraph (b)(3), should include clear CBI markings and be flagged to the attention of the Group Leader, Measurement Policy Group. 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.

(v) 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), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, Attention: Lead Acid Battery Sector Lead and Group Leader, Measurement Policy Group. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer wrapping.

(vi) 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.

(vii) 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 in paragraphs (a)(1) and (2) of this section.

(c) You must submit a report of excess emissions and monitoring systems performance report and summary report according to § 60.7(c) and (d) to the Administrator semiannually. Report the number of failures to meet an applicable standard in this part. For each instance, report the date, time, cause, and duration of each failure. For each failure, the report must include a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit, and a description of the method used to estimate the emissions. You must use the appropriate spreadsheet template on the CEDRI website (*https://www.epa.gov/electronic-reporting-air-emissions/cedri*) for this subpart. The date report templates become available will be listed on the CEDRI website. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. Submit all reports to the EPA via CEDRI, which can be accessed through the EPA's CDX (*https://cdx.epa.gov/*). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. As stated in paragraph (b)(3) of this section, do not use CEDRI to submit information you claim as CBI. Anything submitted using CEDRI cannot later be claimed CBI. If you claim CBI, submit the report following description in paragraph (b)(3) of this section. The same file with the CBI omitted must be submitted to CEDRI as described in this section.

(d) 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 (d)(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.

(e) 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 (e)(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.

(f) 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.

Appendix C:

40 C.F.R. Part 63, Subpart PPPPPP

Title 40 —Protection of Environment
Chapter I —Environmental Protection Agency
Subchapter C —Air Programs
Part 63 —National Emission Standards for Hazardous Air Pollutants for Source Categories

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

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

Subpart PPPPPP—National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources

Source: 72 FR 38913, July 16, 2007, unless otherwise noted.

APPLICABILITY AND COMPLIANCE DATES

§ 63.11421 Am I subject to this subpart?

(a) You are subject to this subpart if you own or operate a lead acid battery manufacturing plant or a lead acid battery component manufacturing plant that is an area source of hazardous air pollutants (HAP) emissions.

(b) This subpart applies to each new or existing affected source. The affected source is each plant that is either a lead acid battery manufacturing plant or a lead acid battery component manufacturing plant. For each lead acid battery manufacturing plant, the affected source includes all grid casting facilities, paste mixing facilities, three-process operation facilities, lead oxide manufacturing facilities, lead reclamation facilities, and any other lead-emitting operation that is associated with the lead acid battery manufacturing plant. For each lead acid battery component manufacturing plant, the affected source includes all grid casting facilities, paste mixing facilities, three-process operation facilities, and lead oxide manufacturing facilities.

(1) A lead acid battery manufacturing plant affected source is existing if you commenced construction or reconstruction of the affected source on or before April 4, 2007.

(2) A lead acid battery manufacturing plant affected source is new if you commenced construction or reconstruction of the affected source after April 4, 2007.

(3) A lead acid battery component manufacturing plant affected source is existing if you commenced construction or reconstruction of the affected source on or before February 23, 2022.

(4) A lead acid battery component manufacturing plant affected source is new if you commenced construction or reconstruction of the affected source after February 23, 2022.

(c) This subpart does not apply to research and development facilities, as defined in section 112(c)(7) of the Clean Air Act (CAA).

(d) You are exempt from the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not otherwise required by law to obtain a permit under 40 CFR 70.3(a) or 71.3(a). Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart.

(e) For lead acid battery component manufacturing plants, you are exempt from the requirements of §§ 63.11422 through 63.11427 if the conditions of paragraphs (e)(1) through (3) of this section are met.

(1) The grid casting facility, paste mixing facility, three-process operation facility, or lead oxide manufacturing facility is subject to another subpart under this part.

(2) You control lead emissions from the grid casting facility, paste mixing facility, three-process operation facility, or lead oxide manufacturing facility in compliance with the standards specified in the applicable subpart.

(3) The other applicable subpart under this part does not exempt the grid casting facility, paste mixing facility, three-process operation facility, or lead oxide manufacturing facility from the emission limitations or work practice requirements of that subpart. This means you comply with all applicable emissions limitations and work practice standards under the other subpart (e.g., you install and operate the required air pollution controls or have implemented the required work practice to reduce lead emissions to levels specified by the applicable subpart).

[88 FR 11589, Feb. 23, 2022]

§ 63.11422 What are my compliance dates?

(a) If you own or operate a lead acid battery manufacturing plant existing affected source, you must achieve compliance with the applicable provisions in this subpart by no later than July 16, 2008, except as specified in paragraphs (e) through (h) of this section.

(b) If you start up a new lead acid battery manufacturing plant affected source on or before July 16, 2007, you must achieve compliance with the applicable provisions in this subpart not later than July 16, 2007, except as specified in paragraphs (e) through (h) of this section.

(c) If you start up a new lead acid battery manufacturing plant affected source after July 16, 2007, but on or before February 23, 2022, you must achieve compliance with the applicable provisions in this subpart upon startup of your affected source, except as specified in paragraphs (e) through (h) this section.

(d) If you start up a new lead acid battery manufacturing plant or lead acid battery component manufacturing plant affected source after February 23, 2022, you must achieve compliance with the applicable provisions in this subpart not later than February 23, 2023, or upon initial startup of your affected source, whichever is later.

(e) Until February 23, 2026, lead acid battery manufacturing plant affected sources that commenced construction or reconstruction on or before February 23, 2023, must meet all the standards for lead and opacity in 40 CFR 60.372 and the requirements of § 63.11423(a)(1).

(f) Lead acid battery manufacturing plant affected sources that commenced construction or reconstruction on or before February 23, 2023, must comply with the requirements in § 63.11423(a)(2) by February 23, 2026. All affected sources that commence construction or reconstruction after February 23, 2023, must comply with the requirements in § 63.11423(a)(2) by initial startup or February 23, 2023, whichever is later.

(g) Lead acid battery manufacturing plant affected sources that commenced construction or reconstruction on or before February 23, 2023, must comply with the requirements of § 63.11423(a)(3) by August 22, 2023. All affected sources that commence construction or reconstruction after February 23, 2023, must comply with the requirements of § 63.11423(a)(3) by initial startup or February 23, 2023, whichever is later.

(h) After February 23, 2023, lead acid battery manufacturing plant affected sources must comply with the startup, shutdown, and malfunction requirements specified in table 3 to this subpart except that you must comply with the recordkeeping requirements that table 3 refers to in § 63.11424(a)(5) by May 24, 2023.

(i) If you own or operate a lead acid battery component manufacturing plant existing affected source, you must achieve compliance with the applicable provisions in this subpart by no later than February 23, 2026.

[88 FR 11589, Feb. 23, 2023]

STANDARDS AND COMPLIANCE REQUIREMENTS

§ 63.11423 What are the standards and compliance requirements for new and existing sources?

(a) You must meet all the standards for lead and opacity as specified in paragraphs (a)(1) through (3) of this section.

(1) Until the compliance date specified in § 63.11422(e), lead acid battery manufacturing plant affected sources must comply with paragraph (a)(1)(i) or (ii) of this section.

(i) You meet all the standards for lead and opacity in 40 CFR 60.372 and the requirements of paragraphs (a)(4) and (5), (b), and (c)(1) through (3) of this section.

(ii) You comply with paragraph (a)(2) of this section.

(2) Beginning no later than the applicable compliance date specified in § 63.11422(f) or (i), you must meet each emission limit in table 1 to this subpart and each opacity standard in table 2 to this subpart that applies to you; you must meet the requirements of paragraphs (a)(4) and (5), (c), and (d) of this section; and you must also comply with the recordkeeping and electronic reporting requirements in § 63.11424(a)(6) and (7) and (b).

(3) Beginning no later than the applicable compliance date specified in § 63.11422(g) or (i), you must comply with the monitoring requirements in paragraph (e) of this section, the recordkeeping and electronic reporting requirements in § 63.11424(a)(1) through (5) and (c) through (f), and the definition of lead reclamation in § 63.11426.

(4) At all times, you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by the applicable standard in this part have been achieved. Determination of whether a source is operating in compliance with operation and maintenance requirements will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(5) When two or more facilities at the same plant (except the lead oxide manufacturing facility) are ducted to a common control device, an equivalent standard for the total exhaust from the commonly controlled facilities must be determined using equation 1 to this paragraph (a)(5) as follows:

$$\text{Equation 1 to paragraph (a)(5):} \quad S_e = \sum_{a=1}^{N} S_a \left(\frac{Q_{sd_a}}{Q_{sd_T}} \right)$$

Where:

S_e = is the equivalent standard for the total exhaust stream, mg/dscm (gr/dscf).

S_a = is the actual standard for each exhaust stream ducted to the control device, mg/dscm (gr/dscf).

N = is the total number of exhaust streams ducted to the control device.

Q_{sda} = is the dry standard volumetric flow rate of the effluent gas stream from each facility ducted to the control device, dscm/hr (dscf/hr).

Q_{sdT} = is the total dry standard volumetric flow rate of all effluent gas streams ducted to the control device, dscm/hr (dscf/hr).

(b) As specified in paragraph (a) of this section, you must meet the monitoring requirements in paragraphs (b)(1) and (2) of this section.

(1) For any emissions point controlled by a scrubbing system, you must meet the requirements in 40 CFR 60.373.

(2) For any emissions point controlled by a fabric filter, you must meet the requirements of paragraph (b)(2)(i) of this section and either paragraph (b)(2)(ii) or (iii) of this section. Fabric filters equipped with a high efficiency particulate air (HEPA) filter or other secondary filter are allowed to monitor less frequently, as specified in paragraph (b)(2)(iv) of this section.

(i) You must perform semiannual inspections and maintenance to ensure proper performance of each fabric filter. This includes inspection of structural and filter integrity. You must record the results of these inspections.

(ii) You must install, maintain, and operate a pressure drop monitoring device to measure the differential pressure drop across the fabric filter during all times when the process is operating. The pressure drop must be recorded at least once per day. If a pressure drop is observed outside of the normal operational ranges as specified by the manufacturer, you must record the incident and take immediate corrective actions. You must also record the corrective actions taken. You must submit a monitoring system performance report in accordance with § 63.10(e)(3).

(iii) You must conduct a visible emissions observation at least once per day while the process is in operation to verify that no visible emissions are occurring at the discharge point to the atmosphere from any emissions source subject to the requirements of paragraph (a) of this section. If visible emissions are detected, you must record the incident and conduct an opacity measurement in accordance with 40 CFR 60.374(b)(3). You must record the results of each opacity measurement. If the measurement exceeds the applicable opacity standard in 40 CFR 60.372(a)(7) or (8), you must submit this information in an excess emissions report required under § 63.10(e)(3).

(iv) Fabric filters equipped with a HEPA filter or other secondary filter are allowed to monitor less frequently, as specified in paragraph (b)(2)(iv)(A) or (B) of this section.

(A) If you are using a pressure drop monitoring device to measure the differential pressure drop across the fabric filter in accordance with paragraph (b)(2)(ii) of this section, you must record the pressure drop at least once per week. If a pressure drop is observed outside of the normal operational ranges as specified by the manufacturer, you must record the incident and take immediate corrective actions. You must also record the corrective actions taken. You must submit a monitoring system performance report in accordance with § 63.10(e)(3).

(B) If you are conducting visible emissions observations in accordance with paragraph (b)(2)(iii) of this section, you must conduct such observations at least once per week and record the results in accordance with paragraph (b)(2)(iii) of this section. If visible emissions are detected, you must record the incident and conduct an opacity measurement in accordance with 40 CFR 60.374(b)(3). You must record the results of each opacity measurement. If the measurement exceeds the applicable opacity standard in 40 CFR 60.372(a)(7) or (8), you must submit this information in an excess emissions report required under § 63.10(e)(3).

(c) As specified in paragraph (a) of this section, you must meet the performance testing requirements in paragraphs (c)(1) through (6) of this section.

(1) Existing sources are not required to conduct an initial performance test if a prior performance test was conducted using the same methods specified in this section and either no process changes have been made since the test, or you can demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance with this subpart despite process changes.

(2) Sources without a prior performance test, as described in paragraph (c)(1) of this section, must conduct an initial performance test using the methods specified in paragraphs (c)(2)(i) through (iv) of this section.

(i) EPA Method 12 or EPA Method 29 of appendix A to 40 CFR part 60 must be used to determine the lead concentration (CPb) and the volumetric flow rate (Qsda) of the effluent gas. The sampling time and the sample volume for each run must be at least 60 minutes and 0.85 dscm (30 dscf).

(ii) EPA Method 9 of appendix A to 40 CFR part 60 and the procedures in § 63.6(h) must be used to determine opacity. The opacity numbers must be rounded off to the nearest whole percentage. Or, as an alternative to Method 9, you may use ASTM D7520-16 (incorporated by reference, see § 63.14) with the caveats in paragraphs (c)(4)(ii)(A) through (E) of this section.

(A) During the digital camera opacity technique (DCOT) certification procedure outlined in Section 9.2 of ASTM D7520-16, you or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees, and mixed backgrounds (clouds and/or a sparse tree stand).

(B) You must also have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520-16.

(C) You must follow the recordkeeping procedures outlined in § 63.10(b)(1) for the DCOT certification, compliance report, data sheets, and all raw unaltered JPEGs used for opacity and certification determination.

(D) You or the DCOT vendor must have a minimum of four (4) independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15 percent opacity of any one reading and the average error must not exceed 7.5 percent opacity.

(E) This approval does not provide or imply a certification or validation of any vendor's hardware or software. The onus to maintain and verify the certification and/or training of the DCOT camera, software, and operator in accordance with ASTM D7520-16 and this letter is on the facility, DCOT operator, and DCOT vendor.

(iii) When different operations in a three-process operation facility are ducted to separate control devices, the lead emission concentration (C) from the facility must be determined using equation 2 to this paragraph (c)(2)(iii) as follows:

$$\text{Equation 2 to paragraph (c)(2)(iii):} \quad C = \frac{\sum_{a=1}^{n}(C_a Q_{sda})}{\sum_{a=1}^{n} Q_{sda}}$$

Where:

C = concentration of lead emissions for the entire facility, mg/dscm (gr/dscf).

Ca = concentration of lead emissions from facility "a," mg/dscm (gr/dscf).

Q_{sda} = volumetric flow rate of effluent gas from facility "a," dscm/hr (dscf/hr).

n = total number of control devices to which separate operations in the facility are ducted.

(iv) For a lead oxide manufacturing facility, the lead emission rate must be determined as specified in paragraphs (c)(2)(iv)(A) and (B) of this section.

(A) The emission rate (E) from lead oxide manufacturing facility must be computed for each run using equation 3 to this paragraph (c)(2)(iv)(A) as follows:

Equation 3 to paragraph (c)(2)(iv)(A): $$E = \frac{\sum_{i=1}^{M} C_{Pbi} Q_{sdi}}{PK}$$

Where:

E = emission rate of lead, mg/kg (lb/ton) of lead charged.

C_{Pbi} = concentration of lead from emission point "i," mg/dscm (gr/dscf).

Q_{sdi} = volumetric flow rate of effluent gas from emission point "i," dscm/hr (dscf/hr).

M = number of emission points in the affected facility.

P = lead feed rate to the facility, kg/hr (ton/hr).

K = conversion factor, 1.0 mg/mg (7000 gr/lb).

(B) The average lead feed rate (P) must be determined for each run using equation 4 to this paragraph (c)(2)(iv)(B) as follows:

Equation 4 to paragraph (c)(2)(iv)(B): $$P = N * \frac{W}{\Theta}$$

Where:

N = number of lead ingots charged.

W = average mass of the lead ingots, kg (ton).

Θ = duration of run, hr.

(3) In conducting the initial performance tests required in § 63.7, you must use as reference methods and procedures the test methods in appendix A to 40 CFR part 60 or other methods and procedures as specified in this section, except as provided in § 63.7(f).

(4) After the initial performance test described in paragraphs (c)(1) through (3) of this section, you must conduct subsequent performance tests every 5 years to demonstrate compliance with each applicable emissions limitations and opacity standards. Within three years of February 23, 2023, performance testing must be conducted for each affected source subject to an applicable emissions limitation in tables 1 and 2 to this subpart that has not had a performance test within the last 5 years, except as described in paragraph (c)(6) of this section. Thereafter, subsequent performance tests for each affected source must be completed no less frequently than every 5 years from the date the emissions source was last tested.

(5) In lieu of conducting subsequent performance tests for each affected source, you may elect to group similar affected sources together and conduct subsequent performance tests on one representative affected source within each group of similar affected sources. The determination of whether affected sources are similar must meet the criteria in paragraph (c)(5)(i) of this section. If you decide to test representative affected sources, you must prepare and submit a testing plan as described in paragraph (c)(5)(iii) of this section.

(i) If you elect to test representative affected sources, the affected sources that are grouped together must be of the same process type (e.g., grid casting, paste mixing, three-process operations) and also have the same type of air pollution control device (e.g., fabric filters). You cannot group affected sources from different process types or with different air pollution control device types together for the purposes of this section.

(ii) The results of the performance test conducted for the affected source selected as representative of a group of similar affected sources will represent the results for each affected source within the group. In the performance test report, all affected sources in the group will need to be listed.

(iii) If you plan to conduct subsequent performance tests on representative emission units, you must submit a test plan. This test plan must be submitted to the Administrator or delegated authority for review and approval no later than 90 days prior to the first scheduled performance test. The test plan must contain the information specified in paragraphs (c)(5)(iii)(A) through (C) of this section.

(A) A list of all emission units. This list must clearly identify all emission units that have been grouped together as similar emission units. Within each group of emission units, you must identify the emission unit that will be the representative unit for that group and subject to performance testing.

(B) A list of the process type and type of air pollution control device on each emission unit.

(C) A date of last test for each emission unit and a schedule indicating when you will conduct performance tests for each emission unit within the representative groups.

(iv) If you conduct subsequent performance tests on representative emission units, the unit with the oldest test must be tested first, and each subsequent performance test must be performed for a different unit until all units in the group have been tested. The order of testing for each subsequent test must proceed such that the unit in the group with the least recent performance test is the next unit to be tested.

(6) You may not conduct performance tests during periods of malfunction. You must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. You must make available to the Administrator in the test report, records as may be necessary to determine the conditions of performance tests.

(d) Beginning no later than the applicable compliance date specified in § 63.11422(f) or (i), you must prepare and, at all times, operate according to a fugitive dust mitigation plan that describes in detail the measures that will be put in place and implemented to control fugitive dust emissions in the lead oxide unloading and storage areas. You must prepare a fugitive dust mitigation plan according to the requirements in paragraphs (d)(1) and (2) of this section.

(1) You must submit the fugitive dust mitigation plan to the Administrator or delegated authority for review and approval when initially developed and any time changes are made.

(2) The fugitive dust mitigation plan must at a minimum include the requirements specified in paragraphs (d)(2)(i) through (iv) of this section.

(i) ***Cleaning lead oxide unloading and storage areas.*** Surfaces traversed during vehicular material transfer activity in lead oxide unloading and storage areas must be cleaned at least once per month, by wet wash or a vacuum equipped with a filter rated by the manufacturer to achieve 99.97 percent capture efficiency for 0.3 micron particles in a manner that does not generate fugitive lead dust, except when sand or a similar material has been spread on the area to provide traction on ice or snow.

(ii) ***Spills in lead oxide unloading and storage areas.*** For any leak or spill that occurs during the unloading and storage process, complete washing or vacuuming the area to remove all spilled or leaked lead bearing material within 2 hours of the leak or spill occurrence.

(iii) ***Materials storage.*** Dust forming materials (that contain lead or lead compounds) must be stored in sealed, leak-proof containers or in a total enclosure.

(iv) ***Records.*** The fugitive dust mitigation plan must specify that records be maintained of all cleaning performed under paragraph (d)(2)(i) and (ii) of this section.

(e) Beginning no later than the applicable compliance date specified in § 63.11422(g) or (i), you must meet the monitoring requirements in paragraphs (e)(1) through (5) of this section.

(1) For any emissions point controlled by a scrubbing system, you must install, calibrate, maintain, and operate a monitoring device(s) that measures and records the liquid flow rate and pressure drop across the scrubbing system(s) at least once every 15 minutes. The monitoring device must have an accuracy of ±5 percent over its operating range. The operating liquid flow rate must be maintained within ±10 percent of the average liquid flow rate during the most recent performance test. If a liquid flow rate or pressure drop is observed outside of the normal operational ranges as you must record the incident and take immediate corrective actions. You must also record the corrective actions taken. You must submit an excess emissions and continuous monitoring system performance report and summary report required under § 63.11424(c).

(2) Emissions points controlled by a fabric filter without a secondary filter must meet the requirements of paragraphs (e)(2)(i) and (ii) of this section and either paragraph (e)(2)(iii) or (iv) of this section.

(i) You must perform quarterly inspections and maintenance to ensure proper performance of each fabric filter. This includes inspection of structural and filter integrity.

(ii) If it is not possible for you to take the corrective actions specified in paragraph (e)(2)(iii)(C) or (D) of this section for a process or fabric filter control device, you must keep at least one replacement fabric filter onsite at all times for that process or fabric filter control device. The characteristics of the replacement filters must be the same as the current fabric filters in use or have characteristics that would achieve equal or greater emission reductions.

(iii) Install, maintain, and operate a pressure drop monitoring device to measure the differential pressure drop across the fabric filter during all times when the process is operating. The pressure drop must be recorded at least twice per day (at least 8 hours apart) if the results of the most recent performance test indicate that emissions are greater than 50 percent of the lead emissions limit in table 1 to this subpart. The pressure drop must be recorded at least once per day if the results of the most recent performance test indicate that emissions are less than or equal to 50 percent of the lead emissions limit in table 1. If a pressure drop is observed outside of the normal operational ranges, you must record the incident and take immediate corrective actions. You must submit an excess emissions and continuous monitoring system performance report and summary report required under § 63.11424(c). You must also record the corrective actions taken and verify pressure drop is within normal operational range. These corrective actions may include but are not limited to those provided in paragraphs (e)(2)(iii)(A) through (D) of this section.

(A) Inspecting the filter and filter housing for air leaks and torn or broken filters.

(B) Replacing defective filter media, or otherwise repairing the control device.

(C) Sealing off a defective control device by routing air to other control devices.

(D) Shutting down the process producing the lead emissions.

(iv) Conduct a visible emissions observation using EPA Method 9 or EPA Method 22 of appendix A to 40 CFR part 60 while the process is in operation to verify that no visible emissions are occurring at the discharge point to the atmosphere from any emissions source subject to the requirements of paragraph (a) of this section. The visible emissions observation must be conducted at least twice daily (at least 6 hours apart) if the results of the most recent performance test indicate that emissions are greater than 50 percent of the lead emissions limit in table 1 to this subpart. The visible emissions observation must be conducted at least once per day if the results of the most recent performance test indicate that emissions are less than or equal to 50 percent of the lead emissions limit in table 1. If visible emissions are detected, you must record the incident and submit this information in an excess emissions and continuous monitoring system performance report and summary report required under § 63.11424(c) and take immediate corrective action. You must also record the corrective actions taken. These corrective actions may include but are not limited to those provided in paragraphs (e)(2)(iii)(A) through (D) of this section.

(3) Emissions points controlled by a fabric filter equipped with a secondary filter, such as a HEPA filter, must meet the requirements of paragraphs (e)(3)(i) and (ii) of this section and either paragraph (e)(3)(iii) or (iv) of this section.

(i) You must perform the inspections required in paragraph (e)(2)(i) of this section quarterly.

(ii) If it is not possible for you to take the corrective actions specified in paragraph (e)(2)(iii)(C) or (D) of this section for a process or fabric filter control device, you must keep at least one replacement primary fabric filter and one replacement secondary filter onsite at all times for that process or fabric filter control device. The characteristics of the replacement filters must be the same as the current fabric filters in use or have characteristics that would achieve equal or greater emission reductions.

(iii) You must perform the pressure drop monitoring requirements in paragraph (e)(2)(iii) of this section. You may perform these requirements once weekly rather than once or twice daily.

(iv) You must perform the visible emissions observation requirements in paragraph (e)(2)(iv) of this section. You may perform these requirements weekly rather than once or twice daily.

(4) Beginning no later than the applicable compliance date specified in § 63.11422(g) or (i), if you operate a bag leak detection system, that system must meet the specifications and requirements in paragraphs (e)(4)(i) through (ix) of this section. Emission points controlled by a fabric filter equipped that are monitored with a bag leak detection system meeting the specifications and requirements in paragraphs (e)(4)(i) through (ix) of this section may have the inspections required in paragraph (e)(2)(i) of this section performed semiannually.

(i) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter as lead emissions at concentrations at or below the values in table 1 to this subpart, as applicable to the process for which the fabric filter is used to control emissions. Where the fabric filter is used as a control device for more than one process, the lowest applicable value in table 1 must be used.

(ii) The bag leak detection system sensor must provide output of relative particulate matter loadings.

(iii) The bag leak detection system must be equipped with an alarm system that will alarm when an increase in relative particulate loadings is detected over a preset level.

(iv) You must install and operate the bag leak detection system in a manner consistent with the guidance provided in “Office of Air Quality Planning and Standards (OAQPS) Fabric Filter Bag Leak Detection Guidance” (EPA-454/R-98-015) (incorporated by reference, see § 63.14) and the manufacturer's written specifications and recommendations for installation, operation, and adjustment of the system.

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

(vi) Following initial adjustment, you must not adjust the sensitivity or range, averaging period, alarm set points, or alarm delay time, except as detailed in the approved standard operating procedures manual required under paragraph (e)(4)(ix) of this section. You cannot increase the sensitivity by more than 100 percent or decrease the sensitivity by more than 50 percent over a 365-day period unless such adjustment follows a complete fabric filter inspection that demonstrates that the fabric filter is in good operating condition.

(vii) For negative pressure, induced air baghouses, and positive pressure baghouses that are discharged to the atmosphere through a stack, you must install the bag leak detector downstream of the fabric filter.

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

(ix) You must develop a standard operating procedures manual for the bag leak detection system that includes procedures for making system adjustments and a corrective action plan, which specifies the procedures to be followed in the case of a bag leak detection system alarm. The corrective action plan must include, at a minimum, the procedures that you will use to determine and record the time and cause of the alarm as well as the corrective actions taken to minimize emissions as specified in paragraphs (e)(4)(ix)(A) and (B) of this section.

(A) The procedures used to determine the cause of the alarm must be initiated within 30 minutes of the alarm.

(B) The cause of the alarm must be alleviated by taking the necessary corrective action(s) that may include, but not be limited to, those listed in paragraphs (e)(4)(ix)(B)(*1*) through (*6*) of this section.

(*1*) Inspecting the baghouse for air leaks, torn or broken filter elements, or any other malfunction that may cause an increase in emissions.

(*2*) Sealing off defective bags or filter media.

(*3*) Replacing defective bags or filter media, or otherwise repairing the control device.

(*4*) Sealing off defective baghouse compartment.

(*5*) Cleaning the bag leak detection system probe, or otherwise repairing the bag leak detection system.

(*6*) Shutting down the process producing the lead emissions.

(5) For continuous monitoring subject to the requirements of § 63.8(d)(2) to develop and implement a continuous monitoring system quality control program, you must keep these written procedures on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator. If the performance evaluation plan is revised, you must keep previous (*i.e.,* superseded) versions of the performance evaluation plan on record to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan. The program of corrective action should be included in the plan required under § 63.8(d)(2).

[88 FR 11590, Feb. 23, 2023]

§ 63.11424 What are the recordkeeping and reporting requirements for this subpart?

(a) You must keep the records specified in this section according to the applicable compliance date in § 63.11422(f) and (g) or (i) and maintain them in a format readily available for review onsite for a period of 5 years.

(1) Records of pressure drop values and the liquid flow rate from the monitoring required in § 63.11423(e)(1) for scrubbing systems.

(2) Records of fabric filter inspections and maintenance activities required in § 63.11423(e)(2)(i) or (e)(3)(i).

(3) Records required under § 63.11423(e)(2)(iii) or (e)(3)(iii) of fabric filter pressure drop, pressure drop observed outside of normal operating ranges as specified by the manufacturer, and corrective actions taken.

(4) Records of the required visible emissions observations in § 63.11423(e)(2)(iv) or (e)(3)(iv).

(5) You must keep the records of failures to meet an applicable standard in this part as specified in paragraphs (a)(5)(i) through (iii) of this section.

(i) In the event that an affected unit fails to meet an applicable standard in this part, record the number of failures. For each failure record the date, time, cause, and duration of each failure.

(ii) For each failure to meet an applicable standard in this part, record and retain a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit and a description of the method used to estimate the emissions.

(iii) Record actions taken to minimize emissions and any corrective actions taken to return the affected unit to its normal or usual manner of operation.

(6) If a bag leak detection system is used under § 63.11423(e)(4), for a period of 5 years keep the records, specified in paragraphs (a)(6)(i) through (iii) of this section.

(i) Electronic records of the bag leak detection system output.

(ii) An identification of the date and time of all bag leak detection system alarms, the time that procedures to determine the cause of the alarm were initiated, the cause of the alarm, an explanation of the corrective actions taken, and the date and time the cause of the alarm was corrected.

(iii) All records of inspections and maintenance activities required under § 63.11423(e)(4).

(7) Records of all cleaning required as part of the practices described in the fugitive dust mitigation plan required under § 63.11423(d)(2)(iii) for the control of fugitive dust emissions.

(b) Beginning on April 24, 2023, within 60 days after the date of completing each performance test or demonstration of compliance required by this subpart, you must submit the results of the performance test following the procedures specified in § 63.9(k) and paragraphs (b)(1) through (3) 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), which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). 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. If a performance test consists only of opacity measurements, reporting using the ERT and CEDRI is not required.

(3) ***Data collected containing confidential business information (CBI).*** All CBI claims must be asserted at the time of submission. Do not use CEDRI to submit information you claim as CBI. Anything submitted using CEDRI cannot later be claimed 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 submitted under paragraph (b)(1) or (2) of this section, you must submit a complete file, including information

claimed to be CBI, to the EPA. The file must be generated using the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. The preferred method to submit CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol (FTP), or other online file sharing services (e.g., Dropbox, OneDrive, Google Drive). Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqpscbi@epa.gov*, and as described in this paragraph (b)(3), should include clear CBI markings and note the docket ID. 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. If sending CBI information through the postal service, submit the file on a compact disc, flash drive, or other commonly used electronic storage medium and clearly mark the medium as CBI. Mail the electronic medium to U.S. EPA/OAQPS/CORE CBI Office, Attention: Lead Acid Battery Manufacturing Sector Lead, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described in paragraphs (b)(1) and (2) of this section. 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.

(c) Beginning on February 23, 2024, or once the report template for this subpart has been available on the CEDRI website for one year, whichever date is later, you must submit a report of excess emissions and monitoring systems performance report and summary report according to §§ 63.9(k) and 63.10(e)(3) to the Administrator semiannually. Report the number of failures to meet an applicable standard in this part. For each instance, report the date, time, cause, and duration of each failure. For each failure, the report must include a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit, and a description of the method used to estimate the emissions. You must use the appropriate electronic report template on the CEDRI website (*https://www.epa.gov/electronic-reporting-air-emissions/cedri*) or an alternate electronic file consistent with the XML schema listed on the CEDRI website for this subpart. The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. Submit all reports to the EPA via CEDRI, which can be accessed through the EPA's 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. Anything submitted using CEDRI cannot later be claimed CBI. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim, follow the requirements specified in paragraph (b)(3) of this section. The same file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described earlier in this paragraph (c).

(d) 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.

[88 FR 11594, Feb. 23, 2023]

Other Requirements and Information

§ 63.11425 What General Provisions apply to this subpart?

(a) The provisions in subpart A of this part, that are applicable to this subpart are specified in table 3 to this subpart.

(b) For existing sources, the initial notification required by § 63.9(b) must be submitted not later than November 13, 2007, or no later than 120 days after the source becomes subject to this subpart, whichever is later.

(c) For existing sources, the initial notification of compliance required by § 63.9(h) must be submitted not later than March 13, 2009, or no later than 120 days after the source becomes subject to this subpart, whichever is later.

[72 FR 38913, July 16, 2007, as amended at 73 FR 15929, Mar. 26, 2008; 85 FR 73920, Nov. 19, 2020; 88 FR 11595, Feb. 23, 2023]

§ 63.11426 What definitions apply to this subpart?

The terms used in this subpart are defined in the CAA, in § 63.2 for terms used in the applicable provisions of subpart A of this part, and in this section as follows:

Bag leak detection system means a system that is capable of continuously monitoring particulate matter (dust) loadings in the exhaust of a fabric filter (baghouse) in order to detect bag leaks and other upset conditions. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, light transmittance, or other effect to continuously monitor relative particulate matter loadings.

Grid casting facility means a facility which includes all lead melting pots, pots that remelt scrap from onsite lead acid battery manufacturing processes, and machines used for casting the grid used in lead acid batteries.

Lead acid battery component manufacturing plant means any plant that does not produce a final lead acid battery product but at which one or more of the following processes is conducted to develop a product for use in lead acid batteries: grid casting, paste mixing, three-process operations, and lead oxide manufacturing.

Lead acid battery manufacturing plant means any plant that produces a storage battery using lead and lead compounds for the plates and sulfuric acid for the electrolyte.

Lead oxide manufacturing facility means a facility that produces lead oxide from lead for use in lead acid batteries, including lead oxide production and product recovery operations. Local exhaust ventilation or building ventilation exhausts serving lead oxide production areas are not part of the lead oxide manufacturing facility.

Lead reclamation facility means a facility that casts remelted lead scrap generated by onsite lead acid battery manufacturing processes into lead ingots for use in the battery manufacturing process, and which is not a furnace affected under subpart X of this part. Lead scrap remelting processes that are used directly (not cast into an ingot first) in a grid casting facility or a three-process operations facility are parts of those facilities and are not part of a lead reclamation facility.

Other lead-emitting operation means any operation at a plant involved in the manufacture of lead acid batteries from which lead emissions are collected and ducted to the atmosphere and which is not part of a grid casting, lead oxide manufacturing, lead reclamation, paste mixing, or three-process operation facility, or a furnace affected under subpart X of this part. These operations also include local exhaust ventilation or building ventilation exhausts serving lead oxide production areas.

Paste mixing facility means a facility including lead oxide storage, conveying, weighing, metering, and charging operations; paste blending, handling, and cooling operations; and plate pasting, takeoff, cooling, and drying operations.

Three-process operation facility means a facility including those processes involved with plate stacking, burning or strap casting, and assembly of elements into the battery case.

Total enclosure means a containment building that is completely enclosed with a floor, walls, and a roof to prevent exposure to the elements and that has limited openings to allow access and egress for people and vehicles.

[88 FR 11596, Feb. 23, 2023]

§ 63.11427 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by the U.S. EPA or a delegated authority such as a State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or tribal agency pursuant to 40 CFR part 63, subpart E, then that Agency has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out if this subpart is delegated to a State, local, or tribal agency within your State.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under subpart E of this part, the approval authorities contained in paragraphs (b)(1) through (5) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(1) Approval of an alternative non-opacity emissions standard under § 63.6(g).

(2) Approval of a major change to test methods under § 63.7(e)(2)(ii) and (f). A "major change to test method" is defined in § 63.90.

(3) Approval of a major change to monitoring under § 63.8(f). A "major change to monitoring" is defined in § 63.90.

(4) Approval of a major change to recordkeeping/reporting under § 63.10(f). A "major change to recordkeeping/reporting" is defined in § 63.90.

(5) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

[72 FR 38913, July 16, 2007, as amended at 73 FR 15929, Mar. 26, 2008; 88 FR 11596, Feb. 23, 2023]

Table 1 to Subpart PPPPPP of Part 63—Applicability of General Provisions to Subpart PPPPPP

As stated in § 63.11423(a)(2), you must comply with the emission limits in the following table:

For . . .	You must . . .
1. Each new or existing grid casting facility	Emit no more than 0.08 milligram of lead per dry standard cubic meter of exhaust (0.000035 gr/dscf).
2. Each new or existing paste mixing facility	Emit no more than 0.1 milligram of lead per dry standard cubic meter of exhaust (0.0000437 gr/dscf); or emit no more than 0.9 gram of lead per hour (0.002 lbs/hr) total from all paste mixing operations.
3. Each new or existing three-process operation facility	Emit no more than 1.0 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf).
4. Each new or existing lead oxide manufacturing facility	Emit no more than 5.0 milligram of lead per kilogram of lead feed (0.010 lb/ton).
5. Each new or existing lead reclamation facility	Emit no more than 0.45 milligram of lead per dry standard cubic meter of exhaust (0.000197 gr/dscf).
6. Each new or existing other lead-emitting operation	Emit no more than 1.0 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf).

[88 FR 11596, Feb. 23, 2023]

Table 2 to Subpart PPPPPP of Part 63—Opacity Standards

As stated in § 63.11423(a)(2), you must comply with the opacity standards in the following table:

For . . .	Any gases emitted must not exceed . . .
1. Each new or existing facility other than a lead reclamation facility	0 percent opacity (measured according to EPA Method 9 of appendix A to 40 CFR part 60 and rounded to the nearest whole percentage or measured according to EPA Method 22 of appendix A to 40 CFR part 60).
2. Each new or existing lead reclamation facility	5 percent opacity (measured according to EPA Method 9 and rounded to the nearest whole percentage).

[88 FR 11596, Feb. 23, 2023]

Table 3 to Subpart PPPPPP of Part 63—Applicability of General Provisions to This Subpart

As required in § 63.11425, you must comply with the requirements of the NESHAP General Provisions (subpart A of this part) as shown in the following table.

Citation	Subject	Applies to this subpart?	Explanation
63.1	Applicability	Yes	
63.2	Definitions	Yes	
63.3	Units and Abbreviations		
63.4	Prohibited Activities and Circumvention	Yes	
63.5	Preconstruction Review and Notification Requirements	No	
63.6(a) through (d)	Compliance with Standards and Maintenance Requirements	Yes	
63.6(e)(1)(i)	General Duty to Minimize Emissions	No	Section 63.11423(a)(3) specifies general duty requirements.
63.6(e)(1)(ii)	Requirement to correct malfunctions as soon as possible	No	
63.6(e)(1)(iii)	Enforceability of requirements independent of other regulations	Yes	
63.6(e)(3)	SSM Plans	No	This subpart does not require a startup, shutdown, and malfunction plan.
63.6(f)(1)	Compliance Except During SSM	No	
63.6(f)(2) and (3)	Methods for determining compliance	Yes	
63.6(g)	Use of an alternative nonopacity emission standard	Yes	
63.6(h)(1)	SSM Exemption	No	
63.6(h)(2) through (9), (i) through (j)	Compliance with opacity/visible	Yes	

Citation	Subject	Applies to this subpart?	Explanation
	emission standards, compliance extensions and exemptions		
63.7(a) through (d), (e)(2) and (3), (f) through (h)	Performance Testing Requirements	Yes	
63.7(e)(1)	Conditions for conducting performance tests	No	Requirements for performance test conditions are found in § 63.11423(c)(7).
63.8(a), (b), (c)(1)(ii), (d)(1) and (2), (e) through (g)	Monitoring Requirements	Yes	
63.8(c)(1)(i)	General duty to minimize emissions and CMS operation	No	Section 63.11423(a)(3) specifies general duty requirements.
63.8(c)(1)(iii)	Requirement to develop SSM Plan for CMS	No	
63.8(d)(3)	Written procedures for CMS	No	
63.9	Notification Requirements	Yes	
63.10(a), (b)(1), (b)(2)(iii), (b)(2)(vi) through (ix), (b)(3), (c)(1) through (14), (d)(1) through (4), (e), (f)	Recordkeeping and Reporting Requirements	Yes	
63.10(b)(2)(i)	Recordkeeping of occurrence and duration of startups and shutdowns	No	
63.10(b)(2)(ii)	Recordkeeping of failures to meet a standard	No	Section 63.11424(a)(5) specifies these requirements.
63.10(b)(2)(iv) and (v)	Actions taken to minimize emissions during SSM	No	
63.10(c)(15)	Use of SSM Plan	No	
63.10(d)(5)		No	This subpart does not require a startup, shutdown, and malfunction plan. See § 63.11424(c) for excess emissions reporting requirements.
63.11	Control Device Requirements	No	This subpart does not require flares.

Citation	Subject	Applies to this subpart?	Explanation
63.12	State Authorities and Delegations	Yes	
63.13	Addresses	Yes	
63.14	Incorporations by Reference	Yes	
63.15	Availability of Information and Confidentiality	Yes	
63.16	Performance Track Provisions	Yes	
63.1(a)(5), (a)(7) through (9), (b)(2), (c)(3), (d), 63.6(b)(6), (c)(3) and (4), (d), (e)(2), (e)(3)(ii), (h)(3), (h)(5)(iv), 63.8(a)(3), 63.9(b)(3), (h)(4), 63.10(c)(2) through (4), (c)(9)	Reserved	No	

[88 FR 11596, Feb. 23, 2023]