



## **DIVISION OF ENVIRONMENTAL QUALITY**

# **DRAFT MINOR SOURCE AIR PERMIT**

**PERMIT NUMBER: 1590-AR-25**

**IS ISSUED TO:**

Hexion Inc. - Hope Plant  
185 North Industrial Drive  
Hope, AR 71801  
Hempstead County  
**AFIN: 29-00125**

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:**

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Demetria Kimbrough  
Deputy Director, Office of Air Quality

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Date

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List of Acronyms and Abbreviations

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

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## Section I: FACILITY INFORMATION

PERMITTEE: Hexion Inc. - Hope Plant

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PERMIT NUMBER: 1590-AR-25

FACILITY ADDRESS: 185 North Industrial Drive  
Hope, AR 71801

MAILING ADDRESS: 185 North Industrial Drive  
Hope, AR 71801

COUNTY: Hempstead County

CONTACT NAME: Ronald English

CONTACT POSITION: Site Leader

TELEPHONE NUMBER: (870) 722-7301

REVIEWING ENGINEER: Alexander Sudibjo

UTM North South (Y): Zone 15: 3732486 m

UTM East West (X): Zone 15: 441417.4 m

## Section II: INTRODUCTION

### Summary of Permit Activity

Hexion, Inc. owns and operates a resin manufacturing plant in Hope, Arkansas. With this deminimis modification, the facility is adding a new diesel-fired emergency generator (SN-13). This generator is subject to NSPS III and NESHAP ZZZZ. The facility's permitted annual emissions are increasing by 0.1 tpy PM/PM<sub>10</sub>, 0.1 tpy SO<sub>2</sub>, 0.2 tpy VOC, 0.2 tpy CO, 0.2 tpy NO<sub>x</sub>, and 0.01 tpy total HAPs.

### Process Description

#### *Raw Material Receiving and Storage:*

Upon arrival at the facility via tank truck, solutions of sodium hydroxide and a solution of potassium hydroxide are transferred into individual storage tanks to be stored until needed for processing.

Rail hopper cars and trucks are used to haul urea granules to the facility. The granules are unloaded from the cars and sent to a silo (SN-04) via a below-grade hopper, inclined screw conveyor, and a bucket elevator.

Phenol/liquid phenol extender (LPE) is transported to the facility via railcar and stored in individual storage tanks (T-71 and T-72). The fume collection header and fume scrubber system (SN-01) are used to vent the emissions from the railcar and the storage tanks.

Sodium lignosulfonate (NBS) is an alternate material that can be substituted or used in conjunction with phenol. NBS is stored in totes.

The tanks, both formaldehyde and phenol/LPE storage, are designed to operate in a pressure range of atmospheric to slight vacuum pressure (less 2 inches of water). The tanks are also insulated. Steam coils maintain the formaldehyde tanks temperature.

Formaldehyde is manufactured on site. Formaldehyde can also be received by the facility. Formaldehyde storage tank emissions (T-73, T-74, T-75, T-76, T-83, and T-84) are directed to the inlet of the formaldehyde process. Loading emissions are controlled by either vapor balance or the fume scrubber (SN-01).

#### *Formaldehyde Manufacture:*

Upon arrival at the facility, methanol is received in rail tank cars or tank trucks and stored in a tank.

Aqueous formaldehyde solutions are manufactured through the air oxidation of methanol on a molybdenum-iron oxide fixed bed catalyst.

Reaction gas enters the absorber column where a scrubbing liquid consisting of formaldehyde water solution absorbs the formaldehyde from the gas phase and condenses the water formed in the reaction.

Following reaction, the oxygen depleted air stream, methyl dimethyl ether (DME), and carbon monoxide are vented from the system to the catalytic oxidizer (SN-03A). Product storage tank vents are directed to the inlet of the formaldehyde process.

## **Resin Manufacture**

### *UF Resin Manufacturing:*

Formaldehyde/UFC from the storage tanks is pumped to the top of a reactor and combined with urea granules conveyed from the silo in order to produce a resin.

A condenser located in the top of the reactor is used to cool air displaced by the formaldehyde. This cooled air, along with the air displaced by the urea granules and the air displaced during the chemical reaction of the urea and formaldehyde is vented through the fume scrubber (SN-01).

After the desired viscosity has been reached, a small amount of base is added to neutralize the reaction. At this point, the steam is turned off, the vacuum pump is turned on, and the pressure in the reactor is reduced. The small amount of non-condensable gases flow through the vacuum pump and then to the fume scrubber (SN-01). The condensate from the condenser is either returned to the reactor or drawn off as distillate.

The resin temperature is decreased after the heat is removed and the pressure is decreased. When the specified temperature has been reached, the vacuum pump is turned off and the vent valve is opened on the reactor, thus allowing air into the reactor again. Once the reactor has reached atmospheric pressure, additional urea is added to the resin.

The cooled resin is pumped to a storage tank where it is further cooled by water chilled internal coils to 25°C. The storage tank is vented directly to the atmosphere. Finished product is loaded from the storage tanks to tank trucks.

### *PF Resin Manufacturing:*

Phenol, water, washwater, and sodium hydroxide are pumped into the top of a reactor. The water is used to dilute the phenol/LPE/NBS which is then partially reacted with the sodium hydroxide. A vacuum pump is then used to lower the pressure in the reactor to 5 psia.

The air removed by the vacuum pump is sent to the fume scrubber (SN-01). The air displaced by the phenol/LPE/NBS is cooled by the overhead condenser and then routed to the fume scrubber.

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Formaldehyde is reacted with the phenol/LPE/NBS mixture as it is added into the reactor. The pressure in the reactor is slowly increased to atmospheric pressure as the formaldehyde is added. During this period, the air in the reactor is displaced by resin; therefore, the air flow to the scrubber is negligible.

Once the desired viscosity has been reached, the temperature of the batch is decreased by increasing the vacuum. Additional base is added, and the resin is further cooled.

When the desired temperature has been reached, the vacuum pump is turned off and the vent valve is opened on the reactor, thereby, allowing air to enter. When the reactor has reached atmospheric pressure, urea is conveyed to the top of the reactor from the overhead silo. (Depending upon the formulation of the product, urea may not need to be added.)

From the reactor, the resin is pumped to a storage tank where water chilled internal coils are used to cool the resin product to 25°C. The storage tank is vented directly to the atmosphere. Finished product is loaded from the storage tanks to tank trucks.

*Wax Emulsion Manufacturing:*

Raw materials of slack wax, stearic acid, and triethanolamine are received in their molten forms from tank trucks and are combined with recycled washwater and/or fresh water in a premix tank. From the premix tank, the material is pumped to the homogenizer. The emulsion is then cooled in a water heat exchanger. The product is stored in finished product tanks from the homogenizer.

*Vapor Recovery Systems:*

The facility employs two vapor recovery systems. The first system vents formaldehyde tanks and formaldehyde loading to formaldehyde production which is vented back to the formaldehyde process. Process vent not used in the process are routed to a Catalytic Oxidizer (SN-03A). The second system vents resin reactors, phenol/LPE tanks and phenol/LPE loading to the fume scrubber (SN-01). Formaldehyde tanks and formaldehyde loading are vented to the fume scrubber when the formaldehyde production operation is not in operation.

*Hydrolyzed UF Resin Manufacturing:*

The hydrolyzation reaction is the reverse reaction of UF resin production. The UF resin is hydrolyzed in the reactor from either a tank truck or one of the UF resin storage tanks with formaldehyde solution from one of the formaldehyde storage tanks. Emissions are controlled by the Fume Scrubber (SN-01). The facility also has the ability to receive hydrolyzed UF resin into the UF resin storage tanks (SN-09A) and then reprocess in the reactor where the emissions are controlled by the Fume Scrubber (SN-01). The facility loads out (SN-05) hydrolyzed UF resin from the UF resin tanks for transportation as needed.

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*Miscellaneous Sources:*

Other miscellaneous sources at the site consist of two (2) diesel fired emergency engines (SN-11 and SN-13) and several emission units classified as Insignificant activities.

**Rules and Regulations**

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

Rules and Regulations
Arkansas Air Pollution Control Code, 8 CAR pt. 40, effective March 14, 2016
Rules of the Arkansas Plan of Implementation for Air Pollution Control, 8 CAR pt. 41, effective May 6, 2022
40 C.F.R. § 60 Subpart Dc— <i>Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units</i>
40 C.F.R. § 60 Subpart Kb— <i>Standards of Performance for Volatile Organic Liquid Storage Vessels</i>
40 C.F.R. § 60 Subpart III— <i>Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Process</i>
40 C.F.R. § 60 Subpart VV— <i>Standards of Performance for equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry</i>
40 C.F.R. § 63 Subpart ZZZZ— <i>National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines</i>
40 C.F.R. § 60 Subpart IIII— <i>Standards of Performance for Stationary Compression Ignition Internal Combustion Engines</i>

Tanks in SN-09A are not subject to NSPS Kb because the highest TVP for the resins are 0.378 psi for PF resin and 0.18 for UF resin, which are below the 2.1755 psi requirement for the tank size.

## Total Allowable Emissions

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

TOTAL ALLOWABLE EMISSIONS		
Pollutant	Emission Rates	
	lb/hr	tpy
PM	5.8	8.3
PM <sub>10</sub>	5.8	8.3
PM <sub>2.5</sub>	See Note*	
SO <sub>2</sub>	1.2	0.4
VOC	36.6	51.4
CO	13.5	39.7
NO <sub>x</sub>	15.7	9.7
Total HAP	27.19	21.38
Formaldehyde**	10.70	7.04
Phenol**	2.71	0.81
Methanol**	11.80	8.45
Triethylamine**	1.52	4.54
Ethylene Glycol**	0.41	0.49
Total Other HAPs**	0.05	0.05
Formic Acid	0.27	1.03
Ammonia	15.02	3.44
Hydrogen Peroxide	0.02	0.08

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

\*\* HAPs included in VOC total.

### Section III: PERMIT HISTORY

Permit #1590-A, the initial air permit for this facility, was issued on January 17, 1995. The purpose of this permit was to construct a urea-formaldehyde (UF) and phenol-formaldehyde (PF) resin plant. Emission limits were permitted at 1.3 tpy PM/PM<sub>10</sub>, 0.4 tpy SO<sub>2</sub>, 0.4 tpy VOC, 3.1 tpy CO, 11.8 tpy NO<sub>x</sub>, 5.7 tpy formaldehyde, 0.4 tpy phenol, and 3.5 tpy methanol.

Permit #1590-AR-1 was issued to the facility on February 21, 1996. This permit was issued to document the addition of the formaldehyde and wax emulsion manufacturing facilities and to allow an increase in the production of UF and PF resins. Under this permit, emission limits were permitted at 1.3 tpy of PM/PM<sub>10</sub>, 0.5 tpy of SO<sub>2</sub>, 0.4 tpy of VOC, 31.8 tpy of CO, 11.8 tpy of NO<sub>x</sub>, 5.9 tpy of formaldehyde, 1.5 tpy of phenol, 4.1 tpy of methanol, and 10.0 tpy of dimethyl ether.

Permit #1590-AR-2 was issued to the facility on July 25, 1997. This permitting action included the addition of a spray dried phenolic resin plant. Permitted emissions under this action were 33.5 tpy of PM/PM<sub>10</sub>, 1.0 tpy of SO<sub>2</sub>, 93.2 tpy of VOC, 38.2 tpy of CO, 26.6 tpy of NO<sub>x</sub>, 10.0 tpy of dimethyl ether, and 0.1 tpy of Dowtherm.

Permit #1590-AR-3 was issued to the facility on October 18, 1999. This permitting action included an increase in production, emission rates based on testing, and the removal of a spray dry resin plant.

Permit #1590-AR-4 was issued to the facility on August 30, 2005. Hexion Specialty Chemicals increased the production rate of formaldehyde solutions from 225 million pounds per year to 265 million pounds per year. In order to increase production the following changes to the plant were made: An additional layer of catalyst was added to the incinerator to increase retention time, the maximum methanol feed rate was increased from 255 lb/min to 302 lb/min, an additional safety relief in the reactor heads was be added, increased cooling and recirculation on the absorber beds, heat transfer unit/steam generator was replaced with a more efficient unit, and the existing fresh air blower was replaced with an increased capacity blower system.

The changes in this permit resulted in a 7 ton per year increase in VOC emissions and a 4.9 ton per year increase in CO emissions.

This permit also incorporated a name change from Borden Chemical, Inc to Hexion Specialty Chemicals, Inc.

Permit #1590-AR-5 was issued to the facility on March 11, 2008. Hexion Specialty Chemicals increased the combined total maximum production rate of urea-formaldehyde (UF) resin and phenol-formaldehyde (PF) resin from 475 million pounds per consecutive twelve month period to 500 million pounds. The maximum rate of PF resin production was increased from 225 million pounds per consecutive twelve month period to a maximum of 250 million pounds. However, production of PF depends upon production of UF which would not exceed 500 million

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pounds in total per twelve month period. Therefore, if the maximum UF production was achieved then PF production would be zero.

The changes in this permit resulted in no significant change in yearly emission rate. However, the permitted hourly PM/PM<sub>10</sub> emissions from Bulk Solids Loading (SN-04) was increased by 1.5 lb/hr and permitted hourly HAPs emissions was increased by 3.13 lb/hr as a product of Resin Plant Fugitive Emissions (SN-09).

Permit #1590-AR-6 was issued to the facility on July 11, 2011. With this permit modification Momentive Specialty Chemicals requested the use of a new material, liquid phenol extender (LPE), as a substitute material for phenol in the resin manufacturing process. The facility is permitted to use phenol or LPE interchangeably. This did not result in an increase in emission rate.

In addition, this modification updated the language in the process description for clarity. This permit also incorporated a name change from Hexion Specialty Chemicals, Inc. to Momentive Specialty Chemicals.

Permit #1590-AR-7 was issued on January 27, 2012. With this Administrative Amendment, the following changes were implemented to the insignificant activities list:

- Removal of Frac-1 through Frac-4 tanks.
- Addition of two additional Resin Storage tanks, T-51 and T-52.
- Change the description of PF, UF, and UF SCAV Resin Storage tanks to be listed as “Resin Storage”.

Permit #1590-AR-8 was issued on October 31, 2012. With this modification, the facility separated SN-05 into two sources: Resin Loading, SN-05, and LDAR Fugitives, SN-10. The Resin Plant Fugitive, SN-09, was combined with the emissions from SN-05. This modification also contained updated calculations for the new SN-05 and SN-10. The facility’s permitted emissions increased by 1.35 tpy for formaldehyde and decrease for VOC, phenol, and methanol.

Permit #1590-AR-9 was issued on April 8, 2013. With this de minimis modification, the facility added an additional methanol unloading spot for tank trucks. There was no increase in the annual methanol volume. With this addition, the number of components for fugitive emissions increased by one (1) pump with double mechanical seal, one (1) flange, and six (6) valves. The facility’s permitted annual methanol emission increased by 0.01 tpy.

Permit #1590-AR-10 was issued on August 15, 2013. In this modification, the following changes were made:

- Added an existing emergency generator as a permitted source subject to 40 CFR Part 63, Subpart ZZZZ.
- Updated calculations for VOC emissions from the use of liquid phenol extender (LPE) that was approved in permit #1590-AR-6.
- Added two caustic tanks that were previously in the insignificant activity list but were removed in permit #1590-AR-5. Additionally, the facility requested to use an existing

empty tank (M-3) to store caustic as well. This tank was also added to the insignificant activity list.

The facility's permitted annual emissions increased by 0.2 tpy, 0.2 tpy, 1.2 tpy, 0.5 tpy, 2.0 tpy, and 0.22 tpy for PM/PM<sub>10</sub>, SO<sub>2</sub>, VOC, CO, NO<sub>x</sub>, and phenol respectively.

Permit #1590-AR-11 was issued on March 13, 2014. In this modification, the facility made the following changes:

1. Moved an existing storage tank from the insignificant activities list into a permitted source (SN-09A) due to an increase in emission.
2. Installed a new formic acid solution tank as an A-13 insignificant activity.
3. Updated emissions from LDAR fugitive emissions (SN-10) due to change in component count.
4. Updated calculations for SN-01, 02, 03, 04, 05, 06, and 08.
5. Installed a new 500 gallon diesel storage tank as an A-3 insignificant activity
6. Installed a new resin solids drying pad as an A-13 insignificant activity.

The facility's permitted annual emissions increased by 2.3 tpy, 15.9 tpy, 3.3 tpy, 2.90 tpy, 0.26 tpy, 6.68 tpy, 0.16 tpy, 0.49 tpy, 0.24 tpy, 1.03 tpy, and 0.08 tpy for PM/PM<sub>10</sub>, VOC, CO, formaldehyde, phenol, methanol, triethylamine, ethylene glycol, ammonia, formic acid, and hydrogen peroxide respectively.

Permit #1590-AR-12 was issued on November 21, 2014. In this modification, the facility replaced the existing catalytic oxidizer (SN-03) with a new catalytic oxidizer (SN-03A) and updated emissions from the LDAR fugitive emissions (SN-10) due to changes in component count as de minimis modifications. Additionally, the facility added an existing cooling tower into the permit as SN-12. The facility's permitted annual emissions increased by 5.0 tpy, 5.6 tpy, 0.52 tpy, and 0.06 tpy for PM/PM<sub>10</sub>, VOC, formaldehyde, and methanol respectively.

Permit #1590-AR-13 was issued on October 6, 2016. In this de minimis modification, the facility requested authorization to produce hydrolyzed urea-formaldehyde (UF) resin, which is the reverse reaction of the UF resin production process, in order to recover the material that does not meet the required specifications, and reuse in the process. This modification also included the approval to use NBS (sodium lignosulfonate) as an alternate material that can be substituted for or used in conjunction with phenol in the PF resin manufacturing process and a de minimis modification to use BP-05 PVOH as a new additive to the UF resin formulation. The facility's permitted annual emissions increased by 0.1 tpy VOC and 0.01 tpy methanol. The facility's permitted annual emission decreased by 0.22 tpy phenol.

Permit #1590-AR-14 was issued on May 24, 2017. In this modification, the facility updated the basis for calculating emissions from the Fume Scrubber (SN-01), Resin Loading (SN-05), and Cooling Tower (SN-12). The new calculations used updated vapor pressure used in the loading loss equation for calculating emissions from SN-01, updated VOC content for PF resin loss from SN-05, and changed the annual emission rate for SN-12 to be based on the maximum total dissolved solids (TDS) content instead of the average TDS content to calculate PM/PM<sub>10</sub> emissions. Additionally, the facility updated the insignificant activity lists. The facility's

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permitted annual emissions increased by 2.0 tpy PM/PM<sub>10</sub>, 0.5 tpy VOC, 0.26 tpy formaldehyde, 0.01 tpy phenol, 0.09 tpy methanol, and 0.20 tpy ammonia.

Permit #1590-AR-15 was issued on November 14, 2017. This administrative amendment corrected a typographical error with the phenol emission from SN-01. Phenol emissions from SN-01 were mistakenly reverted to permit #1590-AR-9 values during the 1590-AR-13 revision. This amendment changed SN-01 phenol emissions to the correct value from the 1590-AR-10 revision. This change qualified as an administrative amendment because the basis for calculating emissions from SN-01 has not changed since permit #1590-AR-10. The facility's permitted annual emissions increased by 0.22 tpy phenol.

Permit #1590-AR-16 was issued on July 16, 2018. With this de minimis modification, the facility updated the formulation information for one of the latex additives. The new additive changed the ammonia emissions and added trace amounts of various HAPs. This permitting action included an administrative amendment to update the insignificant activity list. The General Conditions were also updated. The facility's permitted annual emissions increased by 2.7 tpy ammonia and 0.03 tpy total other HAPs.

Permit #1590-AR-17 was issued on August 17, 2018. With this administrative amendment, the facility added monoethanolamine (MEA) truck transload to truck/totes emissions to the permit as an A-13 insignificant activity.

Permit #1590-AR-18 was issued on August 21, 2019. With this administrative amendment, the facility added a wax loading process, which contains an additive, as an A-13 insignificant activity.

Permit #1590-AR-19 was issued on December 13, 2019. With this modification, the facility updated the basis for emissions for SN-01, SN-03A, SN-05, SN-and 09A to represent the facility's operation more accurately. The facility also started using a new additive on site that will be accounted in SN-10 and stored in T-69 as an insignificant activity. The facility's permitted annual emissions increased by 0.01 tpy total other HAPs. The facility's permitted annual emissions decreased by 1.6 tpy VOC, 0.06 tpy formaldehyde, 0.01 tpy phenol, and 1.52 tpy methanol.

Permit #1590-AR-20 was issued on November 12, 2020. With this administrative amendment, the facility requested the ability to store slack wax in addition to potassium hydroxide in storage tank T-82 in the insignificant activities list. There were no changes to the facility's permitted annual emissions.

Permit #1590-AR-21 was issued on August 30, 2021. With this administrative amendment, the facility added loading emissions from the transfer of Q55BC-wd additive from trucks to totes as an A-13 insignificant activity. There were no changes to the facility's permitted annual emissions.

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Permit #1590-AR-22 was issued on May 3, 2022. With this administrative amendment, the facility added a cooling tower as an A-13 insignificant activity. There were no changes to the facility's permitted annual emissions.

Permit #1590-AR-23 was issued on July 20 2022. With this deminimis modification, the facility modified the existing cooling tower (SN-12). This modification resulted in lowering the drift factor from 0.02% to 0.005%. Additionally, the facility requested an increase in the TDS limit to 5,000 PPM. The facility's permitted annual emissions decreased by 2.6 tpy PM/PM<sub>10</sub>.

Permit #1590-AR-24 was issued on January 17, 2024. With this deminimis modification, the facility increased the maximum formaldehyde content for blends to 55% and increased the temperature limits for certain formaldehyde formulation. This resulted in an increase in SN-01 and SN-10 emissions. The facility also increased total wax production to 65,000,000 lb/yr. This change increased emissions of sources in the insignificant activities list. The facility's permitted annual emissions increased by 0.05 tpy formaldehyde.

## Section IV: EMISSION UNIT INFORMATION

## Specific Conditions

1. The permittee shall not exceed the emission rates set forth in the following table. [8 CAR § 41-401 et seq. and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Description	Pollutant	lb/hr	tpy
01	Fume Scrubber	VOC	9.7	14.8
02	Steam Boiler (Natural Gas)	PM <sub>10</sub>	0.2	0.6
		SO <sub>2</sub>	0.1	0.1
		VOC	0.1	0.5
		CO	1.5	6.3
		NO <sub>x</sub>	1.8	7.5
03A	Catalytic Oxidizer	VOC	5.3	23.2
		CO	8.3	32.7
04	Bulk Solids Loading (Urea Weigh Hopper, H1)	PM <sub>10</sub>	3.5	3.0
05	Resin Loading	VOC	7.5	1.9
08	Methanol Tank T-101	VOC	0.2	0.8
09A	Resin Tanks (T-14, T-15, T-16, T-21, T-22, T-23, T-24, T-25, T-26, T-31, T-32, T-33, T-34, T-35, T-36, T-42, T-43, T-44, T-45, T-46, T-51, T-52)	VOC	10.0	1.3
10	LDAR Fugitives	VOC	2.0	8.5
11	Emergency Generator (Diesel-fueled)	PM <sub>10</sub>	1.0	0.2
		SO <sub>2</sub>	0.9	0.2
		VOC	1.1	0.2
		CO	2.9	0.5
		NO <sub>x</sub>	13.2	2.0
12	Cooling Tower	PM <sub>10</sub>	1.0	4.4
13	Mitsubishi Emergency Generator (Diesel-Fueled)	PM <sub>10</sub>	0.1	0.1
		SO <sub>2</sub>	0.2	0.1
		VOC	0.7	0.2
		CO	0.8	0.2
		NO <sub>x</sub>	0.7	0.2

2. The permittee shall not exceed the emission rates set forth in the following table. [8 CAR § 40-701 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Description	Pollutant	lb/hr	tpy
01	Fume Scrubber	Formaldehyde	2.79	1.56
		Phenol	2.39	0.29
		Methanol	2.13	3.09
		Triethylamine	1.00	4.38
		Total Other HAPs	0.01	0.01
		Ammonia	7.90	1.70
02	Steam Boiler (Natural Gas)	PM	0.2	0.6
03A	Catalytic Oxidizer	Formaldehyde	0.32	1.40
		Methanol	0.40	1.75
04	Bulk Solids Loading (Urea Weigh Hopper, H1)	PM	3.5	3.0
05	Resin Loading	Formaldehyde	2.09	0.59
		Phenol	0.06	0.02
		Methanol	4.53	1.03
		Triethylamine	0.32	0.11
		Formic Acid	0.03	0.01
		Ethylene Glycol	0.25	0.08
		Total Other HAPs	0.01	0.01
		Ammonia	1.20	0.20
08	Methanol Tank T-101	Methanol	0.18	0.72
09A	Resin Tanks (T-14, T-15, T-16, T-21, T-22, T-23, T-24, T-25, T-26, T-31, T-32, T-33, T-34, T-35, T-36, T-42, T-43, T-44, T-45, T-46, T-51, T-52)	Formaldehyde	4.83	0.58
		Phenol	0.15	0.02
		Methanol	4.26	0.55
		Triethylamine	0.20	0.05
		Formic Acid	0.01	0.01
		Ethylene Glycol	0.07	0.01
		Total Other HAPs	0.01	0.01
		Ammonia	5.80	1.00
10	LDAR Fugitives	Formaldehyde	0.66	2.90
		Phenol	0.11	0.48
		Methanol	0.30	1.31
		Formic Acid	0.23	1.01
		Ethylene Glycol	0.09	0.40
		Total Other HAPs	0.01	0.01
		Ammonia	0.12	0.54
		Hydrogen Peroxide	0.02	0.08
11	Emergency Generator (Diesel-fueled)	PM	1.0	0.2
		Formaldehyde	0.01	0.01

Hexion Inc. - Hope Plant

Permit #: 1590-AR-25

AFIN: 29-00125

SN	Description	Pollutant	lb/hr	tpy
12	Cooling Tower	PM	1.0	4.4
13	Mitsubishi Emergency Generator (Diesel-Fueled)	PM Total HAPs	0.1 0.01	0.1 0.01

3. Visible emissions may not exceed the limits specified in the following table of this permit as measured by EPA Reference Method 22. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Limit	Regulatory Citation
02	5%	8 CAR § 40-401
04	20%	8 CAR § 40-401
11	5%	8 CAR § 40-401
13	5%	8 CAR § 40-401

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 8 CAR pt. 40, if the emission of the air contaminant constitutes air pollution within the meaning of A.C.A. §8-4-303. [8 CAR § 40-701 and 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. [8 CAR § 40-801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

6. Production shall not exceed the amounts of products per consecutive twelve month period as listed in the table below. [8 CAR § 40-904, 8 CAR § 41-605 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

Product	*Production limit per consecutive 12 months
Urea Formaldehyde Resin (UF)	500,000,000 lbs
Phenol-Formaldehyde Resin (PF)	250,000,000 lbs
Total combined UF and PF Resin Production	500,000,000 lbs
50% Formaldehyde Solution	265,000,000 lbs
Hydrolyzed UF Resin	4,000,000 lbs

\*i.e., If production of UF is 400 million (MM) pounds per consecutive twelve month period, then PF production shall not exceed 100 million (MM)pounds per consecutive twelve months period. Similarly if the production of UF is 500 million pounds per consecutive twelve months period, then PF production shall be zero. Total resin production is limited to a maximum of 500 MM lb/yr of any combination of UF and PF resins and limited to a maximum for PF resin of 250 MM lb/yr.

7. The permittee shall maintain monthly records which demonstrate compliance with Specific Condition #6. Records shall be updated by the fifteenth day of the month following the month to which the records pertain. These records shall be kept on site, and shall be made available to Department personnel upon request. A twelve month rolling total and each individual month's data shall be kept on site and made available to Department personnel upon request. [8 CAR § 40-904, 8 CAR § 41-605 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
8. The amount of formaldehyde solution loaded at the facility shall not exceed 140,000,000 pounds per consecutive twelve month period. [8 CAR § 40-904, 8 CAR § 41-605 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
9. The permittee shall maintain monthly records which demonstrate compliance with Specific Condition #8. Records shall be updated by the fifteenth day of the month following the month to which the records pertain. These records shall be kept on site, and shall be made available to Department personnel upon request. A twelve month rolling total and each individual month's data shall be kept on site and made available to Department personnel upon request. [8 CAR § 40-904, 8 CAR § 41-605 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
10. The permittee shall maintain and operate each vapor recovery system in serviceable condition as prescribed by the manufacturer. The vapor recovery system for formaldehyde tanks and formaldehyde loading shall be vented to formaldehyde production. The vapor recovery system for the resin reactor, phenol/LPE tanks and phenol/LPE loading shall be vented to the fume scrubber (SN-01). When formaldehyde production is not in operation the formaldehyde tanks and formaldehyde loading shall be vented to the scrubber also. Failure to control vapor emissions by both systems or wet scrubbing singularly when formaldehyde production is not in operation shall be a violation of this permit. [8 CAR § 40-801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
11. The permittee shall maintain the catalytic oxidizer (SN-03A) in good operating condition and operate the catalytic oxidizer according to manufacturer's specifications. It shall be used whenever the formaldehyde process is operating. Formaldehyde shall not be manufactured during any period of equipment failure or maintenance shut-down on the catalytic oxidizer. [8 CAR § 41-203 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
12. The permittee shall maintain the catalyst in good operating condition. The catalyst shall be tested once every year and replaced when necessary. [8 CAR § 41-203 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

#### NSPS III Conditions – Catalytic Oxidizer

13. The facility is subject to applicable provisions of 40 C.F.R. § 60 Subpart III. These

provisions are outlined in Specific Conditions #13 through #20. [8 CAR § 41-204 and 40 C.F.R. § 60.610]

14. The permittee shall on or after the date of the initial performance test, but no later than 60 days after achieving the maximum production rate at which the facility will be operated, or 180 days after the initial startup date, whichever comes first, reduce emissions of TOC (minus methane and ethane) by 98 weight-percent, or to a TOC (minus methane and ethane) concentration of 20 ppmv on a dry basis corrected to 3 percent oxygen, whichever is less stringent. [8 CAR § 41-204 and 40 C.F.R. § 60.612(a)]
15. The permittee shall test the catalytic oxidizer (SN-03A) within 60 days of achieving the maximum after the modification or 180 days after startup after the modifications. This test shall be conducted in accordance with 40 CFR 60.614. The permittee shall test every 5 years thereafter according to the provisions in 40 CFR Part 60.614. These tests shall be conducted in accordance with General Provision 7. [Rule 19.702, 8 CAR § 41-204, 40 C.F.R. § 60.614, and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
16. The permittee, to show compliance with the TOC emission limit in Specific Condition #13, shall install, calibrate, maintain, and operate according to manufacturer's specifications the following equipment: [8 CAR § 41-204 and 40 C.F.R. § 60.613(a)(1)]
  - a. A temperature monitoring device equipped with a continuous recorder and having an accuracy of 1 percent of the temperature being monitored expressed in degrees Celsius or 0.5 degrees Celsius, whichever is greater. Temperature monitoring devices shall be installed in the gas stream immediately before and after the catalyst bed.
17. The permittee shall keep up-to-date, readily accessible records of the following data measured during the performance testing required in §60.614: [8 CAR § 41-204 and 40 C.F.R. § 60.615(b)(1)(i)]
  - a. The average temperature upstream and downstream of the catalyst bed for a catalytic incinerator, measured at least every 15 minutes and averaged over the same time period of the performance testing, and
  - b. The percent reduction of TOC determined in §60.614(b) achieved by the incinerator, or the concentration of TOC (ppmv, by compound) determined as specified in §60.614(b) at the outlet of the control device on a dry basis corrected to 3 percent oxygen.
18. The permittee shall keep up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored under §60.613(a) as well as up-to-date, readily accessible records of periods of operation during which the parameter boundaries established during the most recent performance test are exceeded. Periods of operation during which the parameter boundaries established during the most recent

performance tests are exceeded are, for catalytic incinerators, all 3-hour periods of operation during which the average temperature of the vent stream immediately before the catalyst bed is more than 28 degrees Celsius (50 degrees Fahrenheit) below the average temperature of the vent stream during the most recent performance test at which compliance with §60.612(a) was determined. The owner or operator also shall record all 3-hour periods of operation during which the average temperature difference of the device during the most recent performance test at which compliance with §60.612(a) was determined. [8 CAR § 41-204 and 40 C.F.R. § 60.615(c)]

19. The permittee shall maintain a record of test results from the testing requirements of §60.614 to show compliance with Specific Condition #13. These records shall be maintained on site and shall be made available to Department personnel upon request. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
20. The permittee shall submit to the Department semiannual reports of exceedances of monitored parameters recorded under §60.615(c). [8 CAR § 41-204 and 40 C.F.R. § 60.615(j)]

#### NSPS VV Conditions – Equipment Leaks

21. The facility is subject to applicable provisions of 40 C.F.R. § 60 Subpart VV. These provisions are outlined in Specific Conditions #22 through #24. [8 CAR § 41-204 and 40 C.F.R. § 60.480]
22. The permittee shall demonstrate compliance with the requirements of §60.482-1 through §60.482-10 for any equipment defined as an affected facility. The permittee shall maintain a list of all affected facilities (i.e., pumps, compressors, valves, etc.) for sources subject to the provisions of §60.482-1 through §60.482-10. [8 CAR § 41-204 and 40 C.F.R. § 60.482-1(a)]
23. The permittee shall demonstrate compliance with §60.482-1 through §60.482-10 by review of records and reports, review of performance test results, and inspection using the methods and procedures specified in §60.485. The permittee shall maintain records demonstrating compliance with applicable standards, monitoring requirements, test methods and procedures, and record keeping requirements for sources subject to Subpart VV. The records specified in this condition and in Specific Condition #24 shall be maintained on site and made available to Department personnel upon request. [8 CAR § 41-204 and 40 C.F.R. § 60.482-1(b)]
24. The permittee shall submit semi annual reports to the Department containing the following: [8 CAR § 41-204 and 40 C.F.R. § 60.487(c)]
  - (a) Process unit identification.
  - (b) For each month during the semiannual period:

- (i) Number of valves subject to the requirements of §60.482-7.
- (ii) Number of valves for which leaks were detected.
- (iii) Number of valves for which leaks were not repaired.
- (iv) Number of pumps subject to the requirements of §60.482-2.
- (v) Number of pumps for which leaks were detected.
- (vi) Number of pumps for which leaks were not repaired.
- (vii) The facts that explain each delay of repair and, where appropriate, why a process unit shutdown was technically infeasible.

- (c) Dates of process unit shutdowns which occurred during the semiannual reporting period.
- (d) Revisions of items reported in the semiannual report if changes have occurred since the initial report or subsequent revisions to the initial report.

NSPS Kb Conditions – Storage Tanks

- 25. The facility is subject to applicable provisions of 40 C.F.R. § 60 Subpart Kb. These provisions are outlined in Specific Conditions #26 through #31. [8 CAR § 41-204 and 40 C.F.R. § 60.110b]
- 26. Formaldehyde tanks T-73, T-74, T-75, T-76, T-83, and T-84 and phenol/LPE tanks T-71 and T-72 are subject to applicable provisions of 40 CFR Part 60, Subpart Kb. In accordance with the Monitoring of Operation requirements of §60.116b (a) & (b), readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel shall be maintained onsite and kept for the life of the source, period of storage, and maximum true vapor pressure of the true vapor pressure shall be maintained. For exempted tanks, records to prove exemption shall be maintained on-site and made available to Department personnel upon request. [8 CAR § 41-204 and 40 C.F.R. § 110(a) & (b)]
- 27. Methanol tank T-100 is subject to applicable provisions of 40 CFR Part 60, Subpart Kb. [8 CAR § 41-204 and 40 C.F.R. § 60.110b(a)]
- 28. Methanol tank T-100 must be equipped with an internal floating roof with a double seal. [8 CAR § 41-204 and 40 C.F.R. § 60.112b(a)(1)(ii)(B)]
- 29. After installing the internal floating roof in the methanol tank T-100, the permittee shall: [8 CAR § 41-204 and 40 C.F.R. § 60.113b(a)]
  - (a) Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.
  - (b) For Vessels equipped with a liquid-mounted or mechanical shoe primary seal,

visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Department in the inspection report required in Specific Condition #30(c). Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

(c) For vessels equipped with a double-seal system:

- (i) Visually inspect the vessel as specified in section (d) of this Condition at least every 5 years; or
- (ii) Visually inspect the vessel as specified in section (b) of this Condition.

(d) Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in sections (b) and (c)(ii) of this Condition and at intervals no greater than 5 years in the case of vessels specified in section (c)(i) of this Condition.

(e) Notify the Department in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by sections a and d of this Condition to afford the Department the opportunity to have an observer present. If the inspection required by section d of this Condition is not planned and the permittee could not have known about the inspection 30 days in advance or refilling the tank, the permittee shall notify the Department at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Department at least 7 days prior to the refilling.

30. After installing internal floating roof in the methanol tank T-100, the permittee shall meet the following reporting and recordkeeping requirements. The facility shall keep copies of all reports and records required by this Condition for at least 2 years. [8 CAR § 41-204 and 40 C.F.R. § 60.115b(a)]
  - (a) Furnish the Department with a report that describes the control equipment and certifies that the control equipment meets the specifications of Specific Conditions #28 and #29. This report shall be an attachment to the notification required by 40 C.F.R. § 60.7(a)(3).
  - (b) Keep a record of each inspection performed as required by Specific Condition #29. Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).
  - (c) If any of the conditions described in Specific Condition #29(b) are detected during the annual visual inspection required by Specific Condition #29(b), a report shall be furnished to the Department within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.
  - (d) After each inspection required by Specific Condition #29(c) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in Specific Condition #29(b), a report shall be furnished to the Department within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of Specific Condition #29(c) and list each repair made.
31. The permittee shall keep copies of all records required by this Condition, except for the record required by section (a) of this Condition, for at least 2 years. The record required by section (a) of this Condition will be kept for the life of the source. A copy of the records shall be maintained on-site and made available to the Department upon request. [8 CAR § 41-204 and 40 C.F.R. § 60.116b]
  - (a) The permittee shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel.
  - (b) The permittee shall maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period.
  - (c) The permittee shall notify the Department within 30 days when the maximum true vapor pressure of the liquid exceeds the respective maximum true vapor pressure values for each volume range.

#### Oxidizer Operation

32. The permittee shall not exceed 80 pounds per hour of additional methanol to the inlet of

the incinerator as supplemental fuel to ensure proper operation. [8 CAR § 41-605 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

33. The permittee shall maintain monthly records which demonstrate compliance with Specific Condition #32. Records shall be updated by the fifteenth day of the month following the month to which the records pertain. These records shall be kept on site, and shall be made available to Department personnel upon request. A twelve month rolling average and each individual month's data shall be kept on site and made available to Department personnel upon request. [8 CAR § 41-605 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

#### NSPS Dc Conditions – Boilers

34. The permittee shall maintain records of the amount of natural gas combusted in SN-02 each month. [8 CAR § 41-204 and 40 C.F.R. § 60 Subpart Dc]

#### NESHAP ZZZZ Conditions – Emergency Generators

35. SN-11 and SN-13 are subject to provisions of 40 C.F.R. § 63 Subpart ZZZZ – *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*. SN-13 meets the requirements of Subpart ZZZZ by complying with the requirements of 40 C.F.R. § 60 Subpart III. A copy of Subpart ZZZZ is provided in Appendix E of this permit. [8 CAR § 41-204, 40 C.F.R. §§ 63.6585 and 63.6590]
36. The permittee shall operate SN-11 only in the event of an emergency operation, except that the permittee may operate SN-11 for maintenance checks and readiness testing for up to 100 hours per year and for non-emergency situations for up to 50 hours per year with non-emergency operation counting towards the 100 hours per year for maintenance and testing. The total operational time for SN-11 shall not exceed 300 hours per calendar year. Compliance with this condition shall be demonstrated by keeping records of the operational time of the emergency generator. [8 CAR § 41-605, Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 70.6]
37. The permittee shall install a non-resettable hour meter and record the hours of operation of SN-11. The permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency, and how many hours are spent for non-emergency operation. If SN-11 is used for demand response operation, the facility must keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response. [8 CAR § 41-204, 40 C.F.R. §§ 63.6640, 63.6655, and 63.6595]
38. The permittee shall follow the following work/management practices: [8 CAR § 41-204, 40 C.F.R. §§ 63.6603, 63.6640, and 63.6595]

- (a) Change oil and filter every 500 hours of operation or annually, whichever comes first.
- (b) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary.
- (c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

39. The permittee shall develop a maintenance plan that specifies how the management practices will be met and provides, to the extent practicable, for the maintenance and operation of the engine in a manner consistent with good air pollution control practices for minimizing emissions. The maintenance plan must include records of all maintenance performed on the engine and its controls. Records of these maintenance, as well as records of any parts replacements, shall be maintained on-site, and shall be made available to Department personnel upon request. [8 CAR § 41-204, 40 C.F.R. §§ 63.6625, 63.6655, and 63.6595]

40. The permittee shall minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards become applicable. [8 CAR § 41-204, 40 C.F.R. §§ 63.6625 and 63.6595]

#### Cooling Tower Conditions

41. The total dissolved solids (TDS) content of the cooling tower (SN-12) shall not exceed 5,000 parts per million (PPM). [8 CAR § 41-603, Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 70.6]

42. The permittee shall measure the TDS content of the cooling tower (SN-12) on a quarterly basis when it is operating to demonstrate compliance with Specific Condition #41. The permittee shall maintain records that demonstrate compliance with this specific condition. These records shall be updated quarterly, kept on site, and made available to Department personnel upon request. [8 CAR § 41-605 and 40 C.F.R. § 52 Subpart E]

#### SN-13 Conditions

43. The permittee shall not operate the emergency generator SN-13 in excess of 500 total hours (emergency and non-emergency) per calendar year in order to demonstrate compliance with the annual emission rate limits. Emergency operation in excess of these hours may be allowable but shall be reported and will be evaluated in accordance with 8 CAR § 41-502 and other applicable regulations. [8 CAR § 41-605 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

44. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition #43. The permittee shall update these records by the fifteenth day of the month following the month to which the records pertain. The calendar year totals and

each individual month's data shall be maintained on-site and made available to Division of Environmental Quality personnel upon request. [8 CAR § 41-605 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

45. SN-13 is subject to provisions of 40 C.F.R. § 60 Subpart IIII—*Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*. A copy of Subpart IIII is provided in Appendix F of this permit. [8 CAR § 41-204 and 40 C.F.R. § 60.4200(a)(2)(i)]
46. SN-13 shall meet the following emission standards: [8 CAR § 41-204, 40 C.F.R. §§ 60.4205(b) and 1039]

Pollutants	Emission Standards (g/kW-hr)
NOx + NMHC	4.7
CO	5.0
PM	0.40

47. Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§ 60.4204 and 60.4205 over the entire life of the engine. [8 CAR § 41-204 and 40 C.F.R. § 60.4206]
48. Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the following requirements for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. [8 CAR § 41-204, 40 C.F.R. §§ 60.4207(b) and 1090.305]
  - (a) **Sulfur standard.** Maximum sulfur content of 15 ppm.
  - (b) **Cetane index or aromatic content.** Diesel fuel must meet one of the following standards:
    - (i) Minimum cetane index of 40.
    - (ii) Maximum aromatic content of 35 volume percent.
49. If you are an owner or operator of an emergency stationary CI internal combustion engine that does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter prior to startup of the engine. [8 CAR § 41-204 and 40 C.F.R. § 60.4209(a)]
50. If you are an owner or operator and must comply with the emission standards specified in this subpart, you must do all of the following, except as permitted under paragraph (g) of this section: [8 CAR § 41-204 and 40 C.F.R. § 60.4211(a)]

- (a) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;
- (b) Change only those emission-related settings that are permitted by the manufacturer; and
- (c) Meet the requirements of 40 CFR part 1068, as they apply to you.

51. If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(b) or § 60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in § 60.4205(c), you must comply by purchasing an engine certified to the emission standards in § 60.4204(b), or § 60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in paragraph (g) of this section. [8 CAR § 41-204 and 40 C.F.R. § 60.4211(c)]

52. If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines. [8 CAR § 41-204 and 40 C.F.R. § 60.4211(f)]

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

maintenance and testing of emergency ICE beyond 100 hours per calendar year.

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

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

- (A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;
- (B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.
- (C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
- (D) The power is provided only to the facility itself or to support the local transmission and distribution system.
- (E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

53. If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as follows: [8 CAR § 41-204 and 40 C.F.R. § 60.4211(g)]

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

54. If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the 2012 model year, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time. [8 CAR § 41-204 and 40 C.F.R. § 60.4214(b)]

## Section V: INSIGNIFICANT ACTIVITIES

The Division of Environmental Quality deems the following types of activities or emissions as insignificant on the basis of size, emission rate, production rate, or activity in accordance with Group A of the Insignificant Activities list found in 8 CAR pt. 40 and pt. 41 Appendix A. Group B insignificant activities may be listed but are not required to be listed in permits. Insignificant activity emission determinations rely upon the information submitted by the permittee in an application dated December 27, 2011, April 12, 2013, October 28, 2013, August 26, 2016, March 17, 2017, April 27, 2018, July 20, 2018, July 19, 2019, October 4, 2019, October 5, 2020, April 18, 2022, and October 11, 2023. [8 CAR § 41-308 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

Tank ID	Description	Volume	TVP	Year Installed	Category
		gallons	psia		
DT-1	Dowtherm A	7,000	<0.1	1996	A-3
T-10	UF Washwater Storage	11,750	0.6	1996	A-13
T-11	PF Washwater Storage	28,000	<0.1	1996	A-13
T-12	PF Washwater Storage	28,000	<0.1	1996	A-13
T-13	UF Washwater Storage	28,000	0.6	1996	A-13
T-41	Chilled Water	28,000	0.00	1996	A-13
T-60	Premix/Slack Wax Tank	6,000	<0.01	2017	A-3
T-61	Wax Washwater	9,400	0.00	1996	A-3
T-62	TEA Storage	9,400	<0.01	1996	A-3
T-63	Stearic Acid Storage	9,400	<0.001	1996	A-3
T-64	Wax Emulsion Storage	20,000	<0.01	1996	A-13
T-65	Wax Emulsion Storage	20,000	<0.01	1996	A-13
T-66	Slack Wax/Tallow Storage	20,000	<0.001	1996	A-13
T-67	Slack Wax/Tallow Storage	20,000	<0.001	1996	A-13
V-12	Seal Water Storage	28,000	<0.1	1996	A-13
T-81	Sodium Hydroxide Storage Tank	27,500	0.12	1996	A-4

Hexion Inc. - Hope Plant

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Tank ID	Description	Volume	TVP	Year Installed	Category
		gallons	psia		
T-82	Potassium Hydroxide/Slack Wax Storage Tank	27,500	<0.1	1996	A-4/A-13
M-3	Sodium Hydroxide Storage Tank	2,000	0.12	2013	A-4
T-85	Formic Acid Tank	8,000	0.03	2017	A-3

Description	Category
500 Gallon Diesel Storage Tank	A-3
Resin Solids Drying Pad	A-13
Additive Truck Transload to Truck/Totes – Additive Loading	A-13
Additive Truck Transload to Truck/Totes – BP-05 Loading	A-13
Monoethanolamine (MEA) Truck Transload to Truck/Totes	A-13
Wax Loading (65,000,000 lb/yr Wax Production)	A-13
T-69 Additive Storage	A-13
Q55BC-wd Tote Loading	A-13

## Section VI: GENERAL CONDITIONS

1. Any terms or conditions included in this permit that specify and reference Arkansas Pollution Control & Ecology Commission 8 CAR pt. 40 or the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 et seq.) as the sole origin of and authority for the terms or conditions are not required under the Clean Air Act or any of its applicable requirements, and are not federally enforceable under the Clean Air Act. Arkansas Pollution Control & Ecology Commission 8 CAR pt. 40 was adopted pursuant to the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 et seq.). Any terms or conditions included in this permit that specify and reference Arkansas Pollution Control & Ecology Commission 8 CAR pt. 40 or the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 et seq.) as the origin of and authority for the terms or conditions are enforceable under this Arkansas statute.
2. This permit does not relieve the owner or operator of the equipment and/or the facility from compliance with all applicable provisions of the Arkansas Water and Air Pollution Control Act and the rules promulgated under the Act. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
3. The permittee shall notify the Division of Environmental Quality in writing within thirty (30) days after each of the following events: commencement of construction, completion of construction, first operation of equipment and/or facility, and first attainment of the equipment and/or facility target production rate. [8 CAR § 41-604 and/or Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
4. Construction or modification must commence within eighteen (18) months from the date of permit issuance. [8 CAR § 41-310(b) and/or 8 CAR § 40-209(b) and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
5. The permittee must keep records for five years to enable the Division of Environmental Quality to determine compliance with the terms of this permit such as hours of operation, throughput, upset conditions, and continuous monitoring data. The Division of Environmental Quality may use the records, at the discretion of the Division of Environmental Quality, to determine compliance with the conditions of the permit. [8 CAR § 41-605 and/or 8 CAR § 40-904 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
6. A responsible official must certify any reports required by any condition contained in this permit and submit any reports to the Division of Environmental Quality electronically using <https://eportal.adeq.state.ar.us> or mail them to the address below. [8 CAR § 41-605 and/or 8 CAR § 40-904 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

Division of Environmental Quality  
Office of Air Quality

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

7. The permittee shall test any equipment scheduled for testing, unless stated in the Specific Conditions of this permit or by any federally regulated requirements, within the following time frames: (1) newly constructed or modified equipment within sixty (60) days of achieving the maximum production rate, but no later than 180 days after initial start up of the permitted source or (2) existing equipment already operating according to the time frames set forth by the Division of Environmental Quality. The permittee must notify the Division of Environmental Quality of the scheduled date of compliance testing at least fifteen (15) business days in advance of such test. The permittee must submit compliance test results to the Division of Environmental Quality within sixty (60) calendar days after the completion of testing. [8 CAR § 41-602 and/or 8 CAR § 40-902 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
8. The permittee shall provide: [8 CAR § 41-602 and/or 8 CAR § 40-902 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
  - a. Sampling ports adequate for applicable test methods;
  - b. Safe sampling platforms;
  - c. Safe access to sampling platforms; and
  - d. Utilities for sampling and testing equipment
9. The permittee shall operate equipment, control apparatus and emission monitoring equipment within their design limitations. The permittee shall maintain in good condition at all times equipment, control apparatus and emission monitoring equipment. [8 CAR § 41-203 and/or 8 CAR § 40-1004 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
10. If the permittee exceeds an emission limit established by this permit, the permittee will be deemed in violation of said permit and will be subject to enforcement action. The Division of Environmental Quality may forego enforcement action for emissions exceeding any limits established by this permit provided the following requirements are met: [8 CAR § 41-501 and/or 8 CAR § 40-1001 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
  - a. The permittee demonstrates to the satisfaction of the Division of Environmental Quality that the emissions resulted from an equipment malfunction or upset and are not the result of negligence or improper maintenance, and the permittee took all reasonable measures to immediately minimize or eliminate the excess emissions.
  - b. The permittee reports the occurrence or upset or breakdown of equipment (by telephone, facsimile, overnight delivery, or online at <https://eportal.adeq.state.ar.us>) to the Division of Environmental Quality by the

end of the next business day after the occurrence or the discovery of the occurrence.

- c. The permittee must submit to the Division of Environmental Quality, within five business days after the occurrence or the discovery of the occurrence, a full, written report of such occurrence, including a statement of all known causes and of the scheduling and nature of the actions to be taken to minimize or eliminate future occurrences, including, but not limited to, action to reduce the frequency of occurrence of such conditions, to minimize the amount by which said limits are exceeded, and to reduce the length of time for which said limits are exceeded. If the information is included in the initial report, the information need not be submitted again.
11. The permittee shall allow representatives of the Division of Environmental Quality upon the presentation of credentials: [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
  - a. To enter upon the permittee's premises, or other premises under the control of the permittee, where an air pollutant source is located or in which any records are required to be kept under the terms and conditions of this permit;
  - b. To have access to and copy any records required to be kept under the terms and conditions of this permit, or the Act;
  - c. To inspect any monitoring equipment or monitoring method required in this permit;
  - d. To sample any emission of pollutants; and
  - e. To perform an operation and maintenance inspection of the permitted source.
12. The Division of Environmental Quality issued this permit in reliance upon the statements and presentations made in the permit application. The Division of Environmental Quality has no responsibility for the adequacy or proper functioning of the equipment or control apparatus. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
13. The Division of Environmental Quality may revoke or modify this permit when, in the judgment of the Division of Environmental Quality, such revocation or modification is necessary to comply with the applicable provisions of the Arkansas Water and Air Pollution Control Act and the rules promulgated the Arkansas Water and Air Pollution Control Act. [8 CAR § 41-310(a) and/or 8 CAR § 40-209(a) and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
14. This permit may be transferred. An applicant for a transfer must submit a written request for transfer of the permit on a form provided by the Division of Environmental Quality and submit the disclosure statement required by Arkansas Code Annotated §8-1-106 at least thirty (30) days in advance of the proposed transfer date. The permit will be automatically transferred to the new permittee unless the Division of Environmental Quality denies the request to transfer within thirty (30) days of the receipt of the

disclosure statement. The Division of Environmental Quality may deny a transfer on the basis of the information revealed in the disclosure statement or other investigation or, deliberate falsification or omission of relevant information. [8 CAR § 41-307(b) and/or 8 CAR § 40-207(b) and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

15. This permit shall be available for inspection on the premises where the control apparatus is located. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
16. This permit authorizes only those pollutant emitting activities addressed herein. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
17. This permit supersedes and voids all previously issued air permits for this facility. [8 CAR pt. 40 and/or pt. 41 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
18. The permittee must pay all permit fees in accordance with the procedures established in 8 CAR pt. 12. [Ark. Code Ann. § 8-1-105(c)]
19. The permittee may request in writing and at least 15 days in advance of the deadline, an extension to any testing, compliance or other dates in this permit. No such extensions are authorized until the permittee receives written Division of Environmental Quality approval. The Division of Environmental Quality may grant such a request, at its discretion in the following circumstances:
  - a. Such an extension does not violate a federal requirement;
  - b. The permittee demonstrates the need for the extension; and
  - c. The permittee documents that all reasonable measures have been taken to meet the current deadline and documents reasons it cannot be met.

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

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

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

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

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

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

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

22. Any credible evidence based on sampling, monitoring, and reporting may be used to determine violations of applicable emission limitations. [8 CAR § 40-901, 8 CAR § 41-601, Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 52 Subpart E]

## **Appendix A**

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



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

## Title 40 –Protection of Environment

### Chapter I –Environmental Protection Agency

#### Subchapter C –Air Programs

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

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

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

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

##### Steam Generating Units

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

###### § 60.41c Definitions.

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

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

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

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

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

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

###### § 60.48c Reporting and recordkeeping requirements.

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

Source: 72 FR 32759, June 13, 2007, unless otherwise noted.

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

- (a) Except as provided in paragraphs (d), (e), (f), and (g) of this section, the affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/h)) or less, but greater than or equal to 2.9 MW (10 MMBtu/h).
- (b) In delegating implementation and enforcement authority to a State under section 111(c) of the Clean Air Act, § 60.48c(a)(4) shall be retained by the Administrator and not transferred to a State.
- (c) Steam generating units that meet the applicability requirements in paragraph (a) of this section are not subject to the sulfur dioxide (SO<sub>2</sub>) or particulate matter (PM) emission limits, performance testing requirements, or monitoring requirements under this subpart (§ 60.42c, § 60.43c, § 60.44c, § 60.45c, § 60.46c, or § 60.47c) during periods of combustion research, as defined in § 60.41c.

- (d) Any temporary change to an existing steam generating unit for the purpose of conducting combustion research is not considered a modification under § 60.14.
- (e) Affected facilities (i.e. heat recovery steam generators and fuel heaters) that are associated with stationary combustion turbines and meet the applicability requirements of subpart KKKK of this part are not subject to this subpart. This subpart will continue to apply to all other heat recovery steam generators, fuel heaters, and other affected facilities that are capable of combusting more than or equal to 2.9 MW (10 MMBtu/h) heat input of fossil fuel but less than or equal to 29 MW (100 MMBtu/h) heat input of fossil fuel. If the heat recovery steam generator, fuel heater, or other affected facility is subject to this subpart, only emissions resulting from combustion of fuels in the steam generating unit are subject to this subpart. (The stationary combustion turbine emissions are subject to subpart GG or KKKK, as applicable, of this part.)
- (f) Any affected facility that meets the applicability requirements of and is subject to subpart AAAA or subpart CCCC of this part is not subject to this subpart.
- (g) Any facility that meets the applicability requirements and is subject to an EPA approved State or Federal section 111(d)/129 plan implementing subpart BBBB of this part is not subject to this subpart.
- (h) Affected facilities that also meet the applicability requirements under subpart J or subpart Ja of this part are subject to the PM and NO<sub>x</sub> standards under this subpart and the SO<sub>2</sub> standards under subpart J or subpart Ja of this part, as applicable.
- (i) Temporary boilers are not subject to this subpart.

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

## § 60.41c Definitions.

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

**Annual capacity factor** means the ratio between the actual heat input to a steam generating unit from an individual fuel or combination of fuels during a period of 12 consecutive calendar months and the potential heat input to the steam generating unit from all fuels had the steam generating unit been operated for 8,760 hours during that 12-month period at the maximum design heat input capacity. In the case of steam generating units that are rented or leased, the actual heat input shall be determined based on the combined heat input from all operations of the affected facility during a period of 12 consecutive calendar months.

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

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

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

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

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

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

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

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

**Emerging technology** means any SO<sub>2</sub> control system that is not defined as a conventional technology under this section, and for which the owner or operator of the affected facility has received approval from the Administrator to operate as an emerging technology under § 60.48c(a)(4).

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

**Fluidized bed combustion technology** means a device wherein fuel is distributed onto a bed (or series of beds) of limestone aggregate (or other sorbent materials) for combustion; and these materials are forced upward in the device by the flow of combustion air and the gaseous products of combustion. Fluidized bed combustion technology includes, but is not limited to, bubbling bed units and circulating bed units.

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

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

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

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

**Natural gas** means:

- (1) A naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal constituent is methane; or
- (2) Liquefied petroleum (LP) gas, as defined by the American Society for Testing and Materials in ASTM D1835 (incorporated by reference, see § 60.17); or
- (3) A mixture of hydrocarbons that maintains a gaseous state at ISO conditions. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 34 and 43 megajoules (MJ) per dry standard cubic meter (910 and 1,150 Btu per dry standard cubic foot).

**Noncontinental area** means the State of Hawaii, the Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico, or the Northern Mariana Islands.

**Oil** means crude oil or petroleum, or a liquid fuel derived from crude oil or petroleum, including distillate oil and residual oil.

**Potential sulfur dioxide emission rate** means the theoretical SO<sub>2</sub> emissions (nanograms per joule (ng/J) or lb/MMBtu heat input) that would result from combusting fuel in an uncleaned state and without using emission control systems.

**Process heater** means a device that is primarily used to heat a material to initiate or promote a chemical reaction in which the material participates as a reactant or catalyst.

**Residual oil** means crude oil, fuel oil that does not comply with the specifications under the definition of distillate oil, and all fuel oil numbers 4, 5, and 6, as defined by the American Society for Testing and Materials in ASTM D396 (incorporated by reference, see § 60.17).

**Steam generating unit** means a device that combusts any fuel and produces steam or heats water or heats any heat transfer medium. This term includes any duct burner that combusts fuel and is part of a combined cycle system. This term does not include process heaters as defined in this subpart.

**Steam generating unit operating day** means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the steam generating unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

**Temporary boiler** means a steam generating unit that combusts natural gas or distillate oil with a potential SO<sub>2</sub> emissions rate no greater than 26 ng/J (0.060 lb/MMBtu), and the unit is designed to, and is capable of, being carried or moved from one location to another by means of, for example, wheels, skids, carrying handles, dollies, trailers, or platforms. A steam generating unit is not a temporary boiler if any one of the following conditions exists:

- (1) The equipment is attached to a foundation.

- (2) The steam generating unit or a replacement remains at a location for more than 180 consecutive days. Any temporary boiler that replaces a temporary boiler at a location and performs the same or similar function will be included in calculating the consecutive time period.
- (3) The equipment is located at a seasonal facility and operates during the full annual operating period of the seasonal facility, remains at the facility for at least 2 years, and operates at that facility for at least 3 months each year.
- (4) The equipment is moved from one location to another in an attempt to circumvent the residence time requirements of this definition.

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

**Wet scrubber system** means any emission control device that mixes an aqueous stream or slurry with the exhaust gases from a steam generating unit to control emissions of PM or SO<sub>2</sub>.

**Wood** means wood, wood residue, bark, or any derivative fuel or residue thereof, in any form, including but not limited to sawdust, sanderdust, wood chips, scraps, slabs, millings, shavings, and processed pellets made from wood or other forest residues.

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

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

- (a) Except as provided in paragraphs (b), (c), and (e) of this section, on and after the date on which the performance test is completed or required to be completed under § 60.8, whichever date comes first, the owner or operator of an affected facility that combusts only coal shall neither: cause to be discharged into the atmosphere from the affected facility any gases that contain SO<sub>2</sub> in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 10 percent (0.10) of the potential SO<sub>2</sub> emission rate (90 percent reduction), nor cause to be discharged into the atmosphere from the affected facility any gases that contain SO<sub>2</sub> in excess of 520 ng/J (1.2 lb/MMBtu) heat input. If coal is combusted with other fuels, the affected facility shall neither: cause to be discharged into the atmosphere from the affected facility any gases that contain SO<sub>2</sub> in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 10 percent (0.10) of the potential SO<sub>2</sub> emission rate (90 percent reduction), nor cause to be discharged into the atmosphere from the affected facility any gases that contain SO<sub>2</sub> in excess of the emission limit is determined pursuant to paragraph (e)(2) of this section.
- (b) Except as provided in paragraphs (c) and (e) of this section, on and after the date on which the performance test is completed or required to be completed under § 60.8, whichever date comes first, the owner or operator of an affected facility that:
  - (1) Combusts only coal refuse alone in a fluidized bed combustion steam generating unit shall neither:
    - (i) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 20 percent (0.20) of the potential SO<sub>2</sub> emission rate (80 percent reduction); nor

(ii) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of SO<sub>2</sub> in excess of 520 ng/J (1.2 lb/MMBtu) heat input. If coal is fired with coal refuse, the affected facility subject to paragraph (a) of this section. If oil or any other fuel (except coal) is fired with coal refuse, the affected facility is subject to the 87 ng/J (0.20 lb/MMBtu) heat input SO<sub>2</sub> emissions limit or the 90 percent SO<sub>2</sub> reduction requirement specified in paragraph (a) of this section and the emission limit is determined pursuant to paragraph (e)(2) of this section.

(2) Combusts only coal and that uses an emerging technology for the control of SO<sub>2</sub> emissions shall neither:

- (i) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of 50 percent (0.50) of the potential SO<sub>2</sub> emission rate (50 percent reduction); nor
- (ii) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of 260 ng/J (0.60 lb/MMBtu) heat input. If coal is combusted with other fuels, the affected facility is subject to the 50 percent SO<sub>2</sub> reduction requirement specified in this paragraph and the emission limit determined pursuant to paragraph (e)(2) of this section.

(c) On and after the date on which the initial performance test is completed or required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that combusts coal, alone or in combination with any other fuel, and is listed in paragraphs (c)(1), (2), (3), or (4) of this section shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of the emission limit determined pursuant to paragraph (e)(2) of this section. Percent reduction requirements are not applicable to affected facilities under paragraphs (c)(1), (2), (3), or (4).

(1) Affected facilities that have a heat input capacity of 22 MW (75 MMBtu/h) or less;

(2) Affected facilities that have an annual capacity for coal of 55 percent (0.55) or less and are subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor for coal of 55 percent (0.55) or less.

(3) Affected facilities located in a noncontinental area; or

(4) Affected facilities that combust coal in a duct burner as part of a combined cycle system where 30 percent (0.30) or less of the heat entering the steam generating unit is from combustion of coal in the duct burner and 70 percent (0.70) or more of the heat entering the steam generating unit is from exhaust gases entering the duct burner.

(d) On and after the date on which the initial performance test is completed or required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that combusts oil shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of 215 ng/J (0.50 lb/MMBtu) heat input from oil; or, as an alternative, no owner or operator of an affected facility that combusts oil shall combust oil in the affected facility that contains greater than 0.5 weight percent sulfur. The percent reduction requirements are not applicable to affected facilities under this paragraph.

(e) On and after the date on which the initial performance test is completed or required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that combusts coal, oil, or coal and oil with any other fuel shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of the following:

- (1) The percent of potential SO<sub>2</sub> emission rate or numerical SO<sub>2</sub> emission rate required under paragraph (a) or (b)(2) of this section, as applicable, for any affected facility that
  - (i) Combusts coal in combination with any other fuel;
  - (ii) Has a heat input capacity greater than 22 MW (75 MMBtu/h); and
  - (iii) Has an annual capacity factor for coal greater than 55 percent (0.55); and
- (2) The emission limit determined according to the following formula for any affected facility that combusts coal, oil, or coal and oil with any other fuel:

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

Where:

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

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

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

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

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

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

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

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

- (1) Distillate oil-fired affected facilities with heat input capacities between 2.9 and 29 MW (10 and 100 MMBtu/hr).
- (2) Residual oil-fired affected facilities with heat input capacities between 2.9 and 8.7 MW (10 and 30 MMBtu/hr).
- (3) Coal-fired affected facilities with heat input capacities between 2.9 and 8.7 MW (10 and 30 MMBtu/h).
- (4) Other fuels-fired affected facilities with heat input capacities between 2.9 and 8.7 MW (10 and 30 MMBtu/h).
  - (i) The SO<sub>2</sub> emission limits, fuel oil sulfur limits, and percent reduction requirements under this section apply at all times, including periods of startup, shutdown, and malfunction.
  - (j) For affected facilities located in noncontinental areas and affected facilities complying with the percent reduction standard, only the heat input supplied to the affected facility from the combustion of coal and oil is counted under this section. No credit is provided for the heat input to the affected facility from wood or other fuels or for heat derived from exhaust gases from other sources, such as stationary gas turbines, internal combustion engines, and kilns.

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

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

- (a) On and after the date on which the initial performance test is completed or required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, that combusts coal or combusts mixtures of coal with other fuels and has a heat input capacity of 8.7 MW (30 MMBtu/h) or greater, shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of the following emission limits:
  - (1) 22 ng/J (0.051 lb/MMBtu) heat input if the affected facility combusts only coal, or combusts coal with other fuels and has an annual capacity factor for the other fuels of 10 percent (0.10) or less.
  - (2) 43 ng/J (0.10 lb/MMBtu) heat input if the affected facility combusts coal with other fuels, has an annual capacity factor for the other fuels greater than 10 percent (0.10), and is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor greater than 10 percent (0.10) for fuels other than coal.
- (b) On and after the date on which the initial performance test is completed or required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, that combusts wood or combusts mixtures of wood with other fuels (except coal) and has a heat input capacity of 8.7 MW (30 MMBtu/h) or greater, shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of the following emissions limits:
  - (1) 43 ng/J (0.10 lb/MMBtu) heat input if the affected facility has an annual capacity factor for wood greater than 30 percent (0.30); or
  - (2) 130 ng/J (0.30 lb/MMBtu) heat input if the affected facility has an annual capacity factor for wood of 30 percent (0.30) or less and is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor for wood of 30 percent (0.30) or less.

(c) On and after the date on which the initial performance test is completed or required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that combusts coal, wood, or oil and has a heat input capacity of 8.7 MW (30 MMBtu/h) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity. Owners and operators of an affected facility that elect to install, calibrate, maintain, and operate a continuous emissions monitoring system (CEMS) for measuring PM emissions according to the requirements of this subpart and are subject to a federally enforceable PM limit of 0.030 lb/MMBtu or less are exempt from the opacity standard specified in this paragraph (c).

(d) The PM and opacity standards under this section apply at all times, except during periods of startup, shutdown, or malfunction.

(e)

(1) On and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels and has a heat input capacity of 8.7 MW (30 MMBtu/h) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 13 ng/J (0.030 lb/MMBtu) heat input, except as provided in paragraphs (e)(2), (e)(3), and (e)(4) of this section.

(2) As an alternative to meeting the requirements of paragraph (e)(1) of this section, the owner or operator of an affected facility for which modification commenced after February 28, 2005, may elect to meet the requirements of this paragraph. On and after the date on which the initial performance test is completed or required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that commences modification after February 28, 2005 shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of both:

(i) 22 ng/J (0.051 lb/MMBtu) heat input derived from the combustion of coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels; and

(ii) 0.2 percent of the combustion concentration (99.8 percent reduction) when combusting coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels.

(3) On and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility that commences modification after February 28, 2005, and that combusts over 30 percent wood (by heat input) on an annual basis and has a heat input capacity of 8.7 MW (30 MMBtu/h) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 43 ng/J (0.10 lb/MMBtu) heat input.

(4) An owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts only oil that contains no more than 0.50 weight percent sulfur or a mixture of 0.50 weight percent sulfur oil with other fuels not subject to a PM standard under § 60.43c and not using a post-combustion technology (except a wet scrubber) to reduce PM or SO<sub>2</sub> emissions is not subject to the PM limit in this section.

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

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

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

$$E_{h00} = \frac{E_{ho} - E_w(1 - X_k)}{X_k}$$

Where:

E<sub>h00</sub> = Adjusted E<sub>ho</sub>, ng/J (lb/MMBtu);

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

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

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

(2) The owner or operator of an affected facility that qualifies under the provisions of § 60.42c(c) or (d) (where percent reduction is not required) does not have to measure the parameters  $E_w$  or  $X_k$  if the owner or operator of the affected facility elects to measure emission rates of the coal or oil using the fuel sampling and analysis procedures under Method 19 of appendix A of this part.

(f) Affected facilities subject to the percent reduction requirements under § 60.42c(a) or (b) shall determine compliance with the SO<sub>2</sub> emission limits under § 60.42c pursuant to paragraphs (d) or (e) of this section, and shall determine compliance with the percent reduction requirements using the following procedures:

(1) If only coal is combusted, the percent of potential SO<sub>2</sub> emission rate is computed using the following formula:

$$\%P_s = 100 \left( 1 - \frac{\%R_g}{100} \right) \left( 1 - \frac{\%R_f}{100} \right)$$

Where:

$\%P_s$  = Potential SO<sub>2</sub> emission rate, in percent;

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

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

(2) If coal, oil, or coal and oil are combusted with other fuels, the same procedures required in paragraph (f)(1) of this section are used, except as provided for in the following:

(i) To compute the  $\%P_s$ , an adjusted  $\%R_g$  ( $\%R_{go}$ ) is computed from  $E_{ao}$  from paragraph (e)(1) of this section and an adjusted average SO<sub>2</sub> inlet rate ( $E_{ai}$ ) using the following formula:

$$\%R_{go} = 100 \left( 1 - \frac{E_{ao}}{E_{ai}} \right)$$

Where:

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

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

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

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

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

Where:

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

$E_{hi}$  = Hourly  $SO_2$  inlet rate, ng/J (lb/MMBtu);

$E_w$  =  $SO_2$  concentration in fuels other than coal and oil combusted in the affected facility, as determined by fuel sampling and analysis procedures in Method 19 of appendix A of this part, ng/J (lb/MMBtu). The value  $E_w$  for each fuel lot is used for each hourly average during the time that the lot is being combusted. The owner or operator does not have to measure  $E_w$  if the owner or operator elects to assume  $E_w = 0$ ; and

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

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

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

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

(a) The owner or operator of an affected facility subject to the PM and/or opacity standards under § 60.43c shall conduct an initial performance test as required under § 60.8, and shall conduct subsequent performance tests as requested by the Administrator, to determine compliance with the standards using the following procedures and reference methods, except as specified in paragraph (c) of this section.

- (1) Method 1 of appendix A of this part shall be used to select the sampling site and the number of traverse sampling points.
- (2) Method 3A or 3B of appendix A-2 of this part shall be used for gas analysis when applying Method 5 or 5B of appendix A-3 of this part or 17 of appendix A-6 of this part.
- (3) Method 5, 5B, or 17 of appendix A of this part shall be used to measure the concentration of PM as follows:
  - (i) Method 5 of appendix A of this part may be used only at affected facilities without wet scrubber systems.
  - (ii) Method 17 of appendix A of this part may be used at affected facilities with or without wet scrubber systems provided the stack gas temperature does not exceed a temperature of 160 °C (320 °F). The procedures of Sections 8.1 and 11.1 of Method 5B of appendix A of this part may be used in Method 17 of appendix A of this part only if Method 17 of appendix A of this part is used in conjunction with a wet scrubber system. Method 17 of appendix A of this part shall not be used in conjunction with a wet scrubber system if the effluent is saturated or laden with water droplets.
  - (iii) Method 5B of appendix A of this part may be used in conjunction with a wet scrubber system.
- (4) The sampling time for each run shall be at least 120 minutes and the minimum sampling volume shall be 1.7 dry standard cubic meters (dscm) [60 dry standard cubic feet (dscf)] except that smaller sampling times or volumes may be approved by the Administrator when necessitated by process variables or other factors.
- (5) For Method 5 or 5B of appendix A of this part, the temperature of the sample gas in the probe and filter holder shall be monitored and maintained at  $160 \pm 14$  °C ( $320 \pm 25$  °F).
- (6) For determination of PM emissions, an oxygen ( $O_2$ ) or carbon dioxide ( $CO_2$ ) measurement shall be obtained simultaneously with each run of Method 5, 5B, or 17 of appendix A of this part by traversing the duct at the same sampling location.
- (7) For each run using Method 5, 5B, or 17 of appendix A of this part, the emission rates expressed in ng/J (lb/MMBtu) heat input shall be determined using:
  - (i) The  $O_2$  or  $CO_2$  measurements and PM measurements obtained under this section,
  - (ii) The dry basis F factor, and
  - (iii) The dry basis emission rate calculation procedure contained in Method 19 of appendix A of this part.
- (8) Method 9 of appendix A-4 of this part shall be used for determining the opacity of stack emissions.

(b) The owner or operator of an affected facility seeking to demonstrate compliance with the PM standards under § 60.43c(b)(2) shall demonstrate the maximum design heat input capacity of the steam generating unit by operating the steam generating unit at this capacity for 24 hours. This demonstration shall be made during the initial performance test, and a subsequent demonstration may be requested at any other time. If the demonstrated 24-hour average firing rate for the affected facility is less than the maximum design heat input capacity stated by the manufacturer of the affected facility, the demonstrated 24-hour average firing rate shall be used to determine the annual capacity factor for the affected facility; otherwise, the maximum design heat input capacity provided by the manufacturer shall be used.

(c) In place of PM testing with Method 5 or 5B of appendix A-3 of this part or Method 17 of appendix A-6 of this part, an owner or operator may elect to install, calibrate, maintain, and operate a CEMS for monitoring PM emissions discharged to the atmosphere and record the output of the system. The owner or operator of an affected facility who elects to continuously monitor PM emissions instead of conducting performance testing using Method 5 or 5B of appendix A-3 of this part or Method 17 of appendix A-6 of this part shall install, calibrate, maintain, and operate a CEMS and shall comply with the requirements specified in paragraphs (c)(1) through (c)(14) of this section.

- (1) Notify the Administrator 1 month before starting use of the system.
- (2) Notify the Administrator 1 month before stopping use of the system.
- (3) The monitor shall be installed, evaluated, and operated in accordance with § 60.13 of subpart A of this part.
- (4) The initial performance evaluation shall be completed no later than 180 days after the date of initial startup of the affected facility, as specified under § 60.8 of subpart A of this part or within 180 days of notification to the Administrator of use of CEMS if the owner or operator was previously determining compliance by Method 5, 5B, or 17 of appendix A of this part performance tests, whichever is later.
- (5) The owner or operator of an affected facility shall conduct an initial performance test for PM emissions as required under § 60.8 of subpart A of this part. Compliance with the PM emission limit shall be determined by using the CEMS specified in paragraph (d) of this section to measure PM and calculating a 24-hour block arithmetic average emission concentration using EPA Reference Method 19 of appendix A of this part, section 4.1.
- (6) Compliance with the PM emission limit shall be determined based on the 24-hour daily (block) average of the hourly arithmetic average emission concentrations using CEMS outlet data.
- (7) At a minimum, valid CEMS hourly averages shall be obtained as specified in paragraph (c)(7)(i) of this section for 75 percent of the total operating hours per 30-day rolling average.
  - (i) At least two data points per hour shall be used to calculate each 1-hour arithmetic average.
  - (ii) [Reserved]
- (8) The 1-hour arithmetic averages required under paragraph (c)(7) of this section shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the boiler operating day daily arithmetic average emission concentrations. The 1-hour arithmetic averages shall be calculated using the data points required under § 60.13(e)(2) of subpart A of this part.
- (9) All valid CEMS data shall be used in calculating average emission concentrations even if the minimum CEMS data requirements of paragraph (c)(7) of this section are not met.

- (10) The CEMS shall be operated according to Performance Specification 11 in appendix B of this part.
- (11) During the correlation testing runs of the CEMS required by Performance Specification 11 in appendix B of this part, PM and O<sub>2</sub> (or CO<sub>2</sub>) data shall be collected concurrently (or within a 30- to 60-minute period) by both the continuous emission monitors and performance tests conducted using the following test methods.
  - (i) For PM, Method 5 or 5B of appendix A-3 of this part or Method 17 of appendix A-6 of this part shall be used; and
  - (ii) For O<sub>2</sub> (or CO<sub>2</sub>), Method 3A or 3B of appendix A-2 of this part, as applicable shall be used.
- (12) Quarterly accuracy determinations and daily calibration drift tests shall be performed in accordance with procedure 2 in appendix F of this part. Relative Response Audit's must be performed annually and Response Correlation Audits must be performed every 3 years.
- (13) When PM emissions data are not obtained because of CEMS breakdowns, repairs, calibration checks, and zero and span adjustments, emissions data shall be obtained by using other monitoring systems as approved by the Administrator or EPA Reference Method 19 of appendix A of this part to provide, as necessary, valid emissions data for a minimum of 75 percent of total operating hours on a 30-day rolling average.
- (14) As of January 1, 2012, and within 90 days after the date of completing each performance test, as defined in § 60.8, conducted to demonstrate compliance with this subpart, you must submit relative accuracy test audit (*i.e.*, reference method) data and performance test (*i.e.*, compliance test) data, except opacity data, electronically to EPA's Central Data Exchange (CDX) by using the Electronic Reporting Tool (ERT) (see [http://www.epa.gov/ttn/chief/ert/ert\\_tool.html/](http://www.epa.gov/ttn/chief/ert/ert_tool.html/)) or other compatible electronic spreadsheet. Only data collected using test methods compatible with ERT are subject to this requirement to be submitted electronically into EPA's WebFIRE database.

(d) The owner or operator of an affected facility seeking to demonstrate compliance under § 60.43c(e)(4) shall follow the applicable procedures under § 60.48c(f). For residual oil-fired affected facilities, fuel supplier certifications are only allowed for facilities with heat input capacities between 2.9 and 8.7 MW (10 to 30 MMBtu/h).

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

## § 60.46c Emission monitoring for sulfur dioxide.

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

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

- (c) The procedures under § 60.13 shall be followed for installation, evaluation, and operation of the CEMS.
  - (1) All CEMS shall be operated in accordance with the applicable procedures under Performance Specifications 1, 2, and 3 of appendix B of this part.
  - (2) Quarterly accuracy determinations and daily calibration drift tests shall be performed in accordance with Procedure 1 of appendix F of this part.
  - (3) For affected facilities subject to the percent reduction requirements under § 60.42c, the span value of the SO<sub>2</sub> CEMS at the inlet to the SO<sub>2</sub> control device shall be 125 percent of the maximum estimated hourly potential SO<sub>2</sub> emission rate of the fuel combusted, and the span value of the SO<sub>2</sub> CEMS at the outlet from the SO<sub>2</sub> control device shall be 50 percent of the maximum estimated hourly potential SO<sub>2</sub> emission rate of the fuel combusted.
  - (4) For affected facilities that are not subject to the percent reduction requirements of § 60.42c, the span value of the SO<sub>2</sub> CEMS at the outlet from the SO<sub>2</sub> control device (or outlet of the steam generating unit if no SO<sub>2</sub> control device is used) shall be 125 percent of the maximum estimated hourly potential SO<sub>2</sub> emission rate of the fuel combusted.
- (d) As an alternative to operating a CEMS at the inlet to the SO<sub>2</sub> control device (or outlet of the steam generating unit if no SO<sub>2</sub> control device is used) as required under paragraph (a) of this section, an owner or operator may elect to determine the average SO<sub>2</sub> emission rate by sampling the fuel prior to combustion. As an alternative to operating a CEMS at the outlet from the SO<sub>2</sub> control device (or outlet of the steam generating unit if no SO<sub>2</sub> control device is used) as required under paragraph (a) of this section, an owner or operator may elect to determine the average SO<sub>2</sub> emission rate by using Method 6B of appendix A of this part. Fuel sampling shall be conducted pursuant to either paragraph (d)(1) or (d)(2) of this section. Method 6B of appendix A of this part shall be conducted pursuant to paragraph (d)(3) of this section.
  - (1) For affected facilities combusting coal or oil, coal or oil samples shall be collected daily in an as-fired condition at the inlet to the steam generating unit and analyzed for sulfur content and heat content according the Method 19 of appendix A of this part. Method 19 of appendix A of this part provides procedures for converting these measurements into the format to be used in calculating the average SO<sub>2</sub> input rate.
  - (2) As an alternative fuel sampling procedure for affected facilities combusting oil, oil samples may be collected from the fuel tank for each steam generating unit immediately after the fuel tank is filled and before any oil is combusted. The owner or operator of the affected facility shall analyze the oil sample to determine the sulfur content of the oil. If a partially empty fuel tank is refilled, a new sample and analysis of the fuel in the tank would be required upon filling. Results of the fuel analysis taken after each new shipment of oil is received shall be used as the daily value when calculating the 30-day rolling average until the next shipment is received. If the fuel analysis shows that the sulfur content in the fuel tank is greater than 0.5 weight percent sulfur, the owner or operator shall ensure that the sulfur content of subsequent oil shipments is low enough to cause the 30-day rolling average sulfur content to be 0.5 weight percent sulfur or less.

(3) Method 6B of appendix A of this part may be used in lieu of CEMS to measure SO<sub>2</sub> at the inlet or outlet of the SO<sub>2</sub> control system. An initial stratification test is required to verify the adequacy of the Method 6B of appendix A of this part sampling location. The stratification test shall consist of three paired runs of a suitable SO<sub>2</sub> and CO<sub>2</sub> measurement train operated at the candidate location and a second similar train operated according to the procedures in § 3.2 and the applicable procedures in section 7 of Performance Specification 2 of appendix B of this part. Method 6B of appendix A of this part, Method 6A of appendix A of this part, or a combination of Methods 6 and 3 of appendix A of this part or Methods 6C and 3A of appendix A of this part are suitable measurement techniques. If Method 6B of appendix A of this part is used for the second train, sampling time and timer operation may be adjusted for the stratification test as long as an adequate sample volume is collected; however, both sampling trains are to be operated similarly. For the location to be adequate for Method 6B of appendix A of this part 24-hour tests, the mean of the absolute difference between the three paired runs must be less than 10 percent (0.10).

(e) The monitoring requirements of paragraphs (a) and (d) of this section shall not apply to affected facilities subject to § 60.42c(h) (1), (2), or (3) where the owner or operator of the affected facility seeks to demonstrate compliance with the SO<sub>2</sub> standards based on fuel supplier certification, as described under § 60.48c(f), as applicable.

(f) The owner or operator of an affected facility operating a CEMS pursuant to paragraph (a) of this section, or conducting as-fired fuel sampling pursuant to paragraph (d)(1) of this section, shall obtain emission data for at least 75 percent of the operating hours in at least 22 out of 30 successive steam generating unit operating days. If this minimum data requirement is not met with a single monitoring system, the owner or operator of the affected facility shall supplement the emission data with data collected with other monitoring systems as approved by the Administrator.

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

(a) Except as provided in paragraphs (c), (d), (e), and (f) of this section, the owner or operator of an affected facility combusting coal, oil, or wood that is subject to the opacity standards under § 60.43c shall install, calibrate, maintain, and operate a continuous opacity monitoring system (COMS) for measuring the opacity of the emissions discharged to the atmosphere and record the output of the system. The owner or operator of an affected facility subject to an opacity standard in § 60.43c(c) that is not required to use a COMS due to paragraphs (c), (d), (e), or (f) of this section that elects not to use a COMS shall conduct a performance test using Method 9 of appendix A-4 of this part and the procedures in § 60.11 to demonstrate compliance with the applicable limit in § 60.43c by April 29, 2011, within 45 days of stopping use of an existing COMS, or within 180 days after initial startup of the facility, whichever is later, and shall comply with either paragraphs (a)(1), (a)(2), or (a)(3) of this section. The observation period for Method 9 of appendix A-4 of this part performance tests may be reduced from 3 hours to 60 minutes if all 6-minute averages are less than 10 percent and all individual 15-second observations are less than or equal to 20 percent during the initial 60 minutes of observation.

(1) Except as provided in paragraph (a)(2) and (a)(3) of this section, the owner or operator shall conduct subsequent Method 9 of appendix A-4 of this part performance tests using the procedures in paragraph (a) of this section according to the applicable schedule in paragraphs (a)(1)(i) through (a)(1)(iv) of this section, as determined by the most recent Method 9 of appendix A-4 of this part performance test results.

- (i) If no visible emissions are observed, a subsequent Method 9 of appendix A-4 of this part performance test must be completed within 12 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later;
- (ii) If visible emissions are observed but the maximum 6-minute average opacity is less than or equal to 5 percent, a subsequent Method 9 of appendix A-4 of this part performance test must be completed within 6 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later;
- (iii) If the maximum 6-minute average opacity is greater than 5 percent but less than or equal to 10 percent, a subsequent Method 9 of appendix A-4 of this part performance test must be completed within 3 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later; or
- (iv) If the maximum 6-minute average opacity is greater than 10 percent, a subsequent Method 9 of appendix A-4 of this part performance test must be completed within 45 calendar days from the date that the most recent performance test was conducted.

(2) If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A-4 of this part performance test, the owner or operator may, as an alternative to performing subsequent Method 9 of appendix A-4 of this part performance tests, elect to perform subsequent monitoring using Method 22 of appendix A-7 of this part according to the procedures specified in paragraphs (a)(2)(i) and (ii) of this section.

- (i) The owner or operator shall conduct 10 minute observations (during normal operation) each operating day the affected facility fires fuel for which an opacity standard is applicable using Method 22 of appendix A-7 of this part and demonstrate that the sum of the occurrences of any visible emissions is not in excess of 5 percent of the observation period (i.e., 30 seconds per 10 minute period). If the sum of the occurrence of any visible emissions is greater than 30 seconds during the initial 10 minute observation, immediately conduct a 30 minute observation. If the sum of the occurrence of visible emissions is greater than 5 percent of the observation period (i.e., 90 seconds per 30 minute period), the owner or operator shall either document and adjust the operation of the facility and demonstrate within 24 hours that the sum of the occurrence of visible emissions is equal to or less than 5 percent during a 30 minute observation (i.e., 90 seconds) or conduct a new Method 9 of appendix A-4 of this part performance test using the procedures in paragraph (a) of this section within 45 calendar days according to the requirements in § 60.45c(a)(8).
- (ii) If no visible emissions are observed for 10 operating days during which an opacity standard is applicable, observations can be reduced to once every 7 operating days during which an opacity standard is applicable. If any visible emissions are observed, daily observations shall be resumed.

(3) If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A-4 of this part performance test, the owner or operator may, as an alternative to performing subsequent Method 9 of appendix A-4 performance tests, elect to perform subsequent monitoring using a digital opacity compliance system according to a site-specific monitoring plan approved by the Administrator. The observations shall be similar, but not necessarily identical, to the

requirements in paragraph (a)(2) of this section. For reference purposes in preparing the monitoring plan, see OAQPS "Determination of Visible Emission Opacity from Stationary Sources Using Computer-Based Photographic Analysis Systems." This document is available from the U.S. Environmental Protection Agency (U.S. EPA); Office of Air Quality and Planning Standards; Sector Policies and Programs Division; Measurement Policy Group (D243-02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emission Measurement Center Preliminary Methods.

- (b) All COMS shall be operated in accordance with the applicable procedures under Performance Specification 1 of appendix B of this part. The span value of the opacity COMS shall be between 60 and 80 percent.
- (c) Owners and operators of an affected facilities that burn only distillate oil that contains no more than 0.5 weight percent sulfur and/or liquid or gaseous fuels with potential sulfur dioxide emission rates of 26 ng/J (0.060 lb/MMBtu) heat input or less and that do not use a post-combustion technology to reduce SO<sub>2</sub> or PM emissions and that are subject to an opacity standard in § 60.43c(c) are not required to operate a COMS if they follow the applicable procedures in § 60.48c(f).
- (d) Owners or operators complying with the PM emission limit by using a PM CEMS must calibrate, maintain, operate, and record the output of the system for PM emissions discharged to the atmosphere as specified in § 60.45c(c). The CEMS specified in paragraph § 60.45c(c) shall be operated and data recorded during all periods of operation of the affected facility except for CEMS breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments.
- (e) Owners and operators of an affected facility that is subject to an opacity standard in § 60.43c(c) and that does not use post-combustion technology (except a wet scrubber) for reducing PM, SO<sub>2</sub>, or carbon monoxide (CO) emissions, burns only gaseous fuels or fuel oils that contain less than or equal to 0.5 weight percent sulfur, and is operated such that emissions of CO discharged to the atmosphere from the affected facility are maintained at levels less than or equal to 0.15 lb/MMBtu on a boiler operating day average basis is not required to operate a COMS. Owners and operators of affected facilities electing to comply with this paragraph must demonstrate compliance according to the procedures specified in paragraphs (e)(1) through (4) of this section; or
  - (1) You must monitor CO emissions using a CEMS according to the procedures specified in paragraphs (e)(1)(i) through (iv) of this section.
    - (i) The CO CEMS must be installed, certified, maintained, and operated according to the provisions in § 60.58b(i)(3) of subpart Eb of this part.
    - (ii) Each 1-hour CO emissions average is calculated using the data points generated by the CO CEMS expressed in parts per million by volume corrected to 3 percent oxygen (dry basis).
    - (iii) At a minimum, valid 1-hour CO emissions averages must be obtained for at least 90 percent of the operating hours on a 30-day rolling average basis. The 1-hour averages are calculated using the data points required in § 60.13(h)(2).
    - (iv) Quarterly accuracy determinations and daily calibration drift tests for the CO CEMS must be performed in accordance with procedure 1 in appendix F of this part.
  - (2) You must calculate the 1-hour average CO emissions levels for each steam generating unit operating day by multiplying the average hourly CO output concentration measured by the CO CEMS times the corresponding average hourly flue gas flow rate and divided by the corresponding average hourly

heat input to the affected source. The 24-hour average CO emission level is determined by calculating the arithmetic average of the hourly CO emission levels computed for each steam generating unit operating day.

- (3) You must evaluate the preceding 24-hour average CO emission level each steam generating unit operating day excluding periods of affected source startup, shutdown, or malfunction. If the 24-hour average CO emission level is greater than 0.15 lb/MMBtu, you must initiate investigation of the relevant equipment and control systems within 24 hours of the first discovery of the high emission incident and, take the appropriate corrective action as soon as practicable to adjust control settings or repair equipment to reduce the 24-hour average CO emission level to 0.15 lb/MMBtu or less.
- (4) You must record the CO measurements and calculations performed according to paragraph (e) of this section and any corrective actions taken. The record of corrective action taken must include the date and time during which the 24-hour average CO emission level was greater than 0.15 lb/MMBtu, and the date, time, and description of the corrective action.
- (f) An owner or operator of an affected facility that is subject to an opacity standard in § 60.43c(c) is not required to operate a COMS provided that the affected facility meets the conditions in either paragraphs (f)(1), (2), or (3) of this section.
  - (1) The affected facility uses a fabric filter (baghouse) as the primary PM control device and, the owner or operator operates a bag leak detection system to monitor the performance of the fabric filter according to the requirements in section § 60.48Da of this part.
  - (2) The affected facility uses an ESP as the primary PM control device, and the owner or operator uses an ESP predictive model to monitor the performance of the ESP developed in accordance and operated according to the requirements in section § 60.48Da of this part.
  - (3) The affected facility burns only gaseous fuels and/or fuel oils that contain no greater than 0.5 weight percent sulfur, and the owner or operator operates the unit according to a written site-specific monitoring plan approved by the permitting authority. This monitoring plan must include procedures and criteria for establishing and monitoring specific parameters for the affected facility indicative of compliance with the opacity standard. For testing performed as part of this site-specific monitoring plan, the permitting authority may require as an alternative to the notification and reporting requirements specified in §§ 60.8 and 60.11 that the owner or operator submit any deviations with the excess emissions report required under § 60.48c(c).

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

## § 60.48c Reporting and recordkeeping requirements.

- (a) The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction and actual startup, as provided by § 60.7 of this part. This notification shall include:
  - (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
  - (2) If applicable, a copy of any federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under § 60.42c, or § 60.43c.
  - (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

- (4) Notification if an emerging technology will be used for controlling SO<sub>2</sub> emissions. The Administrator will examine the description of the control device and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is subject to the provisions of § 60.42c(a) or (b)(1), unless and until this determination is made by the Administrator.
- (b) The owner or operator of each affected facility subject to the SO<sub>2</sub> emission limits of § 60.42c, or the PM or opacity limits of § 60.43c, shall submit to the Administrator the performance test data from the initial and any subsequent performance tests and, if applicable, the performance evaluation of the CEMS and/or COMS using the applicable performance specifications in appendix B of this part.
- (c) In addition to the applicable requirements in § 60.7, the owner or operator of an affected facility subject to the opacity limits in § 60.43c(c) shall submit excess emission reports for any excess emissions from the affected facility that occur during the reporting period and maintain records according to the requirements specified in paragraphs (c)(1) through (3) of this section, as applicable to the visible emissions monitoring method used.
  - (1) For each performance test conducted using Method 9 of appendix A-4 of this part, the owner or operator shall keep the records including the information specified in paragraphs (c)(1)(i) through (iii) of this section.
    - (i) Dates and time intervals of all opacity observation periods;
    - (ii) Name, affiliation, and copy of current visible emission reading certification for each visible emission observer participating in the performance test; and
    - (iii) Copies of all visible emission observer opacity field data sheets;
  - (2) For each performance test conducted using Method 22 of appendix A-4 of this part, the owner or operator shall keep the records including the information specified in paragraphs (c)(2)(i) through (iv) of this section.
    - (i) Dates and time intervals of all visible emissions observation periods;
    - (ii) Name and affiliation for each visible emission observer participating in the performance test;
    - (iii) Copies of all visible emission observer opacity field data sheets; and
    - (iv) Documentation of any adjustments made and the time the adjustments were completed to the affected facility operation by the owner or operator to demonstrate compliance with the applicable monitoring requirements.
  - (3) For each digital opacity compliance system, the owner or operator shall maintain records and submit reports according to the requirements specified in the site-specific monitoring plan approved by the Administrator
- (d) The owner or operator of each affected facility subject to the SO<sub>2</sub> emission limits, fuel oil sulfur limits, or percent reduction requirements under § 60.42c shall submit reports to the Administrator.
- (e) The owner or operator of each affected facility subject to the SO<sub>2</sub> emission limits, fuel oil sulfur limits, or percent reduction requirements under § 60.42c shall keep records and submit reports as required under paragraph (d) of this section, including the following information, as applicable.
  - (1) Calendar dates covered in the reporting period.

- (2) Each 30-day average SO<sub>2</sub> emission rate (ng/J or lb/MMBtu), or 30-day average sulfur content (weight percent), calculated during the reporting period, ending with the last 30-day period; reasons for any noncompliance with the emission standards; and a description of corrective actions taken.
- (3) Each 30-day average percent of potential SO<sub>2</sub> emission rate calculated during the reporting period, ending with the last 30-day period; reasons for any noncompliance with the emission standards; and a description of the corrective actions taken.
- (4) Identification of any steam generating unit operating days for which SO<sub>2</sub> or diluent (O<sub>2</sub> or CO<sub>2</sub>) data have not been obtained by an approved method for at least 75 percent of the operating hours; justification for not obtaining sufficient data; and a description of corrective actions taken.
- (5) Identification of any times when emissions data have been excluded from the calculation of average emission rates; justification for excluding data; and a description of corrective actions taken if data have been excluded for periods other than those during which coal or oil were not combusted in the steam generating unit.
- (6) Identification of the F factor used in calculations, method of determination, and type of fuel combusted.
- (7) Identification of whether averages have been obtained based on CEMS rather than manual sampling methods.
- (8) If a CEMS is used, identification of any times when the pollutant concentration exceeded the full span of the CEMS.
- (9) If a CEMS is used, description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specifications 2 or 3 of appendix B of this part.
- (10) If a CEMS is used, results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1 of this part.
- (11) If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph (f)(1), (2), (3), or (4) of this section, as applicable. In addition to records of fuel supplier certifications, the report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.

- (f) Fuel supplier certification shall include the following information:

- (1) For distillate oil:
  - (i) The name of the oil supplier;
  - (ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in § 60.41c; and
  - (iii) The sulfur content or maximum sulfur content of the oil.
- (2) For residual oil:
  - (i) The name of the oil supplier;

(ii) The location of the oil when the sample was drawn for analysis to determine the sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility, or whether the sample was drawn from oil in storage at the oil supplier's or oil refiner's facility, or other location;

(iii) The sulfur content of the oil from which the shipment came (or of the shipment itself); and

(iv) The method used to determine the sulfur content of the oil.

(3) For coal:

(i) The name of the coal supplier;

(ii) The location of the coal when the sample was collected for analysis to determine the properties of the coal, specifically including whether the coal was sampled as delivered to the affected facility or whether the sample was collected from coal in storage at the mine, at a coal preparation plant, at a coal supplier's facility, or at another location. The certification shall include the name of the coal mine (and coal seam), coal storage facility, or coal preparation plant (where the sample was collected);

(iii) The results of the analysis of the coal from which the shipment came (or of the shipment itself) including the sulfur content, moisture content, ash content, and heat content; and

(iv) The methods used to determine the properties of the coal.

(4) For other fuels:

(i) The name of the supplier of the fuel;

(ii) The potential sulfur emissions rate or maximum potential sulfur emissions rate of the fuel in ng/J heat input; and

(iii) The method used to determine the potential sulfur emissions rate of the fuel.

(g)

(1) Except as provided under paragraphs (g)(2) and (g)(3) of this section, the owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each operating day.

(2) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in § 60.48c(f) to demonstrate compliance with the SO<sub>2</sub> standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

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

- (h) The owner or operator of each affected facility subject to a federally enforceable requirement limiting the annual capacity factor for any fuel or mixture of fuels under § 60.42c or § 60.43c shall calculate the annual capacity factor individually for each fuel combusted. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of the calendar month.
  - (i) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.
  - (j) The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

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

## **Appendix B**

*40 C.F.R. § 60 Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984*



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

## 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 Kb** Standards of Performance for Volatile Organic Liquid Storage Vessels

(Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, and On or Before October 4, 2023

**§ 60.110b** Applicability and designation of affected facility.

**§ 60.111b** Definitions.

**§ 60.112b** Standard for volatile organic compounds (VOC).

**§ 60.113b** Testing and procedures.

**§ 60.114b** Alternative means of emission limitation.

**§ 60.115b** Reporting and recordkeeping requirements.

**§ 60.116b** Monitoring of operations.

**§ 60.117b** Delegation of authority.

#### **Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, and On or Before October 4, 2023**

Source: 52 FR 11429, Apr. 8, 1987, unless otherwise noted.

#### **§ 60.110b Applicability and designation of affected facility.**

(a) Except as provided in paragraph (b) of this section, the affected facility to which this subpart applies is each storage vessel with a capacity greater than or equal to 75 cubic meters ( $m^3$ ) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984, and on or before October 4, 2023.

(b) This subpart does not apply to storage vessels with a capacity greater than or equal to 151  $m^3$  storing a liquid with a maximum true vapor pressure less than 3.5 kilopascals (kPa) or with a capacity greater than or equal to 75  $m^3$  but less than 151  $m^3$  storing a liquid with a maximum true vapor pressure less than 15.0 kPa.

(c) [Reserved]

(d) This subpart does not apply to the following:

- (1) Vessels at coke oven by-product plants.
- (2) Pressure vessels designed to operate in excess of 204.9 kPa and without emissions to the atmosphere.
- (3) Vessels permanently attached to mobile vehicles such as trucks, railcars, barges, or ships.
- (4) Vessels with a design capacity less than or equal to 1,589.874 m<sup>3</sup> used for petroleum or condensate stored, processed, or treated prior to custody transfer.
- (5) Vessels located at bulk gasoline plants.
- (6) Storage vessels located at gasoline service stations.
- (7) Vessels used to store beverage alcohol.
- (8) Vessels subject to subpart GGGG of 40 CFR part 63.

(e) *Alternative means of compliance* –

- (1) *Option to comply with part 65.* Owners or operators may choose to comply with 40 CFR part 65, subpart C, to satisfy the requirements of §§ 60.112b through 60.117b for storage vessels that are subject to this subpart that meet the specifications in paragraphs (e)(1)(i) and (ii) of this section. When choosing to comply with 40 CFR part 65, subpart C, the monitoring requirements of § 60.116b(c), (e), (f)(1), and (g) still apply. Other provisions applying to owners or operators who choose to comply with 40 CFR part 65 are provided in 40 CFR 65.1.
  - (i) A storage vessel with a design capacity greater than or equal to 151 m<sup>3</sup> containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa; or
  - (ii) A storage vessel with a design capacity greater than 75 m<sup>3</sup> but less than 151 m<sup>3</sup> containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa.
- (2) *Part 60, subpart A.* Owners or operators who choose to comply with 40 CFR part 65, subpart C, must also comply with §§ 60.1, 60.2, 60.5, 60.6, 60.7(a)(1) and (4), 60.14, 60.15, and 60.16 for those storage vessels. All sections and paragraphs of subpart A of this part that are not mentioned in this paragraph (e)(2) do not apply to owners or operators of storage vessels complying with 40 CFR part 65, subpart C, except that provisions required to be met prior to implementing 40 CFR part 65 still apply. Owners and operators who choose to comply with 40 CFR part 65, subpart C, must comply with 40 CFR part 65, subpart A.
- (3) *Internal floating roof report.* If an owner or operator installs an internal floating roof and, at initial startup, chooses to comply with 40 CFR part 65, subpart C, a report shall be furnished to the Administrator stating that the control equipment meets the specifications of 40 CFR 65.43. This report shall be an attachment to the notification required by 40 CFR 65.5(b).
- (4) *External floating roof report.* If an owner or operator installs an external floating roof and, at initial startup, chooses to comply with 40 CFR part 65, subpart C, a report shall be furnished to the Administrator stating that the control equipment meets the specifications of 40 CFR 65.44. This report shall be an attachment to the notification required by 40 CFR 65.5(b).
- (5) *Option to comply with part 63, subpart WW, of this chapter.* Except as specified in paragraphs (e)(5)(i) through (iv) of this section, owners or operators may choose to comply with 40 CFR part 63, subpart WW, to satisfy the requirements of §§ 60.112b through 60.117b for storage vessels either with a design capacity greater than or equal to 151 m<sup>3</sup> containing a VOL that, as stored, has a maximum

true vapor pressure equal to or greater than 5.2 kPa but less than 76.6 kPa, or with a design capacity greater than or equal to 75 m<sup>3</sup> but less than 151 m<sup>3</sup> containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa but less than 76.6 kPa.

- (i) The general provisions in subpart A of this part apply instead of the general provisions in subpart A of part 63 of this chapter.
- (ii) Where terms are defined in both this subpart and 40 CFR part 63, subpart WW, the definitions in this subpart apply.
- (iii) Owners or operators who choose to comply with 40 CFR part 63, subpart WW, also must comply with the monitoring requirements of § 60.116b(a), (c), (e), and (f)(1), except as specified in paragraphs (e)(5)(iii)(A) through (C) of this section.
  - (A) The reference to all records applies only to the records required by § 60.116b(c);
  - (B) The reference to § 60.116b(b) does not apply; and
  - (C) The reference to § 60.116b(g) does not apply.
- (iv) Owners or operators who choose to comply with 40 CFR part 63, subpart WW, must also keep records and furnish reports as specified in paragraphs (e)(5)(iv)(A) through (F) of this section.
  - (A) For each affected facility, the owner or operator must notify the Administrator at least 30 days before the first inspection is conducted under 40 CFR part 63, subpart WW. After this notification is submitted to the Administrator, the owner or operator must continue to comply with the alternative standard described in this paragraph (e)(5) until the owner or operator submits another notification to the Administrator indicating the affected facility is using the requirements of §§ 60.112b through 60.117b instead of the alternative standard described in this paragraph (e)(5). The compliance schedule for events does not reset upon switching between compliance with this subpart and 40 CFR part 63, subpart WW.
  - (B) Keep a record of each affected facility using the alternative standard described in this paragraph (e)(5) when conducting an inspection required by § 63.1063(c)(1) of this chapter.
  - (C) Keep a record of each affected facility using the alternative standard described in this paragraph (e)(5) when conducting an inspection required by § 63.1063(c)(2) of this chapter.
  - (D) Copies of all records and reports kept pursuant to § 60.115b(a) and (b) that have not met the 2-year record retention required by the introductory text of § 60.115b must be kept for an additional 2 years after the date of submittal of the inspection notification specified in paragraph (e)(5)(iv)(A) of this section, indicating the affected facility is using the requirements of 40 CFR part 63, subpart WW.
  - (E) Copies of all records and reports kept pursuant to § 63.1065 of this chapter that have not met the 5-year record retention required by the introductory text of § 63.1065 must be kept for an additional 5 years after the date of submittal of the notification specified in paragraph (e)(5)(iv)(A) of this section, indicating the affected facility is using the requirements of §§ 60.112b through 60.117b.
  - (F) The following exceptions to the reporting requirements of § 63.1066 of this chapter apply:

- (1) The notification of initial startup required under § 63.1066(a)(1) and (2) of this chapter must be submitted as an attachment to the notification required by §§ 60.7(a)(3) and 60.115b(a)(1);
- (2) The reference in § 63.1066(b)(2) of this chapter to periodic reports "when inspection failures occur" means to submit inspection results within 60 days of the initial gap measurements required by § 63.1063(c)(2)(i) of this chapter and within 30 days of all other inspections required by § 63.1063(c)(1) and (2) of this chapter.

[52 FR 11429, Apr. 8, 1987, as amended at 54 FR 32973, Aug. 11, 1989; 65 FR 78275, Dec. 14, 2000; 68 FR 59332, Oct. 15, 2003; 86 FR 5019, Jan. 19, 2021; 89 FR 83317, Oct. 15, 2024]

## § 60.111b Definitions.

Terms used in this subpart are defined in the Act, in subpart A of this part, or in this subpart as follows:

**Bulk gasoline plant** means any gasoline distribution facility that has a gasoline throughput less than or equal to 75,700 liters per day. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal requirement or Federal, State or local law, and discoverable by the Administrator and any other person.

**Condensate** means hydrocarbon liquid separated from natural gas that condenses due to changes in the temperature or pressure, or both, and remains liquid at standard conditions.

**Custody transfer** means the transfer of produced petroleum and/or condensate, after processing and/or treatment in the producing operations, from storage vessels or automatic transfer facilities to pipelines or any other forms of transportation.

**Fill** means the introduction of VOL into a storage vessel but not necessarily to complete capacity.

**Gasoline service station** means any site where gasoline is dispensed to motor vehicle fuel tanks from stationary storage tanks.

**Maximum true vapor pressure** means the equilibrium partial pressure exerted by the volatile organic compounds (as defined in 40 CFR 51.100) in the stored VOL at the temperature equal to the highest calendar-month average of the VOL storage temperature for VOL's stored above or below the ambient temperature or at the local maximum monthly average temperature as reported by the National Weather Service for VOL's stored at the ambient temperature, as determined:

- (1) In accordance with methods described in American Petroleum Institute Bulletin 2517, Evaporation Loss From External Floating Roof Tanks, (incorporated by reference—see § 60.17); or
- (2) As obtained from standard reference texts; or
- (3) As determined by ASTM D2879-83, 96, or 97 (incorporated by reference—see § 60.17);
- (4) Any other method approved by the Administrator.

**Petroleum** means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal.

**Petroleum liquids** means petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery.

**Process tank** means a tank that is used within a process (including a solvent or raw material recovery process) to collect material discharged from a feedstock storage vessel or equipment within the process before the material is transferred to other equipment within the process, to a product or by-product storage vessel, or to a vessel used to store recovered solvent or raw material. In many process tanks, unit operations such as reactions and blending are conducted. Other process tanks, such as surge control vessels and bottoms receivers, however, may not involve unit operations.

**Reid vapor pressure** means the absolute vapor pressure of volatile crude oil and volatile nonviscous petroleum liquids except liquified petroleum gases, as determined by ASTM D323-82 or 94 (incorporated by reference—see § 60.17).

**Storage vessel** means each tank, reservoir, or container used for the storage of volatile organic liquids but does not include:

- (1) Frames, housing, auxiliary supports, or other components that are not directly involved in the containment of liquids or vapors;
- (2) Subsurface caverns or porous rock reservoirs; or
- (3) Process tanks.

**Volatile organic liquid (VOL)** means any organic liquid which can emit volatile organic compounds (as defined in 40 CFR 51.100) into the atmosphere.

**Waste** means any liquid resulting from industrial, commercial, mining or agricultural operations, or from community activities that is discarded or is being accumulated, stored, or physically, chemically, or biologically treated prior to being discarded or recycled.

[52 FR 11429, Apr. 8, 1987, as amended at 54 FR 32973, Aug. 11, 1989; 65 FR 61756, Oct. 17, 2000; 68 FR 59333, Oct. 15, 2003]

## § 60.112b Standard for volatile organic compounds (VOC).

(a) The owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m<sup>3</sup> containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa but less than 76.6 kPa or with a design capacity greater than or equal to 75 m<sup>3</sup> but less than 151 m<sup>3</sup> containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa but less than 76.6 kPa, shall equip each storage vessel with one of the following:

- (1) A fixed roof in combination with an internal floating roof meeting the following specifications:
  - (i) The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.
  - (ii) Each internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:

- (A) A foam- or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal). A liquid-mounted seal means a foam- or liquid-filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank.
- (B) Two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor-mounted, but both must be continuous.
- (C) A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

- (iii) Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.
- (iv) Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.
- (v) Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.
- (vi) Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.
- (vii) Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.
- (viii) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.
- (ix) Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

- (2) An external floating roof. An external floating roof means a pontoon-type or double-deck type cover that rests on the liquid surface in a vessel with no fixed roof. Each external floating roof must meet the following specifications:
  - (i) Each external floating roof shall be equipped with a closure device between the wall of the storage vessel and the roof edge. The closure device is to consist of two seals, one above the other. The lower seal is referred to as the primary seal, and the upper seal is referred to as the secondary seal.
    - (A) The primary seal shall be either a mechanical shoe seal or a liquid-mounted seal. Except as provided in § 60.113b(b)(4), the seal shall completely cover the annular space between the edge of the floating roof and tank wall.

(B) The secondary seal shall completely cover the annular space between the external floating roof and the wall of the storage vessel in a continuous fashion except as allowed in § 60.113b(b)(4).

(ii) Except for automatic bleeder vents and rim space vents, each opening in a noncontact external floating roof shall provide a projection below the liquid surface. Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof is to be equipped with a gasketed cover, seal, or lid that is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. Automatic bleeder vents are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports. Rim vents are to be set to open when the roof is being floated off the roof legs supports or at the manufacturer's recommended setting. Automatic bleeder vents and rim space vents are to be gasketed. Each emergency roof drain is to be provided with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening.

(iii) The roof shall be floating on the liquid at all times (i.e., off the roof leg supports) except during initial fill until the roof is lifted off leg supports and when the tank is completely emptied and subsequently refilled. The process of filling, emptying, or refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.

(3) A closed vent system and control device meeting the following specifications:

(i) The closed vent system shall be designed to collect all VOC vapors and gases discharged from the storage vessel and operated with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background and visual inspections, as determined in part 60, subpart VV, § 60.485(b).

(ii) The control device shall be designed and operated to reduce inlet VOC emissions by 95 percent or greater. If a flare is used as the control device, it shall meet the specifications described in the general control device requirements (§ 60.18) of the General Provisions.

(4) A system equivalent to those described in paragraphs (a)(1), (a)(2), or (a)(3) of this section as provided in § 60.114b of this subpart.

(b) The owner or operator of each storage vessel with a design capacity greater than or equal to 75 m<sup>3</sup> which contains a VOL that, as stored, has a maximum true vapor pressure greater than or equal to 76.6 kPa shall equip each storage vessel with one of the following:

(1) A closed vent system and control device as specified in § 60.112b(a)(3).

(2) A system equivalent to that described in paragraph (b)(1) as provided in § 60.114b of this subpart.

(c) **Site-specific standard for Merck & Co., Inc.'s Stonewall Plant in Elkton, Virginia.** This paragraph applies only to the pharmaceutical manufacturing facility, commonly referred to as the Stonewall Plant, located at Route 340 South, in Elkton, Virginia ("site").

(1) For any storage vessel that otherwise would be subject to the control technology requirements of paragraphs (a) or (b) of this section, the site shall have the option of either complying directly with the requirements of this subpart, or reducing the site-wide total criteria pollutant emissions cap (total emissions cap) in accordance with the procedures set forth in a permit issued pursuant to 40 CFR 52.2454. If the site chooses the option of reducing the total emissions cap in accordance with the procedures set forth in such permit, the requirements of such permit shall apply in lieu of the otherwise applicable requirements of this subpart for such storage vessel.

(2) For any storage vessel at the site not subject to the requirements of 40 CFR 60.112b (a) or (b), the requirements of 40 CFR 60.116b (b) and (c) and the General Provisions (subpart A of this part) shall not apply.

[52 FR 11429, Apr. 8, 1987, as amended at 62 FR 52641, Oct. 8, 1997]

## § 60.113b Testing and procedures.

The owner or operator of each storage vessel as specified in § 60.112b(a) shall meet the requirements of paragraph (a), (b), or (c) of this section. The applicable paragraph for a particular storage vessel depends on the control equipment installed to meet the requirements of § 60.112b.

(a) After installing the control equipment required to meet § 60.112b(a)(1) (permanently affixed roof and internal floating roof), each owner or operator shall:

(1) Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

(2) For Vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in § 60.115b(a)(3). Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

(3) For vessels equipped with a double-seal system as specified in § 60.112b(a)(1)(ii)(B):

(i) Visually inspect the vessel as specified in paragraph (a)(4) of this section at least every 5 years; or

(ii) Visually inspect the vessel as specified in paragraph (a)(2) of this section.

(4) Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance

with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in paragraphs (a)(2) and (a)(3)(ii) of this section and at intervals no greater than 5 years in the case of vessels specified in paragraph (a)(3)(i) of this section.

(5) Notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by paragraphs (a)(1) and (a)(4) of this section to afford the Administrator the opportunity to have an observer present. If the inspection required by paragraph (a)(4) of this section is not planned and the owner or operator could not have known about the inspection 30 days in advance of refilling the tank, the owner or operator shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling.

(b) After installing the control equipment required to meet § 60.112b(a)(2) (external floating roof), the owner or operator shall:

(1) Determine the gap areas and maximum gap widths, between the primary seal and the wall of the storage vessel and between the secondary seal and the wall of the storage vessel according to the following frequency.

(i) Measurements of gaps between the tank wall and the primary seal (seal gaps) shall be performed during the hydrostatic testing of the vessel or within 60 days of the initial fill with VOL and at least once every 5 years thereafter.

(ii) Measurements of gaps between the tank wall and the secondary seal shall be performed within 60 days of the initial fill with VOL and at least once per year thereafter.

(iii) If any source ceases to store VOL for a period of 1 year or more, subsequent introduction of VOL into the vessel shall be considered an initial fill for the purposes of paragraphs (b)(1)(i) and (b)(1)(ii) of this section.

(2) Determine gap widths and areas in the primary and secondary seals individually by the following procedures:

(i) Measure seal gaps, if any, at one or more floating roof levels when the roof is floating off the roof leg supports.

(ii) Measure seal gaps around the entire circumference of the tank in each place where a 0.32-cm diameter uniform probe passes freely (without forcing or binding against seal) between the seal and the wall of the storage vessel and measure the circumferential distance of each such location.

(iii) The total surface area of each gap described in paragraph (b)(2)(ii) of this section shall be determined by using probes of various widths to measure accurately the actual distance from the tank wall to the seal and multiplying each such width by its respective circumferential distance.

(3) Add the gap surface area of each gap location for the primary seal and the secondary seal individually and divide the sum for each seal by the nominal diameter of the tank and compare each ratio to the respective standards in paragraph (b)(4) of this section.

(4) Make necessary repairs or empty the storage vessel within 45 days of identification in any inspection for seals not meeting the requirements listed in (b)(4) (i) and (ii) of this section:

(i) The accumulated area of gaps between the tank wall and the mechanical shoe or liquid-mounted primary seal shall not exceed  $212 \text{ cm}^2$  per meter of tank diameter, and the width of any portion of any gap shall not exceed 3.81 cm.

(A) One end of the mechanical shoe is to extend into the stored liquid, and the other end is to extend a minimum vertical distance of 61 cm above the stored liquid surface.

(B) There are to be no holes, tears, or other openings in the shoe, seal fabric, or seal envelope.

(ii) The secondary seal is to meet the following requirements:

(A) The secondary seal is to be installed above the primary seal so that it completely covers the space between the roof edge and the tank wall except as provided in paragraph (b)(2)(iii) of this section.

(B) The accumulated area of gaps between the tank wall and the secondary seal shall not exceed  $21.2 \text{ cm}^2$  per meter of tank diameter, and the width of any portion of any gap shall not exceed 1.27 cm.

(C) There are to be no holes, tears, or other openings in the seal or seal fabric.

(iii) If a failure that is detected during inspections required in paragraph (b)(1) of § 60.113b(b) cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in § 60.115b(b)(4). Such extension request must include a demonstration of unavailability of alternate storage capacity and a specification of a schedule that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

(5) Notify the Administrator 30 days in advance of any gap measurements required by paragraph (b)(1) of this section to afford the Administrator the opportunity to have an observer present.

(6) Visually inspect the external floating roof, the primary seal, secondary seal, and fittings each time the vessel is emptied and degassed.

(i) If the external floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before filling or refilling the storage vessel with VOL.

(ii) For all the inspections required by paragraph (b)(6) of this section, the owner or operator shall notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel to afford the Administrator the opportunity to inspect the storage vessel prior to refilling. If the inspection required by paragraph (b)(6) of this section is not planned and the owner or operator could not have known about the inspection 30 days in advance of refilling the tank, the owner or operator shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling.

(c) The owner or operator of each source that is equipped with a closed vent system and control device as required in § 60.112b (a)(3) or (b)(2) (other than a flare) is exempt from § 60.8 of the General Provisions and shall meet the following requirements.

(1) Submit for approval by the Administrator as an attachment to the notification required by § 60.7(a)(1) or, if the facility is exempt from § 60.7(a)(1), as an attachment to the notification required by § 60.7(a)(2), an operating plan containing the information listed below.

(i) Documentation demonstrating that the control device will achieve the required control efficiency during maximum loading conditions. This documentation is to include a description of the gas stream which enters the control device, including flow and VOC content under varying liquid level conditions (dynamic and static) and manufacturer's design specifications for the control device. If the control device or the closed vent capture system receives vapors, gases, or liquids other than fuels from sources that are not designated sources under this subpart, the efficiency demonstration is to include consideration of all vapors, gases, and liquids received by the closed vent capture system and control device. If an enclosed combustion device with a minimum residence time of 0.75 seconds and a minimum temperature of 816 °C is used to meet the 95 percent requirement, documentation that those conditions will exist is sufficient to meet the requirements of this paragraph.

(ii) A description of the parameter or parameters to be monitored to ensure that the control device will be operated in conformance with its design and an explanation of the criteria used for selection of that parameter (or parameters).

(2) Operate the closed vent system and control device and monitor the parameters of the closed vent system and control device in accordance with the operating plan submitted to the Administrator in accordance with paragraph (c)(1) of this section, unless the plan was modified by the Administrator during the review process. In this case, the modified plan applies.

(d) The owner or operator of each source that is equipped with a closed vent system and a flare to meet the requirements in § 60.112b (a)(3) or (b)(2) shall meet the requirements as specified in the general control device requirements, § 60.18 (e) and (f).

[52 FR 11429, Apr. 8, 1987, as amended at 54 FR 32973, Aug. 11, 1989]

## § 60.114b Alternative means of emission limitation.

(a) If, in the Administrator's judgment, an alternative means of emission limitation will achieve a reduction in emissions at least equivalent to the reduction in emissions achieved by any requirement in § 60.112b, the Administrator will publish in the FEDERAL REGISTER a notice permitting the use of the alternative means for purposes of compliance with that requirement.

(b) Any notice under paragraph (a) of this section will be published only after notice and an opportunity for a hearing.

(c) Any person seeking permission under this section shall submit to the Administrator a written application including:

(1) An actual emissions test that uses a full-sized or scale-model storage vessel that accurately collects and measures all VOC emissions from a given control device and that accurately simulates wind and accounts for other emission variables such as temperature and barometric pressure.

- (2) An engineering evaluation that the Administrator determines is an accurate method of determining equivalence.
- (d) The Administrator may condition the permission on requirements that may be necessary to ensure operation and maintenance to achieve the same emissions reduction as specified in § 60.112b.

## § 60.115b Reporting and recordkeeping requirements.

The owner or operator of each storage vessel as specified in § 60.112b(a) shall keep records and furnish reports as required by paragraphs (a), (b), or (c) of this section depending upon the control equipment installed to meet the requirements of § 60.112b. The owner or operator shall keep copies of all reports and records required by this section, except for the record required by (c)(1), for at least 2 years. The record required by (c)(1) will be kept for the life of the control equipment.

- (a) After installing control equipment in accordance with § 60.112b(a)(1) (fixed roof and internal floating roof), the owner or operator shall meet the following requirements.
  - (1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of § 60.112b(a)(1) and § 60.113b(a)(1). Prior to October 15, 2024, this report shall be an attachment to the notification required by § 60.7(a)(3). Beginning October 15, 2024, the owner or operator must submit all subsequent reports in PDF format following the procedures specified in paragraph (e) of this section.
  - (2) Keep a record of each inspection performed as required by § 60.113b(a)(1), (a)(2), (a)(3), and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).
  - (3) If any of the conditions described in § 60.113b(a)(2) are detected during the annual visual inspection required by § 60.113b(a)(2), a report shall be furnished to the Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures in paragraph (e) of this section.
  - (4) After each inspection required by § 60.113b(a)(3) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in § 60.113b(a)(3)(ii), a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of § 60.112b(a)(1) or § 60.113b(a)(3) and list each repair made. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures in paragraph (e) of this section.
- (b) After installing control equipment in accordance with § 60.112b(a)(2) (external floating roof), the owner or operator shall meet the following requirements.
  - (1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of § 60.112b(a)(2) and § 60.113b(b)(2), (b)(3), and (b)(4). Prior to October 15, 2024, this report shall be an attachment to the notification required by § 60.7(a)(3). Beginning October 15, 2024, the owner or operator must submit all subsequent reports in PDF format following the procedures specified in paragraph (e) of this section.

(2) Within 60 days of performing the seal gap measurements required by § 60.113b(b)(1), furnish the Administrator with a report that contains the following information. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures in paragraph (e) of this section.

- (i) The date of measurement;
- (ii) The raw data obtained in the measurement; and
- (iii) The calculations described in § 60.113b(b)(2) and (b)(3).

(3) Keep a record of each gap measurement performed as required by § 60.113b(b). Each record shall identify the storage vessel in which the measurement was performed and shall contain:

- (i) The date of measurement;
- (ii) The raw data obtained in the measurement; and
- (iii) The calculations described in § 60.113b(b)(2) and (b)(3).

(4) After each seal gap measurement that detects gaps exceeding the limitations specified by § 60.113b(b)(4), submit a report to the Administrator within 30 days of the inspection. The report will identify the vessel and contain the information specified in paragraph (b)(2) of this section and the date the vessel was emptied or the repairs made and date of repair. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures in paragraph (e) of this section.

(c) After installing control equipment in accordance with § 60.112b (a)(3) or (b)(1) (closed vent system and control device other than a flare), the owner or operator shall keep the following records.

- (1) A copy of the operating plan.
- (2) A record of the measured values of the parameters monitored in accordance with § 60.113b(c)(2).

(d) After installing a closed vent system and flare to comply with § 60.112b, the owner or operator shall meet the following requirements.

- (1) A report containing the measurements required by § 60.18(f)(1) through (6) shall be furnished to the Administrator as required by § 60.8 of the General Provisions. This report shall be submitted within 6 months of the initial start-up date. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures in paragraph (e) of this section.
- (2) Records shall be kept of all periods of operation during which the flare pilot flame is absent.
- (3) Semiannual reports of all periods recorded under § 60.115b(d)(2) in which the pilot flame was absent shall be furnished to the Administrator. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures specified in paragraph (e) of this section.

(e) An owner or operator required to submit notifications or reports following the procedures specified in this paragraph (e) must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to the owner or operator. Do not use CEDRI to submit information the owner or operator claims as CBI. Although the EPA does not expect persons to assert a claim of CBI, if an owner or operator wishes to assert a CBI claim for some of the information in the report or notification, the

owner or operator must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (e)(1) and (2) of this section. Clearly mark the part or all of the information claimed to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. The owner or operator must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (e).

- (1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov), and as described above, should include clear CBI markings, and be flagged to the attention of the NSPS Kb Lead. Owners and operators who do not have their own file sharing service and who require assistance with submitting large electronic files that exceed the file size limit for email attachments should email [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov) to request a file transfer link.
- (2) If an owner or operator cannot transmit the file electronically, the owner or operator may send CBI information through the postal service to the following address: U.S. EPA, Attn: OAQPS Document Control Officer and NSPS Kb Lead, Mail Drop: C404-02, 109 T.W. Alexander, P.O. Box 12055, RTP, NC 27711. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(f) Owners and operators required to electronically submit notifications or reports through CEDRI in the EPA's CDX may assert a claim of EPA system outage for failure to timely comply with the electronic submittal requirement. To assert a claim of EPA system outage, owners and operators must meet the requirements outlined in paragraphs (f)(1) through (7) of this section.

- (1) The owner or operator 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 5 business days prior to the date that the submission is due.
- (3) The outage may be planned or unplanned.
- (4) The owner or operator must submit notification to the Administrator in writing as soon as possible following the date the owner or operator first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
- (5) The owner or operator 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 the owner or operator proposes to report, or if the owner or operator has already met the reporting requirement at the time of the notification, the date the report was submitted.
- (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.

(g) Owners and operators required to electronically submit notifications or reports through CEDRI in the EPA's CDX may assert a claim of force majeure for failure to timely comply with the electronic submittal requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (g)(1) through (5) of this section.

- (1) An owner or operator 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 5 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 the owner or operator 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) The owner or operator must submit notification to the Administrator in writing as soon as possible following the date the owner or operator first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
- (3) The owner or operator 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 the owner or operator proposes to report, or if the owner or operator has already met the reporting requirement at the time of the notification, the date the report was submitted.
- (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.

[52 FR 11429, Apr. 8, 1987, as amended at 86 FR 5019, Jan. 19, 2021; 89 FR 83317, Oct. 15, 2024]

## § 60.116b Monitoring of operations.

- (a) The owner or operator shall keep copies of all records required by this section, except for the record required by paragraph (b) of this section, for at least 2 years. The record required by paragraph (b) of this section will be kept for the life of the source.
- (b) The owner or operator of each storage vessel as specified in § 60.110b(a) shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel.
- (c) Except as provided in paragraphs (f) and (g) of this section, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m<sup>3</sup> storing a liquid with a maximum true vapor pressure greater than or equal to 3.5 kPa or with a design capacity greater than or equal to 75 m<sup>3</sup> but less than 151 m<sup>3</sup> storing a liquid with a maximum true vapor pressure greater than or equal to 15.0 kPa shall maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period.
- (d) Except as provided in paragraph (g) of this section, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m<sup>3</sup> storing a liquid with a maximum true vapor pressure that is normally less than 5.2 kPa or with a design capacity greater than or equal to 75 m<sup>3</sup> but less than 151 m<sup>3</sup> storing a liquid with a maximum true vapor pressure that is normally less than 27.6 kPa shall notify the Administrator within 30 days when the maximum true vapor pressure of the liquid exceeds the respective maximum true vapor pressure values for each volume range. Beginning October 15, 2024, all subsequent notifications must be submitted in PDF format following the procedures specified in § 60.115b(e).
- (e) Available data on the storage temperature may be used to determine the maximum true vapor pressure as determined below.
  - (1) For vessels operated above or below ambient temperatures, the maximum true vapor pressure is calculated based upon the highest expected calendar-month average of the storage temperature. For vessels operated at ambient temperatures, the maximum true vapor pressure is calculated based upon the maximum local monthly average ambient temperature as reported by the National Weather Service.
  - (2) For crude oil or refined petroleum products the vapor pressure may be obtained by the following:
    - (i) Available data on the Reid vapor pressure and the maximum expected storage temperature based on the highest expected calendar-month average temperature of the stored product may be used to determine the maximum true vapor pressure from nomographs contained in API Bulletin 2517 (incorporated by reference—see § 60.17), unless the Administrator specifically requests that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the sample(s).
    - (ii) The true vapor pressure of each type of crude oil with a Reid vapor pressure less than 13.8 kPa or with physical properties that preclude determination by the recommended method is to be determined from available data and recorded if the estimated maximum true vapor pressure is greater than 3.5 kPa.
  - (3) For other liquids, the vapor pressure:
    - (i) May be obtained from standard reference texts, or

- (ii) Determined by ASTM D2879-83, 96, or 97 (incorporated by reference—see § 60.17); or
- (iii) Measured by an appropriate method approved by the Administrator; or
- (iv) Calculated by an appropriate method approved by the Administrator.

(f) The owner or operator of each vessel storing a waste mixture of indeterminate or variable composition shall be subject to the following requirements.

- (1) Prior to the initial filling of the vessel, the highest maximum true vapor pressure for the range of anticipated liquid compositions to be stored will be determined using the methods described in paragraph (e) of this section.
- (2) For vessels in which the vapor pressure of the anticipated liquid composition is above the cutoff for monitoring but below the cutoff for controls as defined in § 60.112b(a), an initial physical test of the vapor pressure is required; and a physical test at least once every 6 months thereafter is required as determined by the following methods:
  - (i) ASTM D2879-83, 96, or 97 (incorporated by reference—see § 60.17); or
  - (ii) ASTM D323-82 or 94 (incorporated by reference—see § 60.17); or
  - (iii) As measured by an appropriate method as approved by the Administrator.

(g) The owner or operator of each vessel equipped with a closed vent system and control device meeting the specification of § 60.112b or with emissions reductions equipment as specified in 40 CFR 65.42(b)(4), (b)(5), (b)(6), or (c) is exempt from the requirements of paragraphs (c) and (d) of this section.

[52 FR 11429, Apr. 8, 1987, as amended at 65 FR 61756, Oct. 17, 2000; 65 FR 78276, Dec. 14, 2000; 68 FR 59333, Oct. 15, 2003; 89 FR 83319, Oct. 15, 2024]

## § 60.117b Delegation of authority.

- (a) In delegating implementation and enforcement authority to a State under section 111(c) of the Act, the authorities contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.
- (b) Authorities which will not be delegated to States: §§ 60.111b(f)(4), 60.114b, 60.116b(e)(3)(iii), 60.116b(e)(3)(iv), and 60.116b(f)(2)(ii), and approval of an alternative to any electronic reporting to the EPA required by this subpart.

[52 FR 11429, Apr. 8, 1987, as amended at 52 FR 22780, June 16, 1987; 89 FR 83319, Oct. 15, 2024]

## **Appendix C**

40 C.F.R. § 60 Subpart III—*Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes*



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

## 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 III Standards of Performance for Volatile Organic Compound (VOC)

Emissions From the Synthetic Organic Chemical Manufacturing Industry  
(SOCMI) Air Oxidation Unit Processes After October 21, 1983, and on or  
Before April 25, 2023

**§ 60.610** Applicability and designation of affected facility.

**§ 60.611** Definitions.

**§ 60.612** Standards.

**§ 60.613** Monitoring of emissions and operations.

**§ 60.614** Test methods and procedures.

**§ 60.615** Reporting and recordkeeping requirements.

**§ 60.616** Reconstruction.

**§ 60.617** Chemicals affected by subpart III.

**§ 60.618** Delegation of authority.

#### Subpart III—Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes After October 21, 1983, and on or Before April 25, 2023

Source: 55 FR 26922, June 29, 1990, unless otherwise noted.

#### § 60.610 Applicability and designation of affected facility.

- (a) The provisions of this subpart apply to each affected facility designated in paragraph (b) of this section that produces any of the chemicals listed in § 60.617 as a product, co-product, by-product, or intermediate, except as provided in paragraph (c) of this section.
- (b) The affected facility is any of the following for which construction, modification, or reconstruction commenced after October 21, 1983, and on or before April 25, 2023:
  - (1) Each air oxidation reactor not discharging its vent stream into a recovery system.
  - (2) Each combination of an air oxidation reactor and the recovery system into which its vent stream is discharged.

(3) Each combination of two or more air oxidation reactors and the common recovery system into which their vent streams are discharged.

(c) Each affected facility that has a total resource effectiveness (TRE) index value greater than 4.0 is exempt from all provisions of this subpart except for §§ 60.612, 60.614(f), 60.615(h), and 60.615(l).

(d) *Alternative means of compliance –*

(1) *Option to comply with part 65.* Owners or operators of process vents that are subject to this subpart may choose to comply with the provisions of 40 CFR part 65, subpart D, to satisfy the requirements of §§ 60.612 through 60.615 and 60.618. The provisions of 40 CFR part 65 also satisfy the criteria of paragraph (c) of this section. Other provisions applying to an owner or operator who chooses to comply with 40 CFR part 65 are provided in 40 CFR 65.1.

(2) *Part 60, subpart A.* Owners or operators who choose to comply with 40 CFR part 65, subpart D, must also comply with §§ 60.1, 60.2, 60.5, 60.6, 60.7(a)(1) and (4), 60.14, 60.15, and 60.16 for those process vents. All sections and paragraphs of subpart A of this part that are not mentioned in this paragraph (d)(2) do not apply to owners or operators of process vents complying with 40 CFR part 65, subpart D, except that provisions required to be met prior to implementing 40 CFR part 65 still apply. Owners and operators who choose to comply with 40 CFR part 65, subpart D, must comply with 40 CFR part 65, subpart A.

(3) *Compliance date.* Owners or operators who choose to comply with 40 CFR part 65, subpart D, at initial startup shall comply with paragraphs (d)(1) and (2) of this section for each vent stream on and after the date on which the initial performance test is completed, but not later than 60 days after achieving the maximum production rate at which the affected facility will be operated, or 180 days after the initial startup, whichever date comes first.

(4) *Initial startup notification.* Each owner or operator subject to the provisions of this subpart that chooses to comply with 40 CFR part 65, subpart D, at initial startup shall notify the Administrator of the specific provisions of 40 CFR 65.63(a)(1), (2), or (3) with which the owner or operator has elected to comply. Notification shall be submitted with the notifications of initial startup required by 40 CFR 65.5(b).

(e) Owners and operators of flares that are subject to the flare related requirements of this subpart and flare related requirements of any other regulation in this part or 40 CFR part 61 or 63, may elect to comply with the requirements in § 60.619a in lieu of all flare related requirements in any other regulation in this part or 40 CFR part 61 or 63.

Note 1 to § 60.610: The intent of these standards is to minimize the emissions of VOC through the application of BDT. The numerical emission limits in these standards are expressed in terms of total organic compounds (TOC), measured as TOC minus methane and ethane. This emission limit reflects the performance of BDT.

[55 FR 26922, June 29, 1990, as amended at 65 FR 78278, Dec. 14, 2000; 89 FR 43086, May 16, 2024; 89 FR 74136, Sept. 12, 2024]

## § 60.611 Definitions.

As used in this subpart, all terms not defined here shall have the meaning given them in the Act and in subpart A of part 60, and the following terms shall have the specific meanings given them.

**Air Oxidation Reactor** means any device or process vessel in which one or more organic reactants are combined with air, or a combination of air and oxygen, to produce one or more organic compounds. Ammonoxidation and oxychlorination reactions are included in this definition.

**Air Oxidation Reactor Recovery Train** means an individual recovery system receiving the vent stream from at least one air oxidation reactor, along with all air oxidation reactors feeding vent streams into this system.

**Air Oxidation Unit Process** means a unit process, including ammonoxidation and oxychlorination unit process, that uses air, or a combination of air and oxygen, as an oxygen source in combination with one or more organic reactants to produce one or more organic compounds.

**Boilers** means any enclosed combustion device that extracts useful energy in the form of steam.

**By Compound** means by individual stream components, not carbon equivalents.

**Continuous recorder** means a data recording device recording an instantaneous data value at least once every 15 minutes.

**Flame zone** means the portion of the combustion chamber in a boiler or process heater occupied by the flame envelope.

**Flow indicator** means a device which indicates whether gas flow is present in a vent stream.

**Halogenated Vent Stream** means any vent stream determined to have a total concentration (by volume) of compounds containing halogens of 20 ppmv (by compound) or greater.

**Incinerator** means any enclosed combustion device that is used for destroying organic compounds and does not extract energy in the form of steam or process heat.

**Process Heater** means a device that transfers heat liberated by burning fuel to fluids contained in tubes, including all fluids except water that is heated to produce steam.

**Process Unit** means equipment assembled and connected by pipes or ducts to produce, as intermediates or final products, one or more of the chemicals in § 60.617. A process unit can operate independently if supplied with sufficient fuel or raw materials and sufficient product storage facilities.

**Product** means any compound or chemical listed in § 60.617 that is produced for sale as a final product as that chemical or is produced for use in a process that needs that chemical for the production of other chemicals in another facility. By-products, co-products, and intermediates are considered to be products.

**Recovery Device** means an individual unit of equipment, such as an absorber, condenser, and carbon adsorber, capable of and used to recover chemicals for use, reuse or sale.

**Recovery System** means an individual recovery device or series of such devices applied to the same process stream.

**Total organic compounds (TOC)** means those compounds measured according to the procedures in § 60.614(b)(4). For the purposes of measuring molar composition as required in § 60.614(d)(2)(i), hourly emissions rate as required in § 60.614(d)(5) and § 60.614(e) and TOC concentration as required in § 60.615(b)(4) and § 60.615(g)(4), those compounds which the Administrator has determined do not contribute appreciably to the formation of ozone are to be excluded. The compounds to be excluded are identified in Environmental Protection Agency's statements on ozone abatement policy for SIP revisions (42 FR 35314; 44 FR 32042; 45 FR 32424; 45 FR 48942).

**Total resource effectiveness (TRE) Index Value** means a measure of the supplemental total resource requirement per unit reduction of TOC associated with an individual air oxidation vent stream, based on vent stream flow rate, emission rate of TOC, net heating value, and corrosion properties (whether or not the vent stream is halogenated), as quantified by the equation given under § 60.614(e).

**Vent Stream** means any gas stream, containing nitrogen which was introduced as air to the air oxidation reactor, released to the atmosphere directly from any air oxidation reactor recovery train or indirectly, after diversion through other process equipment. The vent stream excludes equipment leaks and relief valve discharges including, but not limited to, pumps, compressors, and valves.

[55 FR 26922, June 29, 1990; 55 FR 36932, Sept. 7, 1990, as amended at 89 FR 43086, May 16, 2024]

## § 60.612 Standards.

Each owner or operator of any affected facility shall comply with paragraph (a), (b), or (c) of this section for each vent stream on and after the date on which the initial performance test required by §§ 60.8 and 60.614 is completed, but not later than 60 days after achieving the maximum production rate at which the affected facility will be operated, or 180 days after the initial start-up, whichever date comes first. Each owner or operator shall either:

- (a) Reduce emissions of TOC (minus methane and ethane) by 98 weight-percent, or to a TOC (minus methane and ethane) concentration of 20 ppmv on a dry basis corrected to 3 percent oxygen, whichever is less stringent. If a boiler or process heater is used to comply with this paragraph, then the vent stream shall be introduced into the flame zone of the boiler or process heater; or
- (b) Combust the emissions in a flare that meets the requirements of § 60.18; or
- (c) Maintain a TRE index value greater than 1.0 without use of VOC emission control devices.

## § 60.613 Monitoring of emissions and operations.

- (a) The owner or operator of an affected facility that uses an incinerator to seek to comply with the TOC emission limit specified under § 60.612(a) shall install, calibrate, maintain, and operate according to manufacturer's specifications the following equipment:
  - (1) A temperature monitoring device equipped with a continuous recorder and having an accuracy of  $\pm 1$  percent of the temperature being monitored expressed in degrees Celsius or  $\pm 0.5$  °C, whichever is greater.
    - (i) Where an incinerator other than a catalytic incinerator is used, a temperature monitoring device shall be installed in the firebox.
    - (ii) Where a catalytic incinerator is used, temperature monitoring devices shall be installed in the gas stream immediately before and after the catalyst bed.
  - (2) A flow indicator that provides a record of vent stream flow to the incinerator at least once every hour for each affected facility. The flow indicator shall be installed in the vent stream from each affected facility at a point closest to the inlet of each incinerator and before being joined with any other vent stream.
- (b) The owner or operator of an affected facility that uses a flare to seek to comply with § 60.612(b) shall install, calibrate, maintain, and operate according to manufacturer's specifications the following equipment:

- (1) A heat sensing device, such as an ultra-violet sensor or thermocouple, at the pilot light to indicate the continuous presence of a flame.
- (2) A flow indicator that provides a record of vent stream flow to the flare at least once every hour for each affected facility. The flow indicator shall be installed in the vent stream from each affected facility at a point closest to the flare and before being joined with any other vent stream.
- (c) The owner or operator of an affected facility that uses a boiler or process heater to seek to comply with § 60.612(a) shall install, calibrate, maintain and operate according to the manufacturer's specifications the following equipment:
  - (1) A flow indicator that provides a record of vent stream flow to the boiler or process heater at least once every hour for each affected facility. The flow indicator shall be installed in the vent stream from each air oxidation reactor within an affected facility at a point closest to the inlet of each boiler or process heater and before being joined with any other vent stream.
  - (2) A temperature monitoring device in the firebox equipped with a continuous recorder and having an accuracy of  $\pm 1$  percent of the temperature being measured expressed in degrees Celsius or  $\pm 0.5$  °C, whichever is greater, for boilers or process heaters of less than 44 MW (150 million Btu/hr) heat input design capacity.
- (d) Monitor and record the periods of operation of the boiler or process heater if the design input capacity of the boiler is 44 MW (150 million Btu/hr) or greater. The records must be readily available for inspection.
- (e) The owner or operator of an affected facility that seeks to demonstrate compliance with the TRE index value limit specified under § 60.612(c) shall install, calibrate, maintain, and operate according to manufacturer's specifications the following equipment, unless alternative monitoring procedures or requirements are approved for that facility by the Administrator:
  - (1) Where an absorber is the final recovery device in a recovery system:
    - (i) A scrubbing liquid temperature monitoring device having an accuracy of  $\pm 1$  percent of the temperature being monitored expressed in degrees Celsius or 0.5 °C, whichever is greater, and a specific gravity monitoring device having an accuracy of 0.02 specific gravity units, each equipped with a continuous recorder; or
    - (ii) An organic monitoring device used to indicate the concentration level of organic compounds exiting the recovery device based on a detection principle such as infra-red, photoionization, or thermal conductivity, each equipped with a continuous recorder.
  - (2) Where a condenser is the final recovery device in a recovery system:
    - (i) A condenser exit (product side) temperature monitoring device equipped with a continuous recorder and having an accuracy of  $\pm 1$  percent of the temperature being monitored expressed in degrees Celsius or 0.5 °C, whichever is greater; or
    - (ii) An organic monitoring device used to indicate the concentration level of organic compounds exiting the recovery device based on a detection principle such as infra-red, photoionization, or thermal conductivity, each equipped with a continuous recorder.
  - (3) Where a carbon adsorber is the final recovery device in a recovery system:

- (i) An integrating steam flow monitoring device having an accuracy of 10 percent, and a carbon bed temperature monitoring device having an accuracy of  $\pm 1$  percent of the temperature being monitored expressed in degrees Celsius or  $\pm 0.5$  °C, whichever is greater, both equipped with a continuous recorder; or
- (ii) An organic monitoring device used to indicate the concentration level of organic compounds exiting the recovery device based on a detection principle such as infra-red, photoionization, or thermal conductivity, each equipped with a continuous recorder.

(f) An owner or operator of an affected facility seeking to demonstrate compliance with the standards specified under § 60.612 with control devices other than an incinerator, boiler, process heater, or flare; or recovery devices other than an absorber, condenser, or carbon adsorber shall provide to the Administrator information describing the operation of the control device or recovery device and the process parameter(s) which would indicate proper operation and maintenance of the device. The Administrator may request further information and will specify appropriate monitoring procedures or requirements.

[55 FR 26922, June 29, 1990, as amended at 65 FR 61769, Oct. 17, 2000; 89 FR 43086, May 16, 2024]

## § 60.614 Test methods and procedures.

- (a) For the purpose of demonstrating compliance with § 60.612, all affected facilities shall be run at full operating conditions and flow rates during any performance test.
- (b) The following methods in appendix A to this part, except as provided under § 60.8(b) shall be used as reference methods to determine compliance with the emission limit or percent reduction efficiency specified under § 60.612(a).
  - (1) Method 1 or 1A, as appropriate, for selection of the sampling sites. The control device inlet sampling site for determination of vent stream molar composition or TOC (less methane and ethane) reduction efficiency shall be prior to the inlet of the control device and after the recovery system.
  - (2) Method 2, 2A, 2C, or 2D, as appropriate, for determination of the volumetric flow rates.
  - (3) The emission rate correction factor, integrated sampling and analysis procedure of Method 3 shall be used to determine the oxygen concentration (%O<sub>2d</sub>) for the purposes of determining compliance with the 20 ppmv limit. The sampling site shall be the same as that of the TOC samples and the samples shall be taken during the same time that the TOC samples are taken. The TOC concentration corrected to 3 percent O<sub>2</sub> (C<sub>c</sub>) shall be computed using the following equation:

$$C_c = C_{TOC} \frac{17.9}{20.9 - \%O_{2d}}$$

Where:

C<sub>c</sub> = Concentration of TOC corrected to 3 percent O<sub>2</sub>, dry basis, ppm by volume.

C<sub>TOC</sub> = Concentration of TOC (minus methane and ethane), dry basis, ppm by volume.

%O<sub>2d</sub> = Concentration of O<sub>2</sub>, dry basis, percent by volume.

(4) Method 18 of appendix A-6 to this part to determine concentration of TOC in the control device outlet and the concentration of TOC in the inlet when the reduction efficiency of the control device is to be determined. ASTM D6420-18 (incorporated by reference, see § 60.17) may be used in lieu of Method 18, if the target compounds are all known and are all listed in Section 1.1 of ASTM D6420-18 as measurable; ASTM D6420-18 may not be used for methane and ethane; and ASTM D6420-18 may not be used as a total VOC method.

(i) The sampling time for each run shall be 1 hour in which either an integrated sample or four grab samples shall be taken. If grab sampling is used then the samples shall be taken at 15-minute intervals.

(ii) The emission reduction (R) of TOC (minus methane and ethane) shall be determined using the following equation:

$$R = \frac{E_i - E_o}{E_i} \times 100$$

Where:

$E$  = Emission reduction, percent by weight.

$E_i$  = Mass rate of TOC entering the control device, kg/hr (lb/hr).

$E_o$  = Mass rate of TOC discharged to the atmosphere, kg/hr (lb/hr).

(iii) The mass rates of TOC ( $E_i$ ,  $E_o$ ) shall be computed using the following equations:

$$E_i = K_2 \left( \sum_{j=1}^n C_{ij} M_{ij} \right) Q_i$$

$$E_o = K_2 \left( \sum_{j=1}^n C_{oj} M_{oj} \right) Q_o$$

Where:

$C_{ij}$ ,  $C_{oj}$  = Concentration of sample component "j" of the gas stream at the inlet and outlet of the control device, respectively, dry basis ppm by volume.

$M_{ij}$ ,  $M_{oj}$  = Molecular weight of sample component "j" of the gas stream at the inlet and outlet of the control device, respectively, g/g-mole (lb/lb-mole).

$Q_i$ ,  $Q_o$  = Flow rate of gas stream at the inlet and outlet of the control device, respectively, dscm/min (dscf/min).

$K_2 = 2.494 \times 10^{-6}$  (1/ppm)(g-mole/scm)(kg/g)(min/hr) (metric units), where standard temperature for (g-mole/scm) is 20 °C.

$= 1.557 \times 10^{-7}$  (1/ppm)(lb-mole/scf)(min/hr) (English units), where standard temperature for (lb-mole/scf) is 68 °F.

(iv) The TOC concentration ( $C_{TOC}$ ) is the sum of the individual components and shall be computed for each run using the following equation:

$$C_{TOC} = \sum_{j=1}^n C_j$$

Where:

$C_{TOC}$  = Concentration of TOC (minus methane and ethane), dry basis, ppm by volume.

$C_j$  = Concentration of sample components in the sample.

$n$  = Number of components in the sample.

(c) When a boiler or process heater with a design heat input capacity of 44 MW (150 million Btu/hour) or greater is used to seek to comply with § 60.612(a), the requirement for an initial performance test is waived, in accordance with § 60.8(b). However, the Administrator reserves the option to require testing at such other times as may be required, as provided for in section 114 of the Act.

(d) When a flare is used to seek to comply with § 60.612(b), the flare shall comply with the requirements of § 60.18.

(e) The following test methods, except as provided under § 60.8(b), shall be used for determining the net heating value of the gas combusted to determine compliance under § 60.612(b) and for determining the process vent stream TRE index value to determine compliance under § 60.612(c).

(1)

(i) Method 1 or 1A of appendix A-1 to this part, as appropriate, for selection of the sampling site. The sampling site for the vent stream flow rate and molar composition determination prescribed in § 60.614(e)(2) and (3) shall be, except for the situations outlined in paragraph (e)(1)(ii) of this section, prior to the inlet of any control device, prior to any post-reactor dilution of the stream with air, and prior to any post-reactor introduction of halogenated compounds into the vent stream. No transverse site selection method is needed for vents smaller than 10 centimeters (4 inches) in diameter.

(ii) If any gas stream other than the air oxidation vent stream from the affected facility is normally conducted through the final recovery device.

(A) The sampling site for vent stream flow rate and molar composition shall be prior to the final recovery device and prior to the point at which the nonair oxidation stream is introduced.

(B) The efficiency of the final recovery device is determined by measuring the TOC concentration using Method 18 of appendix A-6 to this part, or ASTM D6420-18 (incorporated by reference, see § 60.17) as specified in paragraph (b)(4) of this section, at the inlet to the final recovery device after the introduction of any nonair oxidation vent stream and at the outlet of the final recovery device.

(C) This efficiency is applied to the TOC concentration measured prior to the final recovery device and prior to the introduction of the nonair oxidation stream to determine the concentration of TOC in the air oxidation stream from the final recovery device. This concentration of TOC is then used to perform the calculations outlined in § 60.614(e)(4) and (5).

(2) The molar composition of the process vent stream shall be determined as follows:

(i) Method 18 of appendix A-6 to this part, or ASTM D6420-18 (incorporated by reference, see § 60.17) as specified in paragraph (b)(4) of this section, to measure the concentration of TOC including those containing halogens.

(ii) D1946-77 or 90 (Reapproved 1994) (incorporation by reference, see § 60.17) to measure the concentration of carbon monoxide and hydrogen.

(iii) Method 4 of appendix A to this part to measure the content of water vapor.

(3) The volumetric flow rate shall be determined using Method 2, 2A, 2C, or 2D of appendix A-1 to this part, as appropriate.

(4) The net heating value of the vent stream shall be calculated using the following equation:

Equation 6 to Paragraph (e)(4)

$$H_T = K_1 \left( \sum_{j=1}^n C_j H_j \right)$$

Where:

$H_T$  = Net heating value of the sample, MJ/scm (Btu/scf), where the net enthalpy per mole of vent stream is based on combustion at 25 °C and 760 mm Hg (77 °F and 30 in. Hg), but the standard temperature for determining the volume corresponding to one mole is 20 °C (68 °F).

$K_1 = 1.74 \times 10^{-7}$  (1/ppm)(g-mole/scm)(MJ/kcal) (metric units), where standard temperature for (g-mole/scm) is 20 °C.

$= 1.03 \times 10^{-11}$  (1/ppm)(lb-mole/scf)(Btu/kcal) (English units) where standard temperature for (lb/mole/scf) is 68 °F.

$C_j$  = Concentration on a wet basis of compound  $j$  in ppm, as measured for organics by Method 18 of appendix A-6 to this part, or ASTM D6420-18 (incorporated by reference, see § 60.17) as specified in paragraph (b)(4) of this section, and measured for hydrogen and carbon monoxide by ASTM D1946-77, 90, or 94 (incorporation by reference, see § 60.17) as indicated in paragraph (e)(2) of this section.

$H_j$  = Net heat of combustion of compound  $j$ , kcal/(g-mole) [kcal/(lb-mole)], based on combustion at 25 °C and 760 mm Hg (77 °F and 30 in. Hg).

(5) The emission rate of TOC in the process vent stream shall be calculated using the following equation:

Equation 7 to Paragraph (e)(5)

$$E_{TOC} = K_2 \left[ \sum_{j=1}^n C_j M_j \right] Q_s$$

Where:

$E_{TOC}$  = Measured emission rate of TOC, kg/hr (lb/hr).

$K_2 = 2.494 \times 10^{-6}$  (1/ppm)(g-mole/scm)(kg/g)(min/hr) (metric units), where standard temperature for (g-mole/scm) is 20 °C.

=  $1.557 \times 10^{-7}$  (1/ppm)(lb-mole/scf)(min/hr) (English units), where standard temperature for (lb-mole/scf) is 68 °F.

$C_j$  = Concentration on a wet basis of compound  $j$  in ppm, as measured by Method 18 of appendix A-6 to this part, or ASTM D6420-18 (incorporated by reference, see § 60.17) as specified in paragraph (b)(4) of this section, as indicated in paragraph (e)(2) of this section.

$M_j$  = Molecular weight of sample  $j$ , g/g-mole (lb/lb-mole).

$Q_s$  = Vent stream flow rate, scm/hr (scf/hr), at a temperature of 20 °C (68 °F).

(6) The total process vent stream concentration (by volume) of compounds containing halogens (ppmv, by compound) shall be summed from the individual concentrations of compounds containing halogens which were measured by Method 18 of appendix A-6 to this part, or ASTM D6420-18 (incorporated by reference, see § 60.17) as specified in paragraph (b)(4) of this section.

(f) For purposes of complying with § 60.612(c), the owner or operator of a facility affected by this subpart shall calculate the TRE index value of the vent stream using the equation for incineration in paragraph (e)(1) of this section for halogenated vent streams. The owner or operator of an affected facility with a nonhalogenated vent stream shall determine the TRE index value by calculating values using both the incinerator equation in paragraph (e)(1) of this section and the flare equation in paragraph (e)(2) of this section and selecting the lower of the two values.

(1) The TRE index value of the vent stream controlled by an incinerator shall be calculated using the following equation:

$$TRE = \frac{1}{E_{TOC}} \left[ a + b(Q_s)^{0.88} + c(Q_s) + d(Q_s)(H_T) + e(Q_s)^{0.88}(H_T)^{0.88} + f(Y_s)^{0.5} \right]$$

(i) Where for a vent stream flow rate that is greater than or equal to 14.2 scm/min (501 scf/min) at a standard temperature of 20 °C (68 °F):

TRE = TRE index value.

$Q_s$  = Vent stream flow rate, scm/min (scf/min), at a temperature of 20 °C (68 °F).

$H_T$  = Vent stream net heating value, MJ/scm (Btu/scf), where the net enthalpy per mole of vent stream is based on combustion at 25 °C and 760 mm Hg (68 °F and 30 in. Hg), but the standard temperature for determining the volume corresponding to one mole is 20 °C (68 °F) as in the definition of  $Q_s$ .

$Y_s = Q_s$  for all vent stream categories listed in table 1 except for Category E vent streams where  $Y_s = Q_s H_T / 3.6$ .

$E_{TOC}$  = Hourly emissions of TOC, kg/hr (lb/hr). a, b, c, d, e, and f are coefficients.

The set of coefficients which apply to a vent stream shall be obtained from table 1.

TABLE 1. AIR OXIDATION NSPS TRE COEFFICIENTS FOR VENT STREAMS  
 CONTROLLED BY AN INCINERATOR

DESIGN CATEGORY A1. FOR HALOGENATED PROCESS VENT STREAMS, IF  $0 \leq$  NET HEATING VALUE (MJ/scm)  $\leq 3.5$  OR IF  $0 \leq$  NET HEATING VALUE (Btu/scf)  $\leq 94$ :

$Q_s$ = Vent Stream Flow rate scm/min (scf/min)	a	b	c	d	e	f
$14.2 \leq Q_s \leq 18.8$ ( $501 \leq Q_s \leq 664$ )	19.18370 (42.29238)	0.27580 (0.017220)	0.75762 (0.072549)	-0.13064 (-0.00030361)	0 (0)	0.01025 (0.003803)
$18.8 < Q_s \leq 699$ ( $664 < Q_s \leq 24,700$ )	20.00563 (44.10441)	0.27580 (0.017220)	0.30387 (0.029098)	-0.13064 (-0.00030361)	0 (0)	0.01025 (0.003803)
$699 < Q_s \leq 1400$ ( $24,700 < Q_s \leq 49,000$ )	39.87022 (87.89789)	0.29973 (0.018714)	0.30387 (0.029098)	-0.13064 (-0.00030361)	0 (0)	0.01449 (0.005376)
$1400 < Q_s \leq 2100$ ( $49,000 < Q_s \leq 74,000$ )	59.73481 (131.6914)	0.31467 (0.019647)	0.30387 (0.029098)	-0.13064 (-0.00030361)	0 (0)	0.01775 (0.006585)
$2100 < Q_s \leq 2800$ ( $74,000 < Q_s \leq 99,000$ )	79.59941 (175.4849)	0.32572 (0.020337)	0.30387 (0.029098)	-0.13064 (-0.00030361)	0 (0)	0.02049 (0.007602)
$2800 < Q_s \leq 3500$ ( $99,000 < Q_s \leq 120,000$ )	99.46400 (219.2783)	0.33456 (0.020888)	0.30387 (0.029098)	-0.13064 (-0.00030361)	0 (0)	0.02291 (0.008500)

DESIGN CATEGORY A2. FOR HALOGENATED PROCESS VENT STREAMS, IF NET HEATING VALUE  $< 3.5$  (MJ/scm) OR IF NET HEATING VALUE  $< 94$  (Btu/scf):

$Q_s$ = Vent Stream Flow rate scm/min (scf/min)	a	b	c	d	e	f
$14.2 \leq Q_s \leq 18.8$ ( $501 \leq Q_s \leq 664$ )	18.84466 (41.54494)	0.26742 (0.016696)	-0.20044 (-0.019194)	0 (0)	0 (0)	0.01025 (0.003803)
$18.8 < Q_s \leq 699$ ( $664 < Q_s \leq 24,700$ )	19.66658 (43.35694)	0.26742 (0.016696)	-0.25332 (-0.024258)	0 (0)	0 (0)	0.01025 (0.003803)
$699 < Q_s \leq 1400$ ( $24,700 < Q_s \leq 49,000$ )	39.19213 (86.40297)	0.29062 (0.018145)	-0.25332 (-0.024258)	0 (0)	0 (0)	0.01449 (0.005376)
$1400 < Q_s \leq 2100$ ( $49,000 < Q_s \leq 74,000$ )	58.71768 (129.4490)	0.30511 (0.019050)	-0.25332 (-0.024258)	0 (0)	0 (0)	0.01775 (0.006585)
$2100 < Q_s \leq 2800$ ( $74,000 < Q_s \leq 99,000$ )	78.24323 (172.4950)	0.31582 (0.019718)	-0.25332 (-0.024258)	0 (0)	0 (0)	0.02049 (0.007602)
$2800 < Q_s \leq 3500$ ( $99,000 < Q_s \leq 120,000$ )	97.76879 (215.5411)	0.32439 (0.020253)	-0.25332 (-0.024258)	0 (0)	0 (0)	0.02291 (0.008500)

DESIGN CATEGORY B. FOR NONHALOGENATED PROCESS VENT STREAMS, IF  $0 \leq \text{NET HEATING VALUE (MJ/scm)} \leq 0.48$  OR IF  $0 \leq \text{NET HEATING VALUE (Btu/scf)} \leq 13$ :

$Q_s$ = Vent Stream Flow rate scm/min(scf/min)	a	b	c	d	e	f
$14.2 \leq Q_s \leq 1340$ ( $501 \leq Q_s \leq 47,300$ )	8.54245 (18.83268)	0.10555 (0.0065901)	0.09030 (0.008647)	-0.17109 (-0.00039762)	0 (0)	0.01025 (0.003803)
$1340 < Q_s \leq 2690$ ( $47,300 < Q_s \leq 95,000$ )	16.94386 (37.35443)	0.11470 (0.0071614)	0.09030 (0.008647)	-0.17109 (-0.00039762)	0 (0)	0.01449 (0.005376)
$2690 < Q_s \leq 4040$ ( $95,000 < Q_s \leq 143,000$ )	25.34528 (55.87620)	0.12042 (0.0075185)	0.09030 (0.008647)	-0.17109 (-0.00039762)	0 (0)	0.01775 (0.00658)

DESIGN CATEGORY C. FOR NONHALOGENATED PROCESS VENT STREAMS, IF  $0.48 < \text{NET HEATING VALUE (MJ/scm)} \leq 1.9$  OR IF  $13 < \text{NET HEATING VALUE (Btu/scf)} \leq 51$ :

$Q_s$ = Vent Stream Flow rate scm/min(scf/min)	a	b	c	d	e	f
$14.2 \leq Q_s \leq 1340$ ( $501 \leq Q_s \leq 47,300$ )	9.25233 (20.39769)	0.06105 (0.003812)	0.31937 (0.030582)	-0.16181 (-0.00037605)	0 (0)	0.01025 (0.003803)
$1340 < Q_s \leq 2690$ ( $47,300 < Q_s \leq 95,000$ )	18.36363 (40.48446)	0.06635 (0.004143)	0.31937 (0.030582)	-0.16181 (-0.00037605)	0 (0)	0.01449 (0.005376)
$2690 < Q_s \leq 4040$ ( $95,000 < Q_s \leq 143,000$ )	27.47492 (60.57121)	0.06965 (0.004349)	0.31937 (0.030582)	-0.16181 (-0.00037605)	0 (0)	0.01775 (0.006585)

DESIGN CATEGORY D. FOR NONHALOGENATED PROCESS VENT STREAMS, IF  $1.9 < \text{NET HEATING VALUE (MJ/scm)} \leq 3.6$  OR IF  $51 < \text{NET HEATING VALUE (Btu/scf)} \leq 97$ :

$Q_s$ = Vent Stream Flow rate scm/min(scf/min)	a	b	c	d	e	f
$14.2 \leq Q_s \leq 1180$ ( $501 \leq Q_s \leq 41,700$ )	6.67868 (14.72382)	0.06943 (0.004335)	0.02582 (0.002472)	0 (0)	0 (0)	0.01025 (0.003803)
$1180 < Q_s \leq 2370$ ( $41,700 < Q_s \leq 83,700$ )	13.21633 (29.13672)	0.07546 (0.004711)	0.02582 (0.002472)	0 (0)	0 (0)	0.01449 (0.005376)
$2370 < Q_s \leq 3550$ ( $83,700 < Q_s \leq 125,000$ )	19.75398 (43.54962)	0.07922 (0.004946)	0.02582 (0.002472)	0 (0)	0 (0)	0.01775 (0.00658)
$Q_s$ = Vent Stream Flow rate scm/min(scf/min)	a	b	c	d	e	f
$14.2 \leq Y_s \leq 1180$ ( $501 \leq Y_s \leq 41,700$ )	6.67868 (14.72382)	0 (0)	0 (0)	-0.00707 (-0.0000164)	0.02220 (0.0001174)	0.01025 (0.003803)
$1180 < Y_s \leq 2370$ ( $41,700 < Y_s \leq 83,700$ )	13.21633 (29.13672)	0 (0)	0 (0)	-0.00707 (-0.0000164)	0.02412 (0.0001276)	0.01449 (0.005376)
$2370 < Y_s \leq 3550$ ( $83,700 < Y_s \leq 125,000$ )	19.75398 (43.54962)	0 (0)	0 (0)	-0.00707 (-0.0000164)	0.02533 (0.0001340)	0.01775 (0.006585)

(ii) Where for a vent stream flow rate that is less than 14.2 scm/min (501 scf/min) at a standard temperature of 20 °C (68 °F):

TRE = TRE index value.

$Q_s = 14.2 \text{ scm/min (501 scf/min)}$ .

$H_T = (\text{FLOW})(\text{HVAL})/Q_s$ .

Where the following inputs are used:

FLOW = Vent stream flow rate, scm/min (scf/min), at a temperature of 20 °C (68 °F).

HVAL = Vent stream net heating value, MJ/scm (Btu/scf), where the net enthalpy per mole of vent stream is based on combustion at 25 °C and 760 mm Hg (68 °F and 30 in. Hg), but the standard temperature for determining the volume corresponding to one mole is 20 °C (68 °F) as in the definition of  $Q_s$ .

$Y_s = Q_s$  for all vent stream categories listed in table 1 except for Category E vent streams where  $Y_s = Q_s H_T / 3.6$ .

$E_{TOC}$  = Hourly emissions of TOC, kg/hr (lb/hr).

a, b, c, d, e, and f are coefficients.

The set of coefficients that apply to a vent stream can be obtained from table 1.

(2) The equation for calculating the TRE index value of a vent stream controlled by a flare is as follows:

$$\text{TRE} = \frac{1}{E_{TOC}} \left[ a(Q_s) + b(Q_s)^{0.8} + c(Q_s)(H_T) + d(E_{TOC}) + e \right]$$

Where:

TRE = TRE index value.

$E_{TOC}$  = Hourly emissions of TOC, kg/hr (lb/hr).

$Q_s$  = Vent stream flow rate, scm/min (scf/min), at a standard temperature of 20 °C (68 °F).

$H_T$  = Vent stream net heating value, MJ/scm (Btu/scf), where the net enthalpy per mole of vent stream is based on combustion at 25 °C and 760 mm Hg (68 °F and 30 in. Hg), but the standard temperature for determining the volume corresponding to one mole is 20 °C (68 °F) as in the definition of  $Q_s$ .

a, b, c, d, and e are coefficients.

The set of coefficients that apply to a vent stream shall be obtained from table 2.

**TABLE 2—AIR OXIDATION PROCESSES NSPS TRE COEFFICIENTS FOR VENT STREAMS CONTROLLED BY A FLARE**

	<b>a</b>	<b>b</b>	<b>c</b>	<b>d</b>	<b>e</b>
$H_T < 11.2 \text{ MJ/scm}$	2.25	0.288	-0.193	(-0.0051)	2.08
$(H_T < 301 \text{ Btu/scf})$	(0.140)	(0.0367)	(-0.000448)	(-0.0051)	(4.59)
$H_T \geq 11.2 \text{ MJ/scm}$	0.309	0.0619	-0.0043	-0.0034	2.08
$H_T \geq 301 \text{ Btu/scf}$	(0.0193)	(0.00788)	(-0.000010)	(-0.0034)	(4.59)

(g) Each owner or operator of an affected facility seeking to comply with § 60.610(c) or § 60.612(c) shall recalculate the TRE index value for that affected facility whenever process changes are made. Some examples of process changes are changes in production capacity, feedstock type, or catalyst type, or whenever there is replacement, removal, or addition of recovery equipment. The TRE index value shall be recalculated based on test data, or on best engineering estimates of the effects of the change to the recovery system.

(1) Where the recalculated TRE index value is less than or equal to 1.0, the owner or operator shall notify the Administrator within 1 week of the recalculation and shall conduct a performance test according to the methods and procedures required by § 60.614 to determine compliance with § 60.612(a). Performance tests must be conducted as soon as possible after the process change but no later than 180 days from the time of the process change.

(2) Where the initial TRE index value is greater than 4.0 and the recalculated TRE index value is less than or equal to 4.0, but greater than 1.0, the owner or operator shall conduct a performance test in accordance with §§ 60.8 and 60.614 and shall comply with §§ 60.613, 60.614, and 60.615. Performance tests must be conducted as soon as possible after the process change but no later than 180 days from the time of the process change.

[55 FR 26922, June 29, 1990; 55 FR 36932, Sept. 7, 1990, as amended at 65 FR 61769, Oct. 17, 2000; 89 FR 43086, May 16, 2024]

## **§ 60.615 Reporting and recordkeeping requirements.**

(a) Each owner or operator subject to § 60.612 shall notify the Administrator of the specific provisions of § 60.612 (§ 60.612 (a) (b), or (c)) with which the owner or operator has elected to comply. Notification shall be submitted with the notification of initial start-up required by § 60.7(a)(3). If an owner or operator elects at a later date to use an alternative provision of § 60.612 with which he or she will comply, then the Administrator shall be notified by the owner or operator 90 days before implementing a change and, upon implementing the change, a performance test shall be performed as specified by § 60.614 within 180 days.

(b) Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible records of the following data measured during each performance test, and also include the following data in the report of the initial performance test required under § 60.8. Where a boiler or process heater with a

design heat input capacity of 44 MW (150 million Btu/hour) or greater is used to comply with § 60.612(a), a report containing performance test data need not be submitted, but a report containing the information of § 60.615(b)(2)(i) is required. The same data specified in this section shall be submitted in the reports of all subsequently required performance tests where either the emission control efficiency of a control device, outlet concentration of TOC, or the TRE index value of a vent stream from a recovery system is determined. Beginning on July 15, 2024, owners and operators must submit the performance test report following the procedures specified in paragraph (m) of this section. Data collected using test methods that are 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 must be submitted in a file format generated using the EPA's ERT. Alternatively, the owner or operator may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. 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 must be included as an attachment in the ERT or an alternate electronic file.

- (1) Where an owner or operator subject to this subpart seeks to demonstrate compliance with § 60.612(a) through use of either a thermal or catalytic incinerator:
  - (i) The average firebox temperature of the incinerator (or the average temperature upstream and downstream of the catalyst bed for a catalytic incinerator), measured at least every 15 minutes and averaged over the same time period of the performance testing, and
  - (ii) The percent reduction of TOC determined as specified in § 60.614(b) achieved by the incinerator, or the concentration of TOC (ppmv, by compound) determined as specified in § 60.614(b) at the outlet of the control device on a dry basis corrected to 3 percent oxygen.
- (2) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with § 60.612(a) through use of a boiler or process heater:
  - (i) A description of the location at which the vent stream is introduced into the boiler or process heater, and
  - (ii) The average combustion temperature of the boiler or process heater with a design heat input capacity of less than 44 MW (150 million Btu/hr) measured at least every 15 minutes and averaged over the same time period of the performance testing.
- (3) Where an owner or operator subject to the provisions of this subpart seeks to comply with § 60.612(b) through the use of a smokeless flare, flare design (i.e., steam-assisted, air-assisted, or nonassisted), all visible emission readings, heat content determinations, flow rate measurements, and exit velocity determinations made during the performance test, continuous records of the flare pilot flame monitoring, and records of all periods of operations during which the pilot flame is absent.
- (4) Where an owner or operator seeks to demonstrate compliance with § 60.612(c):
  - (i) Where an absorber is the final recovery device in a recovery system, the exit specific gravity (or alternative parameter which is a measure of the degree of absorbing liquid saturation, if approved by the Administrator), and average exit temperature of the absorbing liquid, measured at least every 15 minutes and averaged over the same time period of the performance testing (both measured while the vent stream is normally routed and constituted), or

- (ii) Where a condenser is the final recovery device in a recovery system, the average exit (product side) temperature, measured at least every 15 minutes and average over the same time period of the performance testing while the vent stream is normally routed and constituted.
- (iii) Where a carbon adsorber is the final recovery device in a recovery system, the total steam mass flow measured at least every 15 minutes and averaged over the same time period of the performance test (full carbon bed cycle), temperature of the carbon bed after regeneration (and within 15 minutes of completion of any cooling cycle(s), and duration of the carbon bed steaming cycle (all measured while the vent stream is normally routed and constituted), or
- (iv) As an alternative to § 60.615(b)(4)(i), (ii) or (iii), the concentration level or reading indicated by the organic monitoring device at the outlet of the absorber, condenser, or carbon adsorber measured at least every 15 minutes and averaged over the same time period of the performance testing while the vent stream is normally routed and constituted.
- (v) All measurements and calculations performed to determine the TRE index value of the vent stream.

(c) Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored under § 60.613(a) and (c) as well as up-to-date, readily accessible records of periods of operation during which the parameter boundaries established during the most recent performance test are exceeded. The Administrator may at any time require a report of these data. Where a combustion device is used by an owner or operator seeking to demonstrate compliance with § 60.612(a) or (c), periods of operation during which the parameter boundaries established during the most recent performance tests are exceeded are defined as follows:

- (1) For thermal incinerators, all 3-hour periods of operation during which the average combustion temperature was more than 28 °C (50 °F) below the average combustion temperature during the most recent performance test at which compliance with § 60.612(a) was determined.
- (2) For catalytic incinerators, all 3-hour periods of operation during which the average temperature of the vent stream immediately before the catalyst bed is more than 28 °C (50 °F) below the average temperature of the vent stream during the most recent performance test at which compliance with § 60.612(a) was determined. The owner or operator also shall record all 3-hour periods of operation during which the average temperature difference across the catalyst bed is less than 80 percent of the average temperature difference of the device during the most recent performance test at which compliance with § 60.612(a) was determined.
- (3) All 3-hour periods of operation during which the average combustion temperature was more than 28 °C (50 °F) below the average combustion temperature during the most recent performance test at which compliance with § 60.612(a) was determined for boilers or process heaters with a design heat input capacity of less than 44 MW (150 million Btu/hr).
- (4) For boilers or process heaters, whenever there is a change in the location at which the vent stream is introduced into the flame zone as required under § 60.612(a).

(d) Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible continuous records of the flow indication specified under § 60.613(a)(2), § 60.613(b)(2), and § 60.613(c)(1), as well as up-to-date, readily accessible records of all periods when the vent stream is diverted from the control device or has no flow rate.

- (e) Each owner or operator subject to the provisions of this subpart who uses a boiler or process heater with a design heat input capacity of 44 MW (150 million Btu/hour) or greater to comply with § 60.612(a) shall keep an up-to-date, readily accessible record of all periods of operation of the boiler or process heater. (Examples of such records could include records of steam use, fuel use, or monitoring data collected pursuant to other State or Federal regulatory requirements).
- (f) Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible continuous records of the flare pilot flame monitoring specified in § 60.613(b), as well as up-to-date, readily accessible records of all periods of operations in which the pilot flame is absent.
- (g) Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored under § 60.613(e) as well as up-to-date, readily accessible records of periods of operation during which the parameter boundaries established during the most recent performance test are exceeded. The Administrator may at any time require a report of these data. Where the owner or operator seeks to demonstrate compliance with § 60.612(c), periods of operation during which the parameter boundaries established during the most recent performance tests are exceeded are defined as follows:
  - (1) Where an absorber is the final recovery device in a recovery system, and where an organic monitoring device is not used:
    - (i) All 3-hour periods of operation during which the average absorbing liquid temperature was more than 11 °C (20 °F) above the average absorbing liquid temperature during the most recent performance test, or
    - (ii) All 3-hour periods of operation during which the average absorbing liquid specific gravity was more than 0.1 unit above, or more than 0.1 unit below, the average absorbing liquid specific gravity during the most recent performance test (unless monitoring of an alternative parameter, which is a measure of the degree of absorbing liquid saturation, is approved by the Administrator, in which case he or she will define appropriate parameter boundaries and periods of operation during which they are exceeded).
  - (2) When a condenser is the final recovery device in a recovery system, and where an organic monitoring device is not used, all 3-hour periods of operation during which the average exit (product side) condenser operating temperature was more than 6 °C (11 °F) above the average exit (product side) operating temperature during the most recent performance test.
  - (3) Where a carbon adsorber is the final recovery device in a recovery system and where an organic monitoring device is not used:
    - (i) All carbon bed regeneration cycles during which the total mass steam flow was more than 10 percent below the total mass steam flow during the most recent performance test, or
    - (ii) All carbon bed regeneration cycles during which the temperature of the carbon bed after regeneration (and after completion of any cooling cycle(s)) was more than 10 percent greater than the carbon bed temperature (in degrees Celsius) during the most recent performance test.

(4) Where an absorber, condenser, or carbon adsorber is the final recovery device in the recovery system and an organic monitoring device approved by the Administrator is used, all 3-hour periods of operation during which the average concentration level or reading of organic compounds in the exhaust gases is more than 20 percent greater than the exhaust gas organic compound concentration level or reading measured by the monitoring device during the most recent performance test.

(h) Each owner or operator subject to the provisions of this subpart and seeking to demonstrate compliance with § 60.612(c) shall keep up-to-date, readily accessible records of:

(1) Any changes in production capacity, feedstock type, or catalyst type, or of any replacement, removal or addition of recovery equipment or air oxidation reactors;

(2) Any recalculation of the TRE index value performed pursuant to § 60.614(f);

(3) The results of any performance test performed pursuant to the methods and procedures required by § 60.614(d).

(i) Each owner and operator subject to the provisions of this subpart is exempt from the quarterly reporting requirements contained in § 60.7(c) of the General Provisions.

(j) Each owner or operator that seeks to comply with the requirements of this subpart by complying with the requirements of § 60.612 shall submit to the Administrator semiannual reports of the following information. The initial report shall be submitted within 6 months after the initial start-up-date. On and after July 15, 2025 or once the report template for this subpart has been available on the Compliance and Emissions Data Reporting Interface (CEDRI) website (<https://www.epa.gov/electronic-reporting-air-emissions/cedri>) for 1 year, whichever date is later, owners and operators must submit all subsequent reports using the appropriate electronic report template on the CEDRI website for this subpart and following the procedure specified in paragraph (m) of this section. 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.

(1) Exceedances of monitored parameters recorded under § 60.615(c) and (g).

(2) All periods recorded under § 60.615(d) when the vent stream is diverted from the control device or has no flow rate.

(3) All periods recorded under § 60.615(e) when the boiler or process heater was not operating.

(4) All periods recorded under § 60.615(f) in which the pilot flame of the flare was absent.

(5) Any recalculation of the TRE index value, as recorded under § 60.615(h).

(k) The requirements of § 60.615(j) remain in force until and unless EPA, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected sources within the State will be relieved of the obligation to comply with § 60.615(j), provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

- (l) The Administrator will specify appropriate reporting and recordkeeping requirements where the owner or operator of an affected facility seeks to demonstrate compliance with the standards specified under § 60.612 other than as provided under § 60.613(a), (b), (c), and (d).
- (m) If an owner or operator is required to submit notifications or reports following the procedure specified in this paragraph (m), the owner or operator must submit notifications or reports to the EPA via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to the owner or operator. Do not use CEDRI to submit information the owner or operator claims as CBI. Although the EPA does not expect persons to assert a claim of CBI, if an owner or operator wishes to assert a CBI claim for some of the information in the report or notification, the owner or operator must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (m)(1) and (2) of this section. Clearly mark the part or all of the information claimed to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. The owner or operator must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (m).
  - (1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov), and as described above, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the SOCMI NSPS Sector Lead. Owners and operators who do not have their own file sharing service and who require assistance with submitting large electronic files that exceed the file size limit for email attachments should email [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov) to request a file transfer link.
  - (2) If an owner or operator cannot transmit the file electronically, the owner or operator may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711. ERT files should be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should be sent to the attention of the SOCMI NSPS Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.
- (n) Owners and operators required to electronically submit notifications or reports through CEDRI in the EPA's CDX may assert a claim of EPA system outage for failure to timely comply with the electronic submittal requirement. To assert a claim of EPA system outage, owners and operators must meet the requirements outlined in paragraphs (n)(1) through (7) of this section.
  - (1) The owner or operator 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) The owner or operator must submit notification to the Administrator in writing as soon as possible following the date the owner or operator first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
- (5) The owner or operator 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 the owner or operator proposes to report, or if the owner or operator has already met the reporting requirement at the time of the notification, the date the report was submitted.
- (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.

(o) Owners and operators required to electronically submit notifications or reports through CEDRI in the EPA's CDX, owners and operators may assert a claim of *force majeure* for failure to timely comply with the electronic submittal requirement. To assert a claim of *force majeure*, you must meet the requirements outlined in paragraphs (o)(1) through (5) of this section.

- (1) An owner or operator 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 the owner or operator 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) The owner or operator must submit notification to the Administrator in writing as soon as possible following the date the owner or operator first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
- (3) The owner or operator 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 the owner or operator proposes to report, or if the owner or operator has already met the reporting requirement at the time of the notification, the date the report was submitted.
- (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.

[55 FR 26922, June 29, 1990; 55 FR 36932, Sept. 7, 1990, as amended at 65 FR 61773, Oct. 17, 2000; 89 FR 43088, May 16, 2024]

## § 60.616 Reconstruction.

For purposes of this subpart "fixed capital cost of the new components," as used in § 60.15, includes the fixed capital cost of all depreciable components which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 2-year period following October 21, 1983. For purposes of this paragraph, "commenced" means that an owner or operator has undertaken a continuous program of component replacement or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of component replacement.

## § 60.617 Chemicals affected by subpart III.

Chemical name	CAS No.*
Acetaldehyde	75-07-0
Acetic acid	64-19-7
Acetone	67-64-1
Acetonitrile	75-05-8
Acetophenone	98-86-2
Acrolein	107-02-8
Acrylic acid	79-10-7
Acrylonitrile	107-13-1
Anthraquinone	84-65-1
Benzaldehyde	100-52-7
Benzoic acid, tech	65-85-0
1,3-Butadiene	106-99-0
p-t-Butyl benzoic acid	98-73-7
N-Butyric acid	107-92-6
Crotonic acid	3724-65-0
Cumene hydroperoxide	80-15-9

\*CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers, or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.

Chemical name	CAS No.*
Cyclohexanol	108-93-0
Cyclohexanone	108-94-1
Dimethyl terephthalate	120-61-6
Ethylene dichloride	107-06-2
Ethylene oxide	75-21-8
Formaldehyde	50-00-0
Formic acid	64-18-6
Glyoxal	107-22-2
Hydrogen cyanide	74-90-8
Isobutyric acid	79-31-2
Isophthalic acid	121-91-5
Maleic anhydride	108-31-6
Methyl ethyl ketone	78-93-3
$\alpha$ -Methyl styrene	98-83-9
Phenol	108-95-2
Phthalic anhydride	85-44-9
Propionic acid	79-09-4
Propylene oxide	75-56-9
Styrene	100-42-5
Terephthalic acid	100-21-0

*\*CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers, or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.*

## § 60.618 Delegation of authority.

- (a) In delegating implementation and enforcement authority to a State under section 111(c) of the Act, the authorities contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.
- (b) Authorities which will not be delegated to States: § 60.613(e) and approval of an alternative to any electronic reporting to the EPA required by this subpart.

[55 FR 26922, June 29, 1990, as amended at 89 FR 43089, May 16, 2024]

## **Appendix D**

*40 C.F.R. § 60 Subpart VV—Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006*



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

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## Title 40 —Protection of Environment

### Chapter I —Environmental Protection Agency

#### Subchapter C —Air Programs

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

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

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

**Subpart VV** Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006

- § 60.480 Applicability and designation of affected facility.
- § 60.481 Definitions.
- § 60.482-1 Standards: General.
- § 60.482-2 Standards: Pumps in light liquid service.
- § 60.482-3 Standards: Compressors.
- § 60.482-4 Standards: Pressure relief devices in gas/vapor service.
- § 60.482-5 Standards: Sampling connection systems.
- § 60.482-6 Standards: Open-ended valves or lines.
- § 60.482-7 Standards: Valves in gas/vapor service and in light liquid service.
- § 60.482-8 Standards: Pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and connectors.
- § 60.482-9 Standards: Delay of repair.
- § 60.482-10 Standards: Closed vent systems and control devices.
- § 60.483-1 Alternative standards for valves—allowable percentage of valves leaking.
- § 60.483-2 Alternative standards for valves—skip period leak detection and repair.
- § 60.484 Equivalence of means of emission limitation.
- § 60.485 Test methods and procedures.
- § 60.486 Recordkeeping requirements.
- § 60.487 Reporting requirements.
- § 60.488 Reconstruction.
- § 60.489 List of chemicals produced by affected facilities.

**Subpart VV—Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006**

**Source:** 48 FR 48335, Oct. 18, 1983, unless otherwise noted.

**§ 60.480 Applicability and designation of affected facility.**

(a)

- (1) The provisions of this subpart apply to affected facilities in the synthetic organic chemicals manufacturing industry.
- (2) The group of all equipment (defined in § 60.481) within a process unit is an affected facility.

(b) Any affected facility under paragraph (a) of this section that commences construction, reconstruction, or modification after January 5, 1981, and on or before November 7, 2006, shall be subject to the requirements of this subpart.

(c) Addition or replacement of equipment for the purpose of process improvement which is accomplished without a capital expenditure shall not by itself be considered a modification under this subpart.

(d)

- (1) If an owner or operator applies for one or more of the exemptions in this paragraph, then the owner or operator shall maintain records as required in § 60.486(i).
- (2) Any affected facility that has the design capacity to produce less than 1,000 Mg/yr (1,102 ton/yr) of a chemical listed in § 60.489 is exempt from §§ 60.482-1 through 60.482-10.
- (3) If an affected facility produces heavy liquid chemicals only from heavy liquid feed or raw materials, then it is exempt from §§ 60.482-1 through 60.482-10.
- (4) Any affected facility that produces beverage alcohol is exempt from §§ 60.482-1 through 60.482-10.
- (5) Any affected facility that has no equipment in volatile organic compounds (VOC) service is exempt from §§ 60.482-1 through 60.482-10.

(e) *Alternative means of compliance —*

- (1) *Option to comply with part 65.*

(i) Owners or operators may choose to comply with the provisions of 40 CFR part 65, subpart F, to satisfy the requirements of §§ 60.482 through 60.487 for an affected facility. When choosing to comply with 40 CFR part 65, subpart F, the requirements of §§ 60.485(d), (e), and (f) and 60.486(i) and (j) still apply. Other provisions applying to an owner or operator who chooses to comply with 40 CFR part 65 are provided in 40 CFR 65.1.

(ii) *Part 60, subpart A.* Owners or operators who choose to comply with 40 CFR part 65, subpart F must also comply with §§ 60.1, 60.2, 60.5, 60.6, 60.7(a)(1) and (4), 60.14, 60.15, and 60.16 for that equipment. All sections and paragraphs of subpart A of this part that are not mentioned in this paragraph (e)(1)(ii) do not apply to owners and operators of equipment subject to this

subpart complying with 40 CFR part 65, subpart F, except that provisions required to be met prior to implementing 40 CFR part 65 still apply. Owners and operators who choose to comply with 40 CFR part 65, subpart F, must comply with 40 CFR part 65, subpart A.

(2) **Subpart VVa.** Owners or operators may choose to comply with the provisions of subpart VVa of this part 60 to satisfy the requirements of this subpart VV for an affected facility.

(f) **Overlap with other regulations for flares.** Owners and operators of flares that are subject to the flare related requirements of this subpart and flare related requirements of any other regulation in this part or 40 CFR 61 or 63, may elect to comply with the requirements in § 60.619a, § 60.669a, or § 60.709a, in lieu of all flare related requirements in any other regulation in this part or 40 CFR part 61 or 63.

[48 FR 48335, Oct. 18, 1983, as amended at 49 FR 22607, May 30, 1984; 65 FR 61762, Oct. 17, 2000; 65 FR 78276, Dec. 14, 2000; 72 FR 64879, Nov. 16, 2007, 73 FR 31379, June 2, 2008; 73 FR 31375, June 2, 2008; 89 FR 43068, May 16, 2024]

## § 60.481 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act or in subpart A of part 60, and the following terms shall have the specific meanings given them.

**Capital expenditure** means, in addition to the definition in 40 CFR 60.2, an expenditure for a physical or operational change to an existing facility that:

(a) Exceeds P, the product of the facility's replacement cost, R, and an adjusted annual asset guideline repair allowance, A, as reflected by the following equation:  $P = R \times A$ , where

(1) The adjusted annual asset guideline repair allowance, A, is the product of the percent of the replacement cost, Y, and the applicable basic annual asset guideline repair allowance, B, divided by 100 as reflected by the following equation:

$$A = Y \times (B \div 100);$$

(2) The percent Y is determined from the following equation:  $Y = 1.0 - 0.575 \log X$ , where X is 1982 minus the year of construction; and

(3) The applicable basic annual asset guideline repair allowance, B, is selected from the following table consistent with the applicable subpart:

**TABLE FOR DETERMINING APPLICABLE VALUE FOR B**

Subpart applicable to facility	Value of B to be used in equation
VV	12.5
DDD	12.5
GGG	7.0
KKK	4.5

**Closed-loop system** means an enclosed system that returns process fluid to the process.

**Closed-purge system** means a system or combination of systems and portable containers to capture purged liquids. Containers for purged liquids must be covered or closed when not being filled or emptied.

**Closed vent system** means a system that is not open to the atmosphere and that is composed of hard-piping, ductwork, connections, and, if necessary, flow-inducing devices that transport gas or vapor from a piece or pieces of equipment to a control device or back to a process.

**Connector** means flanged, screwed, or other joined fittings used to connect two pipe lines or a pipe line and a piece of process equipment or that close an opening in a pipe that could be connected to another pipe. Joined fittings welded completely around the circumference of the interface are not considered connectors for the purpose of this subpart.

**Control device** means an enclosed combustion device, vapor recovery system, or flare.

**Distance piece** means an open or enclosed casing through which the piston rod travels, separating the compressor cylinder from the crankcase.

**Double block and bleed system** means two block valves connected in series with a bleed valve or line that can vent the line between the two block valves.

**Duct work** means a conveyance system such as those commonly used for heating and ventilation systems. It is often made of sheet metal and often has sections connected by screws or crimping. Hard-piping is not ductwork.

**Equipment** means each pump, compressor, pressure relief device, sampling connection system, open-ended valve or line, valve, and flange or other connector in VOC service and any devices or systems required by this subpart.

**First attempt at repair** means to take action for the purpose of stopping or reducing leakage of organic material to the atmosphere using best practices.

**Fuel gas** means gases that are combusted to derive useful work or heat.

**Fuel gas system** means the offsite and onsite piping and flow and pressure control system that gathers gaseous stream(s) generated by onsite operations, may blend them with other sources of gas, and transports the gaseous stream for use as fuel gas in combustion devices or in-process combustion equipment, such as furnaces and gas turbines, either singly or in combination.

**Hard-piping** means pipe or tubing that is manufactured and properly installed using good engineering judgment and standards such as ASME B31.3, Process Piping (available from the American Society of Mechanical Engineers, PO Box 2300, Fairfield, NJ 07007-2300).

**In gas/vapor service** means that the piece of equipment contains process fluid that is in the gaseous state at operating conditions.

**In heavy liquid service** means that the piece of equipment is not in gas/vapor service or in light liquid service.

**In light liquid service** means that the piece of equipment contains a liquid that meets the conditions specified in § 60.485(e).

**In-situ sampling systems** means nonextractive samplers or in-line samplers.

**In vacuum service** means that equipment is operating at an internal pressure which is at least 5 kilopascals (kPa)(0.7 psia) below ambient pressure.

*In VOC service* means that the piece of equipment contains or contacts a process fluid that is at least 10 percent VOC by weight. (The provisions of § 60.485(d) specify how to determine that a piece of equipment is not in VOC service.)

*Liquids dripping* means any visible leakage from the seal including spraying, misting, clouding, and ice formation.

*Open-ended valve or line* means any valve, except safety relief valves, having one side of the valve seat in contact with process fluid and one side open to the atmosphere, either directly or through open piping.

*Pressure release* means the emission of materials resulting from system pressure being greater than set pressure of the pressure relief device.

*Process improvement* means routine changes made for safety and occupational health requirements, for energy savings, for better utility, for ease of maintenance and operation, for correction of design deficiencies, for bottleneck removal, for changing product requirements, or for environmental control.

*Process unit* means components assembled to produce, as intermediate or final products, one or more of the chemicals listed in § 60.489 of this part. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

*Process unit shutdown* means a work practice or operational procedure that stops production from a process unit or part of a process unit during which it is technically feasible to clear process material from a process unit or part of a process unit consistent with safety constraints and during which repairs can be accomplished. The following are not considered process unit shutdowns:

- (1) An unscheduled work practice or operational procedure that stops production from a process unit or part of a process unit for less than 24 hours.
- (2) An unscheduled work practice or operational procedure that would stop production from a process unit or part of a process unit for a shorter period of time than would be required to clear the process unit or part of the process unit of materials and start up the unit, and would result in greater emissions than delay of repair of leaking components until the next scheduled process unit shutdown.
- (3) The use of spare equipment and technically feasible bypassing of equipment without stopping production.

*Quarter* means a 3-month period; the first quarter concludes on the last day of the last full month during the 180 days following initial startup.

*Repaired* means that equipment is adjusted, or otherwise altered, in order to eliminate a leak as defined in the applicable sections of this subpart and, except for leaks identified in accordance with §§ 60.482-2(b)(2)(ii) and (d)(6)(ii) and (iii), 60.482-3(f), and 60.482-10(f)(1)(ii), is re-monitored as specified in § 60.485(b) to verify that emissions from the equipment are below the applicable leak definition.

*Replacement cost* means the capital needed to purchase all the depreciable components in a facility.

*Sampling connection system* means an assembly of equipment within a process unit used during periods of representative operation to take samples of the process fluid. Equipment used to take nonroutine grab samples is not considered a sampling connection system.

*Sensor* means a device that measures a physical quantity or the change in a physical quantity such as temperature, pressure, flow rate, pH, or liquid level.

**Storage vessel** means a tank or other vessel that is used to store organic liquids that are used in the process as raw material feedstocks, produced as intermediates or final products, or generated as wastes. Storage vessel does not include vessels permanently attached to motor vehicles, such as trucks, railcars, barges, or ships.

**Synthetic organic chemicals manufacturing industry** means the industry that produces, as intermediates or final products, one or more of the chemicals listed in § 60.489.

**Transfer rack** means the collection of loading arms and loading hoses, at a single loading rack, that are used to fill tank trucks and/or railcars with organic liquids.

**Volatile organic compounds** or VOC means, for the purposes of this subpart, any reactive organic compounds as defined in § 60.2 Definitions.

[48 FR 48335, Oct. 18, 1983, as amended at 49 FR 22607, May 30, 1984; 49 FR 26738, June 29, 1984; 60 FR 43258, Aug. 18, 1995; 65 FR 61762, Oct. 17, 2000; 65 FR 78276, Dec. 14, 2000; 72 FR 64879, Nov. 16, 2007; 89 FR 43068, May 16, 2024]

## § 60.482-1 Standards: General.

- (a) Each owner or operator subject to the provisions of this subpart shall demonstrate compliance with the requirements of §§ 60.482-1 through 60.482-10 or § 60.480(e) for all equipment within 180 days of initial startup.
- (b) Compliance with §§ 60.482-1 to 60.482-10 will be determined by review of records and reports, review of performance test results, and inspection using the methods and procedures specified in § 60.485.
- (c)
  - (1) An owner or operator may request a determination of equivalence of a means of emission limitation to the requirements of §§ 60.482-2, 60.482-3, 60.482-5, 60.482-6, 60.482-7, 60.482-8, and 60.482-10 as provided in § 60.484.
  - (2) If the Administrator makes a determination that a means of emission limitation is at least equivalent to the requirements of § 60.482-2, § 60.482-3, § 60.482-5, § 60.482-6, § 60.482-7, § 60.482-8, or § 60.482-10, an owner or operator shall comply with the requirements of that determination.
- (d) Equipment that is in vacuum service is excluded from the requirements of §§ 60.482-2 to 60.482-10 if it is identified as required in § 60.486(e)(5).
- (e) Equipment that an owner or operator designates as being in VOC service less than 300 hours (hr)/yr is excluded from the requirements of §§ 60.482-2 through 60.482-10 if it is identified as required in § 60.486(e)(6) and it meets any of the conditions specified in paragraphs (e)(1) through (3) of this section.
  - (1) The equipment is in VOC service only during startup and shutdown, excluding startup and shutdown between batches of the same campaign for a batch process.
  - (2) The equipment is in VOC service only during process malfunctions or other emergencies.
  - (3) The equipment is backup equipment that is in VOC service only when the primary equipment is out of service.
- (f)

(1) If a dedicated batch process unit operates less than 365 days during a year, an owner or operator may monitor to detect leaks from pumps and valves at the frequency specified in the following table instead of monitoring as specified in §§ 60.482-2, 60.482-7, and 60.483-2:

Operating time (percent of hours during year)	Equivalent monitoring frequency time in use		
	Monthly	Quarterly	Semiannually
0 to <25	Quarterly	Annually	Annually.
25 to <50	Quarterly	Semiannually	Annually.
50 to <75	Bimonthly	Three quarters	Semiannually.
75 to 100	Monthly	Quarterly	Semiannually.

(2) Pumps and valves that are shared among two or more batch process units that are subject to this subpart may be monitored at the frequencies specified in paragraph (f)(1) of this section, provided the operating time of all such process units is considered.

(3) The monitoring frequencies specified in paragraph (f)(1) of this section are not requirements for monitoring at specific intervals and can be adjusted to accommodate process operations. An owner or operator may monitor at any time during the specified monitoring period (e.g., month, quarter, year), provided the monitoring is conducted at a reasonable interval after completion of the last monitoring campaign. Reasonable intervals are defined in paragraphs (f)(3)(i) through (iv) of this section.

(i) When monitoring is conducted quarterly, monitoring events must be separated by at least 30 calendar days.

(ii) When monitoring is conducted semiannually (*i.e.*, once every 2 quarters), monitoring events must be separated by at least 60 calendar days.

(iii) When monitoring is conducted in 3 quarters per year, monitoring events must be separated by at least 90 calendar days.

(iv) When monitoring is conducted annually, monitoring events must be separated by at least 120 calendar days.

[48 FR 48335, Oct. 18, 1983, as amended at 49 FR 22608, May 30, 1984; 65 FR 78276, Dec. 14, 2000; 72 FR 64880, Nov. 16, 2007; 89 FR 43068, May 16, 2024]

## § 60.482-2 Standards: Pumps in light liquid service.

(a)

(1) Each pump in light liquid service shall be monitored monthly to detect leaks by the methods specified in § 60.485(b), except as provided in § 60.482-1(c) and (f) and paragraphs (d), (e), and (f) of this section. A pump that begins operation in light liquid service after the initial startup date for the process unit must be monitored for the first time within 30 days after the end of its startup period, except for a pump that replaces a leaking pump and except as provided in § 60.482-1(c) and (f) and paragraphs (d), (e), and (f) of this section.

(2) Each pump in light liquid service shall be checked by visual inspection each calendar week for indications of liquids dripping from the pump seal, except as provided in § 60.482-1(f).

(b)

(1) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

(2) If there are indications of liquids dripping from the pump seal, the owner or operator shall follow the procedure specified in either paragraph (b)(2)(i) or (ii) of this section. This requirement does not apply to a pump that was monitored after a previous weekly inspection if the instrument reading for that monitoring event was less than 10,000 ppm and the pump was not repaired since that monitoring event.

(i) Monitor the pump within 5 days as specified in § 60.485(b). If an instrument reading of 10,000 ppm or greater is measured, a leak is detected. The leak shall be repaired using the procedures in paragraph (c) of this section.

(ii) Designate the visual indications of liquids dripping as a leak, and repair the leak within 15 days of detection by eliminating the visual indications of liquids dripping.

(c)

(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in § 60.482-9.

(2) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected. First attempts at repair include, but are not limited to, the practices described in paragraphs (c)(2)(i) and (ii) of this section, where practicable.

(i) Tightening the packing gland nuts;

(ii) Ensuring that the seal flush is operating at design pressure and temperature.

(d) Each pump equipped with a dual mechanical seal system that includes a barrier fluid system is exempt from the requirements of paragraph (a) of this section, provided the requirements specified in paragraphs (d)(1) through (6) of this section are met.

(1) Each dual mechanical seal system is—

(i) Operated with the barrier fluid at a pressure that is at all times greater than the pump stuffing box pressure; or

(ii) Equipped with a barrier fluid degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device that complies with the requirements of § 60.482-10; or

(iii) Equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.

(2) The barrier fluid system is in heavy liquid service or is not in VOC service.

(3) Each barrier fluid system is equipped with a sensor that will detect failure of the seal system, the barrier fluid system, or both.

(4)

- (i) Each pump is checked by visual inspection, each calendar week, for indications of liquids dripping from the pump seals.
- (ii) If there are indications of liquids dripping from the pump seal at the time of the weekly inspection, the owner or operator shall follow the procedure specified in either paragraph (d)(4)(ii)(A) or (B) of this section.
  - (A) Monitor the pump within 5 days as specified in § 60.485(b) to determine if there is a leak of VOC in the barrier fluid. If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.
  - (B) Designate the visual indications of liquids dripping as a leak.

(5)

- (i) Each sensor as described in paragraph (d)(3) of this section is checked daily or is equipped with an audible alarm.
- (ii) The owner or operator determines, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.
- (iii) If the sensor indicates failure of the seal system, the barrier fluid system, or both, based on the criterion established in paragraph (d)(5)(ii) of this section, a leak is detected.

(6)

- (i) When a leak is detected pursuant to paragraph (d)(4)(ii)(A) of this section, it shall be repaired as specified in paragraph (c) of this section.
- (ii) A leak detected pursuant to paragraph (d)(5)(iii) of this section shall be repaired within 15 days of detection by eliminating the conditions that activated the sensor.
- (iii) A designated leak pursuant to paragraph (d)(4)(ii)(B) of this section shall be repaired within 15 days of detection by eliminating visual indications of liquids dripping.

(e) Any pump that is designated, as described in § 60.486(e)(1) and (2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs (a), (c), and (d) of this section if the pump:

- (1) Has no externally actuated shaft penetrating the pump housing,
- (2) Is demonstrated to be operating with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background as measured by the methods specified in § 60.485(c), and
- (3) Is tested for compliance with paragraph (e)(2) of this section initially upon designation, annually, and at other times requested by the Administrator.

(f) If any pump is equipped with a closed vent system capable of capturing and transporting any leakage from the seal or seals to a process or to a fuel gas system or to a control device that complies with the requirements of § 60.482-10, it is exempt from paragraphs (a) through (e) of this section.

(g) Any pump that is designated, as described in § 60.486(f)(1), as an unsafe-to-monitor pump is exempt from the monitoring and inspection requirements of paragraphs (a) and (d)(4) through (6) of this section if:

- (1) The owner or operator of the pump demonstrates that the pump is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (a) of this section; and
- (2) The owner or operator of the pump has a written plan that requires monitoring of the pump as frequently as practicable during safe-to-monitor times but not more frequently than the periodic monitoring schedule otherwise applicable, and repair of the equipment according to the procedures in paragraph (c) of this section if a leak is detected.

(h) Any pump that is located within the boundary of an unmanned plant site is exempt from the weekly visual inspection requirement of paragraphs (a)(2) and (d)(4) of this section, and the daily requirements of paragraph (d)(5) of this section, provided that each pump is visually inspected as often as practicable and at least monthly.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61762, Oct. 17, 2000; 65 FR 78276, Dec. 14, 2000; 72 FR 64880, Nov. 16, 2007]

### § 60.482-3 Standards: Compressors.

- (a) Each compressor shall be equipped with a seal system that includes a barrier fluid system and that prevents leakage of VOC to the atmosphere, except as provided in § 60.482-1(c) and paragraphs (h), (i), and (j) of this section.
- (b) Each compressor seal system as required in paragraph (a) shall be:
  - (1) Operated with the barrier fluid at a pressure that is greater than the compressor stuffing box pressure; or
  - (2) Equipped with a barrier fluid system degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device that complies with the requirements of § 60.482-10; or
  - (3) Equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.
- (c) The barrier fluid system shall be in heavy liquid service or shall not be in VOC service.
- (d) Each barrier fluid system as described in paragraph (a) shall be equipped with a sensor that will detect failure of the seal system, barrier fluid system, or both.
  - (e)
    - (1) Each sensor as required in paragraph (d) shall be checked daily or shall be equipped with an audible alarm.
    - (2) The owner or operator shall determine, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.
  - (f) If the sensor indicates failure of the seal system, the barrier system, or both based on the criterion determined under paragraph (e)(2), a leak is detected.
- (g)
  - (1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in § 60.482-9.

(2) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

(h) A compressor is exempt from the requirements of paragraphs (a) and (b) of this section, if it is equipped with a closed vent system to capture and transport leakage from the compressor drive shaft back to a process or fuel gas system or to a control device that complies with the requirements of § 60.482-10, except as provided in paragraph (i) of this section.

(i) Any compressor that is designated, as described in § 60.486(e) (1) and (2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs (a)-(h) if the compressor:

- (1) Is demonstrated to be operating with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the methods specified in § 60.485(c); and
- (2) Is tested for compliance with paragraph (i)(1) of this section initially upon designation, annually, and at other times requested by the Administrator.

(j) Any existing reciprocating compressor in a process unit which becomes an affected facility under provisions of § 60.14 or § 60.15 is exempt from paragraphs (a) through (e) and (h) of this section, provided the owner or operator demonstrates that recasting the distance piece or replacing the compressor are the only options available to bring the compressor into compliance with the provisions of paragraphs (a) through (e) and (h) of this section.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61762, Oct. 17, 2000; 65 FR 78277, Dec. 14, 2000; 72 FR 64881, Nov. 16, 2007]

## § 60.482-4 Standards: Pressure relief devices in gas/vapor service.

(a) Except during pressure releases, each pressure relief device in gas/vapor service shall be operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as determined by the methods specified in § 60.485(c).

(b)

(1) After each pressure release, the pressure relief device shall be returned to a condition of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as soon as practicable, but no later than 5 calendar days after the pressure release, except as provided in § 60.482-9.

(2) No later than 5 calendar days after the pressure release, the pressure relief device shall be monitored to confirm the conditions of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, by the methods specified in § 60.485(c).

(c) Any pressure relief device that is routed to a process or fuel gas system or equipped with a closed vent system capable of capturing and transporting leakage through the pressure relief device to a control device as described in § 60.482-10 is exempted from the requirements of paragraphs (a) and (b) of this section.

(d)

(1) Any pressure relief device that is equipped with a rupture disk upstream of the pressure relief device is exempt from the requirements of paragraphs (a) and (b) of this section, provided the owner or operator complies with the requirements in paragraph (d)(2) of this section.

(2) After each pressure release, a new rupture disk shall be installed upstream of the pressure relief device as soon as practicable, but no later than 5 calendar days after each pressure release, except as provided in § 60.482-9.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61762, Oct. 17, 2000; 65 FR 78277, Dec. 14, 2000]

## § 60.482-5 Standards: Sampling connection systems.

(a) Each sampling connection system shall be equipped with a closed-purge, closed-loop, or closed-vent system, except as provided in § 60.482-1(c) and paragraph (c) of this section.

(b) Each closed-purge, closed-loop, or closed-vent system as required in paragraph (a) of this section shall comply with the requirements specified in paragraphs (b)(1) through (4) of this section.

(1) Gases displaced during filling of the sample container are not required to be collected or captured.

(2) Containers that are part of a closed-purge system must be covered or closed when not being filled or emptied.

(3) Gases remaining in the tubing or piping between the closed-purge system valve(s) and sample container valve(s) after the valves are closed and the sample container is disconnected are not required to be collected or captured.

(4) Each closed-purge, closed-loop, or closed-vent system shall be designed and operated to meet requirements in either paragraph (b)(4)(i), (ii), (iii), or (iv) of this section.

(i) Return the purged process fluid directly to the process line.

(ii) Collect and recycle the purged process fluid to a process.

(iii) Capture and transport all the purged process fluid to a control device that complies with the requirements of § 60.482-10.

(iv) Collect, store, and transport the purged process fluid to any of the following systems or facilities:

(A) A waste management unit as defined in § 63.111, if the waste management unit is subject to and operated in compliance with the provisions of 40 CFR part 63, subpart G, applicable to Group 1 wastewater streams;

(B) A treatment, storage, or disposal facility subject to regulation under 40 CFR part 262, 264, 265, or 266;

(C) A facility permitted, licensed, or registered by a state to manage municipal or industrial solid waste, if the process fluids are not hazardous waste as defined in 40 CFR part 261;

(D) A waste management unit subject to and operated in compliance with the treatment requirements of § 61.348(a), provided all waste management units that collect, store, or transport the purged process fluid to the treatment unit are subject to and operated in compliance with the management requirements of §§ 61.343 through 61.347; or

(E) A device used to burn off-specification used oil for energy recovery in accordance with 40 CFR part 279, subpart G, provided the purged process fluid is not hazardous waste as defined in 40 CFR part 261.

(c) In situ sampling systems and sampling systems without purges are exempt from the requirements of paragraphs (a) and (b) of this section.

[60 FR 43258, Aug. 18, 1995, as amended at 65 FR 61762, Oct. 17, 2000; 65 FR 78277, Dec. 14, 2000; 72 FR 64881, Nov. 16, 2007]

## § 60.482-6 Standards: Open-ended valves or lines.

(a)

- (1) Each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve, except as provided in § 60.482-1(c) and paragraphs (d) and (e) of this section.
- (2) The cap, blind flange, plug, or second valve shall seal the open end at all times except during operations requiring process fluid flow through the open-ended valve or line.

(b) Each open-ended valve or line equipped with a second valve shall be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed.

(c) When a double block-and-bleed system is being used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall comply with paragraph (a) at all other times.

(d) Open-ended valves or lines in an emergency shutdown system which are designed to open automatically in the event of a process upset are exempt from the requirements of paragraphs (a), (b) and (c) of this section.

(e) Open-ended valves or lines containing materials which would autocatalytically polymerize or would present an explosion, serious overpressure, or other safety hazard if capped or equipped with a double block and bleed system as specified in paragraphs (a) through (c) of this section are exempt from the requirements of paragraphs (a) through (c) of this section.

[48 FR 48335, Oct. 18, 1983, as amended at 49 FR 22607, May 30, 1984; 65 FR 78277, Dec. 14, 2000; 72 FR 64881, Nov. 16, 2007]

## § 60.482-7 Standards: Valves in gas/vapor service and in light liquid service.

(a)

- (1) Each valve shall be monitored monthly to detect leaks by the methods specified in § 60.485(b) and shall comply with paragraphs (b) through (e) of this section, except as provided in paragraphs (f), (g), and (h) of this section, § 60.482-1(c) and (f), and §§ 60.483-1 and 60.483-2.
- (2) A valve that begins operation in gas/vapor service or light liquid service after the initial startup date for the process unit must be monitored according to paragraphs (a)(2)(i) or (ii), except for a valve that replaces a leaking valve and except as provided in paragraphs (f), (g), and (h) of this section, § 60.482-1(c), and §§ 60.483-1 and 60.483-2.
  - (i) Monitor the valve as in paragraph (a)(1) of this section. The valve must be monitored for the first time within 30 days after the end of its startup period to ensure proper installation.

(ii) If the valves on the process unit are monitored in accordance with § 60.483-1 or § 60.483-2, count the new valve as leaking when calculating the percentage of valves leaking as described in § 60.483-2(b)(5). If less than 2.0 percent of the valves are leaking for that process unit, the valve must be monitored for the first time during the next scheduled monitoring event for existing valves in the process unit or within 90 days, whichever comes first.

(b) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

(c)

(1)

(i) Any valve for which a leak is not detected for 2 successive months may be monitored the first month of every quarter, beginning with the next quarter, until a leak is detected.

(ii) As an alternative to monitoring all of the valves in the first month of a quarter, an owner or operator may elect to subdivide the process unit into 2 or 3 subgroups of valves and monitor each subgroup in a different month during the quarter, provided each subgroup is monitored every 3 months. The owner or operator must keep records of the valves assigned to each subgroup.

(2) If a leak is detected, the valve shall be monitored monthly until a leak is not detected for 2 successive months.

(d)

(1) When a leak is detected, it shall be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected, except as provided in § 60.482-9.

(2) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

(e) First attempts at repair include, but are not limited to, the following best practices where practicable:

- (1) Tightening of bonnet bolts;
- (2) Replacement of bonnet bolts;
- (3) Tightening of packing gland nuts;
- (4) Injection of lubricant into lubricated packing.

(f) Any valve that is designated, as described in § 60.486(e)(2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraph (a) if the valve:

- (1) Has no external actuating mechanism in contact with the process fluid;
- (2) Is operated with emissions less than 500 ppm above background as determined by the method specified in § 60.485(c), and
- (3) Is tested for compliance with paragraph (f)(2) of this section initially upon designation, annually, and at other times requested by the Administrator.

(g) Any valve that is designated, as described in § 60.486(f)(1), as an unsafe-to-monitor valve is exempt from the requirements of paragraph (a) if:

- (1) The owner or operator of the valve demonstrates that the valve is unsafe to monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (a), and
- (2) The owner or operator of the valve adheres to a written plan that requires monitoring of the valve as frequently as practicable during safe-to-monitor times.

(h) Any valve that is designated, as described in § 60.486(f)(2), as a difficult-to-monitor valve is exempt from the requirements of paragraph (a) if:

- (1) The owner or operator of the valve demonstrates that the valve cannot be monitored without elevating the monitoring personnel more than 2 meters above a support surface.
- (2) The process unit within which the valve is located either becomes an affected facility through § 60.14 or § 60.15 or the owner or operator designates less than 3.0 percent of the total number of valves as difficult-to-monitor, and
- (3) The owner or operator of the valve follows a written plan that requires monitoring of the valve at least once per calendar year.

[48 FR 48335, Oct. 18, 1983, as amended at 49 FR 22608, May 30, 1984; 65 FR 61762, Oct. 17, 2000; 72 FR 64881, Nov. 16, 2007]

## § 60.482-8 Standards: Pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and connectors.

- (a) If evidence of a potential leak is found by visual, audible, olfactory, or any other detection method at pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and connectors, the owner or operator shall follow either one of the following procedures:
  - (1) The owner or operator shall monitor the equipment within 5 days by the method specified in § 60.485(b) and shall comply with the requirements of paragraphs (b) through (d) of this section.
  - (2) The owner or operator shall eliminate the visual, audible, olfactory, or other indication of a potential leak within 5 calendar days of detection.
- (b) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.
- (c)
  - (1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in § 60.482-9.
  - (2) The first attempt at repair shall be made no later than 5 calendar days after each leak is detected.
- (d) First attempts at repair include, but are not limited to, the best practices described under §§ 60.482-2(c)(2) and 60.482-7(e).

[48 CFR 48335, Oct. 18, 1983, as amended at 65 FR 78277, Dec. 14, 2000; 72 FR 64882, Nov. 16, 2007]

## § 60.482-9 Standards: Delay of repair.

- (a) Delay of repair of equipment for which leaks have been detected will be allowed if repair within 15 days is technically infeasible without a process unit shutdown. Repair of this equipment shall occur before the end of the next process unit shutdown. Monitoring to verify repair must occur within 15 days after startup of the process unit.
- (b) Delay of repair of equipment will be allowed for equipment which is isolated from the process and which does not remain in VOC service.
- (c) Delay of repair for valves will be allowed if:
  - (1) The owner or operator demonstrates that emissions of purged material resulting from immediate repair are greater than the fugitive emissions likely to result from delay of repair, and
  - (2) When repair procedures are effected, the purged material is collected and destroyed or recovered in a control device complying with § 60.482-10.
- (d) Delay of repair for pumps will be allowed if:
  - (1) Repair requires the use of a dual mechanical seal system that includes a barrier fluid system, and
  - (2) Repair is completed as soon as practicable, but not later than 6 months after the leak was detected.
- (e) Delay of repair beyond a process unit shutdown will be allowed for a valve, if valve assembly replacement is necessary during the process unit shutdown, valve assembly supplies have been depleted, and valve assembly supplies had been sufficiently stocked before the supplies were depleted. Delay of repair beyond the next process unit shutdown will not be allowed unless the next process unit shutdown occurs sooner than 6 months after the first process unit shutdown.
- (f) When delay of repair is allowed for a leaking pump or valve that remains in service, the pump or valve may be considered to be repaired and no longer subject to delay of repair requirements if two consecutive monthly monitoring instrument readings are below the leak definition.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 78277, Dec. 14, 2000; 72 FR 64882, Nov. 16, 2007]

## § 60.482-10 Standards: Closed vent systems and control devices.

- (a) Owners or operators of closed vent systems and control devices used to comply with provisions of this subpart shall comply with the provisions of this section.
- (b) Vapor recovery systems (for example, condensers and absorbers) shall be designed and operated to recover the VOC emissions vented to them with an efficiency of 95 percent or greater, or to an exit concentration of 20 parts per million by volume, whichever is less stringent.
- (c) Enclosed combustion devices shall be designed and operated to reduce the VOC emissions vented to them with an efficiency of 95 percent or greater, or to an exit concentration of 20 parts per million by volume, on a dry basis, corrected to 3 percent oxygen, whichever is less stringent or to provide a minimum residence time of 0.75 seconds at a minimum temperature of 816 °C.
- (d) Flares used to comply with this subpart shall comply with the requirements of § 60.18.
- (e) Owners or operators of control devices used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs.

(f) Except as provided in paragraphs (i) through (k) of this section, each closed vent system shall be inspected according to the procedures and schedule specified in paragraphs (f)(1) and (f)(2) of this section.

(1) If the vapor collection system or closed vent system is constructed of hard-piping, the owner or operator shall comply with the requirements specified in paragraphs (f)(1)(i) and (f)(1)(ii) of this section:

(i) Conduct an initial inspection according to the procedures in § 60.485(b); and

(ii) Conduct annual visual inspections for visible, audible, or olfactory indications of leaks.

(2) If the vapor collection system or closed vent system is constructed of ductwork, the owner or operator shall:

(i) Conduct an initial inspection according to the procedures in § 60.485(b); and

(ii) Conduct annual inspections according to the procedures in § 60.485(b).

(g) Leaks, as indicated by an instrument reading greater than 500 parts per million by volume above background or by visual inspections, shall be repaired as soon as practicable except as provided in paragraph (h) of this section.

(1) A first attempt at repair shall be made no later than 5 calendar days after the leak is detected.

(2) Repair shall be completed no later than 15 calendar days after the leak is detected.

(h) Delay of repair of a closed vent system for which leaks have been detected is allowed if the repair is technically infeasible without a process unit shutdown or if the owner or operator determines that emissions resulting from immediate repair would be greater than the fugitive emissions likely to result from delay of repair. Repair of such equipment shall be complete by the end of the next process unit shutdown.

(i) If a vapor collection system or closed vent system is operated under a vacuum, it is exempt from the inspection requirements of paragraphs (f)(1)(i) and (f)(2) of this section.

(j) Any parts of the closed vent system that are designated, as described in paragraph (l)(1) of this section, as unsafe to inspect are exempt from the inspection requirements of paragraphs (f)(1)(i) and (f)(2) of this section if they comply with the requirements specified in paragraphs (j)(1) and (j)(2) of this section:

(1) The owner or operator determines that the equipment is unsafe to inspect because inspecting personnel would be exposed to an imminent or potential danger as a consequence of complying with paragraphs (f)(1)(i) or (f)(2) of this section; and

(2) The owner or operator has a written plan that requires inspection of the equipment as frequently as practicable during safe-to-inspect times.

(k) Any parts of the closed vent system that are designated, as described in paragraph (l)(2) of this section, as difficult to inspect are exempt from the inspection requirements of paragraphs (f)(1)(i) and (f)(2) of this section if they comply with the requirements specified in paragraphs (k)(1) through (k)(3) of this section:

(1) The owner or operator determines that the equipment cannot be inspected without elevating the inspecting personnel more than 2 meters above a support surface; and

- (2) The process unit within which the closed vent system is located becomes an affected facility through §§ 60.14 or 60.15, or the owner or operator designates less than 3.0 percent of the total number of closed vent system equipment as difficult to inspect; and
- (3) The owner or operator has a written plan that requires inspection of the equipment at least once every 5 years. A closed vent system is exempt from inspection if it is operated under a vacuum.

(l) The owner or operator shall record the information specified in paragraphs (l)(1) through (l)(5) of this section.

- (1) Identification of all parts of the closed vent system that are designated as unsafe to inspect, an explanation of why the equipment is unsafe to inspect, and the plan for inspecting the equipment.
- (2) Identification of all parts of the closed vent system that are designated as difficult to inspect, an explanation of why the equipment is difficult to inspect, and the plan for inspecting the equipment.
- (3) For each inspection during which a leak is detected, a record of the information specified in § 60.486(c).
- (4) For each inspection conducted in accordance with § 60.485(b) during which no leaks are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected.
- (5) For each visual inspection conducted in accordance with paragraph (f)(1)(ii) of this section during which no leaks are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected.

(m) Closed vent systems and control devices used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.

[48 FR 48335, Oct. 18, 1983, as amended at 51 FR 2702, Jan. 21, 1986; 60 FR 43258, Aug. 18, 1995; 61 FR 29878, June 12, 1996; 65 FR 78277, Dec. 14, 2000]

### § 60.483-1 Alternative standards for valves—allowable percentage of valves leaking.

- (a) An owner or operator may elect to comply with an allowable percentage of valves leaking of equal to or less than 2.0 percent.
- (b) The following requirements shall be met if an owner or operator wishes to comply with an allowable percentage of valves leaking:
  - (1) An owner or operator must notify the Administrator that the owner or operator has elected to comply with the allowable percentage of valves leaking before implementing this alternative standard, as specified in § 60.487(d).
  - (2) A performance test as specified in paragraph (c) of this section shall be conducted initially upon designation, annually, and at other times requested by the Administrator.
  - (3) If a valve leak is detected, it shall be repaired in accordance with § 60.482-7(d) and (e).
- (c) Performance tests shall be conducted in the following manner:
  - (1) All valves in gas/vapor and light liquid service within the affected facility shall be monitored within 1 week by the methods specified in § 60.485(b).

- (2) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.
- (3) The leak percentage shall be determined by dividing the number of valves for which leaks are detected by the number of valves in gas/vapor and light liquid service within the affected facility.
- (d) Owners and operators who elect to comply with this alternative standard shall not have an affected facility with a leak percentage greater than 2.0 percent, determined as described in § 60.485(h).

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61762, Oct. 17, 2000; 65 FR 78278, Dec. 14, 2000; 72 FR 64882, Nov. 16, 2007]

## § 60.483-2 Alternative standards for valves—skip period leak detection and repair.

- (a)
  - (1) An owner or operator may elect to comply with one of the alternative work practices specified in paragraphs (b)(2) and (3) of this section.
  - (2) An owner or operator must notify the Administrator before implementing one of the alternative work practices, as specified in § 60.487(d).
- (b)
  - (1) An owner or operator shall comply initially with the requirements for valves in gas/vapor service and valves in light liquid service, as described in § 60.482-7.
  - (2) After 2 consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, an owner or operator may begin to skip 1 of the quarterly leak detection periods for the valves in gas/vapor and light liquid service.
  - (3) After 5 consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, an owner or operator may begin to skip 3 of the quarterly leak detection periods for the valves in gas/vapor and light liquid service.
  - (4) If the percent of valves leaking is greater than 2.0, the owner or operator shall comply with the requirements as described in § 60.482-7 but can again elect to use this section.
  - (5) The percent of valves leaking shall be determined as described in § 60.485(h).
  - (6) An owner or operator must keep a record of the percent of valves found leaking during each leak detection period.
  - (7) A valve that begins operation in gas/vapor service or light liquid service after the initial startup date for a process unit following one of the alternative standards in this section must be monitored in accordance with § 60.482-7(a)(2)(i) or (ii) before the provisions of this section can be applied to that valve.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61762, Oct. 17, 2000; 65 FR 78278, Dec. 14, 2000; 72 FR 64882, Nov. 16, 2007]

## § 60.484 Equivalence of means of emission limitation.

- (a) Each owner or operator subject to the provisions of this subpart may apply to the Administrator for determination of equivalence for any means of emission limitation that achieves a reduction in emissions of VOC at least equivalent to the reduction in emissions of VOC achieved by the controls required in this subpart.

- (b) Determination of equivalence to the equipment, design, and operational requirements of this subpart will be evaluated by the following guidelines:
  - (1) Each owner or operator applying for an equivalence determination shall be responsible for collecting and verifying test data to demonstrate equivalence of means of emission limitation.
  - (2) The Administrator will compare test data for demonstrating equivalence of the means of emission limitation to test data for the equipment, design, and operational requirements.
  - (3) The Administrator may condition the approval of equivalence on requirements that may be necessary to assure operation and maintenance to achieve the same emission reduction as the equipment, design, and operational requirements.
- (c) Determination of equivalence to the required work practices in this subpart will be evaluated by the following guidelines:
  - (1) Each owner or operator applying for a determination of equivalence shall be responsible for collecting and verifying test data to demonstrate equivalence of an equivalent means of emission limitation.
  - (2) For each affected facility for which a determination of equivalence is requested, the emission reduction achieved by the required work practice shall be demonstrated.
  - (3) For each affected facility, for which a determination of equivalence is requested, the emission reduction achieved by the equivalent means of emission limitation shall be demonstrated.
  - (4) Each owner or operator applying for a determination of equivalence shall commit in writing to work practice(s) that provide for emission reductions equal to or greater than the emission reductions achieved by the required work practice.
  - (5) The Administrator will compare the demonstrated emission reduction for the equivalent means of emission limitation to the demonstrated emission reduction for the required work practices and will consider the commitment in paragraph (c)(4).
  - (6) The Administrator may condition the approval of equivalence on requirements that may be necessary to assure operation and maintenance to achieve the same emission reduction as the required work practice.
- (d) An owner or operator may offer a unique approach to demonstrate the equivalence of any equivalent means of emission limitation.
- (e)
  - (1) After a request for determination of equivalence is received, the Administrator will publish a notice in the FEDERAL REGISTER and provide the opportunity for public hearing if the Administrator judges that the request may be approved.
  - (2) After notice and opportunity for public hearing, the Administrator will determine the equivalence of a means of emission limitation and will publish the determination in the FEDERAL REGISTER.
  - (3) Any equivalent means of emission limitations approved under this section shall constitute a required work practice, equipment, design, or operational standard within the meaning of section 111(h)(1) of the Clean Air Act.
- (f)

- (1) Manufacturers of equipment used to control equipment leaks of VOC may apply to the Administrator for determination of equivalence for any equivalent means of emission limitation that achieves a reduction in emissions of VOC achieved by the equipment, design, and operational requirements of this subpart.
- (2) The Administrator will make an equivalence determination according to the provisions of paragraphs (b), (c), (d), and (e) of this section.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61762, Oct. 17, 2000; 72 FR 64882, Nov. 16, 2007]

## § 60.485 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 standards in §§ 60.482-1 through 60.482-10, 60.483, and 60.484 as follows:
  - (1) Method 21 shall be used to determine the presence of leaking sources. The instrument shall be calibrated before use each day of its use by the procedures specified in Method 21. The following calibration gases shall be used:
    - (i) Zero air (less than 10 ppm of hydrocarbon in air); and
    - (ii) A mixture of methane or n-hexane and air at a concentration of about, but less than, 10,000 ppm methane or n-hexane.
  - (2) The owner or operator shall determine compliance with the no detectable emission standards in §§ 60.482-2(e), 60.482-3(i), 60.482-4, 60.482-7(f), and 60.482-10(e) as follows:
    - (1) The requirements of paragraph (b) shall apply.
    - (2) Method 21 shall be used to determine the background level. All potential leak interfaces shall be traversed as close to the interface as possible. The arithmetic difference between the maximum concentration indicated by the instrument and the background level is compared with 500 ppm for determining compliance.
  - (3) The owner or operator shall test each piece of equipment unless he demonstrates that a process unit is not in VOC service, i.e., that the VOC content would never be reasonably expected to exceed 10 percent by weight. For purposes of this demonstration, the following methods and procedures shall be used:
    - (1) Procedures that conform to the general methods in ASTM E260-73, 91, or 96, E168-67, 77, or 92, E169-63, 77, or 93 (incorporated by reference—see § 60.17) shall be used to determine the percent VOC content in the process fluid that is contained in or contacts a piece of equipment.
    - (2) Organic compounds that are considered by the Administrator to have negligible photochemical reactivity may be excluded from the total quantity of organic compounds in determining the VOC content of the process fluid.
    - (3) Engineering judgment may be used to estimate the VOC content, if a piece of equipment had not been shown previously to be in service. If the Administrator disagrees with the judgment, paragraphs (d) (1) and (2) of this section shall be used to resolve the disagreement.

(e) The owner or operator shall demonstrate that a piece of equipment is in light liquid service by showing that all the following conditions apply:

- (1) The vapor pressure of one or more of the organic components is greater than 0.3 kPa at 20 °C (1.2 in. H<sub>2</sub>O at 68 °F). Standard reference texts or ASTM D2879-83, 96, or 97 (incorporated by reference—see § 60.17) shall be used to determine the vapor pressures.
- (2) The total concentration of the pure organic components having a vapor pressure greater than 0.3 kPa at 20 °C (1.2 in. H<sub>2</sub>O at 68 °F) is equal to or greater than 20 percent by weight.
- (3) The fluid is a liquid at operating conditions.

(f) Samples used in conjunction with paragraphs (d), (e), and (g) of this section shall be representative of the process fluid that is contained in or contacts the equipment or the gas being combusted in the flare.

(g) The owner or operator shall determine compliance with the standards of flares as follows:

- (1) Method 22 shall be used to determine visible emissions.
- (2) A thermocouple or any other equivalent device shall be used to monitor the presence of a pilot flame in the flare.
- (3) The maximum permitted velocity for air assisted flares shall be computed using the following equation:

$$V_{\max} = K_1 + K_2 H_T$$

Where:

$V_{\max}$  = Maximum permitted velocity, m/sec (ft/sec)

$H_T$  = Net heating value of the gas being combusted, MJ/scm (Btu/scf).

$K_1$  = 8.706 m/sec (metric units)

= 28.56 ft/sec (English units)

$K_2$  = 0.7084 m<sup>4</sup>/(MJ-sec) (metric units)

= 0.087 ft<sup>4</sup>/(Btu-sec) (English units)

(4) The net heating value ( $H_T$ ) of the gas being combusted in a flare shall be computed using the following equation:

$$H_T = K \sum_{i=1}^n C_i H_i$$

Where:

$K$  = Conversion constant,  $1.740 \times 10^{-7}$  (g-mole)(MJ)/(ppm-scm-kcal) (metric units) =  $4.674 \times 10^{-6}$  [(g-mole)(Btu)/(ppm-scf-kcal)] (English units)

$C_i$  = Concentration of sample component "i," ppm

$H_i$  = Net heat of combustion of sample component "i" at 25 °C and 760 mm Hg (77 °F and 14.7 psi), kcal/g-mole

(5) Method 18 of appendix A-6 to this part and ASTM D2504-67, 77 or 88 (Reapproved 1993) (incorporated by reference, see § 60.17) shall be used to determine the concentration of sample component "i." ASTM D6420-18 (incorporated by reference, see § 60.17) may be used in lieu of Method 18, under the conditions specified in paragraphs (g)(5)(i) through (iii) of this section.

- (i) If the target compounds are all known and are all listed in Section 1.1 of ASTM D6420-18 as measurable.
- (ii) ASTM D6420-18 may not be used for methane and ethane.
- (iii) ASTM D6420-18 may not be used as a total VOC method.

(6) ASTM D2382-76 or 88 or D4809-95 (incorporated by reference—see § 60.17) shall be used to determine the net heat of combustion of component "i" if published values are not available or cannot be calculated.

(7) Method 2, 2A, 2C, or 2D, as appropriate, shall be used to determine the actual exit velocity of a flare. If needed, the unobstructed (free) cross-sectional area of the flare tip shall be used.

(h) The owner or operator shall determine compliance with § 60.483-1 or § 60.483-2 as follows:

(1) The percent of valves leaking shall be determined using the following equation:

$$\%V_L = (V_L/V_T) * 100$$

Where:

$\%V_L$  = Percent leaking valves

$V_L$  = Number of valves found leaking

$V_T$  = The sum of the total number of valves monitored

- (2) The total number of valves monitored shall include difficult-to-monitor and unsafe-to-monitor valves only during the monitoring period in which those valves are monitored.
- (3) The number of valves leaking shall include valves for which repair has been delayed.
- (4) Any new valve that is not monitored within 30 days of being placed in service shall be included in the number of valves leaking and the total number of valves monitored for the monitoring period in which the valve is placed in service.
- (5) If the process unit has been subdivided in accordance with § 60.482-7(c)(1)(ii), the sum of valves found leaking during a monitoring period includes all subgroups.
- (6) The total number of valves monitored does not include a valve monitored to verify repair.

[54 FR 6678, Feb. 14, 1989, as amended at 54 FR 27016, June 27, 1989; 65 FR 61763, Oct. 17, 2000; 72 FR 64882, Nov. 16, 2007; 89 FR 43068, May 16, 2024]

## § 60.486 Recordkeeping requirements.

(a)

- (1) Each owner or operator subject to the provisions of this subpart shall comply with the recordkeeping requirements of this section.
- (2) An owner or operator of more than one affected facility subject to the provisions of this subpart may comply with the recordkeeping requirements for these facilities in one recordkeeping system if the system identifies each record by each facility.

(b) When each leak is detected as specified in §§ 60.482-2, 60.482-3, 60.482-7, 60.482-8, and 60.483-2, the following requirements apply:

- (1) A weatherproof and readily visible identification, marked with the equipment identification number, shall be attached to the leaking equipment.
- (2) The identification on a valve may be removed after it has been monitored for 2 successive months as specified in § 60.482-7(c) and no leak has been detected during those 2 months.
- (3) The identification on equipment except on a valve, may be removed after it has been repaired.

(c) When each leak is detected as specified in §§ 60.482-2, 60.482-3, 60.482-7, 60.482-8, and 60.483-2, the following information shall be recorded in a log and shall be kept for 2 years in a readily accessible location:

- (1) The instrument and operator identification numbers and the equipment identification number.
- (2) The date the leak was detected and the dates of each attempt to repair the leak.
- (3) Repair methods applied in each attempt to repair the leak.
- (4) "Above 10,000" if the maximum instrument reading measured by the methods specified in § 60.485(a) after each repair attempt is equal to or greater than 10,000 ppm.
- (5) "Repair delayed" and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak.
- (6) The signature of the owner or operator (or designate) whose decision it was that repair could not be effected without a process shutdown.
- (7) The expected date of successful repair of the leak if a leak is not repaired within 15 days.
- (8) Dates of process unit shutdowns that occur while the equipment is unrepaired.
- (9) The date of successful repair of the leak.

(d) The following information pertaining to the design requirements for closed vent systems and control devices described in § 60.482-10 shall be recorded and kept in a readily accessible location:

- (1) Detailed schematics, design specifications, and piping and instrumentation diagrams.
- (2) The dates and descriptions of any changes in the design specifications.
- (3) A description of the parameter or parameters monitored, as required in § 60.482-10(e), to ensure that control devices are operated and maintained in conformance with their design and an explanation of why that parameter (or parameters) was selected for the monitoring.

- (4) Periods when the closed vent systems and control devices required in §§ 60.482-2, 60.482-3, 60.482-4, and 60.482-5 are not operated as designed, including periods when a flare pilot light does not have a flame.
- (5) Dates of startups and shutdowns of the closed vent systems and control devices required in §§ 60.482-2, 60.482-3, 60.482-4, and 60.482-5.

(e) The following information pertaining to all equipment subject to the requirements in §§ 60.482-1 to 60.482-10 shall be recorded in a log that is kept in a readily accessible location:

- (1) A list of identification numbers for equipment subject to the requirements of this subpart.
- (2)
  - (i) A list of identification numbers for equipment that are designated for no detectable emissions under the provisions of §§ 60.482-2(e), 60.482-3(i) and 60.482-7(f).
  - (ii) The designation of equipment as subject to the requirements of § 60.482-2(e), § 60.482-3(i), or § 60.482-7(f) shall be signed by the owner or operator. Alternatively, the owner or operator may establish a mechanism with their permitting authority that satisfies this requirement.
- (3) A list of equipment identification numbers for pressure relief devices required to comply with § 60.482-4.
- (4)
  - (i) The dates of each compliance test as required in §§ 60.482-2(e), 60.482-3(i), 60.482-4, and 60.482-7(f).
  - (ii) The background level measured during each compliance test.
  - (iii) The maximum instrument reading measured at the equipment during each compliance test.
- (5) A list of identification numbers for equipment in vacuum service.
- (6) A list of identification numbers for equipment that the owner or operator designates as operating in VOC service less than 300 hr/yr in accordance with § 60.482-1(e), a description of the conditions under which the equipment is in VOC service, and rationale supporting the designation that it is in VOC service less than 300 hr/yr.

(f) The following information pertaining to all valves subject to the requirements of § 60.482-7(g) and (h) and to all pumps subject to the requirements of § 60.482-2(g) shall be recorded in a log that is kept in a readily accessible location:

- (1) A list of identification numbers for valves and pumps that are designated as unsafe-to-monitor, an explanation for each valve or pump stating why the valve or pump is unsafe-to-monitor, and the plan for monitoring each valve or pump.
- (2) A list of identification numbers for valves that are designated as difficult-to-monitor, an explanation for each valve stating why the valve is difficult-to-monitor, and the schedule for monitoring each valve.

(g) The following information shall be recorded for valves complying with § 60.483-2:

- (1) A schedule of monitoring.
- (2) The percent of valves found leaking during each monitoring period.

(h) The following information shall be recorded in a log that is kept in a readily accessible location:

- (1) Design criterion required in §§ 60.482-2(d)(5) and 60.482-3(e)(2) and explanation of the design criterion; and
- (2) Any changes to this criterion and the reasons for the changes.

(i) The following information shall be recorded in a log that is kept in a readily accessible location for use in determining exemptions as provided in § 60.480(d):

- (1) An analysis demonstrating the design capacity of the affected facility,
- (2) A statement listing the feed or raw materials and products from the affected facilities and an analysis demonstrating whether these chemicals are heavy liquids or beverage alcohol, and
- (3) An analysis demonstrating that equipment is not in VOC service.

(j) Information and data used to demonstrate that a piece of equipment is not in VOC service shall be recorded in a log that is kept in a readily accessible location.

(k) The provisions of § 60.7 (b) and (d) do not apply to affected facilities subject to this subpart.

(l) Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (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.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61763, Oct. 17, 2000; 65 FR 78278, Dec. 14, 2000; 72 FR 64883, Nov. 16, 2007; 89 FR 43068, May 16, 2024]

## § 60.487 Reporting requirements.

(a) Each owner or operator subject to the provisions of this subpart shall submit semiannual reports to the Administrator beginning six months after the initial startup date. Beginning on July 15, 2025, or once the report template for this subpart has been available on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/cedri>) for 1 year, whichever date is later, submit all subsequent reports using the appropriate electronic report template on the CEDRI website for this subpart and following the procedure specified in paragraph (g) of this section. 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.

(b) The initial semiannual report to the Administrator shall include the following information:

- (1) Process unit identification.
- (2) Number of valves subject to the requirements of § 60.482-7, excluding those valves designated for no detectable emissions under the provisions of § 60.482-7(f).
- (3) Number of pumps subject to the requirements of § 60.482-2, excluding those pumps designated for no detectable emissions under the provisions of § 60.482-2(e) and those pumps complying with § 60.482-2(f).

- (4) Number of compressors subject to the requirements of § 60.482-3, excluding those compressors designated for no detectable emissions under the provisions of § 60.482-3(i) and those compressors complying with § 60.482-3(h).
- (c) All semiannual reports to the Administrator shall include the following information, summarized from the information in § 60.486:
  - (1) Process unit identification.
  - (2) For each month during the semiannual reporting period,
    - (i) Number of valves for which leaks were detected as described in § 60.482-7(b) or § 60.483-2,
    - (ii) Number of valves for which leaks were not repaired as required in § 60.482-7(d)(1),
    - (iii) Number of pumps for which leaks were detected as described in § 60.482-2(b), (d)(4)(ii)(A) or (B), or (d)(5)(iii),
    - (iv) Number of pumps for which leaks were not repaired as required in § 60.482-2(c)(1) and (d)(6),
    - (v) Number of compressors for which leaks were detected as described in § 60.482-3(f),
    - (vi) Number of compressors for which leaks were not repaired as required in § 60.482-3(g)(1), and
    - (vii) The facts that explain each delay of repair and, where appropriate, why a process unit shutdown was technically infeasible.
  - (3) Dates of process unit shutdowns which occurred within the semiannual reporting period.
  - (4) Revisions to items reported according to paragraph (b) if changes have occurred since the initial report or subsequent revisions to the initial report.
- (d) An owner or operator electing to comply with the provisions of § 60.483-1 or § 60.483-2 shall notify the Administrator of the alternative standard selected 90 days before implementing either of the provisions.
- (e) An owner or operator shall report the results of all performance tests in accordance with § 60.8 of the General Provisions. The provisions of § 60.8(d) do not apply to affected facilities subject to the provisions of this subpart except that an owner or operator must notify the Administrator of the schedule for the initial performance tests at least 30 days before the initial performance tests.
- (f) The requirements of paragraphs (a) through (c) of this section remain in force until and unless EPA, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected sources within the State will be relieved of the obligation to comply with the requirements of paragraphs (a) through (c) of this section, provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.
- (g) If an owner or operator is required to submit notifications or reports following the procedure specified in this paragraph (g), the owner or operator must submit notifications or reports to the EPA via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to the owner or operator. Do not use CEDRI to submit information the owner or operator claims as CBI. Although

the EPA does not expect persons to assert a claim of CBI, if an owner or operator wishes to assert a CBI claim for some of the information in the report or notification, the owner or operator must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (g)(1) and (2) of this section. Clearly mark the part or all of the information claimed to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. The owner or operator must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (g).

(1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov), and as described above, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the SOCMI NSPS Sector Lead. Owners and operators who do not have their own file sharing service and who require assistance with submitting large electronic files that exceed the file size limit for email attachments should email [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov) to request a file transfer link.

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

(h) Owners and operators required to electronically submit notifications or reports through CEDRI in the EPA's CDX 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, owner and operator must meet the requirements outlined in paragraphs (h)(1) through (7) of this section.

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

(5) The owner or operator 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 the owner or operator proposes to report, or if the owner or operator has already met the reporting requirement at the time of the notification, the date the report was submitted.

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

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

(i) Owners and operators required to electronically submit notifications or reports through CEDRI in the EPA's CDX may assert a claim of *force majeure* for failure to timely comply with that reporting requirement. To assert a claim of *force majeure*, owners and operators must meet the requirements outlined in paragraphs (i)(1) through (5) of this section.

- (1) The owner or operator 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 the owner or operator 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) The owner or operator must submit notification to the Administrator in writing as soon as possible following the date the owner or operator first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
- (3) The owner or operator 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 the owner or operator proposes to report, or if the owner or operator has already met the reporting requirement at the time of the notification, the date the report was submitted.
- (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.

[48 FR 48335, Oct. 18, 1983, as amended at 49 FR 22608, May 30, 1984; 65 FR 61763, Oct. 17, 2000; 72 FR 64883, Nov. 16, 2007; 89 FR 43068, May 16, 2024]

## § 60.488 Reconstruction.

For the purposes of this subpart:

- (a) The cost of the following frequently replaced components of the facility shall not be considered in calculating either the "fixed capital cost of the new components" or the "fixed capital costs that would be required to construct a comparable new facility" under § 60.15: pump seals, nuts and bolts, rupture disks, and packings.
- (b) Under § 60.15, the "fixed capital cost of new components" includes the fixed capital cost of all depreciable components (except components specified in § 60.488 (a)) which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 2-year period following the applicability date for the appropriate subpart. (See the "Applicability and designation of affected facility" section of the appropriate subpart.) For purposes of this paragraph, "commenced" means that an owner or operator has undertaken a continuous program of component replacement or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of component replacement.

[49 FR 22608, May 30, 1984]

## § 60.489 List of chemicals produced by affected facilities.

The following chemicals are produced, as intermediates or final products, by process units covered under this subpart. The applicability date for process units producing one or more of these chemicals is January 5, 1981.

CAS No. <sup>a</sup>	Chemical
105-57-7	Acetal.
75-07-0	Acetaldehyde.
107-89-1	Acetaldol.
60-35-5	Acetamide.
103-84-4	Acetanilide.
64-19-7	Acetic acid.
108-24-7	Acetic anhydride.

<sup>a</sup> CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers, or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.

<sup>b</sup> No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

<sup>c</sup> CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

CAS No. <sup>a</sup>	Chemical
67-64-1	Acetone.
75-86-5	Acetone cyanohydrin.
75-05-8	Acetonitrile.
98-86-2	Acetophenone.
75-36-5	Acetyl chloride.
74-86-2	Acetylene.
107-02-8	Acrolein.
79-06-1	Acrylamide.
79-10-7	Acrylic acid.
107-13-1	Acrylonitrile.
124-04-9	Adipic acid.
111-69-3	Adiponitrile.
(b)	Alkyl naphthalenes.
107-18-6	Allyl alcohol.
107-05-1	Allyl chloride.
1321-11-5	Aminobenzoic acid.
111-41-1	Aminoethylethanolamine.
123-30-8	p-Aminophenol.
628-63-7, 123-92-2	Amyl acetates.
71-41-0 <sup>c</sup>	Amyl alcohols.
110-58-7	Amyl amine.
543-59-9	Amyl chloride.
110-66-7 <sup>c</sup>	Amyl mercaptans.
1322-06-1	Amyl phenol.
62-53-3	Aniline.
142-04-1	Aniline hydrochloride.
29191-52-4	Anisidine.
100-66-3	Anisole.
118-92-3	Anthranilic acid.
84-65-1	Anthraquinone.
100-52-7	Benzaldehyde.
55-21-0	Benzamide.

<sup>a</sup> CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers, or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.

<sup>b</sup> No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

<sup>c</sup> CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

CAS No. <sup>a</sup>	Chemical
71-43-2	Benzene.
98-48-6	Benzenedisulfonic acid.
98-11-3	Benzenesulfonic acid.
134-81-6	Benzil.
76-93-7	Benzilic acid.
65-85-0	Benzoic acid.
119-53-9	Benzoin.
100-47-0	Benzonitrile.
119-61-9	Benzophenone.
98-07-7	Benzotrichloride.
98-88-4	Benzoyl chloride.
100-51-6	Benzyl alcohol.
100-46-9	Benzylamine.
120-51-4	Benzyl benzoate.
100-44-7	Benzyl chloride.
98-87-3	Benzyl dichloride.
92-52-4	Biphenyl.
80-05-7	Bisphenol A.
10-86-1	Bromobenzene.
27497-51-4	Bromonaphthalene.
106-99-0	Butadiene.
106-98-9	1-butene.
123-86-4	n-butyl acetate.
141-32-2	n-butyl acrylate.
71-36-3	n-butyl alcohol.
78-92-2	s-butyl alcohol.
75-65-0	t-butyl alcohol.
109-73-9	n-butylamine.
13952-84-6	s-butylamine.
75-64-9	t-butylamine.
98-73-7	p-tert-butyl benzoic acid.
107-88-0	1,3-butylene glycol.

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<sup>b</sup> No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

<sup>c</sup> CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

CAS No. <sup>a</sup>	Chemical
123-72-8	n-butyraldehyde.
107-92-6	Butyric acid.
106-31-0	Butyric anhydride.
109-74-0	Butyronitrile.
105-60-2	Caprolactam.
75-1-50	Carbon disulfide.
558-13-4	Carbon tetrabromide.
56-23-5	Carbon tetrachloride.
9004-35-7	Cellulose acetate.
79-11-8	Chloroacetic acid.
108-42-9	m-chloroaniline.
95-51-2	o-chloroaniline.
106-47-8	p-chloroaniline.
35913-09-8	Chlorobenzaldehyde.
108-90-7	Chlorobenzene.
118-91-2, 535-80-8, 74-11-3 <sup>c</sup>	Chlorobenzoic acid.
2136-81-4, 2136-89-2, 5216-25-1 <sup>c</sup>	Chlorobenzotrichloride.
1321-03-5	Chlorobenzoyl chloride.
25497-29-4	Chlorodifluoromethane.
75-45-6	Chlorodifluoroethane.
67-66-3	Chloroform.
25586-43-0	Chloronaphthalene.
88-73-3	o-chloronitrobenzene.
100-00-5	p-chloronitrobenzene.
25167-80-0	Chlorophenols.
126-99-8	Chloroprene.
7790-94-5	Chlorosulfonic acid.
108-41-8	m-chlorotoluene.
95-49-8	o-chlorotoluene.
106-43-4	p-chlorotoluene.
75-72-9	Chlorotrifluoromethane.
108-39-4	m-cresol.

<sup>a</sup> CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers, or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.

<sup>b</sup> No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

<sup>c</sup> CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

CAS No. <sup>a</sup>	Chemical
95-48-7	o-cresol.
106-44-5	p-cresol.
1319-77-3	Mixed cresols.
1319-77-3	Cresylic acid.
4170-30-0	Crotonaldehyde.
3724-65-0	Crotonic acid.
98-82-8	Cumene.
80-15-9	Cumene hydroperoxide.
372-09-8	Cyanoacetic acid.
506-77-4	Cyanogen chloride.
108-80-5	Cyanuric acid.
108-77-0	Cyanuric chloride.
110-82-7	Cyclohexane.
108-93-0	Cyclohexanol.
108-94-1	Cyclohexanone.
110-83-8	Cyclohexene.
108-91-8	Cyclohexylamine.
111-78-4	Cyclooctadiene.
112-30-1	Decanol.
123-42-2	Diacetone alcohol.
27576-04-1	Diaminobenzoic acid.
95-76-1, 95-82-9, 554-00-7, 608-27-5, 608-31-1, 626-43-7, 27134-27-6, 57311-92-9 <sup>c</sup>	Dichloroaniline.
541-73-1	m-dichlorobenzene.
95-50-1	o-dichlorobenzene.
106-46-7	p-dichlorobenzene.
75-71-8	Dichlorodifluoromethane.
111-44-4	Dichloroethyl ether.
107-06-2	1,2-dichloroethane (EDC).
96-23-1	Dichlorohydrin.
26952-23-8	Dichloropropene.
101-83-7	Dicyclohexylamine.

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<sup>b</sup> No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

<sup>c</sup> CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

CAS No. <sup>a</sup>	Chemical
109-89-7	Diethylamine.
111-46-6	Diethylene glycol.
112-36-7	Diethylene glycol diethyl ether.
111-96-6	Diethylene glycol dimethyl ether.
112-34-5	Diethylene glycol monobutyl ether.
124-17-4	Diethylene glycol monobutyl ether acetate.
111-90-0	Diethylene glycol monoethyl ether.
112-15-2	Diethylene glycol monoethyl ether acetate.
111-77-3	Diethylene glycol monomethyl ether.
64-67-5	Diethyl sulfate.
75-37-6	Difluoroethane.
25167-70-8	Diisobutylene.
26761-40-0	Diisodecyl phthalate.
27554-26-3	Diisoctyl phthalate.
674-82-8	Diketene.
124-40-3	Dimethylamine.
121-69-7	N,N-dimethylaniline.
115-10-6	N,N-dimethyl ether.
68-12-2	N,N-dimethylformamide.
57-14-7	Dimethylhydrazine.
77-78-1	Dimethyl sulfate.
75-18-3	Dimethyl sulfide.
67-68-5	Dimethyl sulfoxide.
120-61-6	Dimethyl terephthalate.
99-34-3	3,5-dinitrobenzoic acid.
51-28-5	Dinitrophenol.
25321-14-6	Dinitrotoluene.
123-91-1	Dioxane.
646-06-0	Dioxilane.

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<sup>b</sup> No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

<sup>c</sup> CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

CAS No. <sup>a</sup>	Chemical
122-39-4	Diphenylamine.
101-84-8	Diphenyl oxide.
102-08-9	Diphenyl thiourea.
25265-71-8	Dipropylene glycol.
25378-22-7	Dodecene.
28675-17-4	Dodecylaniline.
27193-86-8	Dodecylphenol.
106-89-8	Epichlorohydrin.
64-17-5	Ethanol.
141-43-5 <sup>c</sup>	Ethanolamines.
141-78-6	Ethyl acetate.
141-97-9	Ethyl acetoacetate.
140-88-5	Ethyl acrylate.
75-04-7	Ethylamine.
100-41-4	Ethylbenzene.
74-96-4	Ethyl bromide.
9004-57-3	Ethylcellulose.
75-00-3	Ethyl chloride.
105-39-5	Ethyl chloroacetate.
105-56-6	Ethylcyanoacetate.
74-85-1	Ethylene.
96-49-1	Ethylene carbonate.
107-07-3	Ethylene chlorohydrin.
107-15-3	Ethylenediamine.
106-93-4	Ethylene dibromide.
107-21-1	Ethylene glycol.
111-55-7	Ethylene glycol diacetate.
110-71-4	Ethylene glycol dimethyl ether.
111-76-2	Ethylene glycol monobutyl ether.
112-07-2	Ethylene glycol monobutyl ether acetate.
110-80-5	Ethylene glycol monoethyl ether.

<sup>a</sup> CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers, or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.

<sup>b</sup> No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

<sup>c</sup> CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

CAS No. <sup>a</sup>	Chemical
111-15-9	Ethylene glycol monethyl ether acetate.
109-86-4	Ethylene glycol monomethyl ether.
110-49-6	Ethylene glycol monomethyl ether acetate.
122-99-6	Ethylene glycol monophenyl ether.
2807-30-9	Ethylene glycol monopropyl ether.
75-21-8	Ethylene oxide.
60-29-7	Ethyl ether
104-76-7	2-ethylhexanol.
122-51-0	Ethyl orthoformate.
95-92-1	Ethyl oxalate.
41892-71-1	Ethyl sodium oxalacetate.
50-00-0	Formaldehyde.
75-12-7	Formamide.
64-18-6	Formic acid.
110-17-8	Fumaric acid.
98-01-1	Furfural.
56-81-5	Glycerol.
26545-73-7	Glycerol dichlorohydrin.
25791-96-2	Glycerol triether.
56-40-6	Glycine.
107-22-2	Glyoxal.
118-74-1	Hexachlorobenzene.
67-72-1	Hexachloroethane.
36653-82-4	Hexadecyl alcohol.
124-09-4	Hexamethylenediamine.
629-11-8	Hexamethylene glycol.
100-97-0	Hexamethylenetetramine.
74-90-8	Hydrogen cyanide.
123-31-9	Hydroquinone.
99-96-7	p-hydroxybenzoic acid.

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<sup>b</sup> No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

<sup>c</sup> CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

CAS No. <sup>a</sup>	Chemical
26760-64-5	Isoamylene.
78-83-1	Isobutanol.
110-19-0	Isobutyl acetate.
115-11-7	Isobutylene.
78-84-2	Isobutyraldehyde.
79-31-2	Isobutyric acid.
25339-17-7	Isodecanol.
26952-21-6	Isooctyl alcohol.
78-78-4	Isopentane.
78-59-1	Isophorone.
121-91-5	Isophthalic acid.
78-79-5	Isoprene.
67-63-0	Isopropanol.
108-21-4	Isopropyl acetate.
75-31-0	Isopropylamine.
75-29-6	Isopropyl chloride.
25168-06-3	Isopropylphenol.
463-51-4	Ketene.
(b)	Linear alkyl sulfonate.
123-01-3	Linear alkylbenzene (linear dodecylbenzene).
110-16-7	Maleic acid.
108-31-6	Maleic anhydride.
6915-15-7	Malic acid.
141-79-7	Mesityl oxide.
121-47-1	Metanilic acid.
79-41-4	Methacrylic acid.
563-47-3	Methallyl chloride.
67-56-1	Methanol.
79-20-9	Methyl acetate.
105-45-3	Methyl acetoacetate.
74-89-5	Methylamine.

<sup>a</sup> CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers, or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.

<sup>b</sup> No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

<sup>c</sup> CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

CAS No. <sup>a</sup>	Chemical
100-61-8	n-methylaniline.
74-83-9	Methyl bromide.
37365-71-2	Methyl butynol.
74-87-3	Methyl chloride.
108-87-2	Methylcyclohexane.
1331-22-2	Methylcyclohexanone.
75-09-2	Methylene chloride.
101-77-9	Methylene dianiline.
101-68-8	Methylene diphenyl diisocyanate.
78-93-3	Methyl ethyl ketone.
107-31-3	Methyl formate.
108-11-2	Methyl isobutyl carbinol.
108-10-1	Methyl isobutyl ketone.
80-62-6	Methyl methacrylate.
77-75-8	Methylpentynol.
98-83-9	a-methylstyrene.
110-91-8	Morpholine.
85-47-2	a-naphthalene sulfonic acid.
120-18-3	b-naphthalene sulfonic acid.
90-15-3	a-naphthol.
135-19-3	b-naphthol.
75-98-9	Neopentanoic acid.
88-74-4	o-nitroaniline.
100-01-6	p-nitroaniline.
91-23-6	o-nitroanisole.
100-17-4	p-nitroanisole.
98-95-3	Nitrobenzene.
27178-83-2 <sup>c</sup>	Nitrobenzoic acid (o,m, and p).
79-24-3	Nitroethane.
75-52-5	Nitromethane.
88-75-5	2-Nitrophenol.
25322-01-4	Nitropropane.

<sup>a</sup> CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers, or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.

<sup>b</sup> No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

<sup>c</sup> CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

CAS No. <sup>a</sup>	Chemical
1321-12-6	Nitrotoluene.
27215-95-8	Nonene.
25154-52-3	Nonylphenol.
27193-28-8	Octylphenol.
123-63-7	Paraldehyde.
115-77-5	Pentaerythritol.
109-66-0	n-pentane.
109-67-1	1-pentene
127-18-4	Perchloroethylene.
594-42-3	Perchloromethyl mercaptan.
94-70-2	o-phenetidine.
156-43-4	p-phenetidine.
108-95-2	Phenol.
98-67-9, 585-38-6, 609-46-1, 1333-39-7 <sup>c</sup>	Phenolsulfonic acids.
91-40-7	Phenyl anthranilic acid.
(b)	Phenylenediamine.
75-44-5	Phosgene.
85-44-9	Phthalic anhydride.
85-41-6	Phthalimide.
108-99-6	b-picoline.
110-85-0	Piperazine.
9003-29-6, 25036-29-7 <sup>c</sup>	Polybutenes.
25322-68-3	Polyethylene glycol.
25322-69-4	Polypropylene glycol.
123-38-6	Propionaldehyde.
79-09-4	Propionic acid.
71-23-8	n-propyl alcohol.
107-10-8	Propylamine.
540-54-5	Propyl chloride.
115-07-1	Propylene.
127-00-4	Propylene chlorohydrin.
78-87-5	Propylene dichloride.

<sup>a</sup> CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers, or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.

<sup>b</sup> No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

<sup>c</sup> CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

CAS No. <sup>a</sup>	Chemical
57-55-6	Propylene glycol.
75-56-9	Propylene oxide.
110-86-1	Pyridine.
106-51-4	Quinone.
108-46-3	Resorcinol.
27138-57-4	Resorcylic acid.
69-72-7	Salicylic acid.
127-09-3	Sodium acetate.
532-32-1	Sodium benzoate.
9004-32-4	Sodium carboxymethyl cellulose.
3926-62-3	Sodium chloroacetate.
141-53-7	Sodium formate.
139-02-6	Sodium phenate.
110-44-1	Sorbic acid.
100-42-5	Styrene.
110-15-6	Succinic acid.
110-61-2	Succinonitrile.
121-57-3	Sulfanilic acid.
126-33-0	Sulfolane.
1401-55-4	Tannic acid.
100-21-0	Terephthalic acid.
79-34-5 <sup>c</sup>	Tetrachloroethanes.
117-08-8	Tetrachlorophthalic anhydride.
78-00-2	Tetraethyl lead.
119-64-2	Tetrahydronaphthalene.
85-43-8	Tetrahydrophthalic anhydride.
75-74-1	Tetramethyl lead.
110-60-1	Tetramethylenediamine.
110-18-9	Tetramethylethylenediamine.
108-88-3	Toluene.
95-80-7	Toluene-2,4-diamine.
584-84-9	Toluene-2,4-diisocyanate.

<sup>a</sup> CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers, or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.

<sup>b</sup> No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

<sup>c</sup> CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

CAS No. <sup>a</sup>	Chemical
26471-62-5	Toluene diisocyanates (mixture).
1333-07-9	Toluenesulfonamide.
104-15-4 <sup>c</sup>	Toluenesulfonic acids.
98-59-9	Toluenesulfonyl chloride.
26915-12-8	Toluidines.
87-61-6, 108-70-3, 120-82-1 <sup>c</sup>	Trichlorobenzenes.
71-55-6	1,1,1-trichloroethane.
79-00-5	1,1,2-trichloroethane.
79-01-6	Trichloroethylene.
75-69-4	Trichlorofluoromethane.
96-18-4	1,2,3-trichloropropane.
76-13-1	1,1,2-trichloro-1,2,2-trifluoroethane.
121-44-8	Triethylamine.
112-27-6	Triethylene glycol.
112-49-2	Triethylene glycol dimethyl ether.
7756-94-7	Triisobutylene.
75-50-3	Trimethylamine.
57-13-6	Urea.
108-05-4	Vinyl acetate.
75-01-4	Vinyl chloride.
75-35-4	Vinylidene chloride.
25013-15-4	Vinyl toluene.
1330-20-7	Xylenes (mixed).
95-47-6	o-xylene.
106-42-3	p-xylene.
1300-71-6	Xylenol.
1300-73-8	Xyldine.

<sup>a</sup> CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers, or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.

<sup>b</sup> No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

<sup>c</sup> CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61763, Oct. 17, 2000]

## **Appendix E**

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



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

## Title 40 –Protection of Environment

### Chapter I –Environmental Protection Agency

#### Subchapter C –Air Programs

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

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

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

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

##### What This Subpart Covers

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

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

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

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

##### Emission and Operating Limitations

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

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

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

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

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##### General Compliance Requirements

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

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

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

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

#### Continuous Compliance Requirements

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

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#### Notifications, Reports, and Records

**§ 63.6645** What notifications must I submit and when?

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**§ 63.6660** In what form and how long must I keep my records?

#### Other Requirements and Information

**§ 63.6665** What parts of the General Provisions apply to me?

**§ 63.6670** Who implements and enforces this subpart?

**§ 63.6675** What definitions apply to this subpart?

#### Table 1a to Subpart ZZZZ of Part 63

Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

#### Table 1b to Subpart ZZZZ of Part 63

Operating Limitations for Existing, New, and Reconstructed SI 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

#### Table 2a to Subpart ZZZZ of Part 63

Emission Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions

#### Table 2b to Subpart ZZZZ of Part 63

Operating Limitations for New and Reconstructed 2SLB and CI

Stationary RICE >500 HP Located at a Major Source of HAP Emissions, New and Reconstructed 4SLB Stationary RICE  $\geq 250$  HP Located at a Major Source of HAP Emissions, Existing CI Stationary RICE >500 HP

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

Requirements for Existing Compression Ignition Stationary RICE Located at a Major Source of HAP Emissions and Existing Spark Ignition Stationary RICE  $\leq 500$  HP Located at a Major Source of HAP Emissions

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

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

**Table 3 to Subpart ZZZZ of Part 63**

Subsequent Performance Tests

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

Requirements for Performance Tests

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

Initial Compliance With Emission Limitations, Operating Limitations, and Other Requirements

**Table 6 to Subpart ZZZZ of Part 63**

Continuous Compliance With Emission Limitations, and Other Requirements

**Table 7 to Subpart ZZZZ of Part 63**

Requirements for Reports

**Table 8 to Subpart ZZZZ of Part 63**

Applicability of General Provisions to Subpart ZZZZ

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

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

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

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

WHAT THIS SUBPART COVERS

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

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

[73 FR 3603, Jan. 18, 2008]

## § 63.6585 Am I subject to this subpart?

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

- (a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.
- (b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.
- (c) An area source of HAP emissions is a source that is not a major source.
- (d) If you are an owner or operator of an area source subject to this subpart, your status as an entity subject to a standard or other requirements under this subpart does not subject you to the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.
- (e) If you are an owner or operator of a stationary RICE used for national security purposes, you may be eligible to request an exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C.
- (f) The emergency stationary RICE listed in paragraphs (f)(1) through (3) of this section are not subject to this subpart. The stationary RICE must meet the definition of an emergency stationary RICE in § 63.6675, which includes operating according to the provisions specified in § 63.6640(f).
  - (1) Existing residential emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).
  - (2) Existing commercial emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).
  - (3) Existing institutional emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

[69 FR 33506, June 15, 2004, as amended at 73 FR 3603, Jan. 18, 2008; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

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

This subpart applies to each affected source.

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

(1) **Existing stationary RICE.**

- (i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.
- (ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.
- (iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.
- (iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.

(2) **New stationary RICE.**

- (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.
- (ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.
- (iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(3) **Reconstructed stationary RICE.**

- (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after December 19, 2002.
- (ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.
- (iii) A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.

(b) **Stationary RICE subject to limited requirements.**

- (1) An affected source which meets either of the criteria in paragraphs (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of § 63.6645(f).
  - (i) The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
  - (ii) The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
- (2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of § 63.6645(f) and the requirements of §§ 63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.
- (3) The following stationary RICE do not have to meet the requirements of this subpart and of subpart A of this part, including initial notification requirements:
  - (i) Existing spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;
  - (ii) Existing spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;
  - (iii) Existing emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
  - (iv) Existing limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;
  - (v) Existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

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

- (1) A new or reconstructed stationary RICE located at an area source;
- (2) A new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;
- (3) A new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake HP located at a major source of HAP emissions;
- (4) A new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;
- (5) A new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

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

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010; 75 FR 51588, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

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

### (a) Affected sources.

- (1) If you have an existing stationary RICE, excluding existing non-emergency CI stationary RICE, with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations, operating limitations and other requirements no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013. If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than October 19, 2013.
- (2) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart no later than August 16, 2004.
- (3) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.
- (4) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.
- (5) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.
- (6) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

- (7) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.
- (b) **Area sources that become major sources.** If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, the compliance dates in paragraphs (b)(1) and (2) of this section apply to you.
  - (1) Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source.
  - (2) Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.
- (c) If you own or operate an affected source, you must meet the applicable notification requirements in § 63.6645 and in 40 CFR part 63, subpart A.

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

#### EMISSION AND OPERATING LIMITATIONS

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

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

- (a) If you own or operate an existing, new, or reconstructed spark ignition 4SRB stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 1a to this subpart and the operating limitations in Table 1b to this subpart which apply to you.
- (b) If you own or operate a new or reconstructed 2SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, a new or reconstructed 4SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, or a new or reconstructed CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.
- (c) If you own or operate any of the following stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the emission limitations in Tables 1a, 2a, 2c, and 2d to this subpart or operating limitations in Tables 1b and 2b to this subpart: an

existing 2SLB stationary RICE; an existing 4SLB stationary RICE; a stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis; an emergency stationary RICE; or a limited use stationary RICE.

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

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

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

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

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

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

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

[78 FR 6701, Jan. 30, 2013]

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

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

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

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

non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meet either paragraph (b)(1) or (2) of this section must meet the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart.

- (1) The area source is located in an area of Alaska that is not accessible by the Federal Aid Highway System (FAHS).
- (2) The stationary RICE is located at an area source that meets paragraphs (b)(2)(i), (ii), and (iii) of this section.
  - (i) The only connection to the FAHS is through the Alaska Marine Highway System (AMHS), or the stationary RICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.
  - (ii) At least 10 percent of the power generated by the stationary RICE on an annual basis is used for residential purposes.
  - (iii) The generating capacity of the area source is less than 12 megawatts, or the stationary RICE is used exclusively for backup power for renewable energy.
- (c) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located on an offshore vessel that is an area source of HAP and is a nonroad vehicle that is an Outer Continental Shelf (OCS) source as defined in 40 CFR 55.2, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. You must meet all of the following management practices:
  - (1) Change oil every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first. Sources have the option to utilize an oil analysis program as described in § 63.6625(i) in order to extend the specified oil change requirement.
  - (2) Inspect and clean air filters every 750 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.
  - (3) Inspect fuel filters and belts, if installed, every 750 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.
  - (4) Inspect all flexible hoses every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.
- (d) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and that is subject to an enforceable state or local standard that requires the engine to be replaced no later than June 1, 2018, you may until January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018, choose to comply with the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart instead of the applicable emission limitations in Table 2d, operating limitations in Table 2b, and crankcase ventilation system requirements in § 63.6625(g). You must comply with the emission limitations in Table 2d and operating limitations in Table 2b that apply for non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than

June 1, 2018. You must also comply with the crankcase ventilation system requirements in § 63.6625(g) by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018.

- (e) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 3 (Tier 2 for engines above 560 kilowatt (kW)) emission standards in Table 1 of 40 CFR 89.112, you may comply with the requirements under this part by meeting the requirements for Tier 3 engines (Tier 2 for engines above 560 kW) in 40 CFR part 60 subpart IIII instead of the emission limitations and other requirements that would otherwise apply under this part for existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions.
- (f) An existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP must meet the definition of remote stationary RICE in § 63.6675 on the initial compliance date for the engine, October 19, 2013, in order to be considered a remote stationary RICE under this subpart. Owners and operators of existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that meet the definition of remote stationary RICE in § 63.6675 of this subpart as of October 19, 2013 must evaluate the status of their stationary RICE every 12 months. Owners and operators must keep records of the initial and annual evaluation of the status of the engine. If the evaluation indicates that the stationary RICE no longer meets the definition of remote stationary RICE in § 63.6675 of this subpart, the owner or operator must comply with all of the requirements for existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that are not remote stationary RICE within 1 year of the evaluation.

[75 FR 9675, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6701, Jan. 30, 2013; 89 FR 70515, Aug. 30, 2024]

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

- (a) If you own or operate an existing non-emergency, non-black start CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel.
- (b) Beginning January 1, 2015, if you own or operate an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates for the purpose specified in § 63.6640(f)(4)(ii), you must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.
- (c) [Reserved]
- (d) Existing CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2), or are on offshore vessels that meet § 63.6603(c) are exempt from the requirements of this section.

[78 FR 6702, Jan. 30, 2013, as amended at 85 FR 78463, Dec. 4, 2020; 87 FR 48607, Aug. 10, 2022]

## GENERAL COMPLIANCE REQUIREMENTS

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

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

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

### TESTING AND INITIAL COMPLIANCE REQUIREMENTS

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

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

- (a) You must conduct the initial performance test or other initial compliance demonstrations in Table 4 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).
- (b) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must demonstrate initial compliance with either the proposed emission limitations or the promulgated emission limitations no later than February 10, 2005 or no later than 180 days after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).
- (c) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, and you chose to comply with the proposed emission limitations when demonstrating initial compliance, you must conduct a second performance test to demonstrate compliance with the promulgated emission limitations by December 13, 2007 or after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).
- (d) An owner or operator is not required to conduct an initial performance test on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (d)(1) through (5) of this section.
  - (1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.
  - (2) The test must not be older than 2 years.

- (3) The test must be reviewed and accepted by the Administrator.
- (4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.
- (5) The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

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

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

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

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

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

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

- (a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).
- (b) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) of this section.
  - (1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.
  - (2) The test must not be older than 2 years.
  - (3) The test must be reviewed and accepted by the Administrator.
  - (4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

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

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

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

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

- (a) You must conduct each performance test in Tables 3 and 4 of this subpart that applies to you.
- (b) Each performance test must be conducted according to the requirements that this subpart specifies in Table 4 to this subpart. If you own or operate a non-operational stationary RICE that is subject to performance testing, you do not need to start up the engine solely to conduct the performance test. Owners and operators of a non-operational engine can conduct the performance test when the engine is started up again. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load for the stationary RICE listed in paragraphs (b)(1) through (4) of this section.
  - (1) Non-emergency 4SRB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.
  - (2) New non-emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP located at a major source of HAP emissions.
  - (3) New non-emergency 2SLB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.
  - (4) New non-emergency CI stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.
- (c) [Reserved]
- (d) You must conduct three separate test runs for each performance test required in this section, as specified in § 63.7(e)(3). Each test run must last at least 1 hour, unless otherwise specified in this subpart.
- (e)
  - (1) You must use Equation 1 of this section to determine compliance with the percent reduction requirement:

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

Where:

$C_i$  = concentration of carbon monoxide (CO), total hydrocarbons (THC), or formaldehyde at the control device inlet,

$C_o$  = concentration of CO, THC, or formaldehyde at the control device outlet, and

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

(2) You must normalize the CO, THC, or formaldehyde concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide (CO<sub>2</sub>). If pollutant concentrations are to be corrected to 15 percent oxygen and CO<sub>2</sub> concentration is measured in lieu of oxygen concentration measurement, a CO<sub>2</sub> correction factor is needed. Calculate the CO<sub>2</sub> correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.

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

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

Where:

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

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

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

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

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

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

Where:

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

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

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

$$C_{adj} = C_d \frac{X_{CO2}}{\%CO_2} \quad (Eq. 4)$$

Where:

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

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

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

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

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

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

- (1) Identification of the specific parameters you propose to use as operating limitations;
- (2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters, and how limitations on these parameters will serve to limit HAP emissions;
- (3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;
- (4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and
- (5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

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

- (1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally (e.g., operator adjustment, automatic controller adjustment, etc.) or unintentionally (e.g., wear and tear, error, etc.) on a routine basis or over time;
- (2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;
- (3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;
- (4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;
- (5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;
- (6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

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

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

(j) Beginning on February 26, 2025, within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test following the procedure specified in § 63.9(k). 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 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. 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 must be included as an attachment in the ERT or alternate electronic file.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9676, Mar. 3, 2010; 78 FR 6702, Jan. 30, 2013; 89 FR 70516, Aug. 30, 2024]

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

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

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

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

(3) As specified in § 63.8(c)(4)(ii), each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. You must have at least two data points, with each representing a different 15-minute period, to have a valid hour of data.

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

(5) Beginning on February 26, 2025, within 60 days after the date of completing each continuous emissions monitoring system (CEMS) performance evaluation (as defined in § 63.2) that includes a relative accuracy test audit (RATA), you must submit the results of the performance evaluation following the procedures specified in § 63.9(k). The results of performance evaluations of CEMS measuring RATA pollutants that are supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the XML schema listed on the EPA's ERT website. The results of performance evaluations of CEMS measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be included as an attachment in the ERT or alternate electronic file.

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

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

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

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

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

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

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

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

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

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

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

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

- (c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your stationary RICE in a manner which reasonably minimizes HAP emissions.
- (d) If you are operating a new or reconstructed emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must install a non-resettable hour meter prior to the startup of the engine.
- (e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:
  - (1) An existing stationary RICE with a site rating of less than 100 HP located at a major source of HAP emissions;
  - (2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions;
  - (3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;
  - (4) An existing non-emergency, non-black start stationary CI RICE with a site rating less than or equal to 300 HP located at an area source of HAP emissions;
  - (5) An existing non-emergency, non-black start 2SLB stationary RICE located at an area source of HAP emissions;
  - (6) An existing non-emergency, non-black start stationary RICE located at an area source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.
  - (7) An existing non-emergency, non-black start 4SLB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;
  - (8) An existing non-emergency, non-black start 4SRB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;
  - (9) An existing, non-emergency, non-black start 4SLB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and
  - (10) An existing, non-emergency, non-black start 4SRB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year.
- (f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.
- (g) If you own or operate an existing non-emergency, non-black start CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (2) of this section. Owners and operators must follow the manufacturer's

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

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

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

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

(i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of table 2c to this subpart or in items 1 or 4 of table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil and filter change requirement in tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil and filter in table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil and filter within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil and filter changes for the engine. The analysis program must be part of the maintenance plan for the engine.

(j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of table 2c to this subpart or in items 5, 6, 7, 8, 10, 11, or 13 of table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil and filter change requirement in tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil and filter in table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil and filter within 2 business days or before

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

*[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6703, Jan. 30, 2013; 89 FR 70516, Aug. 30, 2024]*

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

- (a) You must demonstrate initial compliance with each emission limitation, operating limitation, and other requirement that applies to you according to Table 5 of this subpart.
- (b) During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of this subpart that applies to you.
- (c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in § 63.6645.
- (d) Non-emergency 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more can demonstrate initial compliance with the formaldehyde emission limit by testing for THC instead of formaldehyde. The testing must be conducted according to the requirements in Table 4 of this subpart. The average reduction of emissions of THC determined from the performance test must be equal to or greater than 30 percent.
- (e) The initial compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:
  - (1) The compliance demonstration must consist of at least three test runs.
  - (2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.
  - (3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.
  - (4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.
  - (5) You must measure O<sub>2</sub> using one of the O<sub>2</sub> measurement methods specified in Table 4 of this subpart. Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurements for CO or THC concentration.
  - (6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O<sub>2</sub> emissions simultaneously at the inlet and outlet of the control device.

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

## CONTINUOUS COMPLIANCE REQUIREMENTS

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

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

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

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

- (a) You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.
- (b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in § 63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.
- (c) The annual compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:
  - (1) The compliance demonstration must consist of at least one test run.
  - (2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.
  - (3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.
  - (4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

- (5) You must measure O<sub>2</sub> using one of the O<sub>2</sub> measurement methods specified in Table 4 of this subpart. Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurements for CO or THC concentration.
- (6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O<sub>2</sub> emissions simultaneously at the inlet and outlet of the control device.
- (7) If the results of the annual compliance demonstration show that the emissions exceed the levels specified in Table 6 of this subpart, the stationary RICE must be shut down as soon as safely possible, and appropriate corrective action must be taken (e.g., repairs, catalyst cleaning, catalyst replacement). The stationary RICE must be retested within 7 days of being restarted and the emissions must meet the levels specified in Table 6 of this subpart. If the retest shows that the emissions continue to exceed the specified levels, the stationary RICE must again be shut down as soon as safely possible, and the stationary RICE may not operate, except for purposes of startup and testing, until the owner/operator demonstrates through testing that the emissions do not exceed the levels specified in Table 6 of this subpart.

(d) For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations. Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR 94.11(a).

(e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.

(f) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

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

(2) You may operate your emergency stationary RICE for the purpose specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

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

(ii)-(iii) [Reserved]

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

(4) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. Except as provided in paragraphs (f)(4)(i) and (ii) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system.

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

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

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

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

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

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6704, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

## NOTIFICATIONS, REPORTS, AND RECORDS

### § 63.6645 What notifications must I submit and when?

- (a) You must submit all of the notifications in §§ 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following:
  - (1) An existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.
  - (2) An existing stationary RICE located at an area source of HAP emissions.
  - (3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
  - (4) A new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 HP located at a major source of HAP emissions.
  - (5) This requirement does not apply if you own or operate an existing stationary RICE less than 100 HP, an existing stationary emergency RICE, or an existing stationary RICE that is not subject to any numerical emission standards.
- (b) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart, you must submit an initial notification not later than December 13, 2004, or no later than 120 days after the source becomes subject to this subpart, whichever is later. Beginning on February 26, 2025, submit the notification electronically in portable document format (PDF) consistent with § 63.9(k).
- (c) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions on or after August 16, 2004, you must submit an initial notification not later than 120 days after you become subject to this subpart. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).
- (d) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart and you are required to submit an initial notification, you must submit an initial notification not later than July 16, 2008, or no later than 120 days after the source becomes subject to this subpart, whichever is later. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).

- (e) If you start up your new or reconstructed stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions on or after March 18, 2008, and you are required to submit an initial notification, you must submit an initial notification not later than 120 days after you become subject to this subpart. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).
- (f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with § 63.6590(b), your notification should include the information in § 63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions).
- (g) If you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in § 63.7(b)(1).
- (h) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to this subpart, you must submit a Notification of Compliance Status according to § 63.9(h)(2)(ii).
  - (1) For each initial compliance demonstration required in Table 5 to this subpart that does not include a performance test, you must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration.
  - (2) Before February 26, 2025, for each initial compliance demonstration required in table 5 to this subpart that includes a performance test conducted according to the requirements in table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to § 63.10(d)(2). Beginning on February 26, 2025, for each initial compliance demonstration required in table 5 to this subpart that includes a performance test conducted according to the requirements in table 3 to this subpart, you must submit the Notification of Compliance Status, including a summary of the performance test results, in PDF to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), before the close of business on the 60th day following the completion of the performance test following the procedure specified in § 63.9(k), except any Confidential Business Information (CBI) is to be submitted according to paragraphs (h)(2)(i) and (ii) of this section. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report, you must submit a complete file, including information claimed to be CBI, to the EPA following the procedures in paragraphs (h)(2)(i) and (ii) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (h)(2).

- (i) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov), and as described in paragraph (h)(2) of this section, should include clear CBI markings and be flagged to the attention of the Reciprocating Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov) to request a file transfer link.
- (ii) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711, Attention Reciprocating Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(i) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and subject to an enforceable state or local standard requiring engine replacement and you intend to meet management practices rather than emission limits, as specified in § 63.6603(d), you must submit a notification by March 3, 2013, stating that you intend to use the provision in § 63.6603(d) and identifying the state or local regulation that the engine is subject to.

*[73 FR 3606, Jan. 18, 2008, as amended at 75 FR 9677, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6705, Jan. 30, 2013; 85 FR 73912, Nov. 19, 2020; 89 FR 70516, Aug. 30, 2024]*

## § 63.6650 What reports must I submit and when?

- (a) You must submit each report in Table 7 of this subpart that applies to you.
- (b) Unless the Administrator has approved a different schedule for submission of reports under § 63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.
  - (1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in § 63.6595.
  - (2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in § 63.6595.
  - (3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.
  - (4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

- (5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (b)(4) of this section.
- (6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on December 31.
- (7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in § 63.6595.
- (8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.
- (9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.

(c) The Compliance report must contain the information in paragraphs (c)(1) through (8) of this section.

- (1) Company name and address.
- (2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.
- (3) Date of report and beginning and ending dates of the reporting period.
- (4) If you had a malfunction during the reporting period, the compliance report must include the starting and ending date and time, the duration (in hours), and a brief description for each malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with § 63.6605(b), including actions taken to correct a malfunction.
- (5) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.
- (6) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.
- (7) Engine site rating in brake HP, year construction of the engine commenced (as defined in § 63.2, where the exact year is not known, provide the best estimate), and type of engine (CI, SI 2SLB, SI 4SLB, or SI 4SRB).
- (8) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
- (9) An engine can be claimed as exempt from reporting coordinates (latitude/longitude) via CEDRI if:
  - (i) During the reporting period, the engine will be owned by, or operated by or for, an agency of the Federal Government responsible for national defense; and
  - (ii) The agency determines that disclosing the coordinates to the general public would be a threat to national security.

(d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (8) of this section and the information in paragraphs (d)(1) and (2) of this section.

- (1) The total operating time (in hours) of the stationary RICE at which the deviation occurred during the reporting period.
- (2) Information on the number, duration (in hours), and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.
- (3) A description of any changes in processes, or controls since the last reporting period.

(e) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in this subpart, you must include information in paragraphs (c)(1) through (8) and (e)(1) through (13) of this section.

- (1) The date and time that each malfunction started and stopped.
- (2) The start and end date and time and the duration (in hours) that each CMS was inoperative, except for zero (low-level) and high-level checks.
- (3) The start and end date and time and the duration (in hours) that each CMS was out-of-control, including the information in § 63.8(c)(8).
- (4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period.
- (5) A summary of the total duration (in hours) of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.
- (6) A breakdown of the total duration (in hours) of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.
- (7) A summary of the total duration (in hours) of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.
- (8) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.
- (9) [Reserved]
- (10) A brief description of the CMS.
- (11) The date of the latest CMS certification or audit.
- (12) A description of any changes in CMS, processes, or controls since the last reporting period.
- (13) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.

(f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant

to table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. Beginning on February 26, 2025, the semiannual and annual compliance report required in table 7 of this subpart must be submitted according to paragraph (i) of this section. Only those elements required under this subpart are required to be submitted according to paragraph (i) of this section.

(g) If you are operating as a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must submit an annual report according to Table 7 of this subpart by the date specified unless the Administrator has approved a different schedule, according to the information described in paragraphs (b)(1) through (b)(5) of this section. You must report the data specified in (g)(1) through (g)(3) of this section.

- (1) Fuel flow rate of each fuel and the heating values that were used in your calculations. You must also demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10 percent or more of the total fuel consumption on an annual basis.
- (2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.
- (3) Any problems or errors suspected with the meters.

(h) If you own or operate an emergency stationary RICE with a site rating of more than 100 brake HP that operates for the purpose specified in § 63.6640(f)(4)(ii), you must submit an annual report according to the requirements in paragraphs (h)(1) through (3) of this section.

- (1) The report must contain the following information:
  - (i) Company name and address where the engine is located.
  - (ii) Date of the report and beginning and ending dates of the reporting period.
  - (iii) Engine site rating in brake HP, year construction of the engine commenced (as defined in § 63.2, where the exact year is not known, provide the best estimate), and type of engine (CI, SI 2SLB, SI 4SLB, or SI 4SRB).
  - (iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
  - (v)-(vi) [Reserved]
  - (vii) Hours spent for operation for the purpose specified in § 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in § 63.6640(f)(4)(ii). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.
  - (viii) If there were no deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.

- (ix) If there were deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), information on the number, duration (in hours), and cause of deviations, and the corrective action taken.
- (2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.
- (3) Before February 26, 2025, the annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 63.13. Beginning on February 26, 2025, the annual report must be submitted according to paragraph (i) of this section.

- (i) Beginning on February 26, 2025 for the annual report specified in § 63.6650(h) and February 26, 2025 or one year after the report becomes available in CEDRI, whichever is later for all other semiannual or annual reports, submit all semiannual and annual subsequent compliance reports using the appropriate electronic report template on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/cedri>) for this subpart and following the procedure specified in § 63.9(k), except any CBI must be submitted according to the procedures in § 63.6645(h). 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.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010; 78 FR 6705, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70517, Aug. 30, 2024]

## § 63.6655 What records must I keep?

- (a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.
  - (1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in § 63.10(b)(2)(xiv).
  - (2) Records of the occurrence and duration (in hours) of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.
  - (3) Records of performance tests and performance evaluations as required in § 63.10(b)(2)(viii).
  - (4) Records of all required maintenance performed on the air pollution control and monitoring equipment.
  - (5) Records of actions taken during periods of malfunction to minimize emissions in accordance with § 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
- (b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.
  - (1) Records described in § 63.10(b)(2)(vi) through (xi).

- (2) Previous (i.e., superseded) versions of the performance evaluation plan as required in § 63.8(d)(3).
- (3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in § 63.8(f)(6)(i), if applicable.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.

(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;

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

(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purpose specified in § 63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

- (1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.
- (2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 78 FR 6706, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70518, Aug. 30, 2024]

## § 63.6660 In what form and how long must I keep my records?

- (a) Your records must be in a form suitable and readily available for expeditious review according to § 63.10(b)(1).
- (b) As specified in § 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
- (c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1).

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010]

## OTHER REQUIREMENTS AND INFORMATION

### § 63.6665 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§ 63.1 through 63.15 apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with any of the requirements of the General Provisions specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an existing emergency stationary RICE, or an existing limited use stationary RICE. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in the General Provisions specified in Table 8 except for the initial notification requirements: A new stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new emergency stationary RICE, or a new limited use stationary RICE.

[75 FR 9678, Mar. 3, 2010]

### § 63.6670 Who implements and enforces this subpart?

- (a) This subpart is implemented and enforced by the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out whether this subpart is delegated to your State, local, or tribal agency.
- (b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.
- (c) The authorities that will not be delegated to State, local, or tribal agencies are:
  - (1) Approval of alternatives to the non-opacity emission limitations and operating limitations in § 63.6600 under § 63.6(g).
  - (2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f) and as defined in § 63.90.
  - (3) Approval of major alternatives to monitoring under § 63.8(f) and as defined in § 63.90.
  - (4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f) and as defined in § 63.90.
  - (5) Approval of a performance test which was conducted prior to the effective date of the rule, as specified in § 63.6610(b).
  - (6) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

[69 FR 33506, June 15, 2004, as amended at 89 FR 70518, Aug. 30, 2024]

## § 63.6675 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act (CAA); in 40 CFR 63.2, the General Provisions of this part; and in this section as follows:

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

**Area source** means any stationary source of HAP that is not a major source as defined in part 63.

**Associated equipment** as used in this subpart and as referred to in section 112(n)(4) of the CAA, means equipment associated with an oil or natural gas exploration or production well, and includes all equipment from the well bore to the point of custody transfer, except glycol dehydration units, storage vessels with potential for flash emissions, combustion turbines, and stationary RICE.

**Backup power for renewable energy** means an engine that provides backup power to a facility that generates electricity from renewable energy resources, as that term is defined in Alaska Statute 42.45.045(l)(5) (incorporated by reference, see § 63.14).

**Black start engine** means an engine whose only purpose is to start up a combustion turbine.

**CAA** means the Clean Air Act (42 U.S.C. 7401 et seq., as amended by Public Law 101-549, 104 Stat. 2399).

**Commercial emergency stationary RICE** means an emergency stationary RICE used in commercial establishments such as office buildings, hotels, stores, telecommunications facilities, restaurants, financial institutions such as banks, doctor's offices, and sports and performing arts facilities.

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

**Custody transfer** means the transfer of hydrocarbon liquids or natural gas: After processing and/or treatment in the producing operations, or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation. For the purposes of this subpart, the point at which such liquids or natural gas enters a natural gas processing plant is a point of custody transfer.

**Deviation** means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

- (1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation or operating limitation;
- (2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or
- (3) Fails to meet any emission limitation or operating limitation in this subpart during malfunction, regardless or whether or not such failure is permitted by this subpart.
- (4) Fails to satisfy the general duty to minimize emissions established by § 63.6(e)(1)(i).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Responsible official** means responsible official as defined in 40 CFR 70.2.

**Rich burn engine** means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to December 19, 2002 with passive emission control technology for NO<sub>x</sub> (such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

**Site-rated HP** means the maximum manufacturer's design capacity at engine site conditions.

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

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

*Stationary RICE test cell/stand* means an engine test cell/stand, as defined in subpart PPPPP of this part, that tests stationary RICE.

*Stoichiometric* means the theoretical air-to-fuel ratio required for complete combustion.

*Storage vessel with the potential for flash emissions* means any storage vessel that contains a hydrocarbon liquid with a stock tank gas-to-oil ratio equal to or greater than 0.31 cubic meters per liter and an American Petroleum Institute gravity equal to or greater than 40 degrees and an actual annual average hydrocarbon liquid throughput equal to or greater than 79,500 liters per day. Flash emissions occur when dissolved hydrocarbons in the fluid evolve from solution when the fluid pressure is reduced.

*Subpart* means 40 CFR part 63, subpart ZZZZ.

*Surface site* means any combination of one or more graded pad sites, gravel pad sites, foundations, platforms, or the immediate physical location upon which equipment is physically affixed.

*Two-stroke engine* means a type of engine which completes the power cycle in single crankshaft revolution by combining the intake and compression operations into one stroke and the power and exhaust operations into a second stroke. This system requires auxiliary scavenging and inherently runs lean of stoichiometric.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3607, Jan. 18, 2008; 75 FR 9679, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 76 FR 12867, Mar. 9, 2011; 78 FR 6706, Jan. 30, 2013; 87 FR 48608, Aug. 10, 2022]

### Table 1a to Subpart ZZZZ of Part 63—Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600 and 63.6640, you must comply with the following emission limitations at 100 percent load plus or minus 10 percent for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
1. 4SRB stationary RICE	a. Reduce formaldehyde emissions by 76 percent or more. If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may reduce formaldehyde emissions by 75 percent or more until June 15, 2007 or	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. <sup>1</sup>

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

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
	b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O <sub>2</sub>	

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

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

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

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

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

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

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O <sub>2</sub> and not using NSCR.	

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

[78 FR 6706, Jan. 30, 2013]

**Table 2a to Subpart ZZZZ of Part 63—Emission Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions**

As stated in §§ 63.6600 and 63.6640, you must comply with the following emission limitations for new and reconstructed lean burn and new and reconstructed compression ignition stationary RICE at 100 percent load plus or minus 10 percent:

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
1. 2SLB stationary RICE	a. Reduce CO emissions by 58 percent or more; or b. Limit concentration of formaldehyde in the stationary RICE exhaust to 12 ppmvd or less at 15 percent O <sub>2</sub> . If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may limit concentration of formaldehyde to 17 ppmvd or less at 15 percent O <sub>2</sub> until June 15, 2007	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. <sup>1</sup>
2. 4SLB stationary RICE	a. Reduce CO emissions by 93 percent or more; or b. Limit concentration of formaldehyde in the stationary RICE exhaust to 14 ppmvd or less at 15 percent O <sub>2</sub>	
3. CI stationary RICE	a. Reduce CO emissions by 70 percent or more; or	

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

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
	b. Limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbv or less at 15 percent O <sub>2</sub>	

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

[75 FR 9680, Mar. 3, 2010]

**Table 2b to Subpart ZZZZ of Part 63—Operating Limitations for New and Reconstructed 2SLB and CI Stationary RICE >500 HP Located at a Major Source of HAP Emissions, New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions, Existing CI Stationary RICE >500 HP**

As stated in §§ 63.6600, 63.6601, 63.6603, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions; new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions; and existing CI stationary RICE >500 HP:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
<p>1. New and reconstructed 2SLB and CI stationary RICE &gt;500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and using an oxidation catalyst; and New and reconstructed 2SLB and CI stationary RICE &gt;500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and using an oxidation catalyst.</p> <p>2. Existing CI stationary RICE &gt;500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and using an</p>	<p>a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test; and</p> <p>b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.<sup>1</sup></p> <p>a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of</p>

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

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
<p>oxidation catalyst</p> <p>3. New and reconstructed 2SLB and CI stationary RICE &gt;500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE <math>\geq</math>250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and not using an oxidation catalyst; and</p> <p>New and reconstructed 2SLB and CI stationary RICE &gt;500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE <math>\geq</math>250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst; and</p> <p>existing CI stationary RICE &gt;500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and not using an oxidation catalyst.</p>	<p>water from the pressure drop across the catalyst that was measured during the initial performance test; and</p> <p>b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.<sup>1</sup></p> <p>Comply with any operating limitations approved by the Administrator.</p>

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Emergency stationary CI RICE and black start stationary CI RICE <sup>1</sup>	<ul style="list-style-type: none"> <li data-bbox="595 650 913 876">a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first <sup>2</sup>.</li> <li data-bbox="595 876 913 1129">b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary;</li> <li data-bbox="595 1129 913 1389">c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary <sup>3</sup></li> </ul>	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. <sup>3</sup>

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
2. Non-Emergency, non-black start stationary CI RICE <100 HP	<ul style="list-style-type: none"> <li>a. Change oil and filter every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first <sup>2</sup>.</li> <li>b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary;</li> <li>c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary <sup>3</sup></li> </ul>	
3. Non-Emergency, non-black start CI stationary RICE 100≤HP≤300 HP	Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent O <sub>2</sub>	
4. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	<ul style="list-style-type: none"> <li>a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent O<sub>2</sub>; or</li> </ul>	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
<p>5. Non-Emergency, non-black start stationary CI RICE &gt;500 HP</p> <p>6. Emergency stationary SI RICE and black start stationary SI RICE.<sup>1</sup></p>	<p>b. Reduce CO emissions by 70 percent or more</p> <p>a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent O<sub>2</sub>; or</p> <p>b. Reduce CO emissions by 70 percent or more</p> <p>a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;<sup>2</sup></p> <p>b. Inspect spark plugs every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary;</p> <p>c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary<sup>3</sup></p>	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
7. Non-Emergency, non-black start stationary SI RICE <100 HP that are not 2SLB stationary RICE	<ul style="list-style-type: none"> <li>a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;<sup>2</sup></li> <li>b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary</li> <li>c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary<sup>3</sup></li> </ul>	
8. Non-Emergency, non-black start 2SLB stationary SI RICE <100 HP	<ul style="list-style-type: none"> <li>a. Change oil and filter every 4,320 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;<sup>2</sup></li> <li>b. Inspect spark plugs every 4,320 hours of</li> </ul>	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary <sup>3</sup>	
9. Non-emergency, non-black start 2SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 225 ppmvd or less at 15 percent O <sub>2</sub>	
10. Non-emergency, non-black start 4SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd or less at 15 percent O <sub>2</sub>	
11. Non-emergency, non-black start 4SRB stationary RICE 100≤HP≤500	Limit concentration of formaldehyde in the stationary RICE exhaust to 10.3 ppmvd or less at 15 percent O <sub>2</sub>	
12. Non-emergency, non-black start stationary RICE 100≤HP≤500 which	Limit concentration of CO in the stationary RICE exhaust to 177 ppmvd or	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	less at 15 percent O <sub>2</sub>	

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

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

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

[89 FR 70518, Aug. 30, 2024]

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Non-Emergency, non-black start CI stationary RICE $\leq 300$ HP	<ul style="list-style-type: none"> <li>a. Change oil and filter every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;<sup>1</sup></li> <li>b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary;</li> <li>c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary</li> </ul>	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
2. Non-Emergency, non-black start CI stationary RICE $300 < HP \leq 500$	<ul style="list-style-type: none"> <li>a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O<sub>2</sub>; or</li> <li>b. Reduce CO emissions by 70 percent or more</li> </ul>	
3. Non-Emergency, non-black start CI stationary RICE $> 500$ HP	<ul style="list-style-type: none"> <li>a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O<sub>2</sub>; or</li> <li>b. Reduce CO emissions by 70 percent or more</li> </ul>	
4. Emergency stationary CI RICE and black start stationary CI RICE. <sup>2</sup>	<ul style="list-style-type: none"> <li>a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;<sup>1</sup></li> <li>b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes</li> </ul>	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
5. Emergency stationary SI RICE; black start stationary SI RICE; non-emergency, non-black start 4SLB stationary RICE >500 HP that operate 24 hours or less per calendar year; non-emergency, non-black start 4SRB stationary RICE >500 HP that operate 24 hours or less per calendar year. <sup>2</sup>	first, and replace as necessary; and <ul style="list-style-type: none"> <li>c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary</li> <li>a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;<sup>1</sup></li> <li>b. Inspect spark plugs every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and</li> <li>c. Inspect all hoses and belts every 500 hours of operation or</li> </ul>	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
6. Non-emergency, non-black start 2SLB stationary RICE	within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary <ul style="list-style-type: none"> <li data-bbox="714 572 982 846">a. Change oil and filter every 4,320 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;<sup>1</sup></li> <li data-bbox="714 846 982 1163">b. Inspect spark plugs every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and</li> <li data-bbox="714 1163 982 1463">c. Inspect all hoses and belts every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary</li> </ul>	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
7. Non-emergency, non-black start 4SLB stationary RICE $\leq$ 500 HP	<ul style="list-style-type: none"> <li>a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;<sup>1</sup></li> <li>b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and</li> <li>c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary</li> </ul>	
8. Non-emergency, non-black start 4SLB remote stationary RICE $>$ 500 HP	<ul style="list-style-type: none"> <li>a. Change oil and filter every 2,160 hours of operation or within 1 year + 30 days of the previous</li> </ul>	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
9. Non-emergency, non-black start 4SLB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year 10. Non-emergency, non-black start 4SRB stationary RICE ≤500 HP	change, whichever comes first; <sup>1</sup> b. Inspect spark plugs every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary Install an oxidation catalyst to reduce HAP emissions from the stationary RICE a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
11. Non-emergency, non-black start 4SRB remote stationary RICE >500 HP	change, whichever comes first; <sup>1</sup> b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary a. Change oil and filter every 2,160 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; <sup>1</sup> b. Inspect spark plugs every 2,160 hours of operation or	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
12. Non-emergency, non-black start 4SRB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year 13. Non-emergency, non-black start stationary RICE which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	Install NSCR to reduce HAP emissions from the stationary RICE a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; <sup>1</sup> b. Inspect spark plugs every 1,440 hours of operation or	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	<p>within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and</p> <p>c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary</p>	

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

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

[89 FR 70520, Aug. 30, 2024]

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

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

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

<sup>1</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

**Table 4 to Subpart ZZZZ of Part 63—Requirements for Performance Tests**

As stated in §§ 63.6610, 63.6611, 63.6620, and 63.6640, you must comply with the following requirements for performance tests for stationary RICE:

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
1. 2SLB, 4SLB, and CI stationary RICE	a. Reduce CO emissions	i. Select the sampling port location and the number/ location of traverse points at the inlet and outlet of the control device; and  ii. Measure the O <sub>2</sub> at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005) <sup>1</sup> <sup>3</sup> (heated probe not necessary)	(a) For CO, O <sub>2</sub> , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter and the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A-4.  (b) Measurements to determine O <sub>2</sub> must be made at the same time as the measurements for CO concentration.

<sup>1</sup> You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

<sup>2</sup> You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

<sup>3</sup> Incorporated by reference, see § 63.14.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
2. 4SRB stationary RICE	a. Reduce formaldehyde or THC emissions	iii. Measure the CO at the inlet and the outlet of the control device; and  iv. Measure moisture content at the inlet and outlet of the control device as needed to determine CO and O <sub>2</sub> concentrations on a dry basis	(2) ASTM D6522-00 (Reapproved 2005) <sup>1 2 3</sup> (heated probe not necessary) or method 10 of 40 CFR part 60, appendix A-4  (3) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03 <sup>1 3</sup>	(c) The CO concentration must be at 15 percent O <sub>2</sub> , dry basis.  (d) Measurements to determine moisture content must be made at the same time and location as the measurements for CO concentration.

<sup>1</sup> You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

<sup>2</sup> You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

<sup>3</sup> Incorporated by reference, see § 63.14.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		ii. Measure O <sub>2</sub> at the inlet and outlet of the control device; and  iii. Measure moisture content at the inlet and outlet of the control device as needed to determine formaldehyde or THC and O <sub>2</sub> concentrations on a dry basis; and  iv. If demonstrating compliance	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005) <sup>1</sup> <sup>3</sup> (heated probe not necessary)  (2) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03 <sup>1</sup> <sup>3</sup>  (3) Method 320 or 323 of 40 CFR	method 1 of 40 CFR part 60, appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A.  (b) Measurements to determine O <sub>2</sub> concentration must be made at the same time as the measurements for formaldehyde or THC concentration.  (c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or THC concentration.  (d) Formaldehyde concentration must be at 15 percent O <sub>2</sub> , dry basis. Results of this test consist of the average of the

<sup>1</sup> You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

<sup>2</sup> You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

<sup>3</sup> Incorporated by reference, see § 63.14.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
3. Stationary RICE	a. Limit the concentration of formaldehyde or CO in the stationary	i. Select the sampling port location and the number/ location of traverse points	part 63, appendix A; or ASTM D6348-03, <sup>1</sup> <sup>3</sup> provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130	three 1-hour or longer runs.  (e) THC concentration must be at 15 percent O <sub>2</sub> , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
				(a) For formaldehyde, CO, O <sub>2</sub> , and moisture measurement, ducts $\leq$ 6 inches in diameter may be sampled at a single point located at the duct centroid and ducts $>$ 6 and $\leq$ 12 inches in diameter may be sampled at 3 traverse

<sup>1</sup> You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

<sup>2</sup> You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

<sup>3</sup> Incorporated by reference, see § 63.14.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
	RICE exhaust	<p>at the exhaust of the stationary RICE; and</p> <p>ii. Determine the O<sub>2</sub> concentration of the stationary RICE exhaust at the sampling port location; and</p> <p>iii. Measure moisture content of the stationary RICE exhaust at the sampling port location as</p>	<p>(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005)<sup>1</sup><sup>3</sup> (heated probe not necessary)</p> <p>(2) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63,</p>	<p>points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is &gt;12 inches in diameter and the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A. If using a control device, the sampling site must be located at the outlet of the control device.</p> <p>(b) Measurements to determine O<sub>2</sub> concentration must be made at the same time and location as the measurements for formaldehyde or CO concentration.</p> <p>(c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or CO concentration.</p>

<sup>1</sup> You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

<sup>2</sup> You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

<sup>3</sup> Incorporated by reference, see § 63.14.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		<p>needed to determine formaldehyde or CO and O<sub>2</sub> concentrations on a dry basis; and</p> <p>iv. Measure formaldehyde at the exhaust of the stationary RICE; or</p> <p>v. Measure CO at the exhaust of the stationary RICE</p>	<p>appendix A, or ASTM D6348-03<sup>1</sup><sup>3</sup></p> <p>(3) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348-03<sup>1</sup><sup>3</sup> provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130</p> <p>(4) Method 10 of 40 CFR part 60, appendix A-4, ASTM D6522-00 (2005),<sup>1</sup><sup>3</sup> method 320</p>	<p>(d) Formaldehyde concentration must be at 15 percent O<sub>2</sub>, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.</p> <p>(e) CO concentration must be at 15 percent O<sub>2</sub>, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.</p>

<sup>1</sup> You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

<sup>2</sup> You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

<sup>3</sup> Incorporated by reference, see § 63.14.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
			of 40 CFR part 63, appendix A, or ASTM D6348-03 <sup>1</sup> <sup>3</sup>	

<sup>1</sup> You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

<sup>2</sup> You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

<sup>3</sup> Incorporated by reference, see § 63.14.

[88 FR 18413, Mar. 29, 2023]

**Table 5 to Subpart ZZZZ of Part 63—Initial Compliance With Emission Limitations, Operating Limitations, and Other Requirements**

As stated in §§ 63.6612, 63.6625 and 63.6630, you must initially comply with the emission and operating limitations as required by the following:

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions and using oxidation catalyst, and using a CPMS	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.

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

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
5. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE $\geq$ 250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions, and using a CEMS	<p>operating parameters (if any) during the initial performance test.</p> <p>i. You have installed a CEMS to continuously monitor CO and either O<sub>2</sub> or CO<sub>2</sub> at both the inlet and outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and</p> <p>ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and</p> <p>iii. The average reduction of CO calculated using § 63.6620 equals or exceeds the required percent reduction. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved during the 4-hour period.</p>
6. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, and using a CEMS	<p>i. You have installed a CEMS to continuously monitor CO and either O<sub>2</sub> or CO<sub>2</sub> at the outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and</p> <p>ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and</p> <p>iii. The average concentration of CO calculated using § 63.6620 is less than or equal to the CO emission limitation. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average concentration measured during the 4-hour period.</p>
7. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde	i. The average reduction of emissions of formaldehyde

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
8. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	emissions and using NSCR	<p>determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction, or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and</p> <p>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and</p> <p>iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.</p>
9. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB	<p>a. Reduce formaldehyde emissions and not using NSCR</p> <p>a. Limit the concentration of formaldehyde in the stationary</p>	<p>i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and</p> <p>ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and</p> <p>iii. You have recorded the approved operating parameters (if any) during the initial performance test.</p> <p>i. The average formaldehyde concentration, corrected to 15 percent O<sub>2</sub>, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and</p>

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
stationary RICE >500 HP located at a major source of HAP	RICE exhaust and using oxidation catalyst or NSCR	ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and  iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
10. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	i. The average formaldehyde concentration, corrected to 15 percent O <sub>2</sub> , dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and  ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and  iii. You have recorded the approved operating parameters (if any) during the initial performance test.
11. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Reduce CO emissions	i. The average reduction of emissions of CO or formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction.
12. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust	i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent O <sub>2</sub> , dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable.
13. Existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and	a. Install an oxidation catalyst	i. You have conducted an initial compliance demonstration as specified in § 63.6630(e) to show

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
that are operated more than 24 hours per calendar year		that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O <sub>2</sub> ;
14. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	<p>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1350 °F.</p> <p>i. You have conducted an initial compliance demonstration as specified in § 63.6630(e) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O<sub>2</sub>, or the average reduction of emissions of THC is 30 percent or more;</p> <p>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1250 °F.</p>

[78 FR 6712, Jan. 30, 2013]

**Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations, and Other Requirements**

As stated in § 63.6640, you must continuously comply with the emissions and operating limitations and work or management practices as required by the following:

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE $\geq$ 250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	a. Reduce CO emissions and using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved <sup>a</sup> ; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
<p>2. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE <math>\geq</math>250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE &gt;500 HP located at a major source of HAP</p>	<p>a. Reduce CO emissions and not using an oxidation catalyst, and using a CPMS</p>	<p>drop across the catalyst is within the operating limitation established during the performance test.</p> <p>i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved <sup>a</sup>; and</p> <p>ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and</p> <p>iii. Reducing these data to 4-hour rolling averages; and</p> <p>iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</p>
<p>3. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or</p>	<p>a. Reduce CO emissions or</p>	<p>i. Collecting the monitoring data</p>

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
reconstructed non-emergency 4SLB stationary RICE $\geq 250$ HP located at a major source of HAP, new or reconstructed non-emergency stationary CI RICE $> 500$ HP located at a major source of HAP, and existing non-emergency stationary CI RICE $> 500$ HP	limit the concentration of CO in the stationary RICE exhaust, and using a CEMS	according to § 63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction or concentration of CO emissions according to § 63.6620; and ii. Demonstrating that the catalyst achieves the required percent reduction of CO emissions over the 4-hour averaging period, or that the emission remain at or below the CO concentration limit; and iii. Conducting an annual RATA of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
4. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and using NSCR	i. Collecting the catalyst inlet temperature data according to § 63.6625(b); and ii. Reducing these data to 4-hour rolling averages; and iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and iv. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
5. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and not using NSCR	i. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and ii. Reducing these

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
6. Non-emergency 4SRB stationary RICE with a brake HP $\geq 5,000$ located at a major source of HAP	a. Reduce formaldehyde emissions	data to 4-hour rolling averages; and iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
7. New or reconstructed non-emergency stationary RICE $>500$ HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE $250 \leq HP \leq 500$ located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary	Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved, or to demonstrate that the average reduction of emissions of THC determined from the performance test is equal to or greater than 30 percent. <sup>a</sup> i. Conducting semiannual performance tests for formaldehyde to demonstrate that your

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
	RICE exhaust and using oxidation catalyst or NSCR	emissions remain at or below the formaldehyde concentration limit <sup>a</sup> ; and <ul style="list-style-type: none"> <li>ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and</li> <li>iii. Reducing these data to 4-hour rolling averages; and</li> <li>iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and</li> <li>v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</li> </ul>
8. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed	a. Limit the concentration	i. Conducting semiannual

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
non-emergency 4SLB stationary RICE $250 \leq HP \leq 500$ located at a major source of HAP	of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit <sup>a</sup> ; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
9. Existing emergency and black start stationary RICE $\leq 500$ HP located at a major source of HAP, existing non-emergency stationary RICE $< 100$ HP located at a major source of HAP, existing emergency and black start stationary RICE located at an area source of HAP, existing non-emergency stationary CI RICE $\leq 300$ HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency stationary SI RICE located at an	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

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

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
11. Existing stationary CI RICE >500 HP that are not limited use stationary RICE	a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, as	ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.  i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
12. Existing limited use CI stationary RICE >500 HP	<p>and not using oxidation catalyst</p> <p>a. Reduce CO emissions or limit the concentration</p>	<p>appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and</p> <p>ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and</p> <p>iii. Reducing these data to 4-hour rolling averages; and</p> <p>iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</p> <p>i. Conducting performance tests every 8,760 hours or 5 years,</p>

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
	of CO in the stationary RICE exhaust, and using an oxidation catalyst	whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
13. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and not using an oxidation catalyst	<p>demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</p> <p>i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and</p> <p>ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and</p> <p>iii. Reducing these data to 4-hour</p>

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
<p>14. Existing non-emergency 4SLB stationary RICE &gt;500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year</p>	<p>a. Install an oxidation catalyst</p>	<p>rolling averages; and</p> <p>iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</p> <p>i. Conducting annual compliance demonstrations as specified in § 63.6640(c) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O<sub>2</sub>; and either</p> <p>ii. Collecting the catalyst inlet temperature data according to § 63.6625(b), reducing these data to 4-hour rolling averages;</p>

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
15. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	and maintaining the 4-hour rolling averages within the limitation of greater than 450 °F and less than or equal to 1350 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1350 °F. i. Conducting annual compliance demonstrations as specified in § 63.6640(c) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O <sub>2</sub> , or the average reduction of emissions of THC is 30 percent or more; and either

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

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

<sup>a</sup> After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

[78 FR 6715, Jan. 30, 2013]

**Table 7 to Subpart ZZZZ of Part 63—Requirements for Reports**

As stated in § 63.6650, you must comply with the following requirements for reports:

For each ...	You must submit a ...	The report must contain ...	You must submit the report ...
1. Existing non-emergency, non-black start stationary RICE $100 \leq HP \leq 500$ located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE $>500$ HP located at a major source of HAP; existing non-emergency 4SRB stationary RICE $>500$ HP located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE $>300$ HP located at an area source of HAP; new or reconstructed non-emergency stationary RICE $>500$ HP located at a major source of HAP; and new or reconstructed non-emergency 4SLB stationary RICE $250 \leq HP \leq 500$ located at a major source of HAP	Compliance report	<p>a. If there are no deviations from any emission limitations or operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or</p> <p>b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in § 63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), the information in § 63.6650(e); or</p> <p>c. If you had a malfunction during the reporting period, the information in § 63.6650(c)(4)</p>	<p>i. Semiannually according to the requirements in § 63.6650(b)(1)-(5) and (i) for engines that are not limited use stationary RICE subject to numerical emission limitations; and ii. Annually according to the requirements in § 63.6650(b)(6)-(9) and (i) for engines that are limited use stationary RICE subject to numerical emission limitations.</p> <p>i. Semiannually according to the requirements in § 63.6650(b) and (i).</p> <p>i. Semiannually according to the requirements in § 63.6650(b) and (i).</p>

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
2. New or reconstructed non-emergency stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	Report	<p>a. The fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas or digester gas, is equivalent to 10 percent or more of the gross heat input on an annual basis; and</p> <p>b. The operating limits provided in your federally enforceable permit, and any deviations from these limits; and</p> <p>c. Any problems or errors suspected with the meters</p>	<p>i. Annually, according to the requirements in § 63.6650.</p> <p>i. See item 2.a.i.</p> <p>i. See item 2.a.i.</p>
3. Existing non-emergency, non-black start 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that operate more than 24 hours per calendar year	Compliance report	<p>a. The results of the annual compliance demonstration, if conducted during the reporting period</p>	<p>i. Semiannually according to the requirements in § 63.6650(b)(1)-(5) and (i).</p>
4. Emergency stationary RICE that operate for the purposes specified in § 63.6640(f)(4)(ii)	Report	<p>a. The information in § 63.6650(h)(1)</p>	<p>i. Annually according to the requirements in § 63.6650(h)(2)-(3) and (i).</p>

[89 FR 70522, Aug. 30, 2024]

**Table 8 to Subpart ZZZZ of Part 63—Applicability of General Provisions to Subpart ZZZZ**

As stated in § 63.6665, you must comply with the following applicable general provisions.

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.1	General applicability of the General Provisions	Yes	
§ 63.2	Definitions	Yes	Additional terms defined in § 63.6675.
§ 63.3	Units and abbreviations	Yes	
§ 63.4	Prohibited activities and circumvention	Yes	
§ 63.5	Construction and reconstruction	Yes	
§ 63.6(a)	Applicability	Yes	
§ 63.6(b)(1)-(4)	Compliance dates for new and reconstructed sources	Yes	
§ 63.6(b)(5)	Notification	Yes	
§ 63.6(b)(6)	[Reserved]		
§ 63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources	Yes	
§ 63.6(c)(1)-(2)	Compliance dates for existing sources	Yes	
§ 63.6(c)(3)-(4)	[Reserved]		
§ 63.6(c)(5)	Compliance dates for existing area sources that become major sources	Yes	
§ 63.6(d)	[Reserved]		
§ 63.6(e)	Operation and maintenance	No	
§ 63.6(f)(1)	Applicability of standards	No	
§ 63.6(f)(2)	Methods for determining compliance	Yes	
§ 63.6(f)(3)	Finding of compliance	Yes	
§ 63.6(g)(1)-(3)	Use of alternate standard	Yes	
§ 63.6(h)	Opacity and visible emission standards	No	Subpart ZZZZ does not contain opacity or visible emission standards.
§ 63.6(i)	Compliance extension procedures and criteria	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.6(j)	Presidential compliance exemption	Yes	
§ 63.7(a)(1)-(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at §§ 63.6610, 63.6611, and 63.6612.
§ 63.7(a)(3)	CAA section 114 authority	Yes	
§ 63.7(b)(1)	Notification of performance test	Yes	Except that § 63.7(b)(1) only applies as specified in § 63.6645.
§ 63.7(b)(2)	Notification of rescheduling	Yes	Except that § 63.7(b)(2) only applies as specified in § 63.6645.
§ 63.7(c)	Quality assurance/test plan	Yes	Except that § 63.7(c) only applies as specified in § 63.6645.
§ 63.7(d)	Testing facilities	Yes	
§ 63.7(e)(1)	Conditions for conducting performance tests	No	Subpart ZZZZ specifies conditions for conducting performance tests at § 63.6620.
§ 63.7(e)(2)	Conduct of performance tests and reduction of data	Yes	Subpart ZZZZ specifies test methods at § 63.6620.
§ 63.7(e)(3)	Test run duration	Yes	
§ 63.7(e)(4)	Administrator may require other testing under section 114 of the CAA	Yes	
§ 63.7(f)	Alternative test method provisions	Yes	
§ 63.7(g)	Performance test data analysis, recordkeeping, and reporting	Yes	
§ 63.7(h)	Waiver of tests	Yes	
§ 63.8(a)(1)	Applicability of monitoring requirements	Yes	Subpart ZZZZ contains specific requirements for monitoring at § 63.6625.
§ 63.8(a)(2)	Performance specifications	Yes	
§ 63.8(a)(3)	[Reserved]		
§ 63.8(a)(4)	Monitoring for control devices	No	
§ 63.8(b)(1)	Monitoring	Yes	
§ 63.8(b)(2)-(3)	Multiple effluents and multiple monitoring systems	Yes	
§ 63.8(c)(1)	Monitoring system	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.8(c)(1)(i)	operation and maintenance	No	
§ 63.8(c)(1)(i)	Routine and predictable SSM	No	
§ 63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan	Yes	
§ 63.8(c)(1)(iii)	Compliance with operation and maintenance requirements	No	
§ 63.8(c)(2)-(3)	Monitoring system installation	Yes	
§ 63.8(c)(4)	Continuous monitoring system (CMS) requirements	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§ 63.8(c)(5)	COMS minimum procedures	No	Subpart ZZZZ does not require COMS.
§ 63.8(c)(6)-(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.
§ 63.8(d)	CMS quality control	Yes	
§ 63.8(e)	CMS performance evaluation	Yes	Except for § 63.8(e)(5)(ii), which applies to COMS. Except that § 63.8(e) only applies as specified in § 63.6645.
§ 63.8(f)(1)-(5)	Alternative monitoring method	Yes	Except that § 63.8(f)(4) only applies as specified in § 63.6645.
§ 63.8(f)(6)	Alternative to relative accuracy test	Yes	Except that § 63.8(f)(6) only applies as specified in § 63.6645.
§ 63.8(g)	Data reduction	Yes	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§ 63.6635 and 63.6640.
§ 63.9(a)	Applicability and State delegation of notification requirements	Yes	
§ 63.9(b)(1)-(5)	Initial notifications	Yes	Except that § 63.9(b)(3) is reserved. Except that § 63.9(b) only applies as specified in § 63.6645.
§ 63.9(c)	Request for compliance	Yes	Except that § 63.9(c) only applies as

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.9(d)	extension Notification of special compliance requirements for new sources	Yes	specified in § 63.6645. Except that § 63.9(d) only applies as specified in § 63.6645.
§ 63.9(e)	Notification of performance test	Yes	Except that § 63.9(e) only applies as specified in § 63.6645.
§ 63.9(f)	Notification of visible emission (VE)/opacity test	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(1)	Notification of performance evaluation	Yes	Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(g)(2)	Notification of use of COMS data	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded	Yes	If alternative is in use. Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(h)(1)-(6)	Notification of compliance status	Yes	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. § 63.9(h)(4) is reserved. Except that § 63.9(h) only applies as specified in § 63.6645.
§ 63.9(i)	Adjustment of submittal deadlines	Yes	
§ 63.9(j)	Change in previous information	Yes	
§ 63.9(k)	Electronic reporting procedures	Yes	Only as specified in §§ 63.9(j), 63.6620, 63.6625, 63.6645, and 63.6650.
§ 63.10(a)	Administrative provisions for recordkeeping/reporting	Yes	
§ 63.10(b)(1)	Record retention	Yes	Except that the most recent 2 years of data do not have to be retained on site.
§ 63.10(b)(2)(i)-(v)	Records related to SSM	No	
§ 63.10(b)(2)(vi)-(xi)	Records	Yes	
§	Record when under	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
63.10(b)(2)(xii)	waiver		
§ 63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes	For CO standard if using RATA alternative.
§ 63.10(b)(2)(xiv)	Records of supporting documentation	Yes	
§ 63.10(b)(3)	Records of applicability determination	Yes	
§ 63.10(c)	Additional records for sources using CEMS	Yes	Except that § 63.10(c)(2)-(4) and (9) are reserved.
§ 63.10(d)(1)	General reporting requirements	Yes	
§ 63.10(d)(2)	Report of performance test results	Yes	
§ 63.10(d)(3)	Reporting opacity or VE observations	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.10(d)(4)	Progress reports	Yes	
§ 63.10(d)(5)	Startup, shutdown, and malfunction reports	No	
§ 63.10(e)(1) and (2)(i)	Additional CMS Reports	Yes	
§ 63.10(e)(2)(ii)	COMS-related report	No	Subpart ZZZZ does not require COMS.
§ 63.10(e)(3)	Excess emission and parameter exceedances reports	No	Excess emissions and exceedance reporting is specified in § 63.6650.
§ 63.10(e)(4)	Reporting COMS data	No	Subpart ZZZZ does not require COMS.
§ 63.10(f)	Waiver for recordkeeping/reporting	Yes	
§ 63.11	Flares	No	
§ 63.12	State authority and delegations	Yes	
§ 63.13	Addresses	Yes	
§ 63.14	Incorporation by reference	Yes	
§ 63.15	Availability of information	Yes	

## Appendix A to Subpart ZZZZ of Part 63—Protocol for Using an Electrochemical Analyzer to Determine Oxygen and Carbon Monoxide Concentrations From Certain Engines

### 1.0 Scope and Application. What is this Protocol?

This protocol is a procedure for using portable electrochemical (EC) cells for measuring carbon monoxide (CO) and oxygen (O<sub>2</sub>) concentrations in controlled and uncontrolled emissions from existing stationary 4-stroke lean burn and 4-stroke rich burn reciprocating internal combustion engines as specified in the applicable rule.

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

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

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

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

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

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

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

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

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

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

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

## 2.0 Summary of Protocol

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

## 3.0 Definitions

- 3.1 **Measurement System.** The total equipment required for the measurement of CO and O<sub>2</sub> concentrations. The measurement system consists of the following major subsystems:
  - 3.1.1 **Data Recorder.** A strip chart recorder, computer or digital recorder for logging measurement data from the analyzer output. You may record measurement data from the digital data display manually or electronically.
  - 3.1.2 **Electrochemical (EC) Cell.** A device, similar to a fuel cell, used to sense the presence of a specific analyte and generate an electrical current output proportional to the analyte concentration.
  - 3.1.3 **Interference Gas Scrubber.** A device used to remove or neutralize chemical compounds that may interfere with the selective operation of an EC cell.
  - 3.1.4 **Moisture Removal System.** Any device used to reduce the concentration of moisture in the sample stream so as to protect the EC cells from the damaging effects of condensation and to minimize errors in measurements caused by the scrubbing of soluble gases.
  - 3.1.5 **Sample Interface.** The portion of the system used for one or more of the following: sample acquisition; sample transport; sample conditioning or protection of the EC cell from any degrading effects of the engine exhaust effluent; removal of particulate matter and condensed moisture.
- 3.2 **Nominal Range.** The range of analyte concentrations over which each EC cell is operated (normally 25 percent to 150 percent of up-scale calibration gas value). Several nominal ranges can be used for any given cell so long as the calibration and repeatability checks for that range remain within specifications.
- 3.3 **Calibration Gas.** A vendor certified concentration of a specific analyte in an appropriate balance gas.
- 3.4 **Zero Calibration Error.** The analyte concentration output exhibited by the EC cell in response to zero-level calibration gas.
- 3.5 **Up-Scale Calibration Error.** The mean of the difference between the analyte concentration exhibited by the EC cell and the certified concentration of the up-scale calibration gas.

- 3.6 **Interference Check.** A procedure for quantifying analytical interference from components in the engine exhaust gas other than the targeted analytes.
- 3.7 **Repeatability Check.** A protocol for demonstrating that an EC cell operated over a given nominal analyte concentration range provides a stable and consistent response and is not significantly affected by repeated exposure to that gas.
- 3.8 **Sample Flow Rate.** The flow rate of the gas sample as it passes through the EC cell. In some situations, EC cells can experience drift with changes in flow rate. The flow rate must be monitored and documented during all phases of a sampling run.
- 3.9 **Sampling Run.** A timed three-phase event whereby an EC cell's response rises and plateaus in a sample conditioning phase, remains relatively constant during a measurement data phase, then declines during a refresh phase. The sample conditioning phase exposes the EC cell to the gas sample for a length of time sufficient to reach a constant response. The measurement data phase is the time interval during which gas sample measurements can be made that meet the acceptance criteria of this protocol. The refresh phase then purges the EC cells with CO-free air. The refresh phase replenishes requisite O<sub>2</sub> and moisture in the electrolyte reserve and provides a mechanism to de-gas or desorb any interference gas scrubbers or filters so as to enable a stable CO EC cell response. There are four primary types of sampling runs: pre- sampling calibrations; stack gas sampling; post-sampling calibration checks; and measurement system repeatability checks. Stack gas sampling runs can be chained together for extended evaluations, providing all other procedural specifications are met.
- 3.10 **Sampling Day.** A time not to exceed twelve hours from the time of the pre-sampling calibration to the post-sampling calibration check. During this time, stack gas sampling runs can be repeated without repeated recalibrations, providing all other sampling specifications have been met.
- 3.11 **Pre-Sampling Calibration/Post-Sampling Calibration Check.** The protocols executed at the beginning and end of each sampling day to bracket measurement readings with controlled performance checks.
- 3.12 **Performance-Established Configuration.** The EC cell and sampling system configuration that existed at the time that it initially met the performance requirements of this protocol.

## 4.0 Interferences.

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

## 5.0 Safety. [Reserved]

## 6.0 Equipment and Supplies.

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

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

## 6.2 Measurement System Components.

- 6.2.1 **Sample Probe.** A single extraction-point probe constructed of glass, stainless steel or other non-reactive material, and of length sufficient to reach any designated sampling point. The sample probe must be designed to prevent plugging due to condensation or particulate matter.
- 6.2.2 **Sample Line.** Non-reactive tubing to transport the effluent from the sample probe to the EC cell.
- 6.2.3 **Calibration Assembly (optional).** A three-way valve assembly or equivalent to introduce calibration gases at ambient pressure at the exit end of the sample probe during calibration checks. The assembly must be designed such that only stack gas or calibration gas flows in the sample line and all gases flow through any gas path filters.
- 6.2.4 **Particulate Filter (optional).** Filters before the inlet of the EC cell to prevent accumulation of particulate material in the measurement system and extend the useful life of the components. All filters must be fabricated of materials that are non-reactive to the gas mixtures being sampled.
- 6.2.5 **Sample Pump.** A leak-free pump to provide undiluted sample gas to the system at a flow rate sufficient to minimize the response time of the measurement system. If located upstream of the EC cells, the pump must be constructed of a material that is non-reactive to the gas mixtures being sampled.
- 6.2.6 **Sample Flow Rate Monitoring.** An adjustable rotameter or equivalent device used to adjust and maintain the sample flow rate through the analyzer as prescribed.
- 6.2.7 **Sample Gas Manifold (optional).** A manifold to divert a portion of the sample gas stream to the analyzer and the remainder to a by-pass discharge vent. The sample gas manifold may also include provisions for introducing calibration gases directly to the analyzer. The manifold must be constructed of a material that is non-reactive to the gas mixtures being sampled.
- 6.2.8 **EC cell.** A device containing one or more EC cells to determine the CO and O<sub>2</sub> concentrations in the sample gas stream. The EC cell(s) must meet the applicable performance specifications of Section 13 of this protocol.
- 6.2.9 **Data Recorder.** A strip chart recorder, computer or digital recorder to make a record of analyzer output data. The data recorder resolution (i.e., readability) must be no greater than 1 ppm for CO; 0.1 percent for O<sub>2</sub>; and one degree (either °C or °F) for temperature. Alternatively, you may use a digital or analog meter having the same resolution to observe and manually record the analyzer responses.
- 6.2.10 **Interference Gas Filter or Scrubber.** A device to remove interfering compounds upstream of the CO EC cell. Specific interference gas filters or scrubbers used in the performance-established configuration of the analyzer must continue to be used. Such a filter or scrubber must have a means to determine when the removal agent is exhausted. Periodically replace or replenish it in accordance with the manufacturer's recommendations.

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

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

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

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

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

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

## 8.0 Sample Collection and Analysis

**8.1 Selection of Sampling Sites.**

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

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

**8.2 Stack Gas Collection and Analysis.** Prior to the first stack gas sampling run, conduct that the pre-sampling calibration in accordance with Section 10.1. Use Figure 1 to record all data. Zero the analyzer with zero gas. Confirm and record that the scrubber media color is correct and not exhausted. Then position the probe at the sampling point and begin the sampling run at the same flow rate used during the up-scale calibration. Record the start time. Record all EC cell output responses and the flow rate during the "sample conditioning phase" once per minute until constant readings are obtained. Then begin the "measurement data phase" and record readings every 15 seconds for at least two minutes (or eight readings), or as otherwise required to achieve two continuous minutes of data that meet the specification given in Section 13.1. Finally, perform the

“refresh phase” by introducing dry air, free from CO and other combustion gases, until several minute-to-minute readings of consistent value have been obtained. For each run use the “measurement data phase” readings to calculate the average stack gas CO and O<sub>2</sub> concentrations.

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

## 9.0 Quality Control (Reserved)

## 10.0 Calibration and Standardization

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

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

10.1.2 **Zero Calibration Tolerance.** For each zero gas introduction, the zero level output must be less than or equal to  $\pm 3$  percent of the up-scale gas value or  $\pm 1$  ppm, whichever is less restrictive, for the CO channel and less than or equal to  $\pm 0.3$  percent O<sub>2</sub> for the O<sub>2</sub> channel.

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

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

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

## 11.0 Analytical Procedure

The analytical procedure is fully discussed in Section 8.

## 12.0 Calculations and Data Analysis

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

## 13.0 Protocol Performance

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

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

**Example:** A measurement data phase is invalid if the maximum deviation of any single reading comprising that mean is greater than  $\pm 2$  percent or  $\pm 1$  ppm (the default criteria). For example, if the mean = 30 ppm, single readings of below 29 ppm and above 31 ppm are disallowed).

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

**13.2.1 Interference Response.** The combined NO and NO<sub>2</sub> interference response should be less than or equal to  $\pm 5$  percent of the up-scale CO calibration gas concentration.

**13.3 Repeatability Check.** Conduct the following check once for each nominal range that is to be used on the CO EC cell within 5 days prior to each field sampling program. If a field sampling program lasts longer than 5 days, repeat this check every 5 days. Immediately repeat the check if the EC cell is replaced or if the EC cell is exposed to gas concentrations greater than 150 percent of the highest up-scale gas concentration.

**13.3.1 Repeatability Check Procedure.** Perform a complete EC cell sampling run (all three phases) by introducing the CO calibration gas to the measurement system and record the response. Follow Section 10.1.3. Use Figure 1 to record all data. Repeat the run three times for a total of four complete runs. During the four repeatability check runs, do not adjust the system except where necessary to achieve the correct calibration gas flow rate at the analyzer.

**13.3.2 Repeatability Check Calculations.** Determine the highest and lowest average "measurement data phase" CO concentrations from the four repeatability check runs and record the results on Figure 1 or a similar form. The absolute value of the difference between the maximum and minimum average values recorded must not vary more than  $\pm 3$  percent or  $\pm 1$  ppm of the upscale gas value, whichever is less restrictive.

## 14.0 Pollution Prevention (Reserved)

## 15.0 Waste Management (Reserved)

## 16.0 Alternative Procedures (Reserved)

## 17.0 References

- (1) *"Development of an Electrochemical Cell Emission Analyzer Test Protocol"*, Topical Report, Phil Juneau, Emission Monitoring, Inc., July 1997.
- (2) *"Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Emissions from Natural Gas-Fired Engines, Boilers, and Process Heaters Using Portable Analyzers"*, EMC Conditional Test Protocol 30 (CTM-30), Gas Research Institute Protocol GRI-96/0008, Revision 7, October 13, 1997.
- (3) *"ICAC Test Protocol for Periodic Monitoring"*, EMC Conditional Test Protocol 34 (CTM-034), The Institute of Clean Air Companies, September 8, 1999.
- (4) *"Code of Federal Regulations"*, Protection of Environment, 40 CFR, Part 60, Appendix A, Methods 1-4; 10.

**TABLE 1: APPENDIX A—SAMPLING RUN DATA.**

Run Type:	Facility ( <i>)</i>	Engine I.D. ( <i>)</i>	Date ( <i>)</i>	Repeatability Check
(X)	Pre-Sample Calibration	Stack Gas Sample	Post-Sample Cal. Check	

Run #	1	1	2	2	3	3	4	4	Time	Scrub. OK	Flow- Rate
Gas	O <sub>2</sub>	CO									
Sample Cond.											
Phase											
"											
"											
"											
"											
Measurement											
Data Phase											
"											
"											
"											
"											
"											
"											
"											
"											
"											
Mean											
Refresh											
Phase											
"											
"											
"											
"											

[78 FR 6721, Jan. 30, 2013]

## **Appendix F**

40 C.F.R. § 60 Subpart IIII—*Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*



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

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**Title 40 —Protection of Environment**

**Chapter I —Environmental Protection Agency**

**Subchapter C —Air Programs**

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

## What This Subpart Covers

**§ 60.4200** Am I subject to this subpart?

### Emission Standards for Manufacturers

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

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

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

### Emission Standards for Owners and Operators

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

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

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

### Fuel Requirements for Owners and Operators

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

### Other Requirements for Owners and Operators

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

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

### Compliance Requirements

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

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

### Testing Requirements for Owners and Operators

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

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

### Notification, Reports, and Records for Owners and Operators

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

## Special Requirements

- § 60.4215 What requirements must I meet for engines used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands?
- § 60.4216 What requirements must I meet for engines used in Alaska?
- § 60.4217 What emission standards must I meet if I am an owner or operator of a stationary internal combustion engine using special fuels?

## General Provisions

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

## Definitions

- § 60.4219 What definitions apply to this subpart?

### Table 1 to Subpart IIII of Part 60

Emission Standards for Stationary Pre-2007 Model Year  
Engines With a Displacement of <10 Liters per Cylinder and  
2007-2010 Model Year Engines >2,237 KW (3,000 HP) and With  
a Displacement of <10 Liters per Cylinder

### Table 2 to Subpart IIII of Part 60

Emission Standards for 2008 Model Year and Later Emergency  
Stationary CI ICE <37 KW (50 HP) With a Displacement of <10  
Liters per Cylinder

### Table 3 to Subpart IIII of Part 60

Certification Requirements for Stationary Fire Pump Engines

### Table 4 to Subpart IIII of Part 60

Emission Standards for Stationary Fire Pump Engines

### Table 5 to Subpart IIII of Part 60

Labeling and Recordkeeping Requirements for New Stationary  
Emergency Engines

### Table 6 to Subpart IIII of Part 60

Optional 3-Mode Test Cycle for Stationary Fire Pump Engines

### Table 7 to Subpart IIII of Part 60

Requirements for Performance Tests for Stationary CI ICE With  
a Displacement of  $\geq 30$  Liters per Cylinder

### Table 8 to Subpart IIII of Part 60

Applicability of General Provisions to Subpart IIII

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

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

### WHAT THIS SUBPART COVERS

#### § 60.4200 Am I subject to this subpart?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## EMISSION STANDARDS FOR MANUFACTURERS

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

- (a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later non-emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 kilowatt (KW) (3,000 horsepower (HP)) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 1039.102, 1039.104, 1039.105, 1039.107, and 1039.115 and 40 CFR part 1039, appendix I, as applicable, for all pollutants, for the same model year and maximum engine power.
- (b) Stationary CI internal combustion engine manufacturers must certify their 2007 through 2010 model year non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.
- (c) Stationary CI internal combustion engine manufacturers must certify their 2011 model year and later non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 40 CFR 1039.102, 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, and 40 CFR 1039.115, as applicable, for all pollutants, for the same maximum engine power.
- (d) Stationary CI internal combustion engine manufacturers must certify the following non-emergency stationary CI ICE to the appropriate Tier 2 emission standards for new marine CI engines as described in 40 CFR part 1042, appendix I, for all pollutants, for the same displacement and rated power:
  - (1) Their 2007 model year through 2012 non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder;
  - (2) Their 2013 model year non-emergency stationary CI ICE with a maximum engine power greater than or equal to 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and
  - (3) Their 2013 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.
- (e) Stationary CI internal combustion engine manufacturers must certify the following non-emergency stationary CI ICE to the certification emission standards and other requirements for new marine CI engines in 40 CFR 1042.101, 40 CFR 1042.107, 40 CFR 1042.110, 40 CFR 1042.115, 40 CFR 1042.120, and 40 CFR 1042.145, as applicable, for all pollutants, for the same displacement and maximum engine power:
  - (1) Their 2013 model year non-emergency stationary CI ICE with a maximum engine power less than 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and
  - (2) Their 2014 model year and later non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder.

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

- (1) Remote areas of Alaska; and
- (2) Marine offshore installations.

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

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

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

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

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

- (1) For engines with a maximum engine power less than 37 KW (50 HP):
  - (i) The Tier 2 emission standards for new nonroad CI engines for the appropriate rated power as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105 for model year 2007 engines; and
  - (ii) The certification emission standards for new nonroad CI engines in 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, 40 CFR 1039.115, and table 2 to this subpart, for 2008 model year and later engines.
- (2) For engines with a rated power greater than or equal to 37 KW (50 HP), the Tier 2 or Tier 3 emission standards for new nonroad CI engines for the same rated power as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105 beginning in model year 2007.

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

- (1) For 2007 through 2010 model years, the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.
- (2) For 2011 model year and later, the Tier 2 emission standards as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105.
- (c) [Reserved]
- (d) Beginning with the model years in table 3 to this subpart, stationary CI internal combustion engine manufacturers must certify their fire pump stationary CI ICE to the emission standards in table 4 to this subpart, for all pollutants, for the same model year and NFPA nameplate power.
- (e) Stationary CI internal combustion engine manufacturers must certify the following emergency stationary CI ICE that are not fire pump engines to the appropriate Tier 2 emission standards for new marine CI engines as described in 40 CFR part 1042, appendix I, for all pollutants, for the same displacement and rated power:
  - (1) Their 2007 model year through 2012 emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder;
  - (2) Their 2013 model year and later emergency stationary CI ICE with a maximum engine power greater than or equal to 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder;
  - (3) Their 2013 model year emergency stationary CI ICE with a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder; and
  - (4) Their 2014 model year and later emergency stationary CI ICE with a maximum engine power greater than or equal to 2,000 KW (2,682 HP) and a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.
- (f) Stationary CI internal combustion engine manufacturers must certify the following emergency stationary CI ICE to the certification emission standards and other requirements applicable to Tier 3 new marine CI engines in 40 CFR 1042.101, 40 CFR 1042.107, 40 CFR 1042.115, 40 CFR 1042.120, and 40 CFR 1042.145, for all pollutants, for the same displacement and maximum engine power:
  - (1) Their 2013 model year and later emergency stationary CI ICE with a maximum engine power less than 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and
  - (2) Their 2014 model year and later emergency stationary CI ICE with a maximum engine power less than 2,000 KW (2,682 HP) and a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.
- (g) Notwithstanding the requirements in paragraphs (a) through (d) of this section, stationary emergency CI ICE identified in paragraphs (a) and (c) of this section may be certified to the provisions of 40 CFR part 1042 for commercial engines that are applicable for the engine's model year, displacement, power density, and maximum engine power if the engines will be used solely in either or both of the locations identified in paragraphs (g)(1) and (2) of this section. Engines that would be subject to the Tier 4 standards in 40 CFR part 1042 that are used solely in either or both of the locations identified in paragraphs (g)(1) and (2) of this section may instead continue to be certified to the previous tier of standards in 40 CFR part 1042. The previous tier is Tier 3 in most cases; however, the previous tier is Tier 2 if there are no Tier 3 standards specified for engines of a certain size or power rating.

- (1) Remote areas of Alaska; and
- (2) Marine offshore installations.

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

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

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

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

[76 FR 37968, June 28, 2011]

#### **EMISSION STANDARDS FOR OWNERS AND OPERATORS**

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

- (a) Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of less than 10 liters per cylinder must comply with the emission standards in table 1 to this subpart. Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder must comply with the Tier 1 emission standards in 40 CFR part 1042, appendix I.
- (b) Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in § 60.4201 for their 2007 model year and later stationary CI ICE, as applicable.
- (c) Owners and operators of non-emergency stationary CI engines with a displacement of greater than or equal to 30 liters per cylinder must meet the following requirements:
  - (1) For engines installed prior to January 1, 2012, limit the emissions of NO<sub>x</sub> in the stationary CI internal combustion engine exhaust to the following:
    - (i) 17.0 grams per kilowatt-hour (g/KW-hr) (12.7 grams per horsepower-hr (g/HP-hr)) when maximum engine speed is less than 130 revolutions per minute (rpm);
    - (ii)  $45 \cdot n^{-0.2}$  g/KW-hr ( $34 \cdot n^{-0.2}$  g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and
    - (iii) 9.8 g/KW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.
  - (2) For engines installed on or after January 1, 2012 and before January 1, 2016, limit the emissions of NO<sub>x</sub> in the stationary CI internal combustion engine exhaust to the following:

- (i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;
- (ii)  $44 \cdot n^{-0.23}$  g/KW-hr ( $33 \cdot n^{-0.23}$  g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and
- (iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) For engines installed on or after January 1, 2016, limit the emissions of NO<sub>x</sub> in the stationary CI internal combustion engine exhaust to the following:

- (i) 3.4 g/KW-hr (2.5 g/HP-hr) when maximum engine speed is less than 130 rpm;
- (ii)  $9.0 \cdot n^{-0.20}$  g/KW-hr ( $6.7 \cdot n^{-0.20}$  g/HP-hr) where n (maximum engine speed) is 130 or more but less than 2,000 rpm; and
- (iii) 2.0 g/KW-hr (1.5 g/HP-hr) where maximum engine speed is greater than or equal to 2,000 rpm.

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

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

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

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

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

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

- (a) Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of less than 10 liters per cylinder that are not fire pump engines must comply with the emission standards in Table 1 to this subpart. Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that are not fire pump engines must comply with the Tier 1 emission standards in 40 CFR part 1042, appendix I.
- (b) Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in § 60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.
- (c) Owners and operators of fire pump engines with a displacement of less than 30 liters per cylinder must comply with the emission standards in table 4 to this subpart, for all pollutants.

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

(1) For engines installed prior to January 1, 2012, limit the emissions of NO<sub>x</sub> in the stationary CI internal combustion engine exhaust to the following:

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

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

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

(2) For engines installed on or after January 1, 2012, limit the emissions of NO<sub>x</sub> in the stationary CI internal combustion engine exhaust to the following:

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

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

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

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

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

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

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

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

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

[76 FR 37969, June 28, 2011]

## FUEL REQUIREMENTS FOR OWNERS AND OPERATORS

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

(a) [Reserved]

- (b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.
- (c) [Reserved]
- (d) Beginning June 1, 2012, owners and operators of stationary CI ICE subject to this subpart with a displacement of greater than or equal to 30 liters per cylinder must use diesel fuel that meets a maximum per-gallon sulfur content of 1,000 parts per million (ppm).
- (e) Stationary CI ICE that have a national security exemption under § 60.4200(d) are also exempt from the fuel requirements in this section.

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

#### OTHER REQUIREMENTS FOR OWNERS AND OPERATORS

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

- (a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.
- (b) After December 31, 2009, owners and operators may not install stationary CI ICE with a maximum engine power of less than 19 KW (25 HP) (excluding fire pump engines) that do not meet the applicable requirements for 2008 model year engines.
- (c) After December 31, 2014, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 KW (25 HP) and less than 56 KW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.
- (d) After December 31, 2013, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 56 KW (75 HP) and less than 130 KW (175 HP) that do not meet the applicable requirements for 2012 model year non-emergency engines.
- (e) After December 31, 2012, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 130 KW (175 HP), including those above 560 KW (750 HP), that do not meet the applicable requirements for 2011 model year non-emergency engines.
- (f) After December 31, 2016, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 560 KW (750 HP) that do not meet the applicable requirements for 2015 model year non-emergency engines.
- (g) After December 31, 2018, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power greater than or equal to 600 KW (804 HP) and less than 2,000 KW (2,680 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that do not meet the applicable requirements for 2017 model year non-emergency engines.

- (h) In addition to the requirements specified in §§ 60.4201, 60.4202, 60.4204, and 60.4205, it is prohibited to import stationary CI ICE with a displacement of less than 30 liters per cylinder that do not meet the applicable requirements specified in paragraphs (a) through (g) of this section after the dates specified in paragraphs (a) through (g) of this section.
  - (i) The requirements of this section do not apply to owners or operators of stationary CI ICE that have been modified, reconstructed, and do not apply to engines that were removed from one existing location and reinstalled at a new location.

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

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

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

- (a) If you are an owner or operator of an emergency stationary CI internal combustion engine that does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter prior to startup of the engine.
- (b) If you are an owner or operator of a stationary CI internal combustion engine equipped with a diesel particulate filter to comply with the emission standards in § 60.4204, the diesel particulate filter must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached.

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

## COMPLIANCE REQUIREMENTS

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

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

- (b) Stationary CI internal combustion engine manufacturers must certify their stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder to the emission standards specified in §§ 60.4201(d) and (e) and 60.4202(e) and (f) using the certification procedures required in 40 CFR part 1042, subpart C, and must test their engines as specified in 40 CFR part 1042.
- (c) Stationary CI internal combustion engine manufacturers must meet the requirements of 40 CFR 1039.120, 1039.125, 1039.130, and 1039.135 and 40 CFR part 1068 for engines that are certified to the emission standards in 40 CFR part 1039. Stationary CI internal combustion engine manufacturers must meet the corresponding provisions of 40 CFR part 1042 for engines that would be covered by that part if they were nonroad (including marine) engines. Labels on such engines must refer to stationary engines, rather than or in addition to nonroad or marine engines, as appropriate. Stationary CI internal combustion engine manufacturers must label their engines according to paragraphs (c)(1) through (3) of this section.
  - (1) Stationary CI internal combustion engines manufactured from January 1, 2006 to March 31, 2006 (January 1, 2006 to June 30, 2006 for fire pump engines), other than those that are part of certified engine families under the nonroad CI engine regulations, must be labeled according to 40 CFR 1039.20.
  - (2) Stationary CI internal combustion engines manufactured from April 1, 2006 to December 31, 2006 (or, for fire pump engines, July 1, 2006 to December 31 of the year preceding the year listed in table 3 to this subpart) must be labeled according to paragraphs (c)(2)(i) through (iii) of this section:
    - (i) Stationary CI internal combustion engines that are part of certified engine families under the nonroad regulations must meet the labeling requirements for nonroad CI engines, but do not have to meet the labeling requirements in 40 CFR 1039.20.
    - (ii) Stationary CI internal combustion engines that meet Tier 1 requirements (or requirements for fire pumps) under this subpart, but do not meet the requirements applicable to nonroad CI engines must be labeled according to 40 CFR 1039.20. The engine manufacturer may add language to the label clarifying that the engine meets Tier 1 requirements (or requirements for fire pumps) of this subpart.
    - (iii) Stationary CI internal combustion engines manufactured after April 1, 2006 that do not meet Tier 1 requirements of this subpart, or fire pumps engines manufactured after July 1, 2006 that do not meet the requirements for fire pumps under this subpart, may not be used in the U.S. If any such engines are manufactured in the U.S. after April 1, 2006 (July 1, 2006 for fire pump engines), they must be exported or must be brought into compliance with the appropriate standards prior to initial operation. The export provisions of 40 CFR 1068.230 would apply to engines for export and the manufacturers must label such engines according to 40 CFR 1068.230.
  - (3) Stationary CI internal combustion engines manufactured after January 1, 2007 (for fire pump engines, after January 1 of the year listed in table 3 to this subpart, as applicable) must be labeled according to paragraphs (c)(3)(i) through (iii) of this section.
    - (i) Stationary CI internal combustion engines that meet the requirements of this subpart and the corresponding requirements for nonroad (including marine) engines of the same model year and HP must be labeled according to the provisions in 40 CFR part 1039 or 1042, as appropriate.

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

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

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

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

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

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

(h) Engine manufacturers, including importers, may introduce into commerce uncertified engines or engines certified to earlier standards that were manufactured before the new or changed standards took effect until inventories are depleted, as long as such engines are part of normal inventory. For example, if the engine manufacturers' normal industry practice is to keep on hand a one-month supply of engines based on its projected sales, and a new tier of standards starts to apply for the 2009 model year, the engine manufacturer may manufacture engines based on the normal inventory requirements late in the 2008 model year, and sell those engines for installation. The engine manufacturer may not circumvent the provisions of § 60.4201 or § 60.4202 by stockpiling engines that are built before new or changed standards take effect. Stockpiling of such engines beyond normal industry practice is a violation of this subpart.

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

(j) Stationary CI ICE manufacturers may equip their stationary CI internal combustion engines certified to the emission standards in 40 CFR part 1039 with AECDs for qualified emergency situations according to the requirements of 40 CFR 1039.665. Manufacturers of stationary CI ICE equipped with AECDs as allowed by 40 CFR 1039.665 must meet all the requirements in 40 CFR 1039.665 that apply to manufacturers.

Manufacturers must document that the engine complies with the Tier 1 standard in 40 CFR part 1039, appendix I, when the AECD is activated. Manufacturers must provide any relevant testing, engineering analysis, or other information in sufficient detail to support such statement when applying for certification (including amending an existing certificate) of an engine equipped with an AECD as allowed by 40 CFR 1039.665.

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

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

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

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

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

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

- (1) Purchasing an engine certified to emission standards for the same model year and maximum engine power as described in 40 CFR parts 1039 and 1042, as applicable. The engine must be installed and configured according to the manufacturer's specifications.
- (2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.
- (3) Keeping records of engine manufacturer data indicating compliance with the standards.
- (4) Keeping records of control device vendor data indicating compliance with the standards.
- (5) Conducting an initial performance test to demonstrate compliance with the emission standards according to the requirements specified in § 60.4212, as applicable.

(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(b) or § 60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in § 60.4205(c), you must comply by purchasing an engine certified to the emission standards in § 60.4204(b), or § 60.4205(b) or (c), as applicable, for the same model year and

maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in paragraph (g) of this section.

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

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

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

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

(ii) A discussion of the relationship between these parameters and NO<sub>x</sub> and PM emissions, identifying how the emissions of these pollutants change with changes in these parameters, and how limitations on these parameters will serve to limit NO<sub>x</sub> and PM emissions;

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

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

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

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

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

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

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

(f) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as

described in paragraphs (f)(1) through (3), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

- (1) There is no time limit on the use of emergency stationary ICE in emergency situations.
- (2) You may operate your emergency stationary ICE for the purpose specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (f)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).
  - (i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.
  - (ii)-(iii) [Reserved]
- (3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. Except as provided in paragraph (f)(3)(i) of this section, the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.
  - (i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:
    - (A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;
    - (B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.
    - (C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
    - (D) The power is provided only to the facility itself or to support the local transmission and distribution system.
    - (E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.
  - (ii) [Reserved]

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

- (1) If you are an owner or operator of a stationary CI internal combustion engine with maximum engine power less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, if you do not install and configure the engine and control device according to the manufacturer's emission-related written instructions, or you change the emission-related settings in a way that is not permitted by the manufacturer, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of such action.
- (2) If you are an owner or operator of a stationary CI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer.
- (3) If you are an owner or operator of a stationary CI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer. You must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

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

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

#### TESTING REQUIREMENTS FOR OWNERS AND OPERATORS

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

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

- (a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F, for stationary CI ICE with a displacement of less than 10 liters per cylinder, and according to 40 CFR part 1042, subpart F, for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. Alternatively, stationary CI ICE that are complying with Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or with Tier 2 emission standards as described in 40 CFR part 1042, appendix I, may follow the testing procedures specified in § 60.4213, as appropriate.
- (b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.
- (c) Exhaust emissions from stationary CI ICE subject to Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or Tier 2 emission standards as described in 40 CFR part 1042, appendix I, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard, determined from the following equation:

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

Where:

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

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

Where:

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

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

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

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

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

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

- (a) Each performance test must be conducted according to the requirements in § 60.8 and under the specific conditions that this subpart specifies in table 7. The test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load.
- (b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c).
- (c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must last at least 1 hour.
- (d) To determine compliance with the percent reduction requirement, you must follow the requirements as specified in paragraphs (d)(1) through (3) of this section.
  - (1) You must use Equation 2 of this section to determine compliance with the percent reduction requirement:

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

Where:

$C_i$  = concentration of  $\text{NO}_x$  or PM at the control device inlet,

$C_o$  = concentration of  $\text{NO}_x$  or PM at the control device outlet, and

$R$  = percent reduction of  $\text{NO}_x$  or PM emissions.

- (2) You must normalize the  $\text{NO}_x$  or PM concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen ( $\text{O}_2$ ) using Equation 3 of this section, or an equivalent percent carbon dioxide ( $\text{CO}_2$ ) using the procedures described in paragraph (d)(3) of this section.

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

Where:

$C_{\text{adj}}$  = Calculated  $\text{NO}_x$  or PM concentration adjusted to 15 percent  $\text{O}_2$ .

$C_d$  = Measured concentration of  $\text{NO}_x$  or PM, uncorrected.

5.9 = 20.9 percent  $\text{O}_2$ –15 percent  $\text{O}_2$ , the defined  $\text{O}_2$  correction value, percent.

$\% \text{O}_2$  = Measured  $\text{O}_2$  concentration, dry basis, percent.

- (3) If pollutant concentrations are to be corrected to 15 percent  $\text{O}_2$  and  $\text{CO}_2$  concentration is measured in lieu of  $\text{O}_2$  concentration measurement, a  $\text{CO}_2$  correction factor is needed. Calculate the  $\text{CO}_2$  correction factor as described in paragraphs (d)(3)(i) through (iii) of this section.

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

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

Where:

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

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

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

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

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

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

Where:

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

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

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

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

Where:

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

$C_d$  = Measured concentration of  $NO_x$  or PM, uncorrected.

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

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

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

Where:

ER = Emission rate in grams per KW-hour.

$C_d$  = Measured NO<sub>x</sub> concentration in ppm.

$1.912 \times 10^{-3}$  = Conversion constant for ppm NO<sub>x</sub> to grams per standard cubic meter at 25 degrees Celsius.

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

T = Time of test run, in hours.

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

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

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

Where:

ER = Emission rate in grams per KW-hour.

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

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

T = Time of test run, in hours.

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

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

#### NOTIFICATION, REPORTS, AND RECORDS FOR OWNERS AND OPERATORS

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

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

- (1) Submit an initial notification as required in § 60.7(a)(1). The notification must include the information in paragraphs (a)(1)(i) through (v) of this section. Beginning on February 26, 2025, submit the notification electronically according to paragraph (g) of this section.
  - (i) Name and address of the owner or operator;
  - (ii) The address of the affected source;
  - (iii) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;
  - (iv) Emission control equipment; and
  - (v) Fuel used.
- (2) Keep records of the information in paragraphs (a)(2)(i) through (iv) of this section.
  - (i) All notifications submitted to comply with this subpart and all documentation supporting any notification.
  - (ii) Maintenance conducted on the engine.
  - (iii) If the stationary CI internal combustion is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards.
  - (iv) If the stationary CI internal combustion is not a certified engine, documentation that the engine meets the emission standards.
- (b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.
- (c) If the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached.
- (d) If you own or operate an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates for the purpose specified in § 60.4211(f)(3)(i), you must submit an annual report according to the requirements in paragraphs (d)(1) through (3) of this section.
  - (1) The report must contain the following information:
    - (i) Company name and address where the engine is located.
    - (ii) Date of the report and beginning and ending dates of the reporting period.
    - (iii) Engine site rating and model year.
    - (iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
    - (v)-(vi) [Reserved]

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

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

(3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 60.4. Beginning on February 26, 2025, submit annual report electronically according to paragraph (g) of this section.

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

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

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

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

(g) If you are required to submit notifications or reports following the procedure specified in this paragraph (g), you must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (g)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the

EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (g).

- (1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov), and as described in paragraph (g) of this section, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov) to request a file transfer link.
- (2) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711. ERT files should be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should be sent to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

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

- (1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.
- (2) The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due.
- (3) The outage may be planned or unplanned.
- (4) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
- (5) You must provide to the Administrator a written description identifying:
  - (i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;
  - (ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;
  - (iii) A description of measures taken or to be taken to minimize the delay in reporting; and
  - (iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.
- (6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

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

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

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

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

(3) You must provide to the Administrator:

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

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

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

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

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

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

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

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

#### SPECIAL REQUIREMENTS

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

- (a) Stationary CI ICE with a displacement of less than 30 liters per cylinder that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are required to meet the applicable emission standards in §§ 60.4202 and 60.4205.
- (b) Stationary CI ICE that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are not required to meet the fuel requirements in § 60.4207.
- (c) Stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are required to meet the following emission standards:
  - (1) For engines installed prior to January 1, 2012, limit the emissions of NO<sub>x</sub> in the stationary CI internal combustion engine exhaust to the following:
    - (i) 17.0 g/KW-hr (12.7 g/HP-hr) when maximum engine speed is less than 130 rpm;
    - (ii)  $45 \cdot n^{-0.2}$  g/KW-hr ( $34 \cdot n^{-0.2}$  g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and
    - (iii) 9.8 g/KW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.
  - (2) For engines installed on or after January 1, 2012, limit the emissions of NO<sub>x</sub> in the stationary CI internal combustion engine exhaust to the following:
    - (i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;
    - (ii)  $44 \cdot n^{-0.23}$  g/KW-hr ( $33 \cdot n^{-0.23}$  g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and
    - (iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.
  - (3) Limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.40 g/KW-hr (0.30 g/HP-hr).

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

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

- (a) Prior to December 1, 2010, owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder located in areas of Alaska not accessible by the FAHS should refer to 40 CFR part 69 to determine the diesel fuel requirements applicable to such engines.
- (b) Except as indicated in paragraph (c) of this section, manufacturers, owners and operators of stationary CI ICE with a displacement of less than 10 liters per cylinder located in remote areas of Alaska may meet the requirements of this subpart by manufacturing and installing engines meeting the Tier 2 or Tier 3 emission standards described in 40 CFR part 1042 for the same model year, displacement, and maximum engine power, as appropriate, rather than the otherwise applicable requirements of 40 CFR part 1039, as indicated in §§ 60.4201(f) and 60.4202(g).

- (c) Manufacturers, owners, and operators of stationary CI ICE that are located in remote areas of Alaska may choose to meet the applicable emission standards for emergency engines in §§ 60.4202 and 60.4205, and not those for non-emergency engines in §§ 60.4201 and 60.4204, except that for 2014 model year and later nonemergency CI ICE, the owner or operator of any such engine must have that engine certified as meeting at least the Tier 3 PM standards identified in appendix I of 40 CFR part 1039 or in 40 CFR 1042.101.
- (d) The provisions of § 60.4207 do not apply to owners and operators of pre-2014 model year stationary CI ICE subject to this subpart that are located in remote areas of Alaska.
- (e) The provisions of § 60.4208(a) do not apply to owners and operators of stationary CI ICE subject to this subpart that are located in areas of Alaska not accessible by the FAHS until after December 31, 2009.
- (f) The provisions of this section and § 60.4207 do not prevent owners and operators of stationary CI ICE subject to this subpart that are located in remote areas of Alaska from using fuels mixed with used lubricating oil, in volumes of up to 1.75 percent of the total fuel. The sulfur content of the used lubricating oil must be less than 200 parts per million. The used lubricating oil must meet the on-specification levels and properties for used oil in 40 CFR 279.11.

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

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

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

[76 FR 37972, June 28, 2011]

## **GENERAL PROVISIONS**

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

- (a) Table 8 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.
- (b) The provisions of 40 CFR 1068.10 and 1068.11 apply for engine manufacturers. For others, the general confidential business information (CBI) provisions apply as described in 40 CFR part 2.

[88 FR 4471, Jan. 24, 2023]

## **DEFINITIONS**

### **§ 60.4219 What definitions apply to this subpart?**

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

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

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

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

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

**Date of manufacture** means one of the following things:

- (1) For freshly manufactured engines and modified engines, date of manufacture means the date the engine is originally produced.
- (2) For reconstructed engines, date of manufacture means the date the engine was originally produced, except as specified in paragraph (3) of this definition.
- (3) Reconstructed engines are assigned a new date of manufacture if the fixed capital cost of the new and refurbished components exceeds 75 percent of the fixed capital cost of a comparable entirely new facility. An engine that is produced from a previously used engine block does not retain the date of manufacture of the engine in which the engine block was previously used if the engine is produced using all new components except for the engine block. In these cases, the date of manufacture is the date of reconstruction or the date the new engine is produced.

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

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

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

- (1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc.
- (2) The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 60.4211(f).
- (3) The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 60.4211(f)(3)(i).

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

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

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

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

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

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

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

- (1) Model year means the annual new model production period of the engine manufacturer in which an engine is manufactured (see "date of manufacture"), if the annual new model production period is different than the calendar year and includes January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year.
- (2) For an engine that is converted to a stationary engine after being placed into service as a nonroad or other non-stationary engine, model year means the calendar year or new model production period in which the engine was manufactured (see "date of manufacture").

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

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

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

- (1) Areas of Alaska that are not accessible by the Federal Aid Highway System (FAHS).
- (2) Areas of Alaska that meet all of the following criteria:

- (i) The only connection to the FAHS is through the Alaska Marine Highway System, or the stationary CI ICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.
- (ii) At least 10 percent of the power generated by the stationary CI ICE on an annual basis is used for residential purposes.
- (iii) The generating capacity of the source is less than 12 megawatts, or the stationary CI ICE is used exclusively for backup power for renewable energy.

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

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

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

*Subpart* means 40 CFR part 60, subpart IIII.

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

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

**[AS STATED IN §§ 60.4201(B), 60.4202(B), 60.4204(A), AND 60.4205(A), YOU MUST COMPLY WITH THE FOLLOWING EMISSION STANDARDS]**

Maximum engine power	Emission standards for stationary pre-2007 model year engines with a displacement of <10 liters per cylinder and 2007-2010 model year engines >2,237 KW (3,000 HP) and with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)				
	NMHC + NO <sub>x</sub>	HC	NO <sub>x</sub>	CO	PM
KW<8	10.5 (7.8)			8.0 (6.0)	1.0 (0.75)

Maximum engine power	Emission standards for stationary pre-2007 model year engines with a displacement of <10 liters per cylinder and 2007-2010 model year engines >2,237 KW (3,000 HP) and with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)				
	NMHC + NO <sub>x</sub>	HC	NO <sub>x</sub>	CO	PM
(HP<11)					
8≤KW<19	9.5 (7.1)			6.6 (4.9)	0.80 (0.60)
(11≤HP<25)					
19≤KW<37	9.5 (7.1)			5.5 (4.1)	0.80 (0.60)
(25≤HP<50)					
37≤KW<56			9.2 (6.9)		
(50≤HP<75)			9.2 (6.9)		
56≤KW<75			9.2 (6.9)		
(75≤HP<100)			9.2 (6.9)		
75≤KW<130			9.2 (6.9)		
(100≤HP<175)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
130≤KW<225		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
(175≤HP<300)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
225≤KW<450		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
(300≤HP<600)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
450≤KW≤560		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
(600≤HP≤750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
KW>560					
(HP>750)					

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

**[AS STATED IN § 60.4202(A)(1), YOU MUST COMPLY WITH THE FOLLOWING EMISSION STANDARDS]**

Engine power	Emission standards for 2008 model year and later emergency stationary CI ICE <37 KW (50 HP) with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)			
	Model year(s)	NO <sub>x</sub> + NMHC	CO	PM
KW<8 (HP<11)	2008 +	7.5 (5.6)	8.0 (6.0)	0.40 (0.30)
8≤KW<19 (11≤HP<25)	2008 +	7.5 (5.6)	6.6 (4.9)	0.40 (0.30)

Engine power	Emission standards for 2008 model year and later emergency stationary CI ICE <37 KW (50 HP) with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)			
	Model year(s)	NO <sub>x</sub> + NMHC	CO	PM
19≤KW<37 (25≤HP<50)	2008 +	7.5 (5.6)	5.5 (4.1)	0.30 (0.22)

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

**AS STATED IN § 60.4202(d), YOU MUST CERTIFY NEW STATIONARY FIRE PUMP ENGINES BEGINNING WITH THE FOLLOWING MODEL YEARS:**

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

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

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

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

**[AS STATED IN §§ 60.4202(D) AND 60.4205(C), YOU MUST COMPLY WITH THE FOLLOWING EMISSION STANDARDS FOR STATIONARY FIRE PUMP ENGINES]**

Maximum engine power	Model year(s)	Emission standards for stationary fire pump engines in g/KW-hr (g/HP-hr)		
		NMHC + NO <sub>x</sub>	CO	PM
KW<8 (HP<11)	2010 and earlier	10.5 (7.8)	8.0 (6.0)	1.0 (0.75)
KW<8 (HP<11)	2011 +	7.5 (5.6)	8.0 (6.0)	0.40 (0.30)
8≤KW<19 (11≤HP<25)	2010 and earlier	9.5 (7.1)	6.6 (4.9)	0.80 (0.60)
8≤KW<19 (11≤HP<25)	2011 +	7.5 (5.6)	6.6 (4.9)	0.40 (0.30)
19≤KW<37 (25≤HP<50)	2010 and earlier	9.5 (7.1)	5.5 (4.1)	0.80 (0.60)
19≤KW<37 (25≤HP<50)	2011 +	7.5 (5.6)	5.5 (4.1)	0.30 (0.22)
37≤KW<56 (50≤HP<75)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
37≤KW<56 (50≤HP<75)	2011 + <sup>1</sup>	4.7 (3.5)	5.0 (3.7)	0.40 (0.30)
56≤KW<75 (75≤HP<100)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
56≤KW<75 (75≤HP<100)	2011 + <sup>1</sup>	4.7 (3.5)	5.0 (3.7)	0.40 (0.30)
75≤KW<130 (100≤HP<175)	2009 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
75≤KW<130 (100≤HP<175)	2010 + <sup>2</sup>	4.0 (3.0)	5.0 (3.7)	0.30 (0.22)
130≤KW<225 (175≤HP<300)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
130≤KW<225 (175≤HP<300)	2009 + <sup>3</sup>	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
225≤KW<450	2008 and	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)

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

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

<sup>3</sup> In model years 2009-2011, manufacturers of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2008 model year engines.

Maximum engine power	Model year(s)	Emission standards for stationary fire pump engines in g/KW-hr (g/HP-hr)		
		NMHC + NO <sub>x</sub>	CO	PM
(300≤HP<600)	earlier			
225≤KW<450	2009 + <sup>3</sup>	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
(300≤HP<600)				
450≤KW≤560	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
(600≤HP≤750)				
450≤KW≤560	2009 +	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
(600≤HP≤750)				
KW>560 (HP>750)	2007 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
KW>560 (HP>750)	2008 +	6.4 (4.8)	3.5 (2.6)	0.20 (0.15)

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

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

<sup>3</sup> In model years 2009-2011, manufacturers of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2008 model year engines.

[89 FR 70513, Aug. 30, 2024]

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

**[YOU MUST COMPLY WITH THE LABELING REQUIREMENTS IN § 60.4210(f) AND THE RECORDKEEPING REQUIREMENTS IN § 60.4214(b) FOR NEW EMERGENCY STATIONARY CI ICE BEGINNING IN THE FOLLOWING MODEL YEARS:]**

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

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

**[AS STATED IN § 60.4210(g), MANUFACTURERS OF FIRE PUMP ENGINES MAY USE  
 THE FOLLOWING TEST CYCLE FOR TESTING FIRE PUMP ENGINES:]**

Mode No.	Engine speed <sup>1</sup>	Torque (percent) <sup>2</sup>	Weighting factors
1	Rated	100	0.30
2	Rated	75	0.50
3	Rated	50	0.20

<sup>1</sup> Engine speed:  $\pm 2$  percent of point.

<sup>2</sup> Torque: NFPA certified nameplate HP for 100 percent point. All points should be  $\pm 2$  percent of engine percent load value.

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

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

Each	Complying with the requirement to	You must	Using	According to the following requirements
1. Stationary CI internal combustion engine with a displacement of $\geq 30$ liters per cylinder	a. Reduce NO <sub>x</sub> emissions by 90 percent or more;	i. Select the sampling port location and number/ location of traverse points at the inlet and outlet of the control device;		(a) For NO <sub>x</sub> , O <sub>2</sub> , and moisture measurement, ducts $\leq 6$ inches in diameter may be sampled at a single point located at the duct centroid and ducts $>6$ and $\leq 12$ inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is $>12$ inches in diameter and the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification

Each	Complying with the requirement to	You must	Using	According to the following requirements
	<p>ii. Measure O<sub>2</sub> at the inlet and outlet of the control device;</p> <p>iii. If necessary, measure moisture content at the inlet and outlet of the control device; and</p> <p>iv. Measure NO<sub>x</sub> at the inlet and outlet of the control device.</p> <p>b. Limit the concentration of NO<sub>x</sub> in the stationary CI internal combustion</p>	<p>i. Select the sampling port location and number/ location of traverse</p>	<p>(1) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2</p> <p>(2) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see § 60.17)</p> <p>(3) Method 7E of 40 CFR part 60, appendix A-4, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see § 60.17)</p>	<p>testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A-4.</p> <p>(b) Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurements for NO<sub>x</sub> concentration.</p> <p>(c) Measurements to determine moisture content must be made at the same time as the measurements for NO<sub>x</sub> concentration.</p> <p>(d) NO<sub>x</sub> concentration must be at 15 percent O<sub>2</sub>, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.</p> <p>(a) For NO<sub>x</sub>, O<sub>2</sub>, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts &gt;6 and ≤12 inches in diameter may be sampled at 3</p>

Each	Complying with the requirement to	You must	Using	According to the following requirements
	engine exhaust.	<p>points at the exhaust of the stationary internal combustion engine;</p> <p>ii. Determine the O<sub>2</sub> concentration of the stationary internal combustion engine exhaust at the sampling port location;</p> <p>iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and</p> <p>iv. Measure NO<sub>x</sub> at the exhaust of</p>	<p>(1) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2</p> <p>(2) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see § 60.17)</p> <p>(3) Method 7E of 40 CFR part 60,</p>	<p>traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is &gt;12 inches in diameter and the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A-4.</p> <p>(b) Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurement for NO<sub>x</sub> concentration.</p> <p>(c) Measurements to determine moisture content must be made at the same time as the measurement for NO<sub>x</sub> concentration.</p> <p>(d) NO<sub>x</sub> concentration must be at 15 percent O<sub>2</sub>, dry basis. Results of this test consist of the average of the</p>

Each	Complying with the requirement to	You must	Using	According to the following requirements
	<p>the stationary internal combustion engine; if using a control device, the sampling site must be located at the outlet of the control device.</p> <p>c. Reduce PM emissions by 60 percent or more</p> <p>d. Limit the</p>	<p>i. Select the sampling port location and the number of traverse points;</p> <p>ii. Measure O<sub>2</sub> at the inlet and outlet of the control device;</p> <p>iii. If necessary, measure moisture content at the inlet and outlet of the control device; and</p> <p>iv. Measure PM at the inlet and outlet of the control device.</p> <p>i. Select the</p>	<p>appendix A-4, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see § 60.17)</p> <p>(1) Method 1 or 1A of 40 CFR part 60, appendix A-1</p> <p>(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2</p> <p>(3) Method 4 of 40 CFR part 60, appendix A-3</p> <p>(4) Method 5 of 40 CFR part 60, appendix A-3</p> <p>(1) Method 1</p>	<p>three 1-hour or longer runs.</p> <p>(a) Sampling sites must be located at the inlet and outlet of the control device.</p> <p>(b) Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurements for PM concentration.</p> <p>(c) Measurements to determine and moisture content must be made at the same time as the measurements for PM concentration.</p> <p>(d) PM concentration must be at 15 percent O<sub>2</sub>, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.</p> <p>(a) If using a control device, the</p>

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

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

**[AS STATED IN § 60.4218, YOU MUST COMPLY WITH THE FOLLOWING APPLICABLE GENERAL PROVISIONS:]**

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§ 60.1	General applicability of the General Provisions	Yes	
§ 60.2	Definitions	Yes	Additional terms defined in § 60.4219.
§ 60.3	Units and abbreviations	Yes	
§ 60.4	Address	Yes	
§ 60.5	Determination of construction or modification	Yes	
§ 60.6	Review of plans	Yes	
§ 60.7	Notification and Recordkeeping	Yes	Except that § 60.7 only applies as specified in § 60.4214(a).
§ 60.8	Performance tests	Yes	Except that § 60.8 only applies to stationary CI ICE with a displacement of ( $\geq$ 30 liters per cylinder and engines that are not certified).
§ 60.9	Availability of information	Yes	
§ 60.10	State Authority	Yes	
§ 60.11	Compliance with standards and maintenance requirements	No	Requirements are specified in subpart IIII.
§ 60.12	Circumvention	Yes	
§ 60.13	Monitoring requirements	Yes	Except that § 60.13 only applies to stationary CI ICE with a displacement of ( $\geq$ 30 liters per cylinder).
§ 60.14	Modification	Yes	
§ 60.15	Reconstruction	Yes	
§ 60.16	Priority list	Yes	
§ 60.17	Incorporations by reference	Yes	
§ 60.18	General control device requirements	No	
§ 60.19	General notification and reporting	Yes	

General Provisions citation	Subject of citation	Applies to subpart	Explanation
	requirements		