



DIVISION OF ENVIRONMENTAL QUALITY

DRAFT MINOR SOURCE AIR PERMIT

PERMIT NUMBER: 2016-AR-2

IS ISSUED TO:

Hall Tank Company, LLC
2001 East 5th Street
North Little Rock, AR 72114
Pulaski County
AFIN: 60-00058

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 REGULATIONS PROMULGATED THEREUNDER, AND IS SUBJECT TO ALL LIMITS AND CONDITIONS CONTAINED HEREIN.

Signed:

William K. Montgomery
Associate Director, Office of Air Quality
Division of Environmental Quality

Date

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List of Acronyms and Abbreviations

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

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Section I: FACILITY INFORMATION

PERMITTEE:	Hall Tank Company, LLC
AFIN:	60-00058
PERMIT NUMBER:	2016-AR-2
FACILITY ADDRESS:	2001 East 5th Street North Little Rock, AR 72114
MAILING ADDRESS:	2001 E. 5th Street North Little Rock, AR 72114
COUNTY:	Pulaski County
CONTACT NAME:	Edwin Vasquez
CONTACT POSITION:	Human Resources
TELEPHONE NUMBER:	(501) 945-7550
REVIEWING ENGINEER:	Alexander Sudibjo
UTM North South (Y):	Zone 15: 3837437.88 m
UTM East West (X):	Zone 15: 560780.69 m

Section II: INTRODUCTION

Summary of Permit Activity

Hall Tank Company is located in North Little Rock at 2001 East 5th Street. The facility manufactures both above and underground steel storage tanks and coats them according to consumer specifications. Hall Tank Company submitted a de minimis application to add a new abrasive blaster booth using steel grit. Emissions from this booth are going to be combined with emissions from the existing sand blasting operation under SN-03. Additionally the facility is adding a new 150 gallon diesel storage tank as an A-3 insignificant activity. The facility's permitted annual emissions are increasing by 0.1 tpy PM and 0.1 tpy PM₁₀.

Process Description

Hall Tank manufactures and coats steel storage tanks. Metal coils of various gauge steel are used to form cylindrical storage tanks. The tanks are assembled and welded by hand. The tanks are then blasted (SN-03) or primed and coated with either an epoxy paint or fiberglass.

The facility has six paint booths (SN-0 I) in which coatings can be applied to the tanks. The facility has three fiberglass booths (SN-02) where fiberglass coatings are applied. Various cleaning solvents are used for cleanup (SN-04).

Regulations

The following table contains the regulations applicable to this permit.

Regulations
Arkansas Air Pollution Control Code, Regulation 18, effective March 14, 2016
Regulations of the Arkansas Plan of Implementation for Air Pollution Control, Regulation 19, effective October 10, 2019
40 C.F.R. § 63, Subpart XXXXXX – <i>National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories</i>

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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	7.2	12.0
PM ₁₀	6.6	11.5
PM _{2.5}	See Note*	
VOC	17.9	35.0
Total HAPs	N/A	16.27
Acetone	3.30	12.40

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

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Section III: PERMIT HISTORY

Permit #2016-AOP-R0 was the initial permit. It was issued on November 4, 2002.

Permit #2016-A was issued on December 9, 2005. This modification allowed the facility to add the existing sandblasting operation as a permitted source and to become a synthetic minor source.

Permit #2016-AOP-R1 was issued on May 14, 2013. This modification to the permit included permitting two paint booths and one FRB booth. Also, the TLV table and conditions were replaced with Material Safety Data Sheets and throughput limits. The total annual permitted emission rate limit changes associated with this modification included: +0.5 tpy PM/PM₁₀ and -5.8 tpy VOC. Since the TLV table was removed, the total annual permitted emission rate limits for the HAPs and air contaminants included: 13.45 tpy Xylene, 56.4 tpy Styrene, 0.66 tpy Cobalt Compound, and 10.2 tpy Acetone. These emission limits made the permit a Title V permit.

Permit #2016-AOP-R2 was issued on September 2, 2014. Three paint booths were added to SN-01, acetone usage at SN-04 was increased, and two tanks were added to the insignificant activities list. Corresponding with the additional paint booths, the annual paint and primer throughput was increased. Overall, permitted emissions increased by 1.6 PM/PM₁₀ and 2.5 tpy Acetone. Permitted VOC emissions also decreased by 10.7 tpy.

Permit #2016-AR-1 was issued on December 2, 2015. Hall Tank Company submitted an application to transition from a Title V permit to a Minor Source permit, reduce the allowable volume of tank that may be coated at SN-01, and reduce the throughput of sand at SN-03. The application included modifications to permit existing sources and operations (SN-05 and SN-07) that will become affected sources of NESHAP XXXXXX upon issuance of Permit No. 2016-AR-1. In addition to these modifications, the NESHAP WWWW and NESHAP MMMM requirements were removed based on facility records showing major source thresholds were never exceeded. Overall, permitted emissions changed by -8.1 tpy PM, +0.1 tpy PM₁₀, -38.5 tpy VOC, and -0.3 tpy Acetone.

Section IV: EMISSION UNIT INFORMATION

Specific Conditions

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

SN	Description	Pollutant	lb/hr	tpy
01	6 Paint Booths	PM ₁₀	0.7	2.9
		VOC	9.3	16.2
02	3 Fiberglass Booths	PM ₁₀	2.4	0.3
		VOC	4.9	8.6
03	Blasting Operation	PM ₁₀	1.4	1.0
04	Cleaning	VOC	3.7	10.2
05	Welding Operations	PM ₁₀	0.5	0.3
07	Machining Operations	PM ₁₀	1.6	7.0

2. The permittee shall not exceed the emission rates set forth in the following table.
 [Reg.18.801 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	6 Paint Booths	PM	0.7	2.9
		Total HAPs	N/A	5.15
02	3 Fiberglass Booths	PM	2.4	0.3
		Total HAPs	N/A	6.4
03	Blasting Operation	PM	2.0	1.5
		Total HAPs	0.01	0.01
04	Cleaning	Total HAPs	N/A	3.70
		Acetone	3.3	12.4
05	Welding Operations	PM	0.5	0.3
		Total HAPs	0.05	0.03
07	Machining Operations	PM	1.6	7.0
		Total HAPs	0.23	0.98

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

SN	Limit	Regulatory Citation
01	0%	§18.501
02	0%	§18.501
03	20%	§19.305 (B)(2)

SN	Limit	Regulatory Citation
05	20%	§19.305 (B)(2)
07	20%	§19.305 (B)(2)

4. The permittee shall not cause or permit the emission of air contaminants, including odors or water vapor and including an air contaminant whose emission is not otherwise prohibited by Regulation 18, if the emission of the air contaminant constitutes air pollution within the meaning of Ark. Code Ann. § 8-4-303. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
5. The permittee shall not conduct operations in such a manner as to unnecessarily cause air contaminants and other pollutants to become airborne. [Reg.18.901 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
6. The permittee shall not emit more than 35.0 tons of VOC at SN-01, SN-02, and SN-04 combined per rolling 12 month period. [Reg.19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
7. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition #6. The permittee shall update these records by the fifteenth day of the month following the month to which the records pertain. Each month's twelve month rolling total and each individual month's data shall be maintained on-site and made available to Department personnel upon request. [Reg.19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
8. The permittee shall not emit 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants from the facility. [Reg.19.705 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 to demonstrate compliance with Specific Condition #8. The permittee shall update these records by the fifteenth day of the month following the month to which the records pertain. The permittee shall maintain these records in a spreadsheet or other well organized format. Each month's twelve month rolling total and each individual month's data shall be maintained on-site and made available to Department personnel upon request. [Reg.19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
10. The permittee shall retain a Material Safety Data Sheet (MSDS) or equivalent documentation for each coating applied (*e.g.*, paint, primer, catalyst, resin for fiber glass) and solvent that contains VOC, HAP, or air contaminant that may volatilize and be emitted. The permittee shall review each MSDS or equivalent documentation to determine VOC, individual hazardous air pollutant (by species), and air contaminant contents. The permittee shall include content information with the records required by Specific Conditions #7 and #9. Where the MSDS or equivalent documentation specifies

a range for a particular constituent, the permittee shall use the maximum for the purpose of calculating emissions. The permittee shall maintain the MSDS or equivalent documentation on-site for five years following the last use of the material and be made available to Department personnel upon request. [Reg.19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

11. The permittee shall not use more than 3,744 gallons of acetone per consecutive twelve month period. [Reg.19.705 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 monthly records to demonstrate compliance with Specific Condition #11. The permittee shall update these records by the fifteenth day of the month following the month to which the records pertain. The twelve month rolling totals and each individual month's data shall be maintained on-site and made available to Department personnel upon request. [Reg.19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
13. The permittee shall obtain a certification of the styrene content from the supplier for each shipment of styrene or otherwise analyze each shipment of styrene to determine the styrene content. The permittee shall keep documentation for each shipment on site and make the information available to Department personnel upon request. [Reg.18.1004 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
14. The permittee will not use more than 1,000 tons of sand and 10 tons of steel abrasives at SN-03 per consecutive twelve month period. [Reg.19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
15. The permittee shall maintain monthly records to demonstrate compliance with Specific Condition #14. The permittee shall update these records by the fifteenth day of the month following the month to which the records pertain. Each month's twelve month rolling total and each individual month's data shall be maintained on-site and made available to Department personnel upon request. [Reg.19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

NESHAP XXXXXX Requirements

16. The permittee is an existing affected source of 40 C.F.R. § 63, Subpart XXXXXX – *National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories*. Due the date construction commenced the source is an existing affected source. The permittee shall be in compliance with all applicable provisions upon issuance of Permit #2016-AR-1. The applicable provisions include, but are not limited to, the following: [Reg.19.304 and 40 C.F.R. § 63, Subpart XXXXXX]

- a. *Dry abrasive blasting standards.* If you own or operate a new or existing dry abrasive blasting affected source, you must comply with the requirements in paragraphs (a)(1) through (3) of this section, as applicable, for each dry abrasive blasting operation that uses materials that contain MFHAP or has the potential to emit MFHAP. These requirements do not apply when abrasive blasting operations are being performed that do not use any materials containing MFHAP or do not have the potential to emit MFHAP. [Reg.19.304 and 40 C.F.R. § 63.11516 (a)]
 1. *Standards for dry abrasive blasting of objects performed in totally enclosed and unvented blast chambers.* If you own or operate a new or existing dry abrasive blasting affected source which consists of an abrasive blasting chamber that is totally enclosed and unvented, you must implement management practices to minimize emissions of MFHAP. These management practices are the practices specified in paragraph (a)(1)(i) and (ii) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(1)]
 - i. You must minimize dust generation during emptying of abrasive blasting enclosures; and [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(1)(i)]
 - ii. You must operate all equipment associated with dry abrasive blasting operations according to the manufacturer's instructions. [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(1)(ii)]
 2. *Standards for dry abrasive blasting of objects performed in vented enclosures.* If you own or operate a new or existing dry abrasive blasting affected source which consists of a dry abrasive blasting operation which has a vent allowing any air or blast material to escape, you must comply with the requirements in paragraphs (a)(2)(i) and (ii) of this section. Dry abrasive blasting operations for which the items to be blasted exceed 8 feet (2.4 meters) in any dimension, may be performed subject to the requirements in paragraph (a)(3) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(2)]
 - i. You must capture emissions and vent them to a filtration control device. You must operate the filtration control device according to manufacturer's instructions, and you must demonstrate compliance with this requirement by maintaining a record of the manufacturer's specifications for the filtration control devices, as specified by the requirements in §63.11519(c)(4), "What are my notification, recordkeeping, and reporting requirements?" [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(2)(i)]

- ii. You must implement the management practices to minimize emissions of MFHAP as specified in paragraphs (a)(2)(ii)(A) through (C) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(2)(ii)]
 - A. You must take measures necessary to minimize excess dust in the surrounding area to reduce MFHAP emissions, as practicable; and [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(2)(ii)(A)]
 - B. You must enclose dusty abrasive material storage areas and holding bins, seal chutes and conveyors that transport abrasive materials; and [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(2)(ii)(B)]
 - C. You must operate all equipment associated with dry abrasive blasting operations according to manufacturer's instructions. [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(2)(ii)(C)]
- 3. *Standards for dry abrasive blasting of objects greater than 8 feet (2.4 meters) in any one dimension.* If you own or operate a new or existing dry abrasive blasting affected source which consists of a dry abrasive blasting operation which is performed on objects greater than 8 feet (2.4 meters) in any one dimension, you may implement management practices to minimize emissions of MFHAP as specified in paragraph (a)(3)(i) of this section instead of the practices required by paragraph (a)(2) of this section. You must demonstrate that management practices are being implemented by complying with the requirements in paragraphs (a)(3)(ii) through (iv) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)]
 - i. Management practices for dry abrasive blasting of objects greater than 8 feet (2.4 meters) in any one dimension are specified in paragraphs (a)(3)(i)(A) through (E) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)(i)]
 - A. You must take measures necessary to minimize excess dust in the surrounding area to reduce MFHAP emissions, as practicable; and [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)(i)(A)]
 - B. You must enclose abrasive material storage areas and holding bins, seal chutes and conveyors that transport abrasive material; and [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)(i)(B)]

- C. You must operate all equipment associated with dry abrasive blasting operations according to manufacturer's instructions; and [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)(i)(C)]
 - D. You must not re-use dry abrasive blasting media unless contaminants (i.e., any material other than the base metal, such as paint residue) have been removed by filtration or screening, and the abrasive material conforms to its original size; and [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)(i)(D)]
 - E. Whenever practicable, you must switch from high particulate matter (PM)-emitting blast media (e.g., sand) to low PM-emitting blast media (e.g., crushed glass, specular hematite, steel shot, aluminum oxide), where PM is a surrogate for MFHAP. [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)(i)(E)]
- ii. You must perform visual determinations of fugitive emissions, as specified in §63.11517(b) according to paragraphs (a)(3)(ii)(A) or (B) of this section, as applicable. [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)(ii)]
 - A. For abrasive blasting of objects greater than 8 feet (2.4 meters) in any one dimension that is performed outdoors, you must perform visual determinations of fugitive emissions at the fenceline or property border nearest to the outdoor dry abrasive blasting operation. [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)(ii)(A)]
 - B. For abrasive blasting of objects greater than 8 feet (2.4 meters) in any one dimension that is performed indoors, you must perform visual determinations of fugitive emissions at the primary vent, stack, exit, or opening from the building containing the abrasive blasting operations. [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)(ii)(B)]
 - iii. You must keep a record of all visual determinations of fugitive emissions along with any corrective action taken in accordance with the requirements in §63.11519(c)(2). [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)(iii)]

- iv. If visible fugitive emissions are detected, you must perform corrective actions until the visible fugitive emissions are eliminated, at which time you must comply with the requirements in paragraphs (a)(3)(iv)(A) and (B) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)(iv)]
 - A. You must perform a follow-up inspection for visible fugitive emissions in accordance with §63.11517(a), “Monitoring Requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)(iv)(A)]
 - B. You must report all instances where visible emissions are detected, along with any corrective action taken and the results of subsequent follow-up inspections for visible emissions, with your annual certification and compliance report as required by §63.11519(b)(5), “Notification, recordkeeping, and reporting requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (a)(3)(iv)(B)]
- b. *Standards for machining.* If you own or operate a new or existing machining affected source, you must implement management practices to minimize emissions of MFHAP as specified in paragraph (b)(1) and (2) of this section for each machining operation that uses materials that contain MFHAP, as defined in §63.11522, “What definitions apply to this subpart?”, or has the potential to emit MFHAP. These requirements do not apply when machining operations are being performed that do not use any materials containing MFHAP and do not have the potential to emit MFHAP. [Reg.19.304 and 40 C.F.R. § 63.11516 (b)]
 - 1. You must take measures necessary to minimize excess dust in the surrounding area to reduce MFHAP emissions, as practicable; and [Reg.19.304 and 40 C.F.R. § 63.11516 (b)(1)]
 - 2. You must operate all equipment associated with machining according to manufacturer's instructions. [Reg.19.304 and 40 C.F.R. § 63.11516 (b)(2)]
- c. [Reserved]
- d. *Standards for control of MFHAP in spray painting.* If you own or operate a new or existing spray painting affected source, as defined in §63.11514 (b)(4), “Am I subject to this subpart?”, you must implement the management practices in paragraphs (d)(1) through (9) of this section when a spray-applied paint that contains MFHAP is being applied. These requirements do not apply when spray-applied paints that do not contain MFHAP are being applied. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)]

1. *Standards for spray painting for MFHAP control.* All spray-applied painting of objects must meet the requirements of paragraphs (d)(1)(i) through (iii) of this section. These requirements do not apply to affected sources located at Fabricated Structural Metal Manufacturing facilities, as described in Table 1, “Description of Source Categories Affected by this Subpart,” or affected sources that spray paint objects greater than 15 feet (4.57 meters), that are not spray painted in spray booths or spray rooms. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(1)]
 - i. Spray booths or spray rooms must have a full roof, at least two complete walls, and one or two complete side curtains or other barrier material so that all four sides are covered. The spray booths or spray rooms must be ventilated so that air is drawn into the booth and leaves only through the filter. The roof may contain narrow slots for connecting fabricated products to overhead cranes, and/or for cords or cables. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(1)(i)]
 - ii. All spray booths or spray rooms must be fitted with a type of filter technology that is demonstrated to achieve at least 98 percent capture of MFHAP. The procedure used to demonstrate filter efficiency must be consistent with the American Society of Heating, Refrigerating, and Air- Conditioning Engineers (ASHRAE) Method 52.1, “Gravimetric and Dust-Spot Procedures for Testing Air-Cleaning Devices Used in General Ventilation for Removing Particulate Matter, June 4, 1992” (incorporated by reference, see §63.14). The test coating for measuring filter efficiency shall be a high-solids bake enamel delivered at a rate of at least 135 grams per minute from a conventional (non-High Volume Low Pressure) air atomized spray gun operating at 40 psi air pressure; the air flow rate across the filter shall be 150 feet per minute. Owners and operators may use published filter efficiency data provided by filter vendors to demonstrate compliance with this requirement and are not required to perform this measurement. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(1)(ii)]
 - iii. You must perform regular inspection and replacement of the filters in all spray booths or spray rooms according to manufacturer's instructions, and maintain documentation of these activities, as detailed in §63.11519(c)(5), “Notification, recordkeeping, and reporting requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(1)(iii)]
 - iv. As an alternative compliance requirement, spray booths or spray rooms equipped with a water curtain, called “waterwash” or

“waterspray” booths or spray rooms that are operated and maintained according to the manufacturer's specifications and that achieve at least 98 percent control of MFHAP, may be used in lieu of the spray booths or spray rooms requirements of paragraphs (d)(1)(i) through (iii) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(1)(iv)]

2. *Standards for spray painting application equipment of all objects painted for MFHAP control.* All paints applied via spray-applied painting must be applied with a high-volume, low-pressure (HVLP) spray gun, electrostatic application, airless spray gun, air-assisted airless spray gun, or an equivalent technology that is demonstrated to achieve transfer efficiency comparable to one of these spray gun technologies for a comparable operation, and for which written approval has been obtained from the Administrator. The procedure used to demonstrate that spray gun transfer efficiency is equivalent to that of an HVLP spray gun must be equivalent to the California South Coast Air Quality Management District's “Spray Equipment Transfer Efficiency Test Procedure for Equipment User, May 24, 1989” and “Guidelines for Demonstrating Equivalency with District Approved Transfer Efficient Spray Guns, September 26, 2002”, Revision 0 (incorporated by reference, see §63.14). [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(2)]
3. *Spray system recordkeeping.* You must maintain documentation of the HVLP or other high transfer efficiency spray paint delivery methods, as detailed in §63.11519(c)(7), “Notification, recordkeeping, and reporting requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(3)]
4. *Spray gun cleaning.* All cleaning of paint spray guns must be done with either non-HAP gun cleaning solvents, or in such a manner that an atomized mist of spray of gun cleaning solvent and paint residue is not created outside of a container that collects the used gun cleaning solvent. Spray gun cleaning may be done with, for example, by hand cleaning of parts of the disassembled gun in a container of solvent, by flushing solvent through the gun without atomizing the solvent and paint residue, or by using a fully enclosed spray gun washer. A combination of these non-atomizing methods may also be used. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(4)]
5. *Spray painting worker certification.* All workers performing painting must be certified that they have completed training in the proper spray application of paints and the proper setup and maintenance of spray equipment. The minimum requirements for training and certification are described in paragraph (d)(6) of this section. The spray application of paint is prohibited by persons who are not certified as having completed

the training described in paragraph (d)(6) of this section. The requirements of this paragraph do not apply to the students of an accredited painting training program who are under the direct supervision of an instructor who meets the requirements of this paragraph. The requirements of this paragraph do not apply to operators of robotic or automated painting operations. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(5)]

6. *Spray painting training program content.* Each owner or operator of an affected spray painting affected source must ensure and certify that all new and existing personnel, including contract personnel, who spray apply paints are trained in the proper application of paints as required by paragraph (d)(5) of this section. The training program must include, at a minimum, the items listed in paragraphs (d)(6)(i) through (iii) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(6)]
 - i. A list of all current personnel by name and job description who are required to be trained; [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(6)(i)]
 - ii. Hands-on, or in-house or external classroom instruction that addresses, at a minimum, initial and refresher training in the topics listed in paragraphs (d)(6)(ii)(A) through (D) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(6)(ii)]
 - A. Spray gun equipment selection, set up, and operation, including measuring paint viscosity, selecting the proper fluid tip or nozzle, and achieving the proper spray pattern, air pressure and volume, and fluid delivery rate. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(6)(ii)(A)]
 - B. Spray technique for different types of paints to improve transfer efficiency and minimize paint usage and overspray, including maintaining the correct spray gun distance and angle to the part, using proper banding and overlap, and reducing lead and lag spraying at the beginning and end of each stroke. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(6)(ii)(B)]
 - C. Routine spray booth and filter maintenance, including filter selection and installation. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(6)(ii)(C)]
 - D. Environmental compliance with the requirements of this subpart. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(6)(ii)(D)]

- iii. A description of the methods to be used at the completion of initial or refresher training to demonstrate, document, and provide certification of successful completion of the required training. Alternatively, owners and operators who can show by documentation or certification that a painter's work experience and/or training has resulted in training equivalent to the training required in paragraph (d)(6)(ii) of this section are not required to provide the initial training required by that paragraph to these painters. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(6)(iii)]
7. *Records of spray painting training.* You must maintain records of employee training certification for use of HVLP or other high transfer efficiency spray paint delivery methods as detailed in §63.11519(c)(8), "Notification, recordkeeping, and reporting requirements." [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(7)]
8. *Spray painting training dates.* As required by paragraph (d)(5) of this section, all new and existing personnel at an affected spray painting affected source, including contract personnel, who spray apply paints must be trained by the dates specified in paragraphs (d)(8)(i) and (ii) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(8)]
- i. If your source is a new source, all personnel must be trained and certified no later than January 20, 2009, 180 days after startup, or 180 days after hiring, whichever is later. Training that was completed within 5 years prior to the date training is required, and that meets the requirements specified in paragraph (d)(6)(ii) of this section satisfies this requirement and is valid for a period not to exceed 5 years after the date the training is completed. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(8)(i)]
 - ii. If your source is an existing source, all personnel must be trained and certified no later than July 25, 2011, or 180 days after hiring, whichever is later. Worker training that was completed within 5 years prior to the date training is required, and that meets the requirements specified in paragraph (d)(6)(ii) of this section, satisfies this requirement and is valid for a period not to exceed 5 years after the date the training is completed. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(8)(ii)]
9. *Duration of training validity.* Training and certification will be valid for a period not to exceed 5 years after the date the training is completed. All personnel must receive refresher training that meets the requirements of

this section and be re-certified every 5 years. [Reg.19.304 and 40 C.F.R. § 63.11516 (d)(9)]

- e. [Reserved]
- f. *Standards for welding.* If you own or operate a new or existing welding affected source, you must comply with the requirements in paragraphs (f)(1) and (2) of this section for each welding operation that uses materials that contain MFHAP, as defined in §63.11522, “What definitions apply to this subpart?”, or has the potential to emit MFHAP. If your welding affected source uses 2,000 pounds or more per year of welding rod containing one or more MFHAP (calculated on a rolling 12-month basis), you must demonstrate that management practices or fume control measures are being implemented by complying with the requirements in paragraphs (f)(3) through (8) of this section. The requirements in paragraphs (f)(1) through (8) of this section do not apply when welding operations are being performed that do not use any materials containing MFHAP or do not have the potential to emit MFHAP. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)]
 - 1. You must operate all equipment, capture, and control devices associated with welding operations according to manufacturer's instructions. You must demonstrate compliance with this requirement by maintaining a record of the manufacturer's specifications for the capture and control devices, as specified by the requirements in §63.11519(c)(4), “Notification, recordkeeping, and reporting requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(1)]
 - 2. You must implement one or more of the management practices specified in paragraphs (f)(2)(i) through (v) of this section to minimize emissions of MFHAP, as practicable, while maintaining the required welding quality through the application of sound engineering judgment. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(2)]
 - i. Use welding processes with reduced fume generation capabilities (e.g., gas metal arc welding (GMAW)—also called metal inert gas welding (MIG)); [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(2)(i)]
 - ii. Use welding process variations (e.g., pulsed current GMAW), which can reduce fume generation rates; [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(2)(ii)]
 - iii. Use welding filler metals, shielding gases, carrier gases, or other process materials which are capable of reduced welding fume generation; [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(2)(iii)]

- iv. Optimize welding process variables (*e.g.*, electrode diameter, voltage, amperage, welding angle, shield gas flow rate, travel speed) to reduce the amount of welding fume generated; and [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(2)(iv)]
 - v. Use a welding fume capture and control system, operated according to the manufacturer's specifications. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(2)(v)]
3. *Tier 1 compliance requirements for welding.* You must perform visual determinations of welding fugitive emissions as specified in §63.11517(b), “Monitoring requirements,” at the primary vent, stack, exit, or opening from the building containing the welding operations. You must keep a record of all visual determinations of fugitive emissions along with any corrective action taken in accordance with the requirements in §63.11519(c)(2), “Notification, recordkeeping, and reporting requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(3)]
4. *Requirements upon initial detection of visible emissions from welding.* If visible fugitive emissions are detected during any visual determination required in paragraph (f)(3) of this section, you must comply with the requirements in paragraphs (f)(4)(i) and (ii) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(4)]
- i. Perform corrective actions that include, but are not limited to, inspection of welding fume sources, and evaluation of the proper operation and effectiveness of the management practices or fume control measures implemented in accordance with paragraph (f)(2) of this section. After completing such corrective actions, you must perform a follow-up inspection for visible fugitive emissions in accordance with §63.11517(a), “Monitoring Requirements,” at the primary vent, stack, exit, or opening from the building containing the welding operations. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(4)(i)]
 - ii. Report all instances where visible emissions are detected, along with any corrective action taken and the results of subsequent follow-up inspections for visible emissions, and submit with your annual certification and compliance report as required by §63.11519(b)(5), “Notification, recordkeeping, and reporting requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(4)(ii)]
5. *Tier 2 requirements upon subsequent detection of visible emissions.* If visible fugitive emissions are detected more than once during any consecutive 12 month period (notwithstanding the results of any follow-up

inspections), you must comply with paragraphs (f)(5)(i) through (iv) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(5)]

- i. Within 24 hours of the end of the visual determination of fugitive emissions in which visible fugitive emissions were detected, you must conduct a visual determination of emissions opacity, as specified in §63.11517(c), “Monitoring requirements,” at the primary vent, stack, exit, or opening from the building containing the welding operations. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(5)(i)]
 - ii. In lieu of the requirement of paragraph (f)(3) of this section to perform visual determinations of fugitive emissions with EPA Method 22, you must perform visual determinations of emissions opacity in accordance with §63.11517(d), “Monitoring Requirements,” using EPA Method 9, at the primary vent, stack, exit, or opening from the building containing the welding operations. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(5)(ii)]
 - iii. You must keep a record of each visual determination of emissions opacity performed in accordance with paragraphs (f)(5)(i) or (ii) of this section, along with any subsequent corrective action taken, in accordance with the requirements in §63.11519(c)(3), “Notification, recordkeeping, and reporting requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(5)(iii)]
 - iv. You must report the results of all visual determinations of emissions opacity performed in accordance with paragraphs (f)(5)(i) or (ii) of this section, along with any subsequent corrective action taken, and submit with your annual certification and compliance report as required by §63.11519(b)(6), “Notification, recordkeeping, and reporting requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(5)(iv)]
6. *Requirements for opacities less than or equal to 20 percent but greater than zero.* For each visual determination of emissions opacity performed in accordance with paragraph (f)(5) of this section for which the average of the six-minute average opacities recorded is 20 percent or less but greater than zero, you must perform corrective actions, including inspection of all welding fume sources, and evaluation of the proper operation and effectiveness of the management practices or fume control measures implemented in accordance with paragraph (f)(2) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(6)]

7. *Tier 3 requirements for opacities exceeding 20 percent.* For each visual determination of emissions opacity performed in accordance with paragraph (f)(5) of this section for which the average of the six-minute average opacities recorded exceeds 20 percent, you must comply with the requirements in paragraphs (f)(7)(i) through (v) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(7)]
 - i. You must submit a report of exceedence of 20 percent opacity, along with your annual certification and compliance report, as specified in §63.11519(b)(8), “Notification, recordkeeping, and reporting requirements,” and according to the requirements of §63.11519(b)(1), “Notification, recordkeeping, and reporting requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(7)(i)]
 - ii. Within 30 days of the opacity exceedence, you must prepare and implement a Site-Specific Welding Emissions Management Plan, as specified in paragraph (f)(8) of this section. If you have already prepared a Site-Specific Welding Emissions Management Plan in accordance with this paragraph, you must prepare and implement a revised Site-Specific Welding Emissions Management Plan within 30 days. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(7)(ii)]
 - iii. During the preparation (or revision) of the Site-Specific Welding Emissions Management Plan, you must continue to perform visual determinations of emissions opacity, beginning on a daily schedule as specified in §63.11517(d), “Monitoring Requirements,” using EPA Method 9, at the primary vent, stack, exit, or opening from the building containing the welding operations. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(7)(iii)]
 - iv. You must maintain records of daily visual determinations of emissions opacity performed in accordance with paragraph (f)(7)(iii) of this section, during preparation of the Site-Specific Welding Emissions Management Plan, in accordance with the requirements in §63.11519(b)(9), “Notification, recordkeeping, and reporting requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(7)(iv)]
 - v. You must include these records in your annual certification and compliance report, according to the requirements of §63.11519(b)(1), “Notification, recordkeeping, and reporting requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(7)(v)]
8. *Site-Specific Welding Emissions Management Plan.* The Site-Specific Welding Emissions Management Plan must comply with the requirements

in paragraphs (f)(8)(i) through (iii) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(8)]

- i. Site-Specific Welding Emissions Management Plan must contain the information in paragraphs (f)(8)(i)(A) through (F) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(8)(i)]
 - A. Company name and address; [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(8)(i)(A)]
 - B. A list and description of all welding operations which currently comprise the welding affected source; [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(8)(i)(B)]
 - C. A description of all management practices and/or fume control methods in place at the time of the opacity exceedence; [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(8)(i)(C)]
 - D. A list and description of all management practices and/or fume control methods currently employed for the welding affected source; [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(8)(i)(D)]
 - E. A description of additional management practices and/or fume control methods to be implemented pursuant to paragraph (f)(7)(ii) of this section, and the projected date of implementation; and [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(8)(i)(E)]
 - F. Any revisions to a Site-Specific Welding Emissions Management Plan must contain copies of all previous plan entries, pursuant to paragraphs (f)(8)(i)(D) and (E) of this section. [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(8)(i)(F)]
- ii. The Site-Specific Welding Emissions Management Plan must be updated annually to contain current information, as required by paragraphs (f)(8)(i)(A) through (C) of this section, and submitted with your annual certification and compliance report, according to the requirements of §63.11519(b)(1), “Notification, recordkeeping, and reporting requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(8)(ii)]

- iii. You must maintain a copy of the current Site-Specific Welding Emissions Management Plan in your records in a readily-accessible location for inspector review, in accordance with the requirements in §63.11519(c)(12), “Notification, recordkeeping, and reporting requirements.” [Reg.19.304 and 40 C.F.R. § 63.11516 (f)(8)(iii)]
- g. *Visual determination of fugitive emissions, general.* Visual determination of fugitive emissions must be performed according to the procedures of EPA Method 22, of 40 CFR part 60, Appendix A-7. You must conduct the EPA Method 22 test while the affected source is operating under normal conditions. The duration of each EPA Method 22 test must be at least 15 minutes, and visible emissions will be considered to be present if they are detected for more than six minutes of the fifteen minute period. [Reg.19.304 and 40 C.F.R. § 63.11517 (a)]
- h. *Visual determination of fugitive emissions, graduated schedule.* Visual determinations of fugitive emissions must be performed in accordance with paragraph (g) of this section and according to the schedule in paragraphs (h)(1) through (4) of this section. [Reg.19.304 and 40 C.F.R. § 63.11517 (b)]
 - 1. *Daily Method 22 Testing.* Perform visual determination of fugitive emissions once per day, on each day the process is in operation, during operation of the process. [Reg.19.304 and 40 C.F.R. § 63.11517 (b)(1)]
 - 2. *Weekly Method 22 Testing.* If no visible fugitive emissions are detected in consecutive daily EPA Method 22 tests, performed in accordance with paragraph (h)(1) of this section for 10 days of work day operation of the process, you may decrease the frequency of EPA Method 22 testing to once every five days of operation of the process (one calendar week). If visible fugitive emissions are detected during these tests, you must resume EPA Method 22 testing of that operation once per day during each day that the process is in operation, in accordance with paragraph (h)(1) of this section. [Reg.19.304 and 40 C.F.R. § 63.11517 (b)(2)]
 - 3. *Monthly Method 22 Testing.* If no visible fugitive emissions are detected in four consecutive weekly EPA Method 22 tests performed in accordance with paragraph (h)(2) of this section, you may decrease the frequency of EPA Method 22 testing to once per 21 days of operation of the process (one calendar month). If visible fugitive emissions are detected during these tests, you must resume weekly EPA Method 22 in accordance with paragraph (h)(2) of this section. [Reg.19.304 and 40 C.F.R. § 63.11517 (b)(3)]
 - 4. *Quarterly Method 22 Testing.* If no visible fugitive emissions are detected in three consecutive monthly EPA Method 22 tests performed in

accordance with paragraph (h)(3) of this section, you may decrease the frequency of EPA Method 22 testing to once per 60 days of operation of the process (3 calendar months). If visible fugitive emissions are detected during these tests, you must resume monthly EPA Method 22 in accordance with paragraph (h)(3) of this section. [Reg.19.304 and 40 C.F.R. § 63.11517 (b)(4)]

- i. [Reserved]
- j. *Visual determination of emissions opacity for welding Tier 2 or 3, general.*
Visual determination of emissions opacity must be performed in accordance with the procedures of EPA Method 9, of 40 CFR part 60, Appendix A-4, and while the affected source is operating under normal conditions. The duration of the EPA Method 9 test shall be thirty minutes. [Reg.19.304 and 40 C.F.R. § 63.11517 (c)]
- k. *Visual determination of emissions opacity for welding Tier 2 or 3, graduated schedule.* You must perform visual determination of emissions opacity in accordance with paragraph (j) of this section and according to the schedule in paragraphs (k)(1) through (5) of this section. [Reg.19.304 and 40 C.F.R. § 63.11517 (d)]
 - 1. *Daily Method 9 testing for welding, Tier 2 or 3.* Perform visual determination of emissions opacity once per day during each day that the process is in operation. [Reg.19.304 and 40 C.F.R. § 63.11517 (d)(1)]
 - 2. *Weekly Method 9 testing for welding, Tier 2 or 3.* If the average of the six minute opacities recorded during any of the daily consecutive EPA Method 9 tests performed in accordance with paragraph (k)(1) of this section does not exceed 20 percent for 10 days of operation of the process, you may decrease the frequency of EPA Method 9 testing to once per five days of consecutive work day operation. If opacity greater than 20 percent is detected during any of these tests, you must resume testing every day of operation of the process according to the requirements of paragraph (k)(1) of this section. [Reg.19.304 and 40 C.F.R. § 63.11517 (d)(2)]
 - 3. *Monthly Method 9 testing for welding Tier 2 or 3.* If the average of the six minute opacities recorded during any of the consecutive weekly EPA Method 9 tests performed in accordance with paragraph (k)(2) of this section does not exceed 20 percent for four consecutive weekly tests, you may decrease the frequency of EPA Method 9 testing to once per every 21 days of operation of the process. If visible emissions opacity greater than 20 percent is detected during any monthly test, you must resume testing every five days of operation of the process according to the requirements of paragraph (k)(2) of this section. [Reg.19.304 and 40 C.F.R. § 63.11517 (d)(3)]

4. *Quarterly Method 9 testing for welding Tier 2 or 3.* If the average of the six minute opacities recorded during any of the consecutive weekly EPA Method 9 tests performed in accordance with paragraph (k)(3) of this section does not exceed 20 percent for three consecutive monthly tests, you may decrease the frequency of EPA Method 9 testing to once per every 120 days of operation of the process. If visible emissions opacity greater than 20 percent is detected during any quarterly test, you must resume testing every 21 days (month) of operation of the process according to the requirements of paragraph (k)(3) of this section. [Reg.19.304 and 40 C.F.R. § 63.11517 (d)(4)]
5. *Return to Method 22 testing for welding, Tier 2 or 3.* If, after two consecutive months of testing, the average of the six minute opacities recorded during any of the monthly EPA Method 9 tests performed in accordance with paragraph (d)(3) of this section does not exceed 20 percent, you may resume EPA Method 22 testing as in paragraphs (k)(3) and (4) of this section. In lieu of this, you may elect to continue performing EPA Method 9 tests in accordance with paragraphs (k)(3) and (4) of this section. [Reg.19.304 and 40 C.F.R. § 63.11517 (d)(5)]

1. *What notifications must I submit ? –*

1. *Initial notification.* If you are the owner or operator of an area source in one of the nine metal fabrication and finishing source categories, as defined in §63.11514 “Am I subject to this subpart?,” you must submit the Initial Notification required by §63.9(b) “General Provisions,” for a new affected source no later than 120 days after initial startup or November 20, 2008, whichever is later. For an existing affected source, you must submit the Initial Notification no later than July 25, 2011. Your Initial Notification must provide the information specified in paragraphs (1)(1)(i) through (iv) of this section. [Reg.19.304 and 40 C.F.R. § 63.11519 (a)(1)]
 - i. The name, address, phone number and e-mail address of the owner and operator; [Reg.19.304 and 40 C.F.R. § 63.11519 (a)(1)(i)]
 - ii. The address (physical location) of the affected source; [Reg.19.304 and 40 C.F.R. § 63.11519 (a)(1)(ii)]
 - iii. An identification of the relevant standard (i.e., this subpart); and [Reg.19.304 and 40 C.F.R. § 63.11519 (a)(1)(iii)]
 - iv. A brief description of the type of operation. For example, a brief characterization of the types of products (e.g., aerospace components, sports equipment, etc.), the number and type of

processes, and the number of workers usually employed.
[Reg.19.304 and 40 C.F.R. § 63.11519 (a)(1)(iv)]

2. *Notification of compliance status.* If you are the owner or operator of an existing affected source, you must submit a notification of compliance status on or before November 22, 2011. If you are the owner or operator of a new affected source, you must submit a notification of compliance status within 120 days after initial startup, or by November 20, 2008, whichever is later. You are required to submit the information specified in paragraphs (l)(2)(i) through (iv) of this section with your notification of compliance status: [Reg.19.304 and 40 C.F.R. § 63.11519 (a)(2)]
 - i. Your company's name and address; [Reg.19.304 and 40 C.F.R. § 63.11519 (a)(2)(i)]
 - ii. A statement by a responsible official with that official's name, title, phone number, e-mail address and signature, certifying the truth, accuracy, and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart; [Reg.19.304 and 40 C.F.R. § 63.11519 (a)(2)(ii)]
 - iii. If you operate any spray painting affected sources, the information required by §63.11516(e)(3)(vi)(C), "Compliance demonstration," or §63.11516(e)(4)(ix)(C), "Compliance demonstration," as applicable; and [Reg.19.304 and 40 C.F.R. § 63.11519 (a)(2)(iii)]
 - iv. The date of the notification of compliance status. [Reg.19.304 and 40 C.F.R. § 63.11519 (a)(2)(iv)]

m. *What reports must I prepare or submit? –*

1. *Annual certification and compliance reports.* You must prepare and submit annual certification and compliance reports for each affected source according to the requirements of paragraphs (m)(2) through (9) of this section. The annual certification and compliance reporting requirements may be satisfied by reports required under other parts of the CAA, as specified in paragraph (m)(3) of this section. [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(1)]
2. *Dates.* Unless the Administrator has approved or agreed to a different schedule for submission of reports under §63.10(a), "General Provisions," you must prepare and submit each annual certification and compliance report according to the dates specified in paragraphs (m)(2)(i) through (iii) of this section. Note that the information reported for each of the months

in the reporting period will be based on the last 12 months of data prior to the date of each monthly calculation. [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(2)]

- i. The first annual certification and compliance report must cover the first annual reporting period which begins the day after the compliance date and ends on December 31. [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(2)(i)]
 - ii. Each subsequent annual certification and compliance report must cover the subsequent semiannual reporting period from January 1 through December 31. [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(2)(ii)]
 - iii. Each annual certification and compliance report must be prepared and submitted no later than January 31 and kept in a readily-accessible location for inspector review. If an exceedence has occurred during the year, each annual certification and compliance report must be submitted along with the exceedence reports, and postmarked or delivered no later than January 31. [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(2)(iii)]
3. *Alternate dates.* For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, “Title V.” [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(3)]
- i. If the permitting authority has established dates for submitting annual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), “Title V,” you may prepare or submit, if required, the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the date specified in paragraph (m)(2)(iii) of this section. [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(3)(i)]
 - ii. If an affected source prepares or submits an annual certification and compliance report pursuant to this section along with, or as part of, the monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), “Title V,” and the compliance report includes all required information concerning exceedences of any limitation in this subpart, its submission will be deemed to satisfy any obligation to report the same exceedences in the annual monitoring report. However, submission of an annual certification and compliance report shall not otherwise affect any obligation the affected source may have to report deviations from

permit requirements to the permitting authority. [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(3)(ii)]

4. *General requirements.* The annual certification and compliance report must contain the information specified in paragraphs (m)(4)(i) through (iii) of this section, and the information specified in paragraphs (m)(5) through (9) of this section that is applicable to each affected source. [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(4)]
 - i. Company name and address; [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(4)(i)]
 - ii. Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report; and [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(4)(ii)]
 - iii. Date of report and beginning and ending dates of the reporting period. The reporting period is the 12-month period ending on December 31. Note that the information reported for the 12 months in the reporting period will be based on the last 12 months of data prior to the date of each monthly calculation. [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(4)(iii)]
5. *Visual determination of fugitive emissions requirements.* The annual certification and compliance report must contain the information specified in paragraphs (m)(5)(i) through (iii) of this section for each affected source which performs visual determination of fugitive emissions in accordance with §63.11517(a), "Monitoring requirements." [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(5)]
 - i. The date of every visual determination of fugitive emissions which resulted in detection of visible emissions; [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(5)(i)]
 - ii. A description of the corrective actions taken subsequent to the test; and [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(5)(ii)]
 - iii. The date and results of the follow-up visual determination of fugitive emissions performed after the corrective actions. [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(5)(iii)]
6. *Visual determination of emissions opacity requirements.* The annual certification and compliance report must contain the information specified in paragraphs (m)(6)(i) through (iii) of this section for each affected

source which performs visual determination of emissions opacity in accordance with §63.11517(c), “Monitoring requirements.” [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(6)]

- i. The date of every visual determination of emissions opacity; [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(6)(i)]
- ii. The average of the six-minute opacities measured by the test; and [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(6)(ii)]
- iii. A description of any corrective action taken subsequent to the test. [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(6)(iii)]

7. [Reserved]

8. *Exceedences of 20 percent opacity for welding affected sources.* As required by §63.11516(f)(7)(i), “Requirements for opacities exceeding 20 percent,” you must prepare an exceedence report whenever the average of the six-minute average opacities recorded during a visual determination of emissions opacity exceeds 20 percent. This report must be submitted along with your annual certification and compliance report according to the requirements in paragraph (m)(1) of this section, and must contain the information in paragraphs (m)(8)(i) and (ii) of this section. [Reg.19.304 and 40 C.F.R. § 63.11519 (b)(8)]

- i. The date on which the exceedence occurred; and [Reg.19.304 and §40 C.F.R. § 63.11519 (b)(8)(A)]
- ii. The average of the six-minute average opacities recorded during the visual determination of emissions opacity. [Reg.19.304 and §40 C.F.R. § 63.11519 (b)(8)(B)]

9. *Site-specific Welding Emissions Management Plan reporting.* You must submit a copy of the records of daily visual determinations of emissions recorded in accordance with §63.11516(f)(7)(iv), “Tier 3 requirements for opacities exceeding 20 percent,” and a copy of your Site- Specific Welding Emissions Management Plan and any subsequent revisions to the plan pursuant to §63.11516(f)(8), “Site-specific Welding Emission Management Plan,” along with your annual certification and compliance report, according to the requirements in paragraph (m)(1) of this section. [Reg.19.304 and §40 C.F.R. § 63.11519 (b)(9)]

- n. *What records must I keep?* You must collect and keep records of the data and information specified in paragraphs (n)(1) through (13) of this section, according

to the requirements in paragraph (n)(15) of this section. [Reg.19.304 and 40 C.F.R. § 63.11519 (c)]

1. *General compliance and applicability records.* Maintain information specified in paragraphs (n)(1)(i) through (ii) of this section for each affected source. [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(1)]
 - i. Each notification and report that you submitted to comply with this subpart, and the documentation supporting each notification and report. [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(1)(i)]
 - ii. Records of the applicability determinations as in §63.11514(b)(1) through (5), “Am I subject to this subpart,” listing equipment included in its affected source, as well as any changes to that and on what date they occurred, must be maintained for 5 years and be made available for inspector review at any time. [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(1)(ii)]
2. *Visual determination of fugitive emissions records.* Maintain a record of the information specified in paragraphs (n)(2)(i) through (iii) of this section for each affected source which performs visual determination of fugitive emissions in accordance with §63.11517(a), “Monitoring requirements.” [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(2)]
 - i. The date and results of every visual determination of fugitive emissions; [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(2)(i)]
 - ii. A description of any corrective action taken subsequent to the test; and [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(2)(ii)]
 - iii. The date and results of any follow-up visual determination of fugitive emissions performed after the corrective actions. [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(2)(iii)]
3. *Visual determination of emissions opacity records.* Maintain a record of the information specified in paragraphs (n)(3)(i) through (iii) of this section for each affected source which performs visual determination of emissions opacity in accordance with §63.11517(c), “Monitoring requirements.” [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(3)]
 - i. The date of every visual determination of emissions opacity; and [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(3)(i)]
 - ii. The average of the six-minute opacities measured by the test; and [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(3)(ii)]

- iii. A description of any corrective action taken subsequent to the test.
[Reg.19.304 and 40 C.F.R. § 63.11519 (c)(3)(iii)]
- 4. Maintain a record of the manufacturer's specifications for the control devices used to comply with §63.11516, "What are my standards and management practices?" [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(4)]
- 5. *Spray paint booth filter records.* Maintain a record of the filter efficiency demonstrations and spray paint booth filter maintenance activities, performed in accordance with §63.11516(d)(1)(ii) and (iii), "Requirements for spray painting objects in spray booths or spray rooms." [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(5)]
- 6. *Waterspray booth or water curtain efficiency tests.* Maintain a record of the water curtain efficiency demonstrations performed in accordance with §63.11516(d)(1)(ii), "Requirements for spray painting objects in spray booths or spray rooms." [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(6)]
- 7. *HVLP or other high transfer efficiency spray delivery system documentation records.* Maintain documentation of HVLP or other high transfer efficiency spray paint delivery systems, in compliance with §63.11516(d)(3), "Requirements for spray painting of all objects." This documentation must include the manufacturer's specifications for the equipment and any manufacturer's operation instructions. If you have obtained written approval for an alternative spray application system in accordance with §63.11516(d)(2), "Spray painting of all objects," you must maintain a record of that approval along with documentation of the demonstration of equivalency. [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(7)]
- 8. *HVLP or other high transfer efficiency spray delivery system employee training documentation records.* Maintain certification that each worker performing spray painting operations has completed the training specified in §63.11516(d)(6), "Requirements for spray painting of all objects," with the date the initial training and the most recent refresher training was completed. [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(8)]
- (9)-(10) [Reserved]
- 11. *Visual determination of emissions opacity performed during the preparation (or revision) of the Site-Specific Welding Emissions Management Plan.* You must maintain a record of each visual determination of emissions opacity performed during the preparation (or revision) of a Site-Specific Welding Emissions Management Plan, in

accordance with §63.11516(f)(7)(iii), “Requirements for opacities exceeding 20 percent.” [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(11)]

12. *Site-Specific Welding Emissions Management Plan.* If you have been required to prepare a plan in accordance with §63.11516(f)(7)(iii), “Site-Specific Welding Emissions Management Plan,” you must maintain a copy of your current Site-Specific Welding Emissions Management Plan in your records and it must be readily available for inspector review. [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(12)]
13. *Manufacturer's instructions.* If you comply with this subpart by operating any equipment according to manufacturer's instruction, you must keep these instructions readily available for inspector review. [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(13)]
14. *Welding Rod usage.* If you operate a new or existing welding affected source which is not required to comply with the requirements of §63.11516(f)(3) through (8) because it uses less than 2,000 pounds per year of welding rod (on a rolling 12-month basis), you must maintain records demonstrating your welding rod usage on a rolling 12-month basis. [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(14)]

Note: According to EPA a guidance documentation welding “rod” also means welding “wire”. Refer to Question #33 at http://www.epa.gov/ttn/atw/6x/metal_fabrication_q_a_nov-2011-rev3.pdf

15. Your records must be maintained according to the requirements in paragraphs (n)(15)(i) through (iii) of this section. [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(15)]
 - i. Your records must be in a form suitable and readily available for expeditious review, according to §63.10(b)(1), “General Provisions.” Where appropriate, the records may be maintained as electronic spreadsheets or as a database. [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(15)(i)]
 - ii. As specified in §63.10(b)(1), “General Provisions,” you must keep each record for 5 years following the date of each occurrence, measurement, corrective action, report, or record. [Reg.19.304 and 40 C.F.R. § 63.11519 (c)(15)(ii)]
 - iii. You must keep each record on-site for at least 2 years after the date of each occurrence, measurement, corrective action, report, or record according to §63.10(b)(1), “General Provisions.” You may

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keep the records off-site for the remaining 3 years. [Reg.19.304
and 40 C.F.R. § 63.11519 (c)(15)(iii)]

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Section V: INSIGNIFICANT ACTIVITIES

The Division of Environmental Quality deems the following types of activities or emissions as insignificant on the basis of size, emission rate, production rate, or activity in accordance with Group A of the Insignificant Activities list found in Regulation 18 and Regulation 19 Appendix A. Group B insignificant activities may be listed but are not required to be listed in permits. Insignificant activity emission determinations rely upon the information submitted by the permittee in an application dated May 14, 2015 and February 3, 2021. [Reg.19.408 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

Description	Category
150 gallon Diesel Storage Tank	A-3
Sand Loadout	A-13
Perlite Filling	A-13
Grinding Operations	A-13

Section VI: GENERAL CONDITIONS

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

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Office of Air Quality

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

7. The permittee shall test any equipment scheduled for testing, unless stated in the Specific Conditions of this permit or by any federally regulated requirements, within the following time frames: (1) newly constructed or modified equipment within sixty (60) days of achieving the maximum production rate, but no later than 180 days after initial start up of the permitted source or (2) existing equipment already operating according to the time frames set forth by the Division of Environmental Quality. The permittee must notify the Division of Environmental Quality of the scheduled date of compliance testing at least fifteen (15) business days in advance of such test. The permittee must submit compliance test results to the Division of Environmental Quality within sixty (60) calendar days after the completion of testing. [Reg.19.702 and/or Reg.18.1002 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
8. The permittee shall provide: [Reg.19.702 and/or Reg.18.1002 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
 - a. Sampling ports adequate for applicable test methods;
 - b. Safe sampling platforms;
 - c. Safe access to sampling platforms; and
 - d. Utilities for sampling and testing equipment
9. The permittee shall operate equipment, control apparatus and emission monitoring equipment within their design limitations. The permittee shall maintain in good condition at all times equipment, control apparatus and emission monitoring equipment. [Reg.19.303 and/or Reg.18.1104 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
10. If the permittee exceeds an emission limit established by this permit, the permittee will be deemed in violation of said permit and will be subject to enforcement action. The Division of Environmental Quality may forego enforcement action for emissions exceeding any limits established by this permit provided the following requirements are met: [Reg.19.601 and/or Reg.18.1101 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
 - a. The permittee demonstrates to the satisfaction of the Division of Environmental Quality that the emissions resulted from an equipment malfunction or upset and are not the result of negligence or improper maintenance, and the permittee took all reasonable measures to immediately minimize or eliminate the excess emissions.
 - b. The permittee reports the occurrence or upset or breakdown of equipment (by telephone, facsimile, overnight delivery, or online at <https://eportal.adeq.state.ar.us>) to the Division of Environmental Quality by the

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

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

15. This permit shall be available for inspection on the premises where the control apparatus is located. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
 16. This permit authorizes only those pollutant emitting activities addressed herein. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
 17. This permit supersedes and voids all previously issued air permits for this facility. [Reg. 18 and/or Reg. 19 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
 18. The permittee must pay all permit fees in accordance with the procedures established in Regulation 9. [Ark. Code Ann. § 8-1-105(c)]
 19. The permittee may request in writing and at least 15 days in advance of the deadline, an extension to any testing, compliance or other dates in this permit. No such extensions are authorized until the permittee receives written Division of Environmental Quality approval. The Division of Environmental Quality may grant such a request, at its discretion in the following circumstances:
 - a. Such an extension does not violate a federal requirement;
 - b. The permittee demonstrates the need for the extension; and
 - c. The permittee documents that all reasonable measures have been taken to meet the current deadline and documents reasons it cannot be met.
- [Reg.18.314(A) and/or Reg.19.416(A), Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 52 Subpart E]
20. The permittee may request in writing and at least 30 days in advance, temporary emissions and/or testing that would otherwise exceed an emission rate, throughput requirement, or other limit in this permit. No such activities are authorized until the permittee receives written Division of Environmental Quality approval. Any such emissions shall be included in the facility's total emissions and reported as such. The Division of Environmental Quality may grant such a request, at its discretion under the following conditions:
 - a. Such a request does not violate a federal requirement;
 - b. Such a request is temporary in nature;
 - c. Such a request will not result in a condition of air pollution;

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

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

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

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

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

Appendix A

40 C.F.R. Part 63, Subpart XXXXXX—*National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories*

Subpart XXXXXX—National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories

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Table 1 to Subpart XXXXXX of Part 63—Description of Source Categories Affected by This Subpart

Table 2 to Subpart XXXXXX of Part 63—Applicability of General Provisions to Metal Fabrication or Finishing Area Sources

SOURCE: 73 FR 43000, July 23, 2008, unless otherwise noted.

Applicability and Compliance Dates

§63.11514 Am I subject to this subpart?

(a) You are subject to this subpart if you own or operate an area source that is primarily engaged in the operations in one of the nine source categories listed in paragraphs (a)(1) through (9) of this section. Descriptions of these source categories are shown in Table 1 of this subpart. “Primarily engaged” is defined in §63.11522, “What definitions apply to this subpart?”

- (1) Electrical and Electronic Equipment Finishing Operations;
- (2) Fabricated Metal Products;
- (3) Fabricated Plate Work (Boiler Shops);

- (4) Fabricated Structural Metal Manufacturing;
- (5) Heating Equipment, except Electric;
- (6) Industrial Machinery and Equipment Finishing Operations;
- (7) Iron and Steel Forging;
- (8) Primary Metal Products Manufacturing; and
- (9) Valves and Pipe Fittings.

(b) The provisions of this subpart apply to each new and existing affected source listed and defined in paragraphs (b)(1) through (5) of this section if you use materials that contain or have the potential to emit metal fabrication or finishing metal HAP (MFHAP), defined to be the compounds of cadmium, chromium, lead, manganese, and nickel, or any of these metals in the elemental form with the exception of lead. Materials that contain MFHAP are defined to be materials that contain greater than 0.1 percent for carcinogens, as defined by OSHA at 29 CFR 1910.1200(d)(4), and greater than 1.0 percent for noncarcinogens. For the MFHAP, this corresponds to materials that contain cadmium, chromium, lead, or nickel in amounts greater than or equal to 0.1 percent by weight (of the metal), and materials that contain manganese in amounts greater than or equal to 1.0 percent by weight (of the metal), as shown in formulation data provided by the manufacturer or supplier, such as the Material Safety Data Sheet for the material.

(1) A dry abrasive blasting affected source is the collection of all equipment and activities necessary to perform dry abrasive blasting operations which use materials that contain MFHAP or that have the potential to emit MFHAP.

(2) A machining affected source is the collection of all equipment and activities necessary to perform machining operations which use materials that contain MFHAP, as defined in §63.11522, “What definitions apply to this subpart?”, or that have the potential to emit MFHAP.

(3) A dry grinding and dry polishing with machines affected source is the collection of all equipment and activities necessary to perform dry grinding and dry polishing with machines operations which use materials that contain MFHAP, as defined in §63.11522, “What definitions apply to this subpart?”, or have the potential to emit MFHAP.

(4) A spray painting affected source is the collection of all equipment and activities necessary to perform spray-applied painting operations using paints which contain MFHAP. A spray painting affected source includes all equipment used to apply cleaning materials to a substrate to prepare it for paint application (surface preparation) or to remove dried paint; to apply a paint to a substrate (paint application) and to dry or cure the paint after application; or to clean paint operation equipment (equipment cleaning). Affected source(s) subject to the requirements of this paragraph are not subject to the miscellaneous surface coating provisions of subpart HHHHHH of this part, “National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources.”

(5) A welding affected source is the collection of all equipment and activities necessary to perform welding operations which use materials that contain MFHAP, as defined in §63.11522, “What definitions apply to this subpart?”, or have the potential to emit MFHAP.

(c) An affected source is existing if you commenced construction or reconstruction of the affected source, as defined in §63.2, “General Provisions” to part 63, before April 3, 2008.

(d) An affected source is new if you commenced construction or reconstruction of the affected source, as defined in §63.2, “General Provisions” to part 63, on or after April 3, 2008.

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

(f) This subpart does not apply to tool or equipment repair operations, facility maintenance, or quality control activities as defined in §63.11522, “What definitions apply to this subpart?”

(g) This subpart does not apply to operations performed on site at installations owned or operated by the Armed Forces of the United States (including the Coast Guard and the National Guard of any such state), the National Aeronautics and Space Administration, or the National Nuclear Security Administration.

(h) This subpart does not apply to operations that produce military munitions, as defined in §63.11522, “What definitions apply to this subpart?”, manufactured by or for the Armed Forces of the United States (including the Coast Guard and the National Guard of any such state), or equipment directly and exclusively used for the purposes of transporting military munitions.

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

§63.11515 What are my compliance dates?

(a) If you own or operate an existing affected source, you must achieve compliance with the applicable provisions in this subpart by July 25, 2011.

(b) If you own or operate a new affected source, you must achieve compliance with the applicable provisions in this subpart by July 23, 2008, or upon startup of your affected source, whichever is later.

Standards and Compliance Requirements

§63.11516 What are my standards and management practices?

(a) *Dry abrasive blasting standards.* If you own or operate a new or existing dry abrasive blasting affected source, you must comply with the requirements in paragraphs (a)(1) through (3) of this section, as applicable, for each dry abrasive blasting operation that uses materials that contain MFHAP, as defined in §63.11522, “What definitions apply to this subpart?”, or has the potential to emit MFHAP. These requirements do not apply when abrasive blasting operations are being performed that do not use any materials containing MFHAP or do not have the potential to emit MFHAP.

(1) *Standards for dry abrasive blasting of objects performed in totally enclosed and unvented blast chambers.* If you own or operate a new or existing dry abrasive blasting affected source which consists of an abrasive blasting chamber that is totally enclosed and unvented, as defined in §63.11522, “What definitions apply to this subpart?”, you must implement management practices to minimize emissions of MFHAP. These management practices are the practices specified in paragraph (a)(1)(i) and (ii) of this section.

(i) You must minimize dust generation during emptying of abrasive blasting enclosures; and

(ii) You must operate all equipment associated with dry abrasive blasting operations according to the manufacturer's instructions.

(2) *Standards for dry abrasive blasting of objects performed in vented enclosures.* If you own or operate a new or existing dry abrasive blasting affected source which consists of a dry abrasive blasting operation which has a vent allowing any air or blast material to escape, you must comply with the requirements in paragraphs (a)(2)(i) and (ii)

of this section. Dry abrasive blasting operations for which the items to be blasted exceed 8 feet (2.4 meters) in any dimension, may be performed subject to the requirements in paragraph (a)(3) of this section.

(i) You must capture emissions and vent them to a filtration control device. You must operate the filtration control device according to manufacturer's instructions, and you must demonstrate compliance with this requirement by maintaining a record of the manufacturer's specifications for the filtration control devices, as specified by the requirements in §63.11519(c)(4), "What are my notification, recordkeeping, and reporting requirements?"

(ii) You must implement the management practices to minimize emissions of MFHAP as specified in paragraphs (a)(2)(ii)(A) through (C) of this section.

(A) You must take measures necessary to minimize excess dust in the surrounding area to reduce MFHAP emissions, as practicable; and

(B) You must enclose dusty abrasive material storage areas and holding bins, seal chutes and conveyors that transport abrasive materials; and

(C) You must operate all equipment associated with dry abrasive blasting operations according to manufacturer's instructions.

(3) *Standards for dry abrasive blasting of objects greater than 8 feet (2.4 meters) in any one dimension.* If you own or operate a new or existing dry abrasive blasting affected source which consists of a dry abrasive blasting operation which is performed on objects greater than 8 feet (2.4 meters) in any one dimension, you may implement management practices to minimize emissions of MFHAP as specified in paragraph (a)(3)(i) of this section instead of the practices required by paragraph (a)(2) of this section. You must demonstrate that management practices are being implemented by complying with the requirements in paragraphs (a)(3)(ii) through (iv) of this section.

(i) Management practices for dry abrasive blasting of objects greater than 8 feet (2.4 meters) in any one dimension are specified in paragraphs (a)(3)(i)(A) through (E) of this section.

(A) You must take measures necessary to minimize excess dust in the surrounding area to reduce MFHAP emissions, as practicable; and

(B) You must enclose abrasive material storage areas and holding bins, seal chutes and conveyors that transport abrasive material; and

(C) You must operate all equipment associated with dry abrasive blasting operations according to manufacturer's instructions; and

(D) You must not re-use dry abrasive blasting media unless contaminants (i.e., any material other than the base metal, such as paint residue) have been removed by filtration or screening, and the abrasive material conforms to its original size; and

(E) Whenever practicable, you must switch from high particulate matter (PM)-emitting blast media (e.g., sand) to low PM-emitting blast media (e.g., crushed glass, specular hematite, steel shot, aluminum oxide), where PM is a surrogate for MFHAP.

(ii) You must perform visual determinations of fugitive emissions, as specified in §63.11517(b), "What are my monitoring requirements?", according to paragraphs (a)(3)(ii)(A) or (B) of this section, as applicable.

(A) For abrasive blasting of objects greater than 8 feet (2.4 meters) in any one dimension that is performed outdoors, you must perform visual determinations of fugitive emissions at the fenceline or property border nearest to the outdoor dry abrasive blasting operation.

(B) For abrasive blasting of objects greater than 8 feet (2.4 meters) in any one dimension that is performed indoors, you must perform visual determinations of fugitive emissions at the primary vent, stack, exit, or opening from the building containing the abrasive blasting operations.

(iii) You must keep a record of all visual determinations of fugitive emissions along with any corrective action taken in accordance with the requirements in §63.11519(c)(2), “What are my notification, recordkeeping, and reporting requirements?”

(iv) If visible fugitive emissions are detected, you must perform corrective actions until the visible fugitive emissions are eliminated, at which time you must comply with the requirements in paragraphs (a)(3)(iv)(A) and (B) of this section.

(A) You must perform a follow-up inspection for visible fugitive emissions in accordance with §63.11517(a), “Monitoring Requirements.”

(B) You must report all instances where visible emissions are detected, along with any corrective action taken and the results of subsequent follow-up inspections for visible emissions, with your annual certification and compliance report as required by §63.11519(b)(5), “Notification, recordkeeping, and reporting requirements.”

(b) *Standards for machining.* If you own or operate a new or existing machining affected source, you must implement management practices to minimize emissions of MFHAP as specified in paragraph (b)(1) and (2) of this section for each machining operation that uses materials that contain MFHAP, as defined in §63.11522, “What definitions apply to this subpart?”, or has the potential to emit MFHAP. These requirements do not apply when machining operations are being performed that do not use any materials containing MFHAP and do not have the potential to emit MFHAP.

(1) You must take measures necessary to minimize excess dust in the surrounding area to reduce MFHAP emissions, as practicable; and

(2) You must operate all equipment associated with machining according to manufacturer's instructions.

(c) *Standards for dry grinding and dry polishing with machines.* If you own or operate a new or existing dry grinding and dry polishing with machines affected source, you must comply with the requirements of paragraphs (c)(1) and (2) of this section for each dry grinding and dry polishing with machines operation that uses materials that contain MFHAP, as defined in §63.11522, “What definitions apply to this subpart?”, or has the potential to emit MFHAP. These requirements do not apply when dry grinding and dry polishing operations are being performed that do not use any materials containing MFHAP and do not have the potential to emit MFHAP.

(1) You must capture emissions and vent them to a filtration control device. You must demonstrate compliance with this requirement by maintaining a record of the manufacturer's specifications for the filtration control devices, as specified by the requirements in §63.11519(c)(4), “Notification, recordkeeping, and reporting Requirements.”

(2) You must implement management practices to minimize emissions of MFHAP as specified in paragraphs (c)(2)(i) and (ii) of this section.

(i) You must take measures necessary to minimize excess dust in the surrounding area to reduce MFHAP emissions, as practicable;

(ii) You must operate all equipment associated with the operation of dry grinding and dry polishing with machines, including the filtration control device, according to manufacturer's instructions.

(d) *Standards for control of MFHAP in spray painting.* If you own or operate a new or existing spray painting affected source, as defined in §63.11514 (b)(4), “Am I subject to this subpart?”, you must implement the

management practices in paragraphs (d)(1) through (9) of this section when a spray-applied paint that contains MFHAP is being applied. These requirements do not apply when spray-applied paints that do not contain MFHAP are being applied.

(1) *Standards for spray painting for MFHAP control.* All spray-applied painting of objects must meet the requirements of paragraphs (d)(1)(i) through (iii) of this section. These requirements do not apply to affected sources located at Fabricated Structural Metal Manufacturing facilities, as described in Table 1, "Description of Source Categories Affected by this Subpart," or affected sources that spray paint objects greater than 15 feet (4.57 meters), that are not spray painted in spray booths or spray rooms.

(i) Spray booths or spray rooms must have a full roof, at least two complete walls, and one or two complete side curtains or other barrier material so that all four sides are covered. The spray booths or spray rooms must be ventilated so that air is drawn into the booth and leaves only through the filter. The roof may contain narrow slots for connecting fabricated products to overhead cranes, and/or for cords or cables.

(ii) All spray booths or spray rooms must be fitted with a type of filter technology that is demonstrated to achieve at least 98 percent capture of MFHAP. The procedure used to demonstrate filter efficiency must be consistent with the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Method 52.1, "Gravimetric and Dust-Spot Procedures for Testing Air-Cleaning Devices Used in General Ventilation for Removing Particulate Matter, June 4, 1992" (incorporated by reference, see §63.14). The test coating for measuring filter efficiency shall be a high-solids bake enamel delivered at a rate of at least 135 grams per minute from a conventional (non-High Volume Low Pressure) air-atomized spray gun operating at 40 psi air pressure; the air flow rate across the filter shall be 150 feet per minute. Owners and operators may use published filter efficiency data provided by filter vendors to demonstrate compliance with this requirement and are not required to perform this measurement.

(iii) You must perform regular inspection and replacement of the filters in all spray booths or spray rooms according to manufacturer's instructions, and maintain documentation of these activities, as detailed in §63.11519(c)(5), "Notification, recordkeeping, and reporting requirements."

(iv) As an alternative compliance requirement, spray booths or spray rooms equipped with a water curtain, called "waterwash" or "waterspray" booths or spray rooms that are operated and maintained according to the manufacturer's specifications and that achieve at least 98 percent control of MFHAP, may be used in lieu of the spray booths or spray rooms requirements of paragraphs (d)(1)(i) through (iii) of this section.

(2) *Standards for spray painting application equipment of all objects painted for MFHAP control.* All paints applied via spray-applied painting must be applied with a high-volume, low-pressure (HVLP) spray gun, electrostatic application, airless spray gun, air-assisted airless spray gun, or an equivalent technology that is demonstrated to achieve transfer efficiency comparable to one of these spray gun technologies for a comparable operation, and for which written approval has been obtained from the Administrator. The procedure used to demonstrate that spray gun transfer efficiency is equivalent to that of an HVLP spray gun must be equivalent to the California South Coast Air Quality Management District's "Spray Equipment Transfer Efficiency Test Procedure for Equipment User, May 24, 1989" and "Guidelines for Demonstrating Equivalency with District Approved Transfer Efficient Spray Guns, September 26, 2002", Revision 0 (incorporated by reference, see §63.14).

(3) *Spray system recordkeeping.* You must maintain documentation of the HVLP or other high transfer efficiency spray paint delivery methods, as detailed in §63.11519(c)(7), "Notification, recordkeeping, and reporting requirements."

(4) *Spray gun cleaning.* All cleaning of paint spray guns must be done with either non-HAP gun cleaning solvents, or in such a manner that an atomized mist of spray of gun cleaning solvent and paint residue is not created outside of a container that collects the used gun cleaning solvent. Spray gun cleaning may be done with, for example, by hand cleaning of parts of the disassembled gun in a container of solvent, by flushing solvent through the gun without

atomizing the solvent and paint residue, or by using a fully enclosed spray gun washer. A combination of these non-atomizing methods may also be used.

(5) *Spray painting worker certification.* All workers performing painting must be certified that they have completed training in the proper spray application of paints and the proper setup and maintenance of spray equipment. The minimum requirements for training and certification are described in paragraph (d)(6) of this section. The spray application of paint is prohibited by persons who are not certified as having completed the training described in paragraph (d)(6) of this section. The requirements of this paragraph do not apply to the students of an accredited painting training program who are under the direct supervision of an instructor who meets the requirements of this paragraph. The requirements of this paragraph do not apply to operators of robotic or automated painting operations.

(6) *Spray painting training program content.* Each owner or operator of an affected spray painting affected source must ensure and certify that all new and existing personnel, including contract personnel, who spray apply paints are trained in the proper application of paints as required by paragraph (d)(5) of this section. The training program must include, at a minimum, the items listed in paragraphs (d)(6)(i) through (iii) of this section.

(i) A list of all current personnel by name and job description who are required to be trained;

(ii) Hands-on, or in-house or external classroom instruction that addresses, at a minimum, initial and refresher training in the topics listed in paragraphs (d)(6)(ii)(A) through (D) of this section.

(A) Spray gun equipment selection, set up, and operation, including measuring paint viscosity, selecting the proper fluid tip or nozzle, and achieving the proper spray pattern, air pressure and volume, and fluid delivery rate.

(B) Spray technique for different types of paints to improve transfer efficiency and minimize paint usage and overspray, including maintaining the correct spray gun distance and angle to the part, using proper banding and overlap, and reducing lead and lag spraying at the beginning and end of each stroke.

(C) Routine spray booth and filter maintenance, including filter selection and installation.

(D) Environmental compliance with the requirements of this subpart.

(iii) A description of the methods to be used at the completion of initial or refresher training to demonstrate, document, and provide certification of successful completion of the required training. Alternatively, owners and operators who can show by documentation or certification that a painter's work experience and/or training has resulted in training equivalent to the training required in paragraph (d)(6)(ii) of this section are not required to provide the initial training required by that paragraph to these painters.

(7) *Records of spray painting training.* You must maintain records of employee training certification for use of HVLP or other high transfer efficiency spray paint delivery methods as detailed in §63.11519(c)(8), "Notification, recordkeeping, and reporting requirements."

(8) *Spray painting training dates.* As required by paragraph (d)(5) of this section, all new and existing personnel at an affected spray painting affected source, including contract personnel, who spray apply paints must be trained by the dates specified in paragraphs (d)(8)(i) and (ii) of this section.

(i) If your source is a new source, all personnel must be trained and certified no later than January 20, 2009, 180 days after startup, or 180 days after hiring, whichever is later. Training that was completed within 5 years prior to the date training is required, and that meets the requirements specified in paragraph (d)(6)(ii) of this section satisfies this requirement and is valid for a period not to exceed 5 years after the date the training is completed.

(ii) If your source is an existing source, all personnel must be trained and certified no later than July 25, 2011, or 180 days after hiring, whichever is later. Worker training that was completed within 5 years prior to the date training is

required, and that meets the requirements specified in paragraph (d)(6)(ii) of this section, satisfies this requirement and is valid for a period not to exceed 5 years after the date the training is completed.

(9) *Duration of training validity.* Training and certification will be valid for a period not to exceed 5 years after the date the training is completed. All personnel must receive refresher training that meets the requirements of this section and be re-certified every 5 years.

(e) [Reserved]

(f) *Standards for welding.* If you own or operate a new or existing welding affected source, you must comply with the requirements in paragraphs (f)(1) and (2) of this section for each welding operation that uses materials that contain MFHAP, as defined in §63.11522, “What definitions apply to this subpart?”, or has the potential to emit MFHAP. If your welding affected source uses 2,000 pounds or more per year of welding rod containing one or more MFHAP (calculated on a rolling 12-month basis), you must demonstrate that management practices or fume control measures are being implemented by complying with the requirements in paragraphs (f)(3) through (8) of this section. The requirements in paragraphs (f)(1) through (8) of this section do not apply when welding operations are being performed that do not use any materials containing MFHAP or do not have the potential to emit MFHAP.

(1) You must operate all equipment, capture, and control devices associated with welding operations according to manufacturer's instructions. You must demonstrate compliance with this requirement by maintaining a record of the manufacturer's specifications for the capture and control devices, as specified by the requirements in §63.11519(c)(4), “Notification, recordkeeping, and reporting requirements.”

(2) You must implement one or more of the management practices specified in paragraphs (f)(2)(i) through (v) of this section to minimize emissions of MFHAP, as practicable, while maintaining the required welding quality through the application of sound engineering judgment.

(i) Use welding processes with reduced fume generation capabilities (e.g., gas metal arc welding (GMAW)—also called metal inert gas welding (MIG));

(ii) Use welding process variations (e.g., pulsed current GMAW), which can reduce fume generation rates;

(iii) Use welding filler metals, shielding gases, carrier gases, or other process materials which are capable of reduced welding fume generation;

(iv) Optimize welding process variables (e.g., electrode diameter, voltage, amperage, welding angle, shield gas flow rate, travel speed) to reduce the amount of welding fume generated; and

(v) Use a welding fume capture and control system, operated according to the manufacturer's specifications.

(3) *Tier 1 compliance requirements for welding.* You must perform visual determinations of welding fugitive emissions as specified in §63.11517(b), “Monitoring requirements,” at the primary vent, stack, exit, or opening from the building containing the welding operations. You must keep a record of all visual determinations of fugitive emissions along with any corrective action taken in accordance with the requirements in §63.11519(c)(2), “Notification, recordkeeping, and reporting requirements.”

(4) *Requirements upon initial detection of visible emissions from welding.* If visible fugitive emissions are detected during any visual determination required in paragraph (f)(3) of this section, you must comply with the requirements in paragraphs (f)(4)(i) and (ii) of this section.

(i) Perform corrective actions that include, but are not limited to, inspection of welding fume sources, and evaluation of the proper operation and effectiveness of the management practices or fume control measures implemented in accordance with paragraph (f)(2) of this section. After completing such corrective actions, you must perform a

follow-up inspection for visible fugitive emissions in accordance with §63.11517(a), “Monitoring Requirements,” at the primary vent, stack, exit, or opening from the building containing the welding operations.

(ii) Report all instances where visible emissions are detected, along with any corrective action taken and the results of subsequent follow-up inspections for visible emissions, and submit with your annual certification and compliance report as required by §63.11519(b)(5), “Notification, recordkeeping, and reporting requirements.”

(5) *Tier 2 requirements upon subsequent detection of visible emissions.* If visible fugitive emissions are detected more than once during any consecutive 12 month period (notwithstanding the results of any follow-up inspections), you must comply with paragraphs (f)(5)(i) through (iv) of this section.

(i) Within 24 hours of the end of the visual determination of fugitive emissions in which visible fugitive emissions were detected, you must conduct a visual determination of emissions opacity, as specified in §63.11517(c), “Monitoring requirements,” at the primary vent, stack, exit, or opening from the building containing the welding operations.

(ii) In lieu of the requirement of paragraph (f)(3) of this section to perform visual determinations of fugitive emissions with EPA Method 22, you must perform visual determinations of emissions opacity in accordance with §63.11517(d), “Monitoring Requirements,” using EPA Method 9, at the primary vent, stack, exit, or opening from the building containing the welding operations.

(iii) You must keep a record of each visual determination of emissions opacity performed in accordance with paragraphs (f)(5)(i) or (ii) of this section, along with any subsequent corrective action taken, in accordance with the requirements in §63.11519(c)(3), “Notification, recordkeeping, and reporting requirements.”

(iv) You must report the results of all visual determinations of emissions opacity performed in accordance with paragraphs (f)(5)(i) or (ii) of this section, along with any subsequent corrective action taken, and submit with your annual certification and compliance report as required by §63.11519(b)(6), “Notification, recordkeeping, and reporting requirements.”

(6) *Requirements for opacities less than or equal to 20 percent but greater than zero.* For each visual determination of emissions opacity performed in accordance with paragraph (f)(5) of this section for which the average of the six-minute average opacities recorded is 20 percent or less but greater than zero, you must perform corrective actions, including inspection of all welding fume sources, and evaluation of the proper operation and effectiveness of the management practices or fume control measures implemented in accordance with paragraph (f)(2) of this section.

(7) *Tier 3 requirements for opacities exceeding 20 percent.* For each visual determination of emissions opacity performed in accordance with paragraph (f)(5) of this section for which the average of the six-minute average opacities recorded exceeds 20 percent, you must comply with the requirements in paragraphs (f)(7)(i) through (v) of this section.

(i) You must submit a report of exceedence of 20 percent opacity, along with your annual certification and compliance report, as specified in §63.11519(b)(8), “Notification, recordkeeping, and reporting requirements,” and according to the requirements of §63.11519(b)(1), “Notification, recordkeeping, and reporting requirements.”

(ii) Within 30 days of the opacity exceedence, you must prepare and implement a Site-Specific Welding Emissions Management Plan, as specified in paragraph (f)(8) of this section. If you have already prepared a Site-Specific Welding Emissions Management Plan in accordance with this paragraph, you must prepare and implement a revised Site-Specific Welding Emissions Management Plan within 30 days.

(iii) During the preparation (or revision) of the Site-Specific Welding Emissions Management Plan, you must continue to perform visual determinations of emissions opacity, beginning on a daily schedule as specified in

§63.11517(d), “Monitoring Requirements,” using EPA Method 9, at the primary vent, stack, exit, or opening from the building containing the welding operations.

(iv) You must maintain records of daily visual determinations of emissions opacity performed in accordance with paragraph (f)(7)(iii) of this section, during preparation of the Site-Specific Welding Emissions Management Plan, in accordance with the requirements in §63.11519(b)(9), “Notification, recordkeeping, and reporting requirements.”

(v) You must include these records in your annual certification and compliance report, according to the requirements of §63.11519(b)(1), “Notification, recordkeeping, and reporting requirements.”

(8) *Site-Specific Welding Emissions Management Plan*. The Site-Specific Welding Emissions Management Plan must comply with the requirements in paragraphs (f)(8)(i) through (iii) of this section.

(i) Site-Specific Welding Emissions Management Plan must contain the information in paragraphs (f)(8)(i)(A) through (F) of this section.

(A) Company name and address;

(B) A list and description of all welding operations which currently comprise the welding affected source;

(C) A description of all management practices and/or fume control methods in place at the time of the opacity exceedence;

(D) A list and description of all management practices and/or fume control methods currently employed for the welding affected source;

(E) A description of additional management practices and/or fume control methods to be implemented pursuant to paragraph (f)(7)(ii) of this section, and the projected date of implementation; and

(F) Any revisions to a Site-Specific Welding Emissions Management Plan must contain copies of all previous plan entries, pursuant to paragraphs (f)(8)(i)(D) and (E) of this section.

(ii) The Site-Specific Welding Emissions Management Plan must be updated annually to contain current information, as required by paragraphs (f)(8)(i)(A) through (C) of this section, and submitted with your annual certification and compliance report, according to the requirements of §63.11519(b)(1), “Notification, recordkeeping, and reporting requirements.”

(iii) You must maintain a copy of the current Site-Specific Welding Emissions Management Plan in your records in a readily-accessible location for inspector review, in accordance with the requirements in §63.11519(c)(12), “Notification, recordkeeping, and reporting requirements.”

§63.11517 What are my monitoring requirements?

(a) *Visual determination of fugitive emissions, general*. Visual determination of fugitive emissions must be performed according to the procedures of EPA Method 22, of 40 CFR part 60, Appendix A-7. You must conduct the EPA Method 22 test while the affected source is operating under normal conditions. The duration of each EPA Method 22 test must be at least 15 minutes, and visible emissions will be considered to be present if they are detected for more than six minutes of the fifteen minute period.

(b) *Visual determination of fugitive emissions, graduated schedule*. Visual determinations of fugitive emissions must be performed in accordance with paragraph (a) of this section and according to the schedule in paragraphs (b)(1) through (4) of this section.

(1) *Daily Method 22 Testing.* Perform visual determination of fugitive emissions once per day, on each day the process is in operation, during operation of the process.

(2) *Weekly Method 22 Testing.* If no visible fugitive emissions are detected in consecutive daily EPA Method 22 tests, performed in accordance with paragraph (b)(1) of this section for 10 days of work day operation of the process, you may decrease the frequency of EPA Method 22 testing to once every five days of operation of the process (one calendar week). If visible fugitive emissions are detected during these tests, you must resume EPA Method 22 testing of that operation once per day during each day that the process is in operation, in accordance with paragraph (b)(1) of this section.

(3) *Monthly Method 22 Testing.* If no visible fugitive emissions are detected in four consecutive weekly EPA Method 22 tests performed in accordance with paragraph (b)(2) of this section, you may decrease the frequency of EPA Method 22 testing to once per 21 days of operation of the process (one calendar month). If visible fugitive emissions are detected during these tests, you must resume weekly EPA Method 22 in accordance with paragraph (b)(2) of this section.

(4) *Quarterly Method 22 Testing.* If no visible fugitive emissions are detected in three consecutive monthly EPA Method 22 tests performed in accordance with paragraph (b)(3) of this section, you may decrease the frequency of EPA Method 22 testing to once per 60 days of operation of the process (3 calendar months). If visible fugitive emissions are detected during these tests, you must resume monthly EPA Method 22 in accordance with paragraph (b)(3) of this section.

(c) *Visual determination of emissions opacity for welding Tier 2 or 3, general.* Visual determination of emissions opacity must be performed in accordance with the procedures of EPA Method 9, of 40 CFR part 60, Appendix A-4, and while the affected source is operating under normal conditions. The duration of the EPA Method 9 test shall be thirty minutes.

(d) *Visual determination of emissions opacity for welding Tier 2 or 3, graduated schedule.* You must perform visual determination of emissions opacity in accordance with paragraph (c) of this section and according to the schedule in paragraphs (d)(1) through (5) of this section.

(1) *Daily Method 9 testing for welding, Tier 2 or 3.* Perform visual determination of emissions opacity once per day during each day that the process is in operation.

(2) *Weekly Method 9 testing for welding, Tier 2 or 3.* If the average of the six minute opacities recorded during any of the daily consecutive EPA Method 9 tests performed in accordance with paragraph (d)(1) of this section does not exceed 20 percent for 10 days of operation of the process, you may decrease the frequency of EPA Method 9 testing to once per five days of consecutive work day operation. If opacity greater than 20 percent is detected during any of these tests, you must resume testing every day of operation of the process according to the requirements of paragraph (d)(1) of this section.

(3) *Monthly Method 9 testing for welding Tier 2 or 3.* If the average of the six minute opacities recorded during any of the consecutive weekly EPA Method 9 tests performed in accordance with paragraph (d)(2) of this section does not exceed 20 percent for four consecutive weekly tests, you may decrease the frequency of EPA Method 9 testing to once per every 21 days of operation of the process. If visible emissions opacity greater than 20 percent is detected during any monthly test, you must resume testing every five days of operation of the process according to the requirements of paragraph (d)(2) of this section.

(4) *Quarterly Method 9 testing for welding Tier 2 or 3.* If the average of the six minute opacities recorded during any of the consecutive weekly EPA Method 9 tests performed in accordance with paragraph (d)(3) of this section does not exceed 20 percent for three consecutive monthly tests, you may decrease the frequency of EPA Method 9 testing to once per every 120 days of operation of the process. If visible emissions opacity greater than 20 percent is detected during any quarterly test, you must resume testing every 21 days (month) of operation of the process according to the requirements of paragraph (d)(3) of this section.

(5) *Return to Method 22 testing for welding, Tier 2 or 3.* If, after two consecutive months of testing, the average of the six minute opacities recorded during any of the monthly EPA Method 9 tests performed in accordance with paragraph (d)(3) of this section does not exceed 20 percent, you may resume EPA Method 22 testing as in paragraphs (b)(3) and (4) of this section. In lieu of this, you may elect to continue performing EPA Method 9 tests in accordance with paragraphs (d)(3) and (4) of this section.

§63.11518 [Reserved]

§63.11519 What are my notification, recordkeeping, and reporting requirements?

(a) *What notifications must I submit?—(1) Initial notification.* If you are the owner or operator of an area source in one of the nine metal fabrication and finishing source categories, as defined in §63.11514, you must submit the initial notification required by §63.9(b), for a new affected source no later than 120 days after initial startup, or no later than 120 days after the source becomes subject to this subpart, or November 20, 2008, whichever is later. For an existing affected source, you must submit the initial notification no later than July 25, 2011, or 120 days after the source becomes subject to this subpart, whichever is later. Your initial notification must provide the information specified in paragraphs (a)(1)(i) through (iv) of this section.

(i) The name, address, phone number and e-mail address of the owner and operator;

(ii) The address (physical location) of the affected source;

(iii) An identification of the relevant standard (i.e., this subpart); and

(iv) A brief description of the type of operation. For example, a brief characterization of the types of products (e.g., aerospace components, sports equipment, etc.), the number and type of processes, and the number of workers usually employed.

(2) *Notification of compliance status.* If you are the owner or operator of an existing affected source, you must submit a notification of compliance status on or before November 22, 2011. If you are the owner or operator of a new affected source, you must submit a notification of compliance status within 120 days after initial startup, or by November 20, 2008, whichever is later. You are required to submit the information specified in paragraphs (a)(2)(i) through (iv) of this section with your notification of compliance status:

(i) Your company's name and address;

(ii) A statement by a responsible official with that official's name, title, phone number, e-mail address and signature, certifying the truth, accuracy, and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart;

(iii) If you operate any spray painting affected sources, the information required by §63.11516(e)(3)(vi)(C), "Compliance demonstration," or §63.11516(e)(4)(ix)(C), "Compliance demonstration," as applicable; and

(iv) The date of the notification of compliance status.

(b) *What reports must I prepare or submit?—(1) Annual certification and compliance reports.* You must prepare and submit annual certification and compliance reports for each affected source according to the requirements of paragraphs (b)(2) through (7) of this section. The annual certification and compliance reporting requirements may be satisfied by reports required under other parts of the CAA, as specified in paragraph (b)(3) of this section.

(2) *Dates.* Unless the Administrator has approved or agreed to a different schedule for submission of reports under §63.10(a), "General Provisions," you must prepare and submit each annual certification and compliance report according to the dates specified in paragraphs (b)(2)(i) through (iii) of this section. Note that the information

reported for each of the months in the reporting period will be based on the last 12 months of data prior to the date of each monthly calculation.

(i) The first annual certification and compliance report must cover the first annual reporting period which begins the day after the compliance date and ends on December 31.

(ii) Each subsequent annual certification and compliance report must cover the subsequent semiannual reporting period from January 1 through December 31.

(iii) Each annual certification and compliance report must be prepared and submitted no later than January 31 and kept in a readily-accessible location for inspector review. If an exceedence has occurred during the year, each annual certification and compliance report must be submitted along with the exceedence reports, and postmarked or delivered no later than January 31.

(3) *Alternate dates.* For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, "Title V."

(i) If the permitting authority has established dates for submitting annual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), "Title V," you may prepare or submit, if required, the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the date specified in paragraph (b)(2)(iii) of this section.

(ii) If an affected source prepares or submits an annual certification and compliance report pursuant to this section along with, or as part of, the monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), "Title V," and the compliance report includes all required information concerning exceedences of any limitation in this subpart, its submission will be deemed to satisfy any obligation to report the same exceedences in the annual monitoring report. However, submission of an annual certification and compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permitting authority.

(4) *General requirements.* The annual certification and compliance report must contain the information specified in paragraphs (b)(4)(i) through (iii) of this section, and the information specified in paragraphs (b)(5) through (7) of this section that is applicable to each affected source.

(i) Company name and address;

(ii) Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report; and

(iii) Date of report and beginning and ending dates of the reporting period. The reporting period is the 12-month period ending on December 31. Note that the information reported for the 12 months in the reporting period will be based on the last 12 months of data prior to the date of each monthly calculation.

(5) *Visual determination of fugitive emissions requirements.* The annual certification and compliance report must contain the information specified in paragraphs (b)(5)(i) through (iii) of this section for each affected source which performs visual determination of fugitive emissions in accordance with §63.11517(a), "Monitoring requirements."

(i) The date of every visual determination of fugitive emissions which resulted in detection of visible emissions;

(ii) A description of the corrective actions taken subsequent to the test; and

(iii) The date and results of the follow-up visual determination of fugitive emissions performed after the corrective actions.

(6) *Visual determination of emissions opacity requirements.* The annual certification and compliance report must contain the information specified in paragraphs (b)(6)(i) through (iii) of this section for each affected source which performs visual determination of emissions opacity in accordance with §63.11517(c), “Monitoring requirements.”

- (i) The date of every visual determination of emissions opacity;
 - (ii) The average of the six-minute opacities measured by the test; and
 - (iii) A description of any corrective action taken subsequent to the test.
- (7) [Reserved]

(8) *Exceedences of 20 percent opacity for welding affected sources.* As required by §63.11516(f)(7)(i), “Requirements for opacities exceeding 20 percent,” you must prepare an exceedence report whenever the average of the six-minute average opacities recorded during a visual determination of emissions opacity exceeds 20 percent. This report must be submitted along with your annual certification and compliance report according to the requirements in paragraph (b)(1) of this section, and must contain the information in paragraphs (b)(8)(iii)(A) and (B) of this section.

- (A) The date on which the exceedence occurred; and
- (B) The average of the six-minute average opacities recorded during the visual determination of emissions opacity.

(9) *Site-specific Welding Emissions Management Plan reporting.* You must submit a copy of the records of daily visual determinations of emissions recorded in accordance with §63.11516(f)(7)(iv), “Tier 3 requirements for opacities exceeding 20 percent,” and a copy of your Site-Specific Welding Emissions Management Plan and any subsequent revisions to the plan pursuant to §63.11516(f)(8), “Site-specific Welding Emission Management Plan,” along with your annual certification and compliance report, according to the requirements in paragraph (b)(1) of this section.

(c) *What records must I keep?* You must collect and keep records of the data and information specified in paragraphs (c)(1) through (13) of this section, according to the requirements in paragraph (c)(14) of this section.

(1) *General compliance and applicability records.* Maintain information specified in paragraphs (c)(1)(i) through (ii) of this section for each affected source.

- (i) Each notification and report that you submitted to comply with this subpart, and the documentation supporting each notification and report.
- (ii) Records of the applicability determinations as in §63.11514(b)(1) through (5), “Am I subject to this subpart,” listing equipment included in its affected source, as well as any changes to that and on what date they occurred, must be maintained for 5 years and be made available for inspector review at any time.

(2) *Visual determination of fugitive emissions records.* Maintain a record of the information specified in paragraphs (c)(2)(i) through (iii) of this section for each affected source which performs visual determination of fugitive emissions in accordance with §63.11517(a), “Monitoring requirements.”

- (i) The date and results of every visual determination of fugitive emissions;
- (ii) A description of any corrective action taken subsequent to the test; and

(iii) The date and results of any follow-up visual determination of fugitive emissions performed after the corrective actions.

(3) *Visual determination of emissions opacity records.* Maintain a record of the information specified in paragraphs (c)(3)(i) through (iii) of this section for each affected source which performs visual determination of emissions opacity in accordance with §63.11517(c), “Monitoring requirements.”

(i) The date of every visual determination of emissions opacity; and

(ii) The average of the six-minute opacities measured by the test; and

(iii) A description of any corrective action taken subsequent to the test.

(4) Maintain a record of the manufacturer's specifications for the control devices used to comply with §63.11516, “What are my standards and management practices?”

(5) *Spray paint booth filter records.* Maintain a record of the filter efficiency demonstrations and spray paint booth filter maintenance activities, performed in accordance with §63.11516(d)(1)(ii) and (iii), “Requirements for spray painting objects in spray booths or spray rooms.”

(6) Waterspray booth or water curtain efficiency tests. Maintain a record of the water curtain efficiency demonstrations performed in accordance with §63.11516(d)(1)(ii), “Requirements for spray painting objects in spray booths or spray rooms.”

(7) *HVLP or other high transfer efficiency spray delivery system documentation records.* Maintain documentation of HVLP or other high transfer efficiency spray paint delivery systems, in compliance with §63.11516(d)(3), “Requirements for spray painting of all objects.” This documentation must include the manufacturer's specifications for the equipment and any manufacturer's operation instructions. If you have obtained written approval for an alternative spray application system in accordance with §63.11516(d)(2), “Spray painting of all objects,” you must maintain a record of that approval along with documentation of the demonstration of equivalency.

(8) *HVLP or other high transfer efficiency spray delivery system employee training documentation records.* Maintain certification that each worker performing spray painting operations has completed the training specified in §63.11516(d)(6), “Requirements for spray painting of all objects,” with the date the initial training and the most recent refresher training was completed.

(9)-(10) [Reserved]

(11) *Visual determination of emissions opacity performed during the preparation (or revision) of the Site-Specific Welding Emissions Management Plan.* You must maintain a record of each visual determination of emissions opacity performed during the preparation (or revision) of a Site-Specific Welding Emissions Management Plan, in accordance with §63.11516(f)(7)(iii), “Requirements for opacities exceeding 20 percent.”

(12) *Site-Specific Welding Emissions Management Plan.* If you have been required to prepare a plan in accordance with §63.11516(f)(7)(iii), “Site-Specific Welding Emissions Management Plan,” you must maintain a copy of your current Site-Specific Welding Emissions Management Plan in your records and it must be readily available for inspector review.

(13) *Manufacturer's instructions.* If you comply with this subpart by operating any equipment according to manufacturer's instruction, you must keep these instructions readily available for inspector review.

(14) *Welding Rod usage.* If you operate a new or existing welding affected source which is not required to comply with the requirements of §63.11516(f)(3) through (8) because it uses less than 2,000 pounds per year of welding rod

(on a rolling 12-month basis), you must maintain records demonstrating your welding rod usage on a rolling 12-month basis.

(15) Your records must be maintained according to the requirements in paragraphs (c)(14)(i) through (iii) of this section.

(i) Your records must be in a form suitable and readily available for expeditious review, according to §63.10(b)(1), “General Provisions.” Where appropriate, the records may be maintained as electronic spreadsheets or as a database.

(ii) As specified in §63.10(b)(1), “General Provisions,” you must keep each record for 5 years following the date of each occurrence, measurement, corrective action, report, or record.

(iii) You must keep each record on-site for at least 2 years after the date of each occurrence, measurement, corrective action, report, or record according to §63.10(b)(1), “General Provisions.” You may keep the records off-site for the remaining 3 years.

[72 FR 73207, Dec. 26, 2007, as amended at 85 FR 73921, Nov. 19, 2020]

§63.11520 [Reserved]

Other Requirements and Information

§63.11521 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by EPA or a delegated authority such as your state, local, or tribal agency. If the EPA Administrator has delegated authority to your state, local, or tribal agency, then that agency, in addition to EPA, has the authority to implement and enforce this subpart. You should contact your EPA Regional Office to find out if implementation and enforcement of 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 EPA Administrator and are not transferred to the state, local, or tribal agency.

(c) The authorities that cannot be delegated to state, local, or tribal agencies are specified in paragraphs (c)(1) through (5) of this section.

(1) Approval of an alternative non-opacity emissions standard under §63.6(g), of the General Provisions of this part.

(2) Approval of an alternative opacity emissions standard under §63.6(h)(9), of the General Provisions of this part.

(3) Approval of a major change to test methods under §63.7(e)(2)(ii) and (f), of the General Provisions of this part. A “major change to test method” is defined in §63.90.

(4) Approval of a major change to monitoring under §63.8(f), of the General Provisions of this part. A “major change to monitoring” under is defined in §63.90.

(5) Approval of a major change to recordkeeping and reporting under §63.10(f), of the General Provisions of this part. A “major change to recordkeeping/reporting” is defined in §63.90.

§63.11522 What definitions apply to this subpart?

The terms used in this subpart are defined in the CAA; and in this section as follows:

Adequate emission capture methods are hoods, enclosures, or any other duct intake devices with ductwork, dampers, manifolds, plenums, or fans designed to draw greater than 85 percent of the airborne dust generated from the process into the control device.

Capture system means the collection of components used to capture gases and fumes released from one or more emissions points and then convey the captured gas stream to a control device or to the atmosphere. A capture system may include, but is not limited to, the following components as applicable to a given capture system design: duct intake devices, hoods, enclosures, ductwork, dampers, manifolds, plenums, and fans.

Cartridge collector means a type of control device that uses perforated metal cartridges containing a pleated paper or non-woven fibrous filter media to remove PM from a gas stream by sieving and other mechanisms. Cartridge collectors can be designed with single use cartridges, which are removed and disposed after reaching capacity, or continuous use cartridges, which typically are cleaned by means of a pulse-jet mechanism.

Confined abrasive blasting enclosure means an enclosure that includes a roof and at least two complete walls, with side curtains and ventilation as needed to insure that no air or PM exits the enclosure while dry abrasive blasting is performed. Apertures or slots may be present in the roof or walls to allow for mechanized transport of the blasted objects with overhead cranes, or cable and cord entry into the dry abrasive blasting chamber.

Control device means equipment installed on a process vent or exhaust system that reduces the quantity of a pollutant that is emitted to the air.

Dry abrasive blasting means cleaning, polishing, conditioning, removing or preparing a surface by propelling a stream of abrasive material with compressed air against the surface. Hydroblasting, wet abrasive blasting, or other abrasive blasting operations which employ liquids to reduce emissions are not dry abrasive blasting.

Dry grinding and dry polishing with machines means grinding or polishing without the use of lubricating oils or fluids in fixed or stationary machines. Hand grinding, hand polishing, and bench top dry grinding and dry polishing are not included under this definition.

Fabric filter means a type of control device used for collecting PM by filtering a process exhaust stream through a filter or filter media; a fabric filter is also known as a baghouse.

Facility maintenance means operations performed as part of the routine repair or renovation of process equipment, machinery, control equipment, and structures that comprise the infrastructure of the affected facility and that are necessary for the facility to function in its intended capacity. Facility maintenance also includes operations associated with the installation of new equipment or structures, and any processes as part of janitorial activities. Facility maintenance includes operations on stationary structures or their appurtenances at the site of installation, to portable buildings at the site of installation, to pavements, or to curbs. Facility maintenance also includes operations performed on mobile equipment, such as fork trucks, that are used in a manufacturing facility and which are maintained in that same facility. Facility maintenance does not include spray-applied coating of motor vehicles, mobile equipment, or items that routinely leave and return to the facility, such as delivery trucks, rental equipment, or containers used to transport, deliver, distribute, or dispense commercial products to customers, such as compressed gas canisters.

Filtration control device means a control device that utilizes a filter to reduce the emissions of MFHAP and other PM.

Grinding means a process performed on a workpiece to remove undesirable material from the surface or to remove burrs or sharp edges. Grinding is done using belts, disks, or wheels consisting of or covered with various abrasives.

Machining means dry metal turning, milling, drilling, boring, tapping, planing, broaching, sawing, cutting, shaving, shearing, threading, reaming, shaping, slotting, hobbing, and chamfering with machines. Shearing operations cut materials into a desired shape and size, while forming operations bend or conform materials into specific shapes. Cutting and shearing operations include punching, piercing, blanking, cutoff, parting, shearing and trimming. Forming operations include bending, forming, extruding, drawing, rolling, spinning, coining, and forging the metal. Processes specifically excluded are hand-held devices and any process employing fluids for lubrication or cooling.

Material containing MFHAP means a material containing one or more MFHAP. Any material that contains cadmium, chromium, lead, or nickel in amounts greater than or equal to 0.1 percent by weight (as the metal), and contains manganese in amounts greater than or equal to 1.0 percent by weight (as the metal), as shown in formulation data provided by the manufacturer or supplier, such as the Material Safety Data Sheet for the material, is considered to be a material containing MFHAP.

Metal fabrication and finishing HAP (MFHAP) means any compound of the following metals: Cadmium, chromium, lead, manganese, or nickel, or any of these metals in the elemental form, with the exception of lead.

Metal fabrication and finishing source categories are limited to the nine metal fabrication and finishing source categories with the activities described in Table 1, "Description of Source Categories Affected by this Subpart." Metal fabrication or finishing operations means dry abrasive blasting, machining, spray painting, or welding in any one of the nine metal fabrication and finishing area source categories listed in Table 1, "Description of Source Categories Affected by this Subpart."

Military munitions means all ammunition products and components produced or used by or for the U.S. Department of Defense (DoD) or for the U.S. Armed Services for national defense and security, including military munitions under the control of the DoD, the U.S. Coast Guard, the National Nuclear Security Administration (NNSA), U.S. Department of Energy (DOE), and National Guard personnel. The term military munitions includes: Confined gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot control agents, smokes, and incendiaries used by DoD components, including bulk explosives and chemical warfare agents, chemical munitions, biological weapons, rockets, guided and ballistic missiles, bombs, warheads, small arms ammunition, grenades, mines, torpedoes, depth charges, cluster munitions and dispensers, demolition charges, nonnuclear components of nuclear weapons, wholly inert ammunition products, and all devices and components of any items listed in this definition.

Paint means a material applied to a substrate for decorative, protective, or functional purposes. Such materials include, but are not limited to, paints, coatings, sealants, liquid plastic coatings, caulks, inks, adhesives, and maskants. Decorative, protective, or functional materials that consist only of protective oils for metal, acids, bases, or any combination of these substances, or paper film or plastic film which may be pre-coated with an adhesive by the film manufacturer, are not considered paints for the purposes of this subpart.

Polishing with machines means an operation which removes fine excess metal from a surface to prepare the surface for more refined finishing procedures prior to plating or other processes. Polishing may also be employed to remove burrs on castings or stampings. Polishing is performed using hard-faced wheels constructed of muslin, canvas, felt or leather, and typically employs natural or artificial abrasives. Polishing performed by hand without machines or in bench top operations are not considered polishing with machines for the purposes of this subpart.

Primarily engaged means the manufacturing, fabricating, or forging of one or more products listed in one of the nine metal fabrication and finishing source category descriptions in Table 1, "Description of Source Categories Affected by this Subpart," where this production represents at least 50 percent of the production at a facility, and where production quantities are established by the volume, linear foot, square foot, or other value suited to the specific industry. The period used to determine production should be the previous continuous 12 months of operation. Facilities must document and retain their rationale for the determination that their facility is not "primarily engaged" pursuant to §63.10(b)(3) of the General Provisions.

Quality control activities means operations that meet all of the following criteria:

- (1) The activities are intended to detect and correct defects in the final product by selecting a limited number of samples from the operation, and comparing the samples against specific performance criteria.
- (2) The activities do not include the production of an intermediate or final product for sale or exchange for commercial profit; for example, parts that are not sold and do not leave the facility.
- (3) The activities are not a normal part of the operation;
- (4) The activities do not involve fabrication of tools, equipment, machinery, and structures that comprise the infrastructure of the facility and that are necessary for the facility to function in its intended capacity; that is, the activities are not facility maintenance.

Responsible official means responsible official as defined in 40 CFR 70.2.

Spray-applied painting means application of paints using a hand-held device that creates an atomized mist of paint and deposits the paint on a substrate. For the purposes of this subpart, spray-applied painting does not include the following materials or activities:

- (1) Paints applied from a hand-held device with a paint cup capacity that is less than 3.0 fluid ounces (89 cubic centimeters).
- (2) Surface coating application using powder coating, hand-held, non-refillable aerosol containers, or non-atomizing application technology, including, but not limited to, paint brushes, rollers, hand wiping, flow coating, dip coating, electrodeposition coating, web coating, coil coating, touch-up markers, or marking pens.
- (3) Painting operations that normally require the use of an airbrush or an extension on the spray gun to properly reach limited access spaces; the application of paints that contain fillers that adversely affect atomization with HVLP spray guns, and the application of paints that normally have a dried film thickness of less than 0.0013 centimeter (0.0005 in.).
- (4) Thermal spray operations (also known as metallizing, flame spray, plasma arc spray, and electric arc spray, among other names) in which solid metallic or non-metallic material is heated to a molten or semi-molten state and propelled to the work piece or substrate by compressed air or other gas, where a bond is produced upon impact.

Spray booth or spray room means an enclosure with four sides and a roof where spray paint is prevented from leaving the booth during spraying by the enclosure. The roof of the spray booth or spray room may contain narrow slots for connecting the parts and products to overhead cranes, or for cord or cable entry into the spray booth or spray room.

Tool or equipment repair means equipment and devices used to repair or maintain process equipment or to prepare molds, dies, or other changeable elements of process equipment.

Totally enclosed and unvented means enclosed so that no air enters or leaves during operation.

Totally enclosed and unvented dry abrasive blasting chamber means a dry abrasive blasting enclosure which has no vents to the atmosphere, thus no emissions. A typical example of this sort of abrasive blasting enclosure is a small “glove box” enclosure, where the worker places their hands in openings or gloves that extend into the box and enable the worker to hold the objects as they are being blasted without allowing air and blast material to escape the box.

Vented dry abrasive blasting means dry abrasive blasting where the blast material is moved by air flow from within the chamber to outside the chamber into the atmosphere or into a control device.

Welding means a process which joins two metal parts by melting the parts at the joint and filling the space with molten metal.

Welding rod containing MFHAP means a welding rod that contains cadmium, chromium, lead, or nickel in amounts greater than or equal to 0.1 percent by weight (as the metal), or that contains manganese in amounts greater than or equal to 1.0 percent by weight (as the metal), as shown in formulation data provided by the manufacturer or supplier, such as the Material Safety Data Sheet for the welding rod.

§63.11523 What General Provisions apply to this subpart?

The provisions in 40 CFR part 63, subpart A, applicable to sources subject to §63.11514(a) are specified in Table 2 of this subpart.

Table 1 to Subpart XXXXXX of Part 63—Description of Source Categories Affected by This Subpart

Metal fabrication and finishing source category	Description
Electrical and Electronic Equipment Finishing Operations	Establishments primarily engaged in manufacturing motors and generators; and electrical machinery, equipment, and supplies, not elsewhere classified. The electrical machinery equipment and supplies industry sector of this source category includes establishments primarily engaged in high energy particle acceleration systems and equipment, electronic simulators, appliance and extension cords, bells and chimes, insect traps, and other electrical equipment and supplies not elsewhere classified. The motors and generators sector of this source category includes establishments primarily engaged in manufacturing electric motors (except engine starting motors) and power generators; motor generator sets; railway motors and control equipment; and motors, generators and control equipment for gasoline, electric, and oil-electric buses and trucks.
Fabricated Metal Products	Establishments primarily engaged in manufacturing fabricated metal products, such as fire or burglary resistive steel safes and vaults and similar fire or burglary resistive products; and collapsible tubes of thin flexible metal. Also, establishments primarily engaged in manufacturing powder metallurgy products, metal boxes; metal ladders; metal household articles, such as ice cream freezers and ironing boards; and other fabricated metal products not elsewhere classified.
Fabricated Plate Work (Boiler Shops)	Establishments primarily engaged in manufacturing power marine boilers, pressure and nonpressure tanks, processing and storage vessels, heat exchangers, weldments and similar products.
Fabricated Structural Metal Manufacturing	Establishments primarily engaged in fabricating iron and steel or other metal for structural purposes, such as bridges, buildings, and sections for ships, boats, and barges.
Heating Equipment, except Electric	Establishments primarily engaged in manufacturing heating equipment, except electric and warm air furnaces, including gas, oil, and stoker coal fired equipment for the automatic utilization of gaseous, liquid, and solid fuels. Products produced in this source category include low-pressure heating (steam or hot water) boilers, fireplace inserts, domestic (steam or hot water) furnaces, domestic gas burners, gas room heaters, gas infrared heating units, combination gas-oil burners, oil or gas swimming pool heaters, heating apparatus (except electric or warm air), kerosene space heaters, gas fireplace logs, domestic and industrial oil burners, radiators (except electric), galvanized iron nonferrous metal range boilers, room heaters (except electric), coke and gas burning salamanders, liquid or gas solar energy collectors, solar heaters, space heaters (except electric), mechanical (domestic and industrial) stokers, wood and coal-burning stoves, domestic unit heaters (except electric), and wall heaters (except electric).
Industrial Machinery	Establishments primarily engaged in construction machinery manufacturing; oil and gas

and Equipment Finishing Operations	field machinery manufacturing; and pumps and pumping equipment manufacturing. The construction machinery manufacturing industry sector of this source category includes establishments primarily engaged in manufacturing heavy machinery and equipment of types used primarily by the construction industries, such as bulldozers; concrete mixers; cranes, except industrial plant overhead and truck-type cranes; dredging machinery; pavers; and power shovels. Also establishments primarily engaged in manufacturing forestry equipment and certain specialized equipment, not elsewhere classified, similar to that used by the construction industries, such as elevating platforms, ship cranes, and capstans, aerial work platforms, and automobile wrecker hoists. The oil and gas field machinery manufacturing industry sector of this source category includes establishments primarily engaged in manufacturing machinery and equipment for use in oil and gas fields or for drilling water wells, including portable drilling rigs. The pumps and pumping equipment manufacturing sector of this source category includes establishments primarily engaged in manufacturing pumps and pumping equipment for general industrial, commercial, or household use, except fluid power pumps and motors. This category includes establishments primarily engaged in manufacturing domestic water and sump pumps.
Iron and Steel Forging	Establishments primarily engaged in the forging manufacturing process, where purchased iron and steel metal is pressed, pounded or squeezed under great pressure into high strength parts known as forgings. The forging process is different from the casting and foundry processes, as metal used to make forged parts is never melted and poured.
Primary Metals Products Manufacturing	Establishments primarily engaged in manufacturing products such as fabricated wire products (except springs) made from purchased wire. These facilities also manufacture steel balls; nonferrous metal brads and nails; nonferrous metal spikes, staples, and tacks; and other primary metals products not elsewhere classified.
Valves and Pipe Fittings	Establishments primarily engaged in manufacturing metal valves and pipe fittings; flanges; unions, with the exception of purchased pipes; and other valves and pipe fittings not elsewhere classified.

Table 2 to Subpart XXXXXX of Part 63—Applicability of General Provisions to Metal Fabrication or Finishing Area Sources

Instructions for Table 2—As required in §63.11523, “General Provisions Requirements,” you must meet each requirement in the following table that applies to you.

Citation	Subject
63.1 ¹	Applicability.
63.2	Definitions.
63.3	Units and abbreviations.
63.4	Prohibited activities.
63.5	Construction/reconstruction.
63.6(a), (b)(1)-(b)(5), (c)(1), (c)(2), (c)(5), (g), (i), (j)	Compliance with standards and maintenance requirements.
63.9(a)-(d)	Notification requirements.
63.10(a), (b) except for (b)(2), (d)(1), (d)(4)	Recordkeeping and reporting.
63.12	State authority and delegations.
63.13	Addresses of State air pollution control agencies and EPA regional offices.
63.14	Incorporation by reference.
63.15	Availability of information and confidentiality.

63.16	Performance track provisions.
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¹§63.11514(g), “Am I subject to this subpart?” exempts affected sources from the obligation to obtain title V operating permits.