**CERTIFIED MAIL:**

**PERMITTEE**

Greater Orlando Aviation Authority
One Airport Boulevard
Orlando, Florida 32827

Authorized Representative:
Robert Brancheau, P.E.

Air Permit Number: 0950184-010-AO
Permit Expires: November 30, 2016

Greater Orlando Aviation Authority
Minor Source Air Operation Permit
Project Name: Renew air operation permit

This is air operation permit number 0950184-010-AO to operate the above-referenced source. This permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to operate the facility in accordance with the conditions of this permit.

The Greater Orlando Aviation Authority operates the Orlando International Airport (Standard Industrial Classification Number 4581 for Airports, Flying Fields, and Airport Terminal Services). The facility is located in Orange County at One Airport Boulevard, Orlando, Florida. The Latitude/Longitude coordinates are: 28°26'02" N Latitude / 81°20'00" W Longitude.

This final permit is organized by the following sections.
Section 1. General Information
Section 2. Administrative Requirements
Section 3. Emission Unit Specific Conditions
Section 4. Appendices (The following appendices are enforceable parts of this permit):
- Appendix A. Citation Formats and Glossary of Common Terms
- Appendix B. General Conditions
- Appendix C. Common Conditions
- Appendix D. Common Testing Requirements
- Appendix E. 40 CFR Part 60 Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
- Appendix F: 40 CFR Part 63 Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of Section 4 of this permit.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of the Orange County Attorney, 201 South Rosalind Avenue, Third Floor, Orlando, Florida 32801, within 14 days of receipt of this Permit. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Section 120.57, F.S.

All petitions filed under these rules shall contain: (a)The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of theagency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the final EPD action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by the EPD decision with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of the Orange County Attorney at the above address. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This permit is final and effective on the date filed with the EPD Clerk unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order by EPD.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Office of the Orange County Attorney at the above address; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the EPD.

Executed in Orange County, Florida

_____ _____

Jodi D. Dittell (Date)
Environmental Program Supervisor
Air Quality Management
Orange County Environmental Protection Division

## CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Final Air Permit package was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on _____ to the persons listed below.

Robert Brancheau, P.E., GOAA, (rbrancheau@goaa.org)
Greg Gonzales, GG Environmental Solutions, Inc. (ggonzales5@cfl.rr.com)
Caroline Shine, Florida DEP (caroline.shine@dep.state.fl.us)
Jodi Dittell, EPD (jodi.dittell@ocfl.net)

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

_____ _____
(Clerk) (Date)

## FACILITY AND PROJECT DESCRIPTION

### Project Description

This air operation permit renews permit 0950184-009-AO. There are no changes to the limits and conditions in permit 0950184-009-AO.

### Facility Description

The Greater Orlando Aviation Authority operates diesel-fired emergency generators at the Orlando International Airport. Total electrical generating capacity is 31,887 kW. There is a total of 47 emergency generators. Engines in EU 005 are subject to 40 CFR Part 60 Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The engines in EU 005 are also subject to 40 CFR Part 60 Subpart A, General Provisions, and 40 CFR Part 63 Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The NESHAP 40 CFR Part 63 Subpart ZZZZ requires that these engines comply with 40 CFR Part 60 Subpart IIII because the facility is not a major source of HAP. Engines in EU 004 are subject to 40 CFR Part 63 Subpart A, General Provisions, and 40 CFR Part 63, Subpart ZZZZ.

The facility includes two 200 HP boilers fired by distillate fuel only that qualify as exempt from permitting by Rule 62-210.300(3)(a)34., F.A.C.

This facility may have on-site a partially disassembled and decommissioned solid waste combustor that is listed as inactive EU 002.

Potential air emissions are criteria pollutants from combustion. The facility is a **synthetic minor** source and is located at One Airport Boulevard, Orlando, Florida. The facility consists of two EUs summarized in the table below.

| **Facility ID Number 0950184** | | | | |
|---|---|---|---|---|
| **EU ID** | **Emission Unit Description** | | | |
| 004 | Terminal Shop and Standby Generators | | | |
| | **Location** | **Make** | **Model** | **Rating, kW** |
| | L.S./Cent Plant | Caterpillar | 349 | 800 |
| | L.S./Cent Plant | Caterpillar | 349 | 800 |
| | L.S./Cent Plant | Caterpillar | 349 | 800 |
| | L.S./Cent Plant | Caterpillar | 349 | 800 |
| | L.S./Cent Plant | Caterpillar | 3508 | 800 |
| | L.S./Cent Plant | Caterpillar | 3508 | 800 |
| | A Toll Plaza | Olympian/Generac | 92460-5.0L | 60 |
| | B Toll Plaza | Olympian/Generac | 92460-5.0L | 80 |
| | "A" Parking Gar | Caterpillar | 3412 | 700 |
| | "B" Parking Gar | Caterpillar | 3412 | 700 |
| | Airside 1, AGT | Caterpillar | 3412 | 700 |
| | Airside 2 | Cummins/Onan | KTA19-G2 | 400 |
| | Airside 2 | Cummins/Onan | KTA19-G2 | 400 |
| | Airside 2 | Cummins/Onan | KTA19-G2 | 400 |
| | Airside 2, AGT | Cummins/Onan | QSK60-G6 | 2187 |
| | Airside 3, AGT | Caterpillar | 3412 | 350 |
| | Airside 4 | Cummins | VTA2861 | 500 |
| | Airside 4 | Cummins | VTA2861 | 500 |
| | Airside 4 | Cummins | VTA2861 | 500 |
| | Airside 4, AGT | Caterpillar | 3512 | 1180 |

| | | | | |
|---|---|---|---|---|
| | West Vault | Caterpillar | 3412 | 455 |
| | C.F. Vault | Caterpillar | 3508 | 725 |
| | 17L/35R Vault | Caterpillar | JCMJ004]70CM | 1100 |
| | 17R/35L Vault | Caterpillar | 3508 | 725 |
| | ARFF, Center | Caterpillar | 3408-B | 400 |
| | ARFF, West | Koehler | 135AOZJ | 135 |
| | Fuel Farm | Caterpillar | 3508 | 1000 |
| | ARFF EAST | Detroit | 275RE0Z0 | 275 |
| | Motor Pool | Caterpillar | D3306T | 90 |
| | Trailer, West Vault | Caterpillar | 3208 | 75 |
| | Skid, West Vault | John Deere | AN6081AF001 | 150 |
| | USDA | Koehler | | 1125 |
| | Hienz Blvd | Caterpillar | 040p03 | 40 |
| | HBJ Building | Perkins | | 15 |
| | Blue Parking S. | Generac | 92460-5.0L | 50 |
| | Blue Parking N. | Generac | 92460-2.4L | 20 |
| 005 | Emergency Generators Subject to 40 CFR Part 60 Subpart IIII | | | |
| | Airside 1 | Caterpillar | C27 | 800 |
| | Airside 1 | Caterpillar | C27 | 800 |
| | Airside 1 | Caterpillar | C27 | 800 |
| | Airside 3 | Caterpillar | C27 | 800 |
| | Airside 3 | Caterpillar | C27 | 800 |
| | Airside 3 | Caterpillar | C27 | 800 |
| | Baggage Vault | Caterpillar | 3516C | 2000 |
| | Baggage Vault | Caterpillar | 3516C | 2000 |
| | Baggage Vault | Caterpillar | 3516C | 2000 |
| | Admin Building | Caterpillar | C9 | 250 |
| | A-Terminal QTA | Caterpillar | | 1000 |

## FACILITY REGULATORY CLASSIFICATION

- The facility is a synthetic minor source of criteria pollutants.
- The facility is not a major source of hazardous air pollutants (HAP).
- The facility has no units subject to the acid rain provisions of the Clean Air Act (CAA).
- The facility is not a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is not a major stationary source in accordance with Rule 62-212.400(PSD), F.A.C.

1. Permitting & Compliance Authority: The permitting authority for this project is the Orange County Environmental Protection Division (EPD). All documents related to applications for permits to operate emission units and compliance activities such as reports, tests, and notifications shall be submitted to EPD. The mailing address and phone number of the EPD are 800 Mercy Drive, Orlando, Florida 32808 and 407-836-1400.

2. Appendices: The following Appendices are attached as part of this permit:
   a. Appendix A. Citation Formats and Glossary of Common Terms;
   b. Appendix B. General Conditions;
   c. Appendix C. Common Conditions;
   d. Appendix D. Common Testing Requirements;
   e. Appendix E. 40 CFR Part 60 Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines;
   f. Appendix F. 40 CFR Part 63 Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

3. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C.; and Orange County Ordinances Chapter 15 Article III. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.

4. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, EPD may require the permittee to conform to new or additional conditions. EPD shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, EPD may grant additional time. [Rule 62-4.080, F.A.C.]

5. Modifications: The permittee shall notify the EPD upon commencement of construction. No new emissions unit shall be constructed and no existing emissions unit shall be modified without obtaining an air construction permit from EPD. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]

6. Source Obligation:
   (a) At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.
   (b) At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by exceeding its projected actual emissions, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.

   [Rule 62-212.400(12), F.A.C.]

7. Permit Renewal. At least 60 days prior to the expiration date of this operating permit, the permittee shall submit to EPD four copies of an operating permit renewal application, along with copies of the required records for the previous 12 months, copies of compliance test results and the appropriate processing fee established in 62-4.050(4), F.A.C.

This section of the permit addresses the following emission units.

| Facility ID Number 0950184 | | | | |
|---|---|---|---|---|
| **EU ID** | **Emission Unit Description** | | | |
| 004 | Terminal Shop and Standby Generators | | | |
| | **Location** | **Make** | **Model** | **Rating, kW** |
| | L.S./Cent Plant | Caterpillar | 349 | 800 |
| | L.S./Cent Plant | Caterpillar | 349 | 800 |
| | L.S./Cent Plant | Caterpillar | 349 | 800 |
| | L.S./Cent Plant | Caterpillar | 349 | 800 |
| | L.S./Cent Plant | Caterpillar | 3508 | 800 |
| | L.S./Cent Plant | Caterpillar | 3508 | 800 |
| | A Toll Plaza | Olympian/Generac | 92460-5.0L | 60 |
| | B Toll Plaza | Olympian/Generac | 92460-5.0L | 80 |
| | "A" Parking Gar | Caterpillar | 3412 | 700 |
| | "B" Parking Gar | Caterpillar | 3412 | 700 |
| | Airside 1, AGT | Caterpillar | 3412 | 700 |
| | Airside 2 | Cummins/Onan | KTA19-G2 | 400 |
| | Airside 2 | Cummins/Onan | KTA19-G2 | 400 |
| | Airside 2 | Cummins/Onan | KTA19-G2 | 400 |
| | Airside 2, AGT | Cummins/Onan | QSK60-G6 | 2187 |
| | Airside 3, AGT | Caterpillar | 3412 | 350 |
| | Airside 4 | Cummins | VTA2861 | 500 |
| | Airside 4 | Cummins | VTA2861 | 500 |
| | Airside 4 | Cummins | VTA2861 | 500 |
| | Airside 4, AGT | Caterpillar | 3512 | 1180 |
| | West Vault | Caterpillar | 3412 | 455 |
| | C.F. Vault | Caterpillar | 3508 | 725 |
| | 17L/35R Vault | Caterpillar | JCMJ004]70CM | 1100 |
| | 17R/35L Vault | Caterpillar | 3508 | 725 |
| | ARFF, Center | Caterpillar | 3408-B | 400 |
| | ARFF, West | Koehler | 135AOZJ | 135 |
| | Fuel Farm | Caterpillar | 3508 | 1000 |
| | ARFF EAST | Detroit | 275RE0Z0 | 275 |
| | Motor Pool | Caterpillar | D3306T | 90 |
| | Trailer, West Vault | Caterpillar | 3208 | 75 |
| | Skid, West Vault | John Deere | AN6081AF001 | 150 |
| | USDA | Koehler | | 1125 |
| | Hienz Blvd | Caterpillar | 040p03 | 40 |
| | HBJ Building | Perkins | | 15 |
| | Blue Parking S. | Generac | 92460-5.0L | 50 |
| | Blue Parking N. | Generac | 92460-2.4L | 20 |

| | | | | |
|---|---|---|---|---|
| 005 | Emergency Generators Subject to 40 CFR Part 60 Subpart IIII | | | |
| | Airside 1 | Caterpillar | C27 | 800 |
| | Airside 1 | Caterpillar | C27 | 800 |
| | Airside 1 | Caterpillar | C27 | 800 |
| | Airside 3 | Caterpillar | C27 | 800 |
| | Airside 3 | Caterpillar | C27 | 800 |
| | Airside 3 | Caterpillar | C27 | 800 |
| | Baggage Vault | Caterpillar | 3516C | 2000 |
| | Baggage Vault | Caterpillar | 3516C | 2000 |
| | Baggage Vault | Caterpillar | 3516C | 2000 |
| | Admin Building | Caterpillar | C9 | 250 |
| | A-Terminal QTA | Caterpillar | | 1000 |

## OPERATING RESTRICTIONS

1. Operating Limits. The emergency generators are limited as follows:
   a. Emergency generators in EU 004 are permitted to burn only low-sulfur diesel fuel (Number 2 fuel oil) containing no more than 0.05% sulfur;
   b. Emergency generators in EU 005 are subject to 40 CFR Part 60 Subpart IIII, and shall use diesel fuel with a minimum cetane index of 40 or a maximum aromatic content of 35% by volume. In addition, the generators are required to use Ultra Low Sulfur Diesel (ULSD) fuel with a maximum sulfur content of 15 ppm.
   c. Total emergency generator diesel fuel consumption is limited to 150,000 gallons per consecutive 12 months.

   [Rule 62-210.200, PTE, F.A.C., 40 CFR Part 60 Subpart IIII, 40 CFR 80.510 and Permit 0950184-008-AC]

2. VOC Handling: The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, VOC or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by EPD. To comply, procedures to minimize pollutant emissions should include but not be limited to the following:
   a. Tightly cover or close all VOC containers when they are not in use;
   b. Tightly cover, where possible, all open troughs, basins, baths, tanks, etc. when they are not in use;
   c. Maintain all piping, valves, fittings, etc. in good operating condition;
   d. Prevent excessive air turbulence across exposed VOC's; and
   e. Immediately confine and clean up VOC spills and make sure certain wastes are placed in closed containers for reuse, recycling or proper disposal.

   [Rule 62-296.320(1)(a), F.A.C., Permit 0951247-005-AC]

## EMISSIONS STANDARDS

3. Visible Emission Limits. Visible emissions from each emergency generator are limited to less than 20% opacity. [Rule 62-296.320(4)(b)1., F.A.C.]

## TESTING REQUIREMENTS

4. Compliance Test Prior to Operating Permit Renewal: At least 90 days prior to the permit expiration date, each particulate emission unit must be tested for visible emissions at each emission point in accordance with FDEP Method 9 prior to submitting the renewal application. The FDEP Method 9 test shall last 30 minutes. The opacity test observation period shall include the period during which the highest opacity emissions can reasonable be expected to occur. [Rule 62-297.310(7)(a)3, F.A.C.]

5. Test Requirements: The permittee shall notify EPD in writing at least 15 days prior to any required tests in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit. [Rule 62-297.310(7)(a)9, F.A.C.]

6. Test Methods: Required tests shall be performed in accordance with the following reference methods.

| Method | Description of Method and Comments |
|---|---|
| 9 | Visual Determination of the Opacity of Emissions from Stationary Sources |

The above methods are described in Appendix A of 40 CFR Part 60 and are adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from EPD. [Rules 62-204.800 and 62-297.100, F.A.C.; and Appendix A of 40 CFR Part 60]

## RECORDS AND REPORTS

7. Recordkeeping Log. A log shall be kept for this facility to document compliance with the limitations of this permit, and to demonstrate that the two Cleaver Brooks boilers meet the exemption requirements of Rule 62-210.300(3)(a)34. The facility shall also keep on-site records showing that each of the engines subject to 40 CFR Part 60 Subpart IIII comply with the emission requirements of 40 CFR Part 60 Subpart IIII. The log shall be completed within 30 days of the end of the month reported, and shall be retained on file at the facility for at least five years. The log shall contain the following for each month:
   a. Month and year for which data was recorded;
   b. Monthly and consecutive 12-month total of diesel fuel usage for the emergency generators;
   c. The sulfur content of the fuel used in EU004, and the sulfur content, cetane number or aromatic content of the diesel fuel used in EU 005.
   d. Monthly and consecutive 12-month total of fuel oil used in the two Cleaver Brooks boilers, and the sulfur content of the fuel.

   [Rule 62-4.070(3), F.A.C., 40 CFR Part 60 Subpart IIII and 40 CFR 80.510]

   Note: A consecutive 12-month total is equal to the total for the month in question plus the totals for the eleven months previous to the month in question. A consecutive 12-month total treats each month of the year as the end of a 12-month period. A 12-month total is not a year-to-date total. Facilities that have not been operating for 12 months should retain 12-month totals using whatever number of months of data are available until such a time as a consecutive 12-month total can be maintained each month.

8. Fuel Sulfur Content Records: The permittee shall maintain records to demonstrate that each shipment of Number 2 fuel oil and diesel fuel meets the fuel requirements of this permit. [Rules 62-4.070(3) and 62-297.440, F.A.C]

9. Annual Operating Reports: The permittee shall prepare and submit Annual Operating Reports in accordance with the requirements specified in Appendix C (Common Conditions) of this permit. [Rule 62-210.370(3), F.A.C.]

10. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. [Rule 62-297.310(8), F.A.C.]

## CITATION FORMATS

The following illustrate the formats used in the permit to identify applicable requirements from permits and regulations.

**Old Permit Numbers**

Example: Permit No. AC50-123456 or Permit No. AO50-123456

Where: "AC" identifies the permit as an Air Construction Permit
"AO" identifies the permit as an Air Operation Permit
"123456" identifies the specific permit project number

**New Permit Numbers**

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AF, 099-2222-001-AO, or 099-2222-001-AV

Where: "099" represents the specific county ID number in which the project is located

"2222" represents the specific facility ID number for that county

"001" identifies the specific permit project number

"AC" identifies the permit as an air construction permit

"AF" identifies the permit as a minor source federally enforceable state operation permit

"AO" identifies the permit as a minor source air operation permit

"AV" identifies the permit as a major Title V air operation permit

**PSD Permit Numbers**

Example: Permit No. PSD-FL-317

Where: "PSD" means issued pursuant to the preconstruction review requirements of the Prevention of Significant Deterioration of Air Quality

"FL" means that the permit was issued by the State of Florida

"317" identifies the specific permit project number

**Florida Administrative Code (F.A.C.)**

Example: [Rule 62-213.205, F.A.C.]

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

**Code of Federal Regulations (CFR)**

Example: [40 CFR 60.7]

Means: Title 40, Part 60, Section 7

## GLOSSARY OF COMMON TERMS

**° F**: degrees Fahrenheit

**AAQS**: Ambient Air Quality Standard

**acf**: actual cubic feet

**acfm**: actual cubic feet per minute

**ARMS**: Air Resource Management System (DEP database)

**BACT**: best available control technology

**bhp**: brake horsepower

**Btu**: British thermal units

**CAM**: compliance assurance monitoring

**CEMS**: continuous emissions monitoring system

**cfm**: cubic feet per minute

## Citation Formats and Glossary of Common Terms

**CFR**: Code of Federal Regulations

**CAA**: Clean Air Act

**CMS**: continuous monitoring system

**CO**: carbon monoxide

**$CO_2$**: carbon dioxide

**COMS**: continuous opacity monitoring system

**DARM**: Division of Air Resource Management

**DEP**: Department of Environmental Protection

**Department**: Department of Environmental Protection

**dscf**: dry standard cubic feet

**dscfm**: dry standard cubic feet per minute

**EPA**: Environmental Protection Agency

**EPD:** Orange County Environmental Protection Division

**ESP**: electrostatic precipitator (control system for reducing particulate matter)

**EU**: emissions unit

**F.A.C.**: Florida Administrative Code

**F.A.W.**: Florida Administrative Weekly

**F.D.**: forced draft

**F.S.**: Florida Statutes

**FGD**: flue gas desulfurization

**FGR**: flue gas recirculation

**Fl**: fluoride

**$ft^2$**: square feet

**$ft^3$**: cubic feet

**gpm**: gallons per minute

**gr**: grains

**HAP**: hazardous air pollutant

**Hg**: mercury

**I.D.**: induced draft

**ID**: identification

**kPa**: kilopascals

**lb**: pound

**MACT**: maximum achievable control technology

**MMBtu**: million British thermal units

**MSDS**: material safety data sheets

**MW**: megawatt

**NESHAP**: National Emissions Standards for Hazardous Air Pollutants

**$NO_X$**: nitrogen oxides

**NSPS**: New Source Performance Standards

**O&M**: operation and maintenance

**$O_2$**: oxygen

**Pb**: lead

**PM**: particulate matter

**$PM_{10}$**: particulate matter with a mean aerodynamic diameter of 10 microns or less

**ppm**: parts per million

**ppmv**: parts per million by volume

**ppmvd**: parts per million by volume, dry basis

**QA**: quality assurance

**QC**: quality control

**PSD**: prevention of significant deterioration

**psi**: pounds per square inch

**PTE**: potential to emit

**RACT**: reasonably available control technology

**RATA**: relative accuracy test audit

**RBLC**: EPA's RACT/BACT/LAER Clearinghouse

**SAM**: sulfuric acid mist

**scf**: standard cubic feet

**scfm**: standard cubic feet per minute

**SIC**: standard industrial classification code

**SIP**: State Implementation Plan

**SNCR**: selective non-catalytic reduction (control system used for reducing emissions of nitrogen oxides)

**$SO_2$**: sulfur dioxide

**TPD**: tons/day

**TPH**: tons per hour

**TPY**: tons per year

**TRS**: total reduced sulfur

**UTM**: Universal Transverse Mercator coordinate system

**VE**: visible emissions

**VOC**: volatile organic compounds

## General Conditions

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that EPD will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by EPD.
3. As provided in subsections 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and EPD rules, unless specifically authorized by an order from FDEP and EPD.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by EPD rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by EPD rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized EPD personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
   a. Have access to and copy any records that must be kept under conditions of the permit;
   b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
   c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or EPD rules. Reasonable time may depend on the nature of the concern being investigated.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide EPD with the following information:
   a. A description of and cause of noncompliance; and
   b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all

damages which may result and may be subject to enforcement action by EPD for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to EPD may be used by EPD as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or EPD rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in EPD rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or EPD rules.

11. This permit is transferable only upon EPD approval in accordance with Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by EPD.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:
    a. Determination of Best Available Control Technology (not applicable);
    b. Determination of Prevention of Significant Deterioration (not applicable); and
    c. Compliance with New Source Performance Standards.

14. The permittee shall comply with the following:
    a. Upon request, the permittee shall furnish all records and plans required under EPD rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by EPD.
    b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by EPD rule.
    c. Records of monitoring information shall include:
        (a) The date, exact place, and time of sampling or measurements;
        (b) The person responsible for performing the sampling or measurements;
        (c) The dates analyses were performed;
        (d) The person responsible for performing the analyses;
        (e) The analytical techniques or methods used;
        (f) The results of such analyses.

15. When requested by EPD, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to EPD, such facts or information shall be corrected promptly.

16. All air pollution sources located in Orange County are subject to the Orange County Code of Ordinances, including Chapter 15, Article III, Air Quality Control.

Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at the facility.

## EMISSIONS AND CONTROLS

1. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify EPD as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future recurrence; and, where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]

2. Circumvention: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]

3. Excess Emissions Allowed: Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed 2 hours in any 24-hour period unless specifically authorized by EPD for longer duration. Pursuant to Rule 62-210.700(5), F.A.C., the permit subsection may specify more or less stringent requirements for periods of excess emissions. Rule 62-210-700(Excess Emissions), F.A.C., cannot vary or supersede any federal NSPS or NESHAP provision. [Rule 62-210.700(1), F.A.C.]

4. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]

5. Excess Emissions - Notification: In case of excess emissions resulting from malfunctions, the permittee shall notify the Compliance Authority in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by EPD. [Rule 62-210.700(6), F.A.C.]

6. VOC or OS Emissions: No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by EPD. [Rule 62-296.320(1), F.A.C.]

7. Objectionable Odor Prohibited: No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rules 62-296.320(2) and 62-210.200(Definitions), F.A.C.]

8. General Visible Emissions: No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20% opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]

9. Unconfined Particulate Emissions: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

## RECORDS AND REPORTS

10. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least 5 years following the date on which such measurements, records, or data are recorded. Records shall be made available to EPD upon request. [Rule 62-213.440(1)(b)2, F.A.C.]

11. Supporting Documentation: Supporting documentation (chemical usage tracking logs, MSDS sheets, purchase orders, EPA "As Supplied" data sheets, EPA Method 24, etc.) shall be kept for each chemical and associated products, which includes sufficient information to determine usage rates and emissions. These records shall be made available to EPD upon request. Documentation of each chemical reclaimed will use a mass balance method to determine usage and emissions (amount used minus amount collected for disposal or recycle). The log and documents shall be kept at the facility for at least five years. Daily logs shall be completed within 7 business days. [Rule 62-4.070(3), F.A.C.]

12. Emissions Computation and Reporting:

    a. *Applicability*. This rule sets forth required methodologies to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with this rule. This rule is not intended to establish methodologies for determining compliance with the emission limitations of any air permit. [Rule 62-210.370(1), F.A.C.]

    b. *Computation of Emissions*. For any of the purposes set forth in subsection 62-210.370(1), F.A.C., the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.

        (1) Basic Approach. The owner or operator shall employ, on a pollutant-specific basis, the most accurate of the approaches set forth below to compute the emissions of a pollutant from an emissions unit; provided, however, that nothing in this rule shall be construed to require installation and operation of any continuous emissions monitoring system (CEMS), continuous parameter monitoring system (CPMS), or predictive emissions monitoring system (PEMS) not otherwise required by rule or permit, nor shall anything in this rule be construed to require performance of any stack testing not otherwise required by rule or permit.

            (a) If the emissions unit is equipped with a CEMS meeting the requirements of paragraph 62-210.370(2)(b), F.A.C., the owner or operator shall use such CEMS to compute the emissions of the pollutant, unless the owner or operator demonstrates to EPD that an alternative approach is more accurate because the CEMS represents still-emerging technology.

            (b) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C, but emissions of the pollutant can be computed pursuant to the mass balance methodology of paragraph 62-210.370(2)(c), F.A.C., the owner or operator shall use such methodology, unless the owner or operator demonstrates to EPD that an alternative approach is more accurate.

            (c) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., and emissions cannot be computed pursuant to the mass balance methodology, the owner or operator shall use an emission factor meeting the requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator

demonstrates to EPD that an alternative approach is more accurate.

(2) Mass Balance Calculations.

(a) An owner or operator may use mass balance calculations to compute emissions of a pollutant for purposes of this rule provided the owner or operator:

1) Demonstrates a means of validating the content of the pollutant that is contained in or created by all materials or fuels used in or at the emissions unit; and

2) Assumes that the emissions unit emits all of the pollutant that is contained in or created by any material or fuel used in or at the emissions unit if it cannot otherwise be accounted for in the process or in the capture and destruction of the pollutant by the unit's air pollution control equipment.

(b) Where the vendor of a raw material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material or fuel, the owner or operator shall use the highest value of the range to compute the emissions, unless the owner or operator demonstrates using site-specific data that another content within the range is more accurate.

(c) In the case of an emissions unit using coatings or solvents, the owner or operator shall document, through purchase receipts, records and sales receipts, the beginning and ending VOC inventories, the amount of VOC purchased during the computational period, and the amount of VOC disposed of in the liquid phase during such period.

(3) Emission Factors.

(a) An owner or operator may use an emission factor to compute emissions of a pollutant for purposes of this rule provided the emission factor is based on site-specific data such as stack test data, where available, unless the owner or operator demonstrates to EPD that an alternative emission factor is more accurate. An owner or operator using site-specific data to derive an emission factor, or set of factors, shall meet the following requirements.

1) If stack test data are used, the emission factor shall be based on the average emissions per unit of input, output, or gas volume, whichever is appropriate, of all valid stack tests conducted during at least a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.

2) Multiple emission factors shall be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.

3) The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.

(b) If site-specific data are not available to derive an emission factor, the owner or operator may use a published emission factor directly applicable to the process for which emissions are computed. If no directly-applicable emission factor is available, the owner

or operator may use a factor based on a similar, but different, process.

(4) Accounting for Emissions During Periods of Missing Data from CEMS, PEMS, or CPMS. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of missing data from CEMS, PEMS, or CPMS using other site-specific data to generate a reasonable estimate of such emissions.

(5) Accounting for Emissions During Periods of Startup and Shutdown. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of startup and shutdown of the emissions unit.

(6) Fugitive Emissions. In computing the emissions of a pollutant from a facility or emissions unit, the owner or operator shall account for the fugitive emissions of the pollutant, to the extent quantifiable, associated with such facility or emissions unit.

(7) Recordkeeping. The owner or operator shall retain a copy of all records used to compute emissions pursuant to this rule for a period of five years from the date on which such emissions information is submitted to EPD for any regulatory purpose.

[Rule 62-210.370(2), F.A.C.]

c. *Annual Operating Report for Air Pollutant Emitting Facility*

(1) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year for the following facilities:

(a) All synthetic non-Title V sources.

(b) All facilities with the potential to emit ten (10) tons per year or more of volatile organic compounds or twenty-five (25) tons per year or more of nitrogen oxides and located in an ozone nonattainment area or ozone air quality maintenance area.

(2) The annual operating report shall be submitted to EPD by April 1 of the following year. If the report is submitted using the FDEP electronic annual operating report software, there is no requirement to submit a copy to EPD.

(3) Emissions shall be computed in accordance with the provisions of subsection 62-210.370(2), F.A.C., for purposes of the annual operating report.

[Rule 62-210.370(3), F.A.C.]

d. *Facility Relocation.* Unless otherwise provided by rule or more stringent permit condition, the owner or operator of a relocatable facility must submit a Facility Relocation Notification Form (DEP Form No. 62-210.900(6)) to EPD at least 30 days prior to the relocation. A separate form shall be submitted for each facility in the case of the relocation of multiple facilities which are jointly owned or operated.

[Rule 62-210.370(4), F.A.C.]

Unless otherwise specified in the permit, the following testing requirements apply to all emissions units at the facility.

## COMPLIANCE TESTING REQUIREMENTS

1. Operating Rate During Testing: Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. [Rule 62-297.310(2), F.A.C.]

2. Applicable Test Procedures - Opacity Compliance Tests: When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:
   a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.
   b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.
   c. The minimum observation period for opacity tests conducted by employees or agents of EPD to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

   [Rule 62-297.310(4), F.A.C.]

3. Determination of Process Variables:
   a. *Required Equipment*. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
   b. *Accuracy of Equipment*. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

   [Rule 62-297.310(5), F.A.C.]

4. Frequency of Compliance Tests: The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.
   a. *General Compliance Testing*.
      1. The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.
      2. The owner or operator of an emissions unit that is subject to any emission limiting standard shall

conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit.

3. The owner or operator shall notify EPD, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

b. *Special Compliance Tests*. When EPD, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in an FDEP rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to EPD.

[Rule 62-297.310(7), F.A.C.]

## RECORDS AND REPORTS

5. Test Reports: The owner or operator of an emissions unit for which a compliance test is required shall file a report with EPD on the results of each such test. The required test report shall be filed with EPD as soon as practical but no later than 45 days after the last sampling run of each test is completed. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow EPD to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report shall provide the following information.

a. The type, location, and designation of the emissions unit tested.
b. The facility at which the emissions unit is located.
c. The owner or operator of the emissions unit.
d. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
e. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
f. The date, starting time and end time of the observation.
g. The test procedures used.
h. The names of individuals who furnished the process variable data, conducted the test, and prepared the report.
i. The applicable emission standard and the resulting maximum allowable emission rate for the emissions unit plus the test result in the same form and unit of measure.
j. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rule 62-297.310(8), F.A.C.]

# 40 CFR Part 60 Subpart IIII
# Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

**What This Subpart Covers**
**60.4200** Am I subject to this subpart?

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

**Emission Standards for Owners and Operators**
**60.4205** What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?
**60.4206** How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?

**Fuel Requirements for Owners and Operators**
**60.4207** What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?

**Other Requirements for Owners and Operators**
**60.4208** What is the deadline for importing and installing stationary CI ICE produced in the previous model year?
**60.4209** What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?

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

**Notification, Reports, and Records for Owners and Operators**
**60.4214** What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?

**Special Requirements**
**60.4215** What requirements must I meet for engines used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands?
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**Tables to Subpart IIII of Part 60**
**Table 1** to Subpart IIII of Part 60--Emission Standards for Stationary Pre-2007 Model Year Engines with a displacement of < 10 liters per cylinder and 2007-2010 Model Year Engines >2,237 KW (3,000 HP) and with a displacement of < 10 liters per cylinder
**Table 2** to Subpart IIII of Part 60--Emission Standards for 2008 Model Year and Later Emergency Stationary CI ICE < 37 KW (50 HP) and with a Displacement of < 10 liters per cylinder
**Table 3** to Subpart IIII of Part 60--Certification Requirements for Stationary Fire Pump Engines
**Table 4** to Subpart IIII of Part 60--Emission Standards for Stationary Fire Pump Engines
**Table 5** to Subpart IIII of Part 60--Labeling and Recordkeeping Requirements for New Stationary Emergency Engines
**Table 6** to Subpart IIII of Part 60--Optional 3-Mode Test Cycle for Stationary Fire Pump Engines
**Table 7** to Subpart IIII of Part 60--Requirements for Performance Tests for Stationary CI ICE with a displacement of >=30 liters per cylinder
**Table 8** to Subpart IIII of Part 60--Applicability of General Provisions to Subpart IIII

**Sec. 60.4200 Am I subject to this subpart?**

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (3) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

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

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

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

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

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

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

(3) Owners and operators of stationary CI ICE that modify or reconstruct their stationary CI ICE after July 11, 2005.

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

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

(d) Stationary CI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C (or the exemptions described in 40 CFR part 89, subpart J and 40 CFR part 94, subpart J, for engines that would need to be certified to standards in those parts), except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

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

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

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

(i) The certification emission standards for new nonroad CI engines for the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants for model year 2007 engines, and

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

(2) For engines with a maximum engine power greater than or equal to 37 KW (50 HP), the certification emission standards for new nonroad CI engines for the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants beginning in model year 2007.

(b) – (d) [Reserved.]

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

(a) [Reserved.]

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

(c) – (d) [Reserved.]

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

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in Sec. 60.4205 according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer, over the entire life of the engine.

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

(a) Beginning October 1, 2007, owners and operators of stationary CI ICE subject to this subpart that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(a).

> ***(§ 80.510 What are the standards and marker requirements for NRLM [nonroad locomotive or marine] diesel fuel?***
> *(a) Beginning June 1, 2007. Except as otherwise specifically provided in 40 CFR 80 Subpart I, all NRLM diesel fuel is subject to the following per-gallon standards:*
> *(1) Sulfur content. 500 parts per million (ppm) maximum.*
> *(2) Cetane index or aromatic content, as follows:*
> *(i) A minimum cetane index of 40; or*
> *(ii) A maximum aromatic content of 35 volume percent.)*

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel.

> ***(§ 80.510 What are the standards and marker requirements for NRLM [nonroad locomotive or marine] diesel fuel?***
> *(b) Beginning June 1, 2010. Except as otherwise specifically provided in CFR 80 Subpart I, all NR and LM diesel fuel is subject to the following per-gallon standards:*
> *(1) Sulfur content.*
> *(i) 15 ppm maximum for NR diesel fuel.*
> *(ii) 500 ppm maximum for LM diesel fuel.*
> *(2) Cetane index or aromatic content, as follows:*
> *(i) A minimum cetane index of 40; or*
> *(ii) A maximum aromatic content of 35 volume percent.)*

(c) Owners and operators of pre-2011 model year stationary CI ICE subject to this subpart may petition the Administrator for approval to use remaining non-compliant fuel that does not meet the fuel requirements of paragraphs (a) and (b) of this section beyond the dates required for the purpose of using up existing fuel inventories. If approved, the petition will be valid for a period of up to 6 months. If additional time is needed, the owner or operator is required to submit a new petition to the Administrator.

(d) [Reserved.]

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

**Sec. 60.4208 What is the deadline for importing or installing stationary CI ICE produced in the previous model year?**

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

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

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

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

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

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

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

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

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

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

(a) If you are an owner or operator of an emergency stationary CI internal combustion engine, you must install a non-resettable hour meter prior to startup of the engine.

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

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

(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the

engine manufacturer. In addition, owners and operators may only change those settings that are permitted by the manufacturer. You must also meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to you.

(b) [Reserved.]

(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in Sec. 60.4205(b), you must comply by purchasing an engine certified to the emission standards in Sec. 60.4204(b), or Sec. 60.4205(b), as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's specifications.

(d) [Reserved.]

(e) Emergency stationary ICE may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State, or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. There is no time limit on the use of emergency stationary ICE in emergency situations. Anyone may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency ICE beyond 100 hours per year. For owners and operators of emergency engines meeting standards under Sec. 60.4205 but not Sec. 60.4204, any operation other than emergency operation, and maintenance and testing as permitted in this section, is prohibited.

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

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

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F.

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

(c) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8, as applicable, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in 40 CFR 89.112 or 40 CFR 94.8, as applicable, determined from the following equation:

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

Where:

STD = The standard specified for that pollutant in 40 CFR 89.112 or 40 CFR 94.8, as applicable.

Alternatively, stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8 may follow the testing procedures specified in Sec. 60.4213 of this subpart, as appropriate.

(d) [Reserved.]

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

(a) [Reserved.]

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

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

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

(a) Owners and operators of stationary CI ICE that do not use diesel fuel, or who have been given authority by the Administrator under Sec. 60.4207(d) of this subpart to use fuels that do not meet the fuel requirements of paragraphs (a) and (b) of Sec. 60.4207, may petition the Administrator for approval of alternative emission standards, if they can demonstrate that they use a fuel that is not the fuel on which the manufacturer of the engine certified the engine and that the engine cannot meet the applicable standards required in Sec. 60.4202 using such fuels.

(b) [Reserved]

**Sec. 60.4218 What parts of the General Provisions apply to me?**

Table 8 to this subpart shows which parts of the General Provisions in Sec. Sec. 60.1 through 60.19 apply to you.

**Sec. 60.4219 What definitions apply to this subpart?**

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

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

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

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

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

*Emergency stationary internal combustion engine* means any stationary internal combustion engine whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc. Stationary CI ICE used to supply power to an electric grid or that supply power as part of a financial arrangement with another entity are not considered to be emergency engines.

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

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

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

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

*Model year* means either:

(1) The calendar year in which the engine was originally produced, or

(2) The annual new model production period of the engine manufacturer if it is different than the calendar year. This must include January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year. For an engine that is converted to a stationary engine after being placed into service as a nonroad or other non-stationary engine, model year means the calendar year or new model production period in which the engine was originally produced.

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

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

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

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

annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

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

*Subpart* means 40 CFR part 60, subpart IIII.

*Useful life* means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or calendar years, whichever comes first. The values for useful life for stationary CI ICE with a displacement of less than 10 liters per cylinder are given in 40 CFR 1039.101(g). The values for useful life for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder are given in 40 CFR 94.9(a).

**Tables to Subpart IIII of Part 60**

TABLE 1 [Reserved.]

TABLE 2 TO SUBPART IIII OF PART 60.—EMISSION STANDARDS FOR 2008 MODEL YEAR AND LATER EMERGENCYSTATIONARY CI ICE <37 KW (50 HP) WITH A DISPLACEMENT OF <10 LITERS PER CYLINDER

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

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

TABLES 3 – 4 [Reserved.]

TABLE 5 TO SUBPART IIII OF PART 60.—LABELING AND RECORDKEEPING REQUIREMENTS FOR NEW STATIONARYEMERGENCY ENGINES

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

| **Engine Power** | **Starting Model Year** |
|---|---|
| 19≤KW<56 (25≤HP<75) | 2013 |
| 56≤KW<130 (75≤HP<175) | 2012 |
| KW≥130 (HP≥175) | 2011 |

# 40 CFR Part 63, Subpart ZZZZ

## National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

Source: 69 FR 33506, June 15, 2004, unless otherwise noted.

Federal Regulations Adopted by Reference

Federal Revision Date: June 30, 2010

State Rule Effective Date: This version has not yet been adopted by the state

Standardized Conditions Revision Date: August 11, 2010

What This Subpart Covers

**§ 63.6580 What is the purpose of subpart ZZZZ?**

Subpart ZZZZ establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations.

[73 FR 3603, Jan. 18, 2008]

**§ 63.6585 Am I subject to this subpart?**

You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.

(a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

(b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.

(c) An area source of HAP emissions is a source that is not a major source.

(d) If you are an owner or operator of an area source subject to this subpart, your status as an entity subject to a standard or other requirements under this subpart does not subject you to the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.

(e) If you are an owner or operator of a stationary RICE used for national security purposes, you may be eligible to request an exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3603, Jan. 18, 2008]

**§ 63.6590 What parts of my plant does this subpart cover?**

This subpart applies to each affected source.

(a) *Affected source.* An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

(1) *Existing stationary RICE.*

(i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.

(ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.

(2) *New stationary RICE.*

(i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(3) *Reconstructed stationary RICE.*

(i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after June 12, 2006.

(b) *Stationary RICE subject to limited requirements.*

(1) An affected source which meets either of the criteria in paragraphs (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of §63.6645(f).

(i) The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(ii) The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of §63.6645(h) and the requirements of §§63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.

(3) A stationary RICE which is an existing spark ignition 4 stroke rich burn (4SRB) stationary RICE located at an area source of HAP emissions; an existing spark ignition 4SRB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions; an existing spark ignition 2 stroke lean burn (2SLB) stationary RICE; an existing spark ignition 4 stroke lean burn (4SLB) stationary RICE; an existing compression ignition emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions; an existing spark ignition emergency or limited use stationary RICE; an existing limited use stationary

RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions; an existing stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis; or an existing stationary residential, commercial, or institutional emergency stationary RICE located at an area source of HAP emissions, does not have to meet the requirements of this subpart and of subpart A of this part. No initial notification is necessary.

(c) *Stationary RICE subject to Regulations under 40 CFR Part 60.* An affected source that is a new or reconstructed stationary RICE located at an area source, or is a new or reconstructed stationary RICE located at a major source of HAP emissions and is a spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of less than 500 brake HP, a spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of less than 250 brake HP, or a 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP, a stationary RICE with a site rating of less than or equal to 500 brake HP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP, or a compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake HP, must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010]

**§ 63.6595 When do I have to comply with this subpart?**

(a) *Affected Sources.*

(1) If you have an existing stationary RICE, excluding existing non-emergency CI stationary RICE, with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than May 3, 2013.

(2) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart no later than August 16, 2004.

(3) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(4) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(5) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(6) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(7) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(b) *Area sources that become major sources.* If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, the compliance dates in paragraphs (b)(1) and (2) of this section apply to you.

(1) Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source.

(2) Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.

(c) If you own or operate an affected source, you must meet the applicable notification requirements in §63.6645 and in 40 CFR part 63, subpart A.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9675, Mar. 3, 2010]

Emission and Operating Limitations

**§ 63.6600 What emission limitations and operating limitations must I meet if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?**

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing, new, or reconstructed spark ignition 4SRB stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 1a to this subpart and the operating limitations in Table 1b to this subpart which apply to you.

(b) If you own or operate a new or reconstructed 2SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, a new or reconstructed 4SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, or a new or reconstructed CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

(c) If you own or operate any of the following stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the emission limitations in Tables 1a, 2a, 2c, and 2d to this subpart or operating limitations in Tables 1b and 2b to this subpart: an existing 2SLB stationary RICE; an existing 4SLB stationary RICE; a stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis; an emergency stationary RICE; or a limited use stationary RICE.

(d) If you own or operate an existing non-emergency stationary CI RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2c to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010]

**§ 63.6601 What emission limitations must I meet if I own or operate a 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than 500 brake HP located at a major source of HAP emissions?**

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart. If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at major source of HAP emissions manufactured on or after January 1, 2008, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010]

**§ 63.6602 What emission limitations must I meet if I own or operate an existing stationary CI RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?**

If you own or operate an existing stationary CI RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2c to this subpart which apply to you. Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

[75 FR 9675, Mar. 3, 2010]

**§ 63.6603 What emission limitations and operating limitations must I meet if I own or operate an existing stationary CI RICE located at an area source of HAP emissions?**

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

(b) If you own or operate an existing stationary non-emergency CI RICE greater than 300 HP located at area sources in areas of Alaska not accessible by the Federal Aid Highway System (FAHS) you do not have to meet the numerical CO emission limitations specified in Table 2d to this subpart. Existing stationary non-emergency CI RICE greater than 300 HP located at area sources in areas of Alaska not accessible by the FAHS must meet the management practices that are shown for stationary non-emergency CI RICE less than or equal to 300 HP in Table 2d to this subpart.

[75 FR 9675, Mar. 3, 2010]

**§ 63.6604 What fuel requirements must I meet if I own or operate an existing stationary CI RICE?**

If you own or operate an existing non-emergency CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel. Existing non-emergency CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or at area sources in areas of Alaska not accessible by the FAHS are exempt from the requirements of this section.

[75 FR 9675, Mar. 3, 2010]

General Compliance Requirements

**§ 63.6605 What are my general requirements for complying with this subpart?**

(a) You must be in compliance with the emission limitations and operating limitations in this subpart that apply to you at all times.

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

[75 FR 9675, Mar. 3, 2010]

Testing and Initial Compliance Requirements

**§ 63.6610 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?**

If you own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct the initial performance test or other initial compliance demonstrations in Table 4 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in §63.6595 and according to the provisions in §63.7(a)(2).

(b) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must demonstrate initial compliance with either the proposed emission limitations or the promulgated emission limitations no later than February 10, 2005 or no later than 180 days after startup of the source, whichever is later, according to §63.7(a)(2)(ix).

(c) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, and you chose to comply with the proposed emission limitations when demonstrating initial compliance, you must conduct a second performance test to demonstrate compliance with the promulgated emission limitations by December 13, 2007 or after startup of the source, whichever is later, according to §63.7(a)(2)(ix).

(d) An owner or operator is not required to conduct an initial performance test on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (d)(1) through (5) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.

(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

(5) The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3605, Jan. 18, 2008]

**§ 63.6611 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a 4SLB SI stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions?**

If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must conduct an initial performance test within 240 days after the compliance date that is specified for your stationary RICE in §63.6595 and according to the provisions specified in Table 4 to this subpart, as appropriate.

[73 FR 3605, Jan. 18, 2008]

**§ 63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?**

If you own or operate an existing CI stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary CI RICE located at an area source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in §63.6595 and according to the provisions in §63.7(a)(2).

(b) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.

(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

[75 FR 9676, Mar. 3, 2010]

**§ 63.6615 When must I conduct subsequent performance tests?**

If you must comply with the emission limitations and operating limitations, you must conduct subsequent performance tests as specified in Table 3 of this subpart.

**§ 63.6620 What performance tests and other procedures must I use?**

(a) You must conduct each performance test in Tables 3 and 4 of this subpart that applies to you.

(b) Each performance test must be conducted according to the requirements that this subpart specifies in Table 4 to this subpart. If you own or operate a non-operational stationary RICE that is subject to performance testing, you do not need to start up the engine solely to conduct the performance test. Owners and operators of a non-operational engine can conduct the performance test when the engine is started up again.

(c) [Reserved]

(d) You must conduct three separate test runs for each performance test required in this section, as specified in §63.7(e)(3). Each test run must last at least 1 hour.

(e)

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

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

Where:

$C_i$ = concentration of CO or formaldehyde at the control device inlet,

$C_o$ = concentration of CO or formaldehyde at the control device outlet, and

R = percent reduction of CO or formaldehyde emissions.

(2) You must normalize the carbon monoxide (CO) or formaldehyde concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide ($CO_2$). If pollutant concentrations are to be corrected to 15 percent oxygen and $CO_2$concentration is measured in lieu of oxygen concentration measurement, a $CO_2$correction factor is needed. Calculate the $CO_2$correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.

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

$$F_o = \frac{0.209\, F_d}{F_c} \qquad \text{(Eq. 2)}$$

Where:

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

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

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

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

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

$$X_{co_2} = \frac{5.9}{F_o} \qquad \text{(Eq. 3)}$$

Where:

$X_{co2}$ = $CO_2$correction factor, percent.

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

(iii) Calculate the $NO_X$ and $SO_2$gas concentrations adjusted to 15 percent $O_2$using $CO_2$as follows:

$$C_{adj} = C_d \frac{X_{co_2}}{\%CO_2} \qquad \text{(Eq. 4)}$$

Where:

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

(f) If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitation to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or NSCR, you must petition the Administrator for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Administrator.

(g) If you petition the Administrator for approval of operating limitations, your petition must include the information described in paragraphs (g)(1) through (5) of this section.

(1) Identification of the specific parameters you propose to use as operating limitations;

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

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

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

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

(h) If you petition the Administrator for approval of no operating limitations, your petition must include the information described in paragraphs (h)(1) through (7) of this section.

(1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally ( *e.g.*, operator adjustment, automatic controller adjustment, etc.) or unintentionally ( *e.g.*, wear and tear, error, etc.) on a routine basis or over time;

(2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;

(3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;

(4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;

(5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;

(6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

(7) A discussion of why, from your point of view, it is infeasible or unreasonable to adopt the parameters as operating limitations.

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

[69 FR 33506, June 15, 2004, as amended at 75 FR 9676, Mar. 3, 2010]

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

(a) If you elect to install a CEMS as specified in Table 5 of this subpart, you must install, operate, and maintain a CEMS to monitor CO and either oxygen or $CO_2$at both the inlet and the outlet of the control device according to the requirements in paragraphs (a)(1) through (4) of this section.

(1) Each CEMS must be installed, operated, and maintained according to the applicable performance specifications of 40 CFR part 60, appendix B.

(2) You must conduct an initial performance evaluation and an annual relative accuracy test audit (RATA) of each CEMS according to the requirements in §63.8 and according to the applicable performance specifications of 40 CFR part 60, appendix B as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.

(3) As specified in §63.8(c)(4)(ii), each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. You must have at least two data points, with each representing a different 15-minute period, to have a valid hour of data.

(4) The CEMS data must be reduced as specified in §63.8(g)(2) and recorded in parts per million or parts per billion (as appropriate for the applicable limitation) at 15 percent oxygen or the equivalent $CO_2$concentration.

(b) If you are required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of this subpart, you must install, operate, and maintain each CPMS according to the requirements in §63.8.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your stationary RICE in a manner which reasonably minimizes HAP emissions.

(d) If you are operating a new or reconstructed emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must install a non-resettable hour meter prior to the startup of the engine.

(e) If you own or operate an existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions, an existing stationary emergency RICE, or an existing stationary RICE located at an area source of HAP emissions not subject to any numerical emission standards shown in Table 2d to this subpart, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.

(g) If you own or operate an existing non-emergency CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (g)(2) of this section. Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska not accessible by the FAHS do not have to meet the requirements of paragraph (g) in this section.

(1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or

(2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates, and metals.

(h) If you operate a new or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.

(i) If you own or operate a stationary engine that is subject to the work, operation or management practices in items 1, 2, or 4 of Table 2c to this subpart or in items 1 or 4 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil before continuing to use the engine. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010]

**§ 63.6630 How do I demonstrate initial compliance with the emission limitations and operating limitations?**

(a) You must demonstrate initial compliance with each emission and operating limitation that applies to you according to Table 5 of this subpart.

(b) During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of this subpart that applies to you.

(c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in §63.6645.

Continuous Compliance Requirements

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

(a) If you must comply with emission and operating limitations, you must monitor and collect data according to this section.

(b) Except for monitor malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), you must monitor continuously at all times that the stationary RICE is operating.

(c) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods.

**§ 63.6640 How do I demonstrate continuous compliance with the emission limitations and operating limitations?**

(a) You must demonstrate continuous compliance with each emission limitation and operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.

(b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in §63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.

(c) [Reserved]

(d) For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations. Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR 94.11(a).

(e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a new emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that was installed on or after June 12, 2006, or an existing emergency stationary RICE located at an area source of HAP emissions, you must operate the engine according to the conditions described in paragraphs (f)(1) through (4) of this section.

(1) For owners and operators of emergency engines, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as permitted in this section, is prohibited.

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

(3) You may operate your emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hours per year.

(4) You may operate your emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph (f)(4), as long as the power provided by the financial arrangement is limited to emergency power.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010]

Notifications, Reports, and Records

**§ 63.6645 What notifications must I submit and when?**

(a) You must submit all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following;

(1) An existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

(2) An existing stationary CI RICE located at an area source of HAP emissions.

(3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(4) A new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 HP located at a major source of HAP emissions.

(5) This requirement does not apply if you own or operate an existing stationary CI RICE less than 100 HP, an existing stationary emergency CI RICE, or an existing stationary CI RICE that is not subject to any numerical emission standards.

(b) As specified in §63.9(b)(2), if you start up your stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart, you must submit an Initial Notification not later than December 13, 2004.

(c) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions on or after August 16, 2004, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(d) As specified in §63.9(b)(2), if you start up your stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart and you are required to submit an initial notification, you must submit an Initial Notification not later than July 16, 2008.

(e) If you start up your new or reconstructed stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions on or after March 18, 2008 and you are required to submit an initial notification, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with §63.6590(b), your notification should include the information in §63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions).

(g) If you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in §63.7(b)(1).

(h) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to this subpart, you must submit a Notification of Compliance Status according to §63.9(h)(2)(ii).

(1) For each initial compliance demonstration required in Table 5 to this subpart that does not include a performance test, you must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration.

(2) For each initial compliance demonstration required in Table 5 to this subpart that includes a performance test conducted according to the requirements in Table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to §63.10(d)(2).

[73 FR 3606, Jan. 18, 2008, as amended at 75 FR 9677, Mar. 3, 2010]

**§ 63.6650 What reports must I submit and when?**

(a) You must submit each report in Table 7 of this subpart that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.

(1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in §63.6595.

(2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in §63.6595.

(3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (b)(4) of this section.

(6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.6595 and ending on December 31.

(7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in §63.6595.

(8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.

(9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.

(c) The Compliance report must contain the information in paragraphs (c)(1) through (6) of this section.

(1) Company name and address.

(2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

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

(4) If you had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with §63.6605(b), including actions taken to correct a malfunction.

(5) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.

(6) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.

(d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (4) of this section and the information in paragraphs (d)(1) and (2) of this section.

(1) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.

(2) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.

(e) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in this subpart, you must include information in paragraphs (c)(1) through (4) and (e)(1) through (12) of this section.

(1) The date and time that each malfunction started and stopped.

(2) The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks.

(3) The date, time, and duration that each CMS was out-of-control, including the information in §63.8(c)(8).

(4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period.

(5) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.

(6) A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.

(7) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.

(8) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.

(9) A brief description of the stationary RICE.

(10) A brief description of the CMS.

(11) The date of the latest CMS certification or audit.

(12) A description of any changes in CMS, processes, or controls since the last reporting period.

(f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.

(g) If you are operating as a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must submit an annual report according to Table 7 of this subpart by the date specified unless the Administrator has approved a different schedule, according to the information described in paragraphs (b)(1) through (b)(5) of this section. You must report the data specified in (g)(1) through (g)(3) of this section.

(1) Fuel flow rate of each fuel and the heating values that were used in your calculations. You must also demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10 percent or more of the total fuel consumption on an annual basis.

(2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.

(3) Any problems or errors suspected with the meters.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010]

**§ 63.6655 What records must I keep?**

(a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in §63.10(b)(2)(xiv).

(2) Records of the occurrence and duration of each malfunction of operation ( *i.e.*, process equipment) or the air pollution control and monitoring equipment.

(3) Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii).

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.

(1) Records described in §63.10(b)(2)(vi) through (xi).

(2) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in §63.8(d)(3).

(3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in §63.8(f)(6)(i), if applicable.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.

(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;

(1) An existing stationary CI RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.

(2) An existing stationary emergency CI RICE.

(3) An existing stationary CI RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.

(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) or (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used for demand response operation, the owner or operator must keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response.

(1) An existing emergency stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.

(2) An existing emergency stationary CI RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010]

**§ 63.6660 In what form and how long must I keep my records?**

(a) Your records must be in a form suitable and readily available for expeditious review according to §63.10(b)(1).

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

(c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010]

Other Requirements and Information

**§ 63.6665 What parts of the General Provisions apply to me?**

Table 8 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with any of the requirements of the General Provisions specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an existing emergency stationary RICE, or an existing limited use stationary RICE. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major

source of HAP emissions, you do not need to comply with the requirements in the General Provisions specified in Table 8 except for the initial notification requirements: A new stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new emergency stationary RICE, or a new limited use stationary RICE.

[75 FR 9678, Mar. 3, 2010]

**§ 63.6670 Who implements and enforces this subpart?**

(a) This subpart is implemented and enforced by the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out whether this subpart is delegated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(c) The authorities that will not be delegated to State, local, or tribal agencies are:

(1) Approval of alternatives to the non-opacity emission limitations and operating limitations in §63.6600 under §63.6(g).

(2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90.

(3) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90.

(4) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §63.90.

(5) Approval of a performance test which was conducted prior to the effective date of the rule, as specified in §63.6610(b).

**§ 63.6675 What definitions apply to this subpart?**

Terms used in this subpart are defined in the Clean Air Act (CAA); in 40 CFR 63.2, the General Provisions of this part; and in this section as follows:

*Area source* means any stationary source of HAP that is not a major source as defined in part 63.

*Associated equipment* as used in this subpart and as referred to in section 112(n)(4) of the CAA, means equipment associated with an oil or natural gas exploration or production well, and includes all equipment from the well bore to the point of custody transfer, except glycol dehydration units, storage vessels with potential for flash emissions, combustion turbines, and stationary RICE.

*Black start engine* means an engine whose only purpose is to start up a combustion turbine.

*CAA* means the Clean Air Act (42 U.S.C. 7401 *et seq.*, as amended by Public Law 101–549, 104 Stat. 2399).

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

*Custody transfer* means the transfer of hydrocarbon liquids or natural gas: After processing and/or treatment in the producing operations, or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation. For the purposes of this subpart, the point at which such liquids or natural gas enters a natural gas processing plant is a point of custody transfer.

*Deviation* means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation or operating limitation;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emission limitation or operating limitation in this subpart during malfunction, regardless of whether or not such failure is permitted by this subpart.

(4) Fails to satisfy the general duty to minimize emissions established by §63.6(e)(1)(i).

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

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

*Digester gas* means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and $CO_2$.

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

*Emergency stationary RICE* means any stationary internal combustion engine whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, *etc.* Stationary CI ICE used for peak shaving are not considered emergency stationary ICE. Stationary CI ICE used to supply power to an electric grid or that supply non-emergency power as part of a financial arrangement with another entity are not considered to be emergency engines, except as permitted under §63.6640(f). Emergency stationary RICE with a site-rating of more than 500 brake HP located at a major source of HAP emissions that were installed prior to June 12, 2006, may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by the manufacturer, the vendor, or the insurance company associated with the engine. Required testing of such units should be minimized, but there is no time limit on the use of emergency stationary RICE in emergency situations and for routine testing and maintenance. Emergency stationary RICE with a site-rating of more than 500 brake HP located at a major source of HAP emissions that were installed prior to June 12, 2006, may also operate an additional 50 hours per year in non-emergency situations. All other emergency stationary RICE must comply with the requirements specified in §63.6640(f).

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

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

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

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

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

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

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

*Landfill gas* means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and $CO_2$.

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

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

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

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

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

(1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;

(2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in §63.1271 of subpart HHH of this part, shall not be aggregated;

(3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and

(4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in §63.1271 of subpart HHH of this part, shall not be aggregated.

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

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

*Non-selective catalytic reduction (NSCR)* means an add-on catalytic nitrogen oxides ($NO_X$) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, $NO_X$, CO, and volatile organic compounds (VOC) into $CO_2$, nitrogen, and water.

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

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

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

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

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

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

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

*Propane* means a colorless gas derived from petroleum and natural gas, with the molecular structure $C_3H_8$.

*Residential/commercial/institutional emergency stationary RICE* means an emergency stationary RICE used in residential establishments such as homes or residences, commercial establishments such as office buildings, hotels, or stores, or institutional establishments such as medical centers, research centers, and institutions of higher education.

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

*Rich burn engine* means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to December 19, 2002 with passive emission control technology for $NO_X$(such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

*Site-rated HP* means the maximum manufacturer's design capacity at engine site conditions.

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

*Stationary reciprocating internal combustion engine (RICE)* means any reciprocating internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

*Stationary RICE test cell/stand* means an engine test cell/stand, as defined in subpart PPPPP of this part, that tests stationary RICE.

*Stoichiometric* means the theoretical air-to-fuel ratio required for complete combustion.

*Storage vessel with the potential for flash emissions* means any storage vessel that contains a hydrocarbon liquid with a stock tank gas-to-oil ratio equal to or greater than 0.31 cubic meters per liter and an American Petroleum Institute gravity equal to or greater than 40 degrees and an actual annual average hydrocarbon liquid throughput equal to or greater than 79,500 liters per day. Flash emissions occur when dissolved hydrocarbons in the fluid evolve from solution when the fluid pressure is reduced.

*Subpart* means 40 CFR part 63, subpart ZZZZ.

*Surface site* means any combination of one or more graded pad sites, gravel pad sites, foundations, platforms, or the immediate physical location upon which equipment is physically affixed.

*Two-stroke engine* means a type of engine which completes the power cycle in single crankshaft revolution by combining the intake and compression operations into one stroke and the power and exhaust operations into a second stroke. This system requires auxiliary scavenging and inherently runs lean of stoichiometric.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3607, Jan. 18, 2008; 75 FR 9679, Mar. 3, 2010]

**Table1ato Subpart ZZZZ of Part 63—Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions**

As stated in §§63.6600 and 63.6640, you must comply with the following emission limitations for existing, new and reconstructed 4SRB stationary RICE at 100 percent load plus or minus 10 percent:

| For each . . . | You must meet the following emission limitation, except during periods of startup . . . | During periods of startup you must . . . |
|---|---|---|
| 1. 4SRB stationary RICE | a. Reduce formaldehyde emissions by 76 percent or more. If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may reduce formaldehyde emissions by 75 percent or more until June 15, 2007 or | Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.[1] |
| | b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent $O_2$ | |

[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9679, Mar. 3, 2010]

**Table1bto Subpart ZZZZ of Part 63—Operating Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions**
[As stated in §§63.6600, 63.6630 and 63.6640, you must comply with the following operating emission limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions]

| For each... | You must meet the following operating limitation... |
|---|---|
| 1. 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and using NSCR;<br>or | a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and |
| 4SRB stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent $O_2$and using NSCR. | b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 750 °F and less than or equal to 1250 °F. |
| 2. 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and not using NSCR;<br>or | Comply with any operating limitations approved by the Administrator. |
| 4SRB stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent $O_2$and not using NSCR. | |

[73 FR 3607, Jan. 18, 2008]

**Table 2a to Subpart ZZZZ of Part 63—Emission Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions**

As stated in §§63.6600 and 63.6640, you must comply with the following emission limitations for new and reconstructed lean burn and new and reconstructed compression ignition stationary RICE at 100 percent load plus or minus 10 percent:

| For each . . . | You must meet the following emission limitation, except during periods of startup . . . | During periods of startup you must . . . |
|---|---|---|
| 1. 2SLB stationary RICE | a. Reduce CO emissions by 58 percent or more; or<br>b. Limit concentration of formaldehyde in the stationary RICE exhaust to 12 ppmvd or less at 15 percent $O_2$. If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may limit concentration of formaldehyde to 17 ppmvd or less at 15 percent $O_2$until June 15, 2007 | Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.[1] |
| 2. 4SLB stationary RICE | a. Reduce CO emissions by 93 percent or more; or | |
| | b. Limit concentration of formaldehyde in the stationary RICE exhaust to 14 ppmvd or less at 15 percent $O_2$ | |
| 3. CI stationary RICE | a. Reduce CO emissions by 70 percent or more; or | |
| | b. Limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbvd or less at 15 percent $O_2$ | |

[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9680, Mar. 3, 2010]

**Table 2b to Subpart ZZZZ of Part 63—Operating Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP Located at a Major Source of HAP Emissions, Existing Non-Emergency Compression Ignition Stationary RICE >500 HP, and New and Reconstructed 4SLB Burn Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions**

As stated in §§63.6600, 63.6601, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed lean burn and existing, new and reconstructed compression ignition stationary RICE:

| For each . . . | You must meet the following operating limitation . . . |
|---|---|
| 1. 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to reduce CO emissions and using an oxidation catalyst; or 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and using an oxidation catalyst | a. Maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test; and |
| | b. Maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.[1] |
| 2. 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to reduce CO emissions and not | Comply with any operating limitations approved by the Administrator. |

| | |
|---|---|
| using an oxidation catalyst; or 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst | |

[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(g) for a different temperature range.

[75 FR 9680, Mar. 3, 2010]

**Table 2c to Subpart ZZZZ of Part 63—Requirements for Existing Compression Ignition Stationary Rice Located at Major Sources of HAP Emissions**

As stated in §§63.6600 and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE:

| For each . . . | You must meet the following requirement, except during periods of startup . . . | During periods of startup you must . . . |
|---|---|---|
| 1. Emergency CI and black start CI.[1] | a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[2]<br>b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first;<br>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.[3] | Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.[3] |
| 2. Non-Emergency, non-black start CI < 100 HP | a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;[2] | |
| | b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; | |
| | c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.[3] | |
| 3. Non-Emergency, non-black start CI RICE 100≤HP≤300 HP | Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent $O_2$. | |
| 4. Non-Emergency, non-black start CI 300<HP≤500 | a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent $O_2$; or | |

| For each . . . | You must meet the following requirement, except during periods of startup . . . | During periods of startup you must . . . |
|---|---|---|
| | b. Reduce CO emissions by 70 percent or more. | |
| 5. Non-Emergency, non-black start CI>500 HP | a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent $O_2$; or | |
| | b. Reduce CO emissions by 70 percent or more. | |

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

[2]Sources have the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement in Table 2c of this subpart.

[3]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9681, Mar. 3, 2010]

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

As stated in §§63.6600 and 63.6640, you must comply with the following emission and operating limitations for existing compression ignition stationary RICE:

| For each . . . | You must meet the following requirement, except during periods of startup . . . | During periods of startup you must . . . |
|---|---|---|
| 1. Non-Emergency, non-black start CI ≤ 300 HP | a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;[1] | |
| | b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; | Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. |
| | c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary | |
| 2. Non-Emergency, non-black start CI | a. Limit concentration of CO in the stationary RICE exhaust to 49 | |

| | | |
|---|---|---|
| 300<HP≤500 | ppmvd at 15 percent $O_2$; or | |
| | b. Reduce CO emissions by 70 percent or more | |
| 3. Non-Emergency, non-black start CI > 500 HP | a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent $O_2$; or | |
| | b. Reduce CO emissions by 70 percent or more | |
| 4. Emergency CI and black start CI.[2] | a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[1] | |
| | b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and | |
| | c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary | |

[1]Sources have the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement in Table 2d of this subpart.

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

[75 FR 9681, Mar. 3, 2010]

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

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

| For each . . . | Complying with the requirement to . . . | You must . . . |
|---|---|---|
| 1. 2SLB and 4SLB stationary RICE with a brake horsepower >500 located at major sources and new or reconstructed CI stationary RICE with a brake horsepower >500 located at major sources | Reduce CO emissions and not using a CEMS | Conduct subsequent performance tests semiannually.[1] |
| 2. 4SRB stationary RICE with a brake horsepower ≥5,000 located at major sources | Reduce formaldehyde emissions | Conduct subsequent performance tests semiannually.[1] |
| 3. Stationary RICE with a brake horsepower >500 located at major sources | Limit the concentration of formaldehyde in the stationary RICE exhaust | Conduct subsequent performance tests semiannually.[1] |
| 4. Existing non-emergency, non-black start CI stationary | Limit or reduce CO or | Conduct subsequent performance |

| | | |
|---|---|---|
| RICE with a brake horsepower >500 that are not limited use stationary RICE | formaldehyde emissions | tests every 8,760 hrs or 3 years, whichever comes first. |
| 5. Existing non-emergency, non-black start CI stationary RICE with a brake horsepower >500 that are limited use stationary RICE | | Conduct subsequent performance tests every 8,760 hrs or 5 years, whichever comes first. |

[1]After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

[75 FR 9682, Mar. 3, 2010]

**Table 4 to Subpart ZZZZ of Part 63—Requirements for Performance Tests**

As stated in §§63.6610, 63.6611, 63.6612, 63.6620, and 63.6640, you must comply with the following requirements for performance tests for stationary RICE for existing sources:

| For each . . . | Complying with the requirement to . . . | You must . . . | Using . . . | According to the following requirements . . . |
|---|---|---|---|---|
| 1. 2SLB, 4SLB, and CI stationary RICE | a. Reduce CO emissions | i. Measure the $O_2$at the inlet and outlet of the control device; and | (1) Portable CO and $O_2$analyzer. | (a) Using ASTM D6522–00 (2005)[a](incorporated by reference, *see* §63.14). Measurements to determine $O_2$must be made at the same time as the measurements for CO concentration. |
| | | ii. Measure the CO at the inlet and the outlet of the control device | (1) Portable CO and $O_2$analyzer. | (a) Using ASTM D6522–00 (2005)[a,b] (incorporated by reference, *see* §63.14) or Method 10 of 40 CFR appendix A. The CO concentration must be at 15 percent $O_2$, dry basis. |
| 2. 4SRB stationary RICE | a. Reduce formaldehyde emissions | i. Select the sampling port location and the number of traverse points; and | (1) Method 1 or 1A of 40 CFR part 60, appendix A §63.7(d)(1)(i) | (a) Sampling sites must be located at the inlet and outlet of the control device. |
| | | ii. Measure $O_2$at the inlet and outlet of the control device; and | (1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A, or ASTM Method D6522–00 (2005) | (a) Measurements to determine $O_2$concentration must be made at the same time as the measurements for formaldehyde concentration. |
| | | iii. Measure moisture content at the inlet and outlet of the control device; and | (1) Method 4 of 40 CFR part 60, appendix A, or Test Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 | (a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde concentration. |

| For each . . . | Complying with the requirement to . . . | You must . . . | Using . . . | According to the following requirements . . . |
|---|---|---|---|---|
| | | iv. Measure formaldehyde at the inlet and the outlet of the control device. | (1) Method 320 of 40 CFR part 63, appendix A; or ASTM D6348–03[c], provided in ASTM D6348–03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130. | (a) Formaldehyde concentration must be at 15 percent $O_2$, dry basis. Results of this test consist of the average of the three 1-hour or longer runs. |
| 3. Stationary RICE | a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust | i. Select the sampling port location and the number of traverse points; and | (1) Method 1 or 1A of 40 CFR part 60, appendix A §63.7(d)(1)(i) | (a) If using a control device, the sampling site must be located at the outlet of the control device. |
| | | ii. Determine the $O_2$concentration of the stationary RICE exhaust at the sampling port location; and | (1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A, or ASTM Method D6522–00 (2005) | (a) Measurements to determine $O_2$concentration must be made at the same time and location as the measurements for formaldehyde concentration. |
| | | iii. Measure moisture content of the stationary RICE exhaust at the sampling port location; and | (1) Method 4 of 40 CFR part 60, appendix A, or Test Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 | (a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde concentration. |
| | | iv. Measure formaldehyde at the exhaust of the stationary RICE; or | (1) Method 320 of 40 CFR part 63, appendix A; or ASTM D6348–03[c], provided in ASTM D6348–03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130 | (a) Formaldehyde concentration must be at 15 percent $O_2$, dry basis. Results of this test consist of the average of the three 1-hour or longer runs. |
| | | v. Measure CO at the exhaust of the stationary RICE. | (1) Method 10 of 40 CFR part 60, appendix A, ASTM Method D6522–00 (2005)[a], Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03 | (a) CO concentration must be at 15 percent $O_2$, dry basis. Results of this test consist of the average of the three 1-hour longer runs. |

[a]You may also use Methods 3A and 10 as options to ASTM–D6522–00 (2005). You may obtain a copy of ASTM–D6522–00 (2005) from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive,

West Conshohocken, PA 19428–2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106. ASTM–D6522–00 (2005) may be used to test both CI and SI stationary RICE.

[b]You may also use Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03.

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

[75 FR 9682, Mar. 3, 2010]

**Table 5 to Subpart ZZZZ of Part 63—Initial Compliance With Emission Limitations and Operating Limitations**

As stated in §§63.6612, 63.6625 and 63.6630, you must initially comply with the emission and operating limitations as required by the following:

| For each . . . | Complying with the requirement to . . . | You have demonstrated initial compliance if . . . |
|---|---|---|
| 1. 2SLB and 4SLB stationary RICE >500 HP located at a major source and new or reconstructed CI stationary RICE >500 HP located at a major source | a. Reduce CO emissions and using oxidation catalyst, and using a CPMS | i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and |
| | | ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and |
| | | iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test. |
| 2. 2SLB and 4SLB stationary RICE >500 HP located at a major source and new or reconstructed CI stationary RICE >500 HP located at a major source | a. Reduce CO emissions and not using oxidation catalyst | i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and |
| | | ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and |
| | | iii. You have recorded the approved operating parameters (if any) during the initial performance test. |
| 3. 2SLB and 4SLB stationary RICE >500 HP located at a major source and new or reconstructed CI stationary RICE >500 HP located at a major source | a. Reduce CO emissions, and using a CEMS | i. You have installed a CEMS to continuously monitor CO and either $O_2$or $CO_2$at both the inlet and outlet of the oxidation catalyst according to the requirements in §63.6625(a); and |
| | | ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and |
| | | iii. The average reduction of CO calculated using §63.6620 equals or exceeds the required percent reduction. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved during the 4-hour period. |

| For each . . . | Complying with the requirement to . . . | You have demonstrated initial compliance if . . . |
|---|---|---|
| 4. 4SRB stationary RICE >500 HP located at a major source | a. Reduce formaldehyde emissions and using NSCR | i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction; and |
| | | ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and |
| | | iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test. |
| 5. 4SRB stationary RICE >500 HP located at a major source | a. Reduce formaldehyde emissions and not using NSCR | i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction; and |
| | | ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and |
| | | iii. You have recorded the approved operating parameters (if any) during the initial performance test. |
| 6. Stationary RICE >500 HP located at a major source | a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR | i. The average formaldehyde concentration, corrected to 15 percent $O_2$, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and |
| | | ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and |
| | | iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test. |
| 7. Stationary RICE >500 HP located at a major source | a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR | i. The average formaldehyde concentration, corrected to 15 percent $O_2$, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and |
| | | ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and |
| | | iii. You have recorded the approved operating parameters (if any) during the initial performance test. |
| 8. Existing stationary non-emergency | a. Reduce CO or | i. The average reduction of emissions of CO or |

| For each . . . | Complying with the requirement to . . . | You have demonstrated initial compliance if . . . |
|---|---|---|
| RICE ≥100 HP located at a major source, existing non-emergency CI stationary RICE >500 HP, and existing stationary non-emergency RICE ≥100 HP located at an area source | formaldehyde emissions | formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction. |
| 9. Existing stationary non-emergency RICE ≥100 HP located at a major source, existing non-emergency CI stationary RICE >500 HP, and existing stationary non-emergency RICE ≥100 HP located at an area source | a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust | i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent $O_2$, dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable. |

[75 FR 9684, Mar. 3, 2010]

**Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations and Operating Limitations**

As stated in §63.6640, you must continuously comply with the emissions and operating limitations as required by the following:

| For each . . . | Complying with the requirement to . . . | You must demonstrate continuous compliance by . . . |
|---|---|---|
| 1. 2SLB and 4SLB stationary RICE >500 HP located at a major source and CI stationary RICE >500 HP located at a major source | a. Reduce CO emissions and using an oxidation catalyst, and using a CPMS | i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved[a]; and |
| | | ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and |
| | | iii. Reducing these data to 4-hour rolling averages; and |
| | | iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and |
| | | v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test. |
| 2. 2SLB and 4SLB stationary RICE >500 HP located at a major source and CI stationary RICE >500 HP located at a major source | a. Reduce CO emissions and not using an oxidation catalyst, and using a CPMS | i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved[a]; and |
| | | ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and |
| | | iii. Reducing these data to 4-hour rolling averages; and |
| | | iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. |

| For each . . . | Complying with the requirement to . . . | You must demonstrate continuous compliance by . . . |
|---|---|---|
| 3. 2SLB and 4SLB stationary RICE >500 HP located at a major source and CI stationary RICE >500 HP located at a major source | a. Reduce CO emissions and using a CEMS | i. Collecting the monitoring data according to §63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction of CO emissions according to §63.6620; and |
| | | ii. Demonstrating that the catalyst achieves the required percent reduction of CO emissions over the 4-hour averaging period; and |
| | | iii. Conducting an annual RATA of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1. |
| 4. 4SRB stationary RICE >500 HP located at a major source | a. Reduce formaldehyde emissions and using NSCR | i. Collecting the catalyst inlet temperature data according to §63.6625(b); and |
| | | ii. reducing these data to 4-hour rolling averages; and |
| | | iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and |
| | | iv. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test. |
| 5. 4SRB stationary RICE >500 HP located at a major source | a. Reduce formaldehyde emissions and not using NSCR | i. Collecting the approved operating parameter (if any) data according to §63.6625(b); and |
| | | ii. Reducing these data to 4-hour rolling averages; and |
| | | iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. |
| 6. 4SRB stationary RICE with a brake HP ≥5,000 located at a major source | Reduce formaldehyde emissions | Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved.[a] |
| 7. Stationary RICE >500 HP located at a major source | Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR | i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit[a]; and |
| | | ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and |
| | | iii. Reducing these data to 4-hour rolling averages; and |
| | | iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and |
| | | v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the |

| For each . . . | Complying with the requirement to . . . | You must demonstrate continuous compliance by . . . |
|---|---|---|
| | | catalyst is within the operating limitation established during the performance test. |
| 8. Stationary RICE >500 HP located at a major source | Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR | i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit[a]; and |
| | | ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and |
| | | iii. Reducing these data to 4-hour rolling averages; and |
| | | iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. |
| 9. Existing stationary CI RICE not subject to any numerical emission limitations | a. Work or Management practices | i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or |
| | | ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. |
| 10. Existing stationary RICE >500 HP that are not limited use stationary RICE, except 4SRB >500 HP located at major sources | a. Reduce CO or formaldehyde emissions; or b. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust | i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit. |
| 11. Existing limited use stationary RICE >500 HP that are limited use CI stationary RICE | a. Reduce CO or formaldehyde emissions; or b. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust | i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit. |

[a]After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

[75 FR 9685, Mar. 3, 2010]

**Table 7 to Subpart ZZZZ of Part 63—Requirements for Reports**

As stated in §63.6650, you must comply with the following requirements for reports:

| You must submit a(n) . . . | The report must contain . . . | You must submit the report . . . |
|---|---|---|
| 1. Compliance | a. If there are no deviations from any emission limitations or | i. Semiannually according to the |

| You must submit a(n) . . . | The report must contain . . . | You must submit the report . . . |
|---|---|---|
| report | operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or | requirements in §63.6650(b)(1)–(5) for engines that are not limited use stationary CI RICE subject to numerical emission limitations; and ii. Annually according to the requirements in §63.6650(b)(6)–(9) for engines that are limited use stationary CI RICE subject to numerical emission limitations. |
| | b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in §63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), the information in §63.6650(e); or | i. Semiannually according to the requirements in §63.6650(b). |
| | c. If you had a malfunction during the reporting period, the information in §63.6650(c)(4). | i. Semiannually according to the requirements in §63.6650(b). |
| 2. Report | a. The fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas or digester gas, is equivalent to 10 percent or more of the gross heat input on an annual basis; and | i. Annually, according to the requirements in §63.6650. |
| | b. The operating limits provided in your Federally enforceable permit, and any deviations from these limits; and | i. *See* item 2.a.i. |
| | c. Any problems or errors suspected with the meters | i. *See* item 2.a.i. |

[75 FR 9687, Mar. 3, 2010]

**Table 8 to Subpart ZZZZ of Part 63—Applicability of General Provisions to Subpart ZZZZ.**

As stated in §63.6665, you must comply with the following applicable general provisions.

| General provisions citation | Subject of citation | Applies to subpart | Explanation |
|---|---|---|---|
| §63.1 | General applicability of the General Provisions | Yes. | |
| §63.2 | Definitions | Yes | Additional terms defined in §63.6675. |
| §63.3 | Units and abbreviations | Yes. | |
| §63.4 | Prohibited activities and circumvention | Yes. | |
| §63.5 | Construction and reconstruction | Yes. | |
| §63.6(a) | Applicability | Yes. | |
| §63.6(b)(1)–(4) | Compliance dates for new and reconstructed sources | Yes. | |

| General provisions citation | Subject of citation | Applies to subpart | Explanation |
|---|---|---|---|
| §63.6(b)(5) | Notification | Yes. | |
| §63.6(b)(6) | [Reserved] | | |
| §63.6(b)(7) | Compliance dates for new and reconstructed area sources that become major sources | Yes. | |
| §63.6(c)(1)–(2) | Compliance dates for existing sources | Yes. | |
| §63.6(c)(3)–(4) | [Reserved] | | |
| §63.6(c)(5) | Compliance dates for existing area sources that become major sources | Yes. | |
| §63.6(d) | [Reserved] | | |
| §63.6(e) | Operation and maintenance | No. | |
| §63.6(f)(1) | Applicability of standards | No. | |
| §63.6(f)(2) | Methods for determining compliance | Yes. | |
| §63.6(f)(3) | Finding of compliance | Yes. | |
| §63.6(g)(1)–(3) | Use of alternate standard | Yes. | |
| §63.6(h) | Opacity and visible emission standards | No | Subpart ZZZZ does not contain opacity or visible emission standards. |
| §63.6(i) | Compliance extension procedures and criteria | Yes. | |
| §63.6(j) | Presidential compliance exemption | Yes. | |
| §63.7(a)(1)–(2) | Performance test dates | Yes | Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612. |
| §63.7(a)(3) | CAA section 114 authority | Yes. | |
| §63.7(b)(1) | Notification of performance test | Yes | Except that §63.7(b)(1) only applies as specified in §63.6645. |
| §63.7(b)(2) | Notification of rescheduling | Yes | Except that §63.7(b)(2) only applies as specified in §63.6645. |
| §63.7(c) | Quality assurance/test plan | Yes | Except that §63.7(c) only applies as specified in §63.6645. |
| §63.7(d) | Testing facilities | Yes. | |
| §63.7(e)(1) | Conditions for conducting performance tests | No. | Subpart ZZZZ specifies conditions for conducting performance tests at §63.6620. |
| §63.7(e)(2) | Conduct of performance tests and reduction of data | Yes | Subpart ZZZZ specifies test methods at §63.6620. |
| §63.7(e)(3) | Test run duration | Yes. | |
| §63.7(e)(4) | Administrator may require other | Yes. | |

| General provisions citation | Subject of citation | Applies to subpart | Explanation |
|---|---|---|---|
| | testing under section 114 of the CAA | | |
| §63.7(f) | Alternative test method provisions | Yes. | |
| §63.7(g) | Performance test data analysis, recordkeeping, and reporting | Yes. | |
| §63.7(h) | Waiver of tests | Yes. | |
| §63.8(a)(1) | Applicability of monitoring requirements | Yes | Subpart ZZZZ contains specific requirements for monitoring at §63.6625. |
| §63.8(a)(2) | Performance specifications | Yes. | |
| §63.8(a)(3) | [Reserved] | | |
| §63.8(a)(4) | Monitoring for control devices | No. | |
| §63.8(b)(1) | Monitoring | Yes. | |
| §63.8(b)(2)–(3) | Multiple effluents and multiple monitoring systems | Yes. | |
| §63.8(c)(1) | Monitoring system operation and maintenance | Yes. | |
| §63.8(c)(1)(i) | Routine and predictable SSM | Yes. | |
| §63.8(c)(1)(ii) | SSM not in Startup Shutdown Malfunction Plan | Yes. | |
| §63.8(c)(1)(iii) | Compliance with operation and maintenance requirements | Yes. | |
| §63.8(c)(2)–(3) | Monitoring system installation | Yes. | |
| §63.8(c)(4) | Continuous monitoring system (CMS) requirements | Yes | Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS). |
| §63.8(c)(5) | COMS minimum procedures | No | Subpart ZZZZ does not require COMS. |
| §63.8(c)(6)–(8) | CMS requirements | Yes | Except that subpart ZZZZ does not require COMS. |
| §63.8(d) | CMS quality control | Yes. | |
| §63.8(e) | CMS performance evaluation | Yes | Except for §63.8(e)(5)(ii), which applies to COMS. |
| | | Except that §63.8(e) only applies as specified in §63.6645. | |
| §63.8(f)(1)–(5) | Alternative monitoring method | Yes | Except that §63.8(f)(4) only applies as specified in §63.6645. |
| §63.8(f)(6) | Alternative to relative accuracy test | Yes | Except that §63.8(f)(6) only applies as specified in §63.6645. |
| §63.8(g) | Data reduction | Yes | Except that provisions for COMS are not applicable. Averaging periods for |

| General provisions citation | Subject of citation | Applies to subpart | Explanation |
|---|---|---|---|
| | | | demonstrating compliance are specified at §§63.6635 and 63.6640. |
| §63.9(a) | Applicability and State delegation of notification requirements | Yes. | |
| §63.9(b)(1)–(5) | Initial notifications | Yes | Except that §63.9(b)(3) is reserved. |
| | | Except that §63.9(b) only applies as specified in §63.6645. | |
| §63.9(c) | Request for compliance extension | Yes | Except that §63.9(c) only applies as specified in §63.6645. |
| §63.9(d) | Notification of special compliance requirements for new sources | Yes | Except that §63.9(d) only applies as specified in §63.6645. |
| §63.9(e) | Notification of performance test | Yes | Except that §63.9(e) only applies as specified in §63.6645. |
| §63.9(f) | Notification of visible emission (VE)/opacity test | No | Subpart ZZZZ does not contain opacity or VE standards. |
| §63.9(g)(1) | Notification of performance evaluation | Yes | Except that §63.9(g) only applies as specified in §63.6645. |
| §63.9(g)(2) | Notification of use of COMS data | No | Subpart ZZZZ does not contain opacity or VE standards. |
| §63.9(g)(3) | Notification that criterion for alternative to RATA is exceeded | Yes | If alternative is in use. |
| | | Except that §63.9(g) only applies as specified in §63.6645. | |
| §63.9(h)(1)–(6) | Notification of compliance status | Yes | Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. §63.9(h)(4) is reserved. |
| | | | Except that §63.9(h) only applies as specified in §63.6645. |
| §63.9(i) | Adjustment of submittal deadlines | Yes. | |
| §63.9(j) | Change in previous information | Yes. | |
| §63.10(a) | Administrative provisions for recordkeeping/reporting | Yes. | |
| §63.10(b)(1) | Record retention | Yes. | |
| §63.10(b)(2)(i)–(v) | Records related to SSM | No. | |
| §63.10(b)(2)(vi)–(xi) | Records | Yes. | |
| §63.10(b)(2)(xii) | Record when under waiver | Yes. | |

| General provisions citation | Subject of citation | Applies to subpart | Explanation |
|---|---|---|---|
| §63.10(b)(2)(xiii) | Records when using alternative to RATA | Yes | For CO standard if using RATA alternative. |
| §63.10(b)(2)(xiv) | Records of supporting documentation | Yes. | |
| §63.10(b)(3) | Records of applicability determination | Yes. | |
| §63.10(c) | Additional records for sources using CEMS | Yes | Except that §63.10(c)(2)–(4) and (9) are reserved. |
| §63.10(d)(1) | General reporting requirements | Yes. | |
| §63.10(d)(2) | Report of performance test results | Yes. | |
| §63.10(d)(3) | Reporting opacity or VE observations | No | Subpart ZZZZ does not contain opacity or VE standards. |
| §63.10(d)(4) | Progress reports | Yes. | |
| §63.10(d)(5) | Startup, shutdown, and malfunction reports | No. | |
| §63.10(e)(1) and (2)(i) | Additional CMS Reports | Yes. | |
| §63.10(e)(2)(ii) | COMS-related report | No | Subpart ZZZZ does not require COMS. |
| §63.10(e)(3) | Excess emission and parameter exceedances reports | Yes. | Except that §63.10(e)(3)(i) (C) is reserved. |
| §63.10(e)(4) | Reporting COMS data | No | Subpart ZZZZ does not require COMS. |
| §63.10(f) | Waiver for recordkeeping/reporting | Yes. | |
| §63.11 | Flares | No. | |
| §63.12 | State authority and delegations | Yes. | |
| §63.13 | Addresses | Yes. | |
| §63.14 | Incorporation by reference | Yes. | |
| §63.15 | Availability of information | Yes. | |

[75 FR 9688, Mar. 3, 2010]