

Appendix BBBB – Table 3, Applicability of General Provisions

Title 40: Protection of Environment

[PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES \(CONTINUED\)](#)

[Subpart BBBB—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities](#)

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Table 3 to Subpart BBBB of Part 63—Applicability of General Provisions

| Citation | Subject | Brief description | Applies to subpart BBBB |
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| §63.1 | Applicability | Initial applicability determination; applicability after standard established; permit requirements; extensions, notifications | Yes, specific requirements given in §63.11081. |
| §63.1(c)(2) | Title V permit | Requirements for obtaining a title V permit from the applicable permitting authority | Yes, §63.11081(b) of subpart BBBB exempts identified area sources from the obligation to obtain title V operating permits. |
| §63.2 | Definitions | Definitions for part 63 standards | Yes, additional definitions in §63.11100. |
| §63.3 | Units and Abbreviations | Units and abbreviations for part 63 standards | Yes. |
| §63.4 | Prohibited Activities and Circumvention | Prohibited activities; circumvention, severability | Yes. |
| §63.5 | Construction/Reconstruction | Applicability; applications; approvals | Yes. |
| §63.6(a) | Compliance with Standards/Operation & Maintenance Applicability | General Provisions apply unless compliance extension; General Provisions apply to area sources that become | Yes. |

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| | | major | |
| §63.6(b)(1)–(4) | Compliance Dates for New and Reconstructed Sources | Standards apply at effective date; 3 years after effective date; upon startup; 10 years after construction or reconstruction commences for CAA section 112(f) | Yes. |
| §63.6(b)(5) | Notification | Must notify if commenced construction or reconstruction after proposal | Yes. |
| §63.6(b)(6) | [Reserved] | | |
| §63.6(b)(7) | Compliance Dates for New and Reconstructed Area Sources that Become Major | Area sources that become major must comply with major source standards immediately upon becoming major, regardless of whether required to comply when they were an area source | No. |
| §63.6(c)(1)–(2) | Compliance Dates for Existing Sources | Comply according to date in this subpart, which must be no later than 3 years after effective date; for CAA section 112(f) standards, comply within 90 days of effective date unless compliance extension | No, §63.11083 specifies the compliance dates. |
| §63.6(c)(3)–(4) | [Reserved] | | |
| §63.6(c)(5) | Compliance Dates for Existing Area Sources that Become Major | Area sources that become major must comply with major source standards by date indicated in this subpart or by equivalent time period (e.g., 3 years) | No. |
| §63.6(d) | [Reserved] | | |
| 63.6(e)(1)(i) | General duty to minimize emissions | Operate to minimize emissions at all times; information Administrator will use to determine if operation and maintenance requirements were met | No. <i>See</i> §63.11085 for general duty requirement. |

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| 63.6(e)(1)(ii) | Requirement to correct malfunctions as soon as possible | Owner or operator must correct malfunctions as soon as possible | No. |
| §63.6(e)(2) | [Reserved] | | |
| §63.6(e)(3) | Startup, Shutdown, and Malfunction (SSM) plan | Requirement for SSM plan; content of SSM plan; actions during SSM | No. |
| §63.6(f)(1) | Compliance Except During SSM | You must comply with emission standards at all times except during SSM | No. |
| §63.6(f)(2)–(3) | Methods for Determining Compliance | Compliance based on performance test, operation and maintenance plans, records, inspection | Yes. |
| §63.6(g)(1)–(3) | Alternative Standard | Procedures for getting an alternative standard | Yes. |
| §63.6(h)(1) | Compliance with Opacity/VE Standards | You must comply with opacity/VE standards at all times except during SSM | No. |
| §63.6(h)(2)(i) | Determining Compliance with Opacity/VE Standards | If standard does not State test method, use EPA Method 9 for opacity in appendix A of part 60 of this chapter and EPA Method 22 for VE in appendix A of part 60 of this chapter | No. |
| §63.6(h)(2)(ii) | [Reserved] | | |
| §63.6(h)(2)(iii) | Using Previous Tests to Demonstrate Compliance with Opacity/VE Standards | Criteria for when previous opacity/VE testing can be used to show compliance with this subpart | No. |
| §63.6(h)(3) | [Reserved] | | |
| §63.6(h)(4) | Notification of Opacity/VE Observation Date | Must notify Administrator of anticipated date of observation | No. |
| §63.6(h)(5)(i), (iii)–(v) | Conducting Opacity/VE Observations | Dates and schedule for conducting opacity/VE observations | No. |
| §63.6(h)(5)(ii) | Opacity Test Duration and Averaging Times | Must have at least 3 hours of observation with 30 6-minute | No. |

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| §63.6(h)(6) | Records of Conditions During Opacity/VE Observations | Must keep records available and allow Administrator to inspect | No. |
| §63.6(h)(7)(i) | Report Continuous Opacity Monitoring System (COMS) Monitoring Data from Performance Test | Must submit COMS data with other performance test data | No. |
| §63.6(h)(7)(ii) | Using COMS Instead of EPA Method 9 | Can submit COMS data instead of EPA Method 9 results even if rule requires EPA Method 9 in appendix A of part 60 of this chapter, but must notify Administrator before performance test | No. |
| §63.6(h)(7)(iii) | Averaging Time for COMS During Performance Test | To determine compliance, must reduce COMS data to 6-minute averages | No. |
| §63.6(h)(7)(iv) | COMS Requirements | Owner/operator must demonstrate that COMS performance evaluations are conducted according to §63.8(e); COMS are properly maintained and operated according to §63.8(c) and data quality as §63.8(d) | No. |
| §63.6(h)(7)(v) | Determining Compliance with Opacity/VE Standards | COMS is probable but not conclusive evidence of compliance with opacity standard, even if EPA Method 9 observation shows otherwise. Requirements for COMS to be probable evidence-proper maintenance, meeting Performance Specification 1 in appendix B of part 60 of this chapter, and data have not been altered | No. |
| §63.6(h)(8) | Determining Compliance with Opacity/VE Standards | Administrator will use all COMS, EPA Method 9 (in appendix A of part 60 of this chapter), and EPA Method 22 | No. |

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| | | (in appendix A of part 60 of this chapter) results, as well as information about operation and maintenance to determine compliance | |
| §63.6(h)(9) | Adjusted Opacity Standard | Procedures for Administrator to adjust an opacity standard | No. |
| §63.6(i)(1)–(14) | Compliance Extension | Procedures and criteria for Administrator to grant compliance extension | Yes. |
| §63.6(j) | Presidential Compliance Exemption | President may exempt any source from requirement to comply with this subpart | Yes. |
| §63.7(a)(2) | Performance Test Dates | Dates for conducting initial performance testing; must conduct 180 days after compliance date | Yes. |
| §63.7(a)(3) | Section 114 Authority | Administrator may require a performance test under CAA section 114 at any time | Yes. |
| §63.7(b)(1) | Notification of Performance Test | Must notify Administrator 60 days before the test | Yes. |
| §63.7(b)(2) | Notification of Re-scheduling | If have to reschedule performance test, must notify Administrator of rescheduled date as soon as practicable and without delay | Yes. |
| §63.7(c) | Quality Assurance (QA)/Test Plan | Requirement to submit site-specific test plan 60 days before the test or on date Administrator agrees with; test plan approval procedures; performance audit requirements; internal and external QA procedures for testing | Yes. |
| §63.7(d) | Testing Facilities | Requirements for testing facilities | Yes. |
| 63.7(e)(1) | Conditions for Conducting Performance Tests | Performance test must be conducted under | No, §63.11092(g) specifies |

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| | | representative conditions | conditions for conducting performance tests. |
| §63.7(e)(2) | Conditions for Conducting Performance Tests | Must conduct according to this subpart and EPA test methods unless Administrator approves alternative | Yes. |
| §63.7(e)(3) | Test Run Duration | Must have three test runs of at least 1 hour each; compliance is based on arithmetic mean of three runs; conditions when data from an additional test run can be used | Yes, except for testing conducted under §63.11092(a). |
| §63.7(f) | Alternative Test Method | Procedures by which Administrator can grant approval to use an intermediate or major change, or alternative to a test method | Yes. |
| §63.7(g) | Performance Test Data Analysis | Must include raw data in performance test report; must submit performance test data 60 days after end of test with the notification of compliance status; keep data for 5 years | Yes. |
| §63.7(h) | Waiver of Tests | Procedures for Administrator to waive performance test | Yes. |
| §63.8(a)(1) | Applicability of Monitoring Requirements | Subject to all monitoring requirements in standard | Yes. |
| §63.8(a)(2) | Performance Specifications | Performance specifications in appendix B of 40 CFR part 60 apply | Yes. |
| §63.8(a)(3) | [Reserved] | | |
| §63.8(a)(4) | Monitoring of Flares | Monitoring requirements for flares in §63.11 apply | Yes. |
| §63.8(b)(1) | Monitoring | Must conduct monitoring according to standard unless Administrator approves alternative | Yes. |
| §63.8(b)(2)–(3) | Multiple Effluents and | Specific requirements for | Yes. |

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| | Multiple Monitoring Systems | installing monitoring systems; must install on each affected source or after combined with another affected source before it is released to the atmosphere provided the monitoring is sufficient to demonstrate compliance with the standard; if more than one monitoring system on an emission point, must report all monitoring system results, unless one monitoring system is a backup | |
| §63.8(c)(1) | Monitoring System Operation and Maintenance | Maintain monitoring system in a manner consistent with good air pollution control practices | Yes. |
| §63.8(c)(1)(i) | Operation and Maintenance of CMS | Must maintain and operate each CMS as specified in §63.6(e)(1) | No. |
| §63.8(c)(1)(ii) | Operation and Maintenance of CMS | Must keep parts for routine repairs readily available | Yes. |
| §63.8(c)(1)(iii) | Operation and Maintenance of CMS | Requirement to develop SSM Plan for CMS | No. |
| §63.8(c) (2)–(8) | CMS Requirements | Must install to get representative emission or parameter measurements; must verify operational status before or at performance test | Yes. |
| §63.8(d) | CMS Quality Control | Requirements for CMS quality control, including calibration, etc.; must keep quality control plan on record for 5 years; keep old versions for 5 years after revisions | No. |
| §63.8(e) | CMS Performance Evaluation | Notification, performance evaluation test plan, reports | Yes. |
| §63.8(f) (1)–(5) | Alternative Monitoring Method | Procedures for Administrator to approve alternative monitoring | Yes. |
| §63.8(f)(6) | Alternative to Relative Accuracy Test | Procedures for Administrator to approve alternative relative | Yes. |

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| | | accuracy tests for CEMS | |
| §63.8(g) | Data Reduction | COMS 6-minute averages calculated over at least 36 evenly spaced data points; CEMS 1 hour averages computed over at least 4 equally spaced data points; data that cannot be used in average | Yes. |
| §63.9(a) | Notification Requirements | Applicability and State delegation | Yes. |
| §63.9(b) (1)–(2), (4)–(5) | Initial Notifications | Submit notification within 120 days after effective date; notification of intent to construct/reconstruct, notification of commencement of construction/reconstruction, notification of startup; contents of each | Yes. |
| §63.9(c) | Request for Compliance Extension | Can request if cannot comply by date or if installed best available control technology or lowest achievable emission rate | Yes. |
| §63.9(d) | Notification of Special Compliance Requirements for New Sources | For sources that commence construction between proposal and promulgation and want to comply 3 years after effective date | Yes. |
| §63.9(e) | Notification of Performance Test | Notify Administrator 60 days prior | Yes. |
| §63.9(f) | Notification of VE/Opacity Test | Notify Administrator 30 days prior | No. |
| §63.9(g) | Additional Notifications When Using CMS | Notification of performance evaluation; notification about use of COMS data; notification that exceeded criterion for relative accuracy alternative | Yes, however, there are no opacity standards. |
| §63.9(h)(1)–(6) | Notification of Compliance Status | Contents due 60 days after end of performance test or other | Yes, except as specified in |

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| | | compliance demonstration, except for opacity/VE, which are due 30 days after; when to submit to Federal vs. State authority | §63.11095(a)(4); also, there are no opacity standards. |
| §63.9(i) | Adjustment of Submittal Deadlines | Procedures for Administrator to approve change when notifications must be submitted | Yes. |
| §63.9(j) | Change in Previous Information | Must submit within 15 days after the change | Yes. |
| §63.10(a) | Record-keeping/Reporting | Applies to all, unless compliance extension; when to submit to Federal vs. State authority; procedures for owners of more than one source | Yes. |
| §63.10(b)(1) | Record-keeping/Reporting | General requirements; keep all records readily available; keep for 5 years | Yes. |
| §63.10(b)(2)(i) | Records related to SSM | Recordkeeping of occurrence and duration of startups and shutdowns | No. |
| §63.10(b)(2)(ii) | Records related to SSM | Recordkeeping of malfunctions | No. <i>See</i> §63.11094(g) for recordkeeping of (1) occurrence and duration and (2) actions taken during malfunction. |
| §63.10(b)(2)(iii) | Maintenance records | Recordkeeping of maintenance on air pollution control and monitoring equipment | Yes. |
| §63.10(b)(2)(iv) | Records Related to SSM | Actions taken to minimize emissions during SSM | No. |
| §63.10(b)(2)(v) | Records Related to SSM | Actions taken to minimize emissions during SSM | No. |
| §63.10(b)(2)(vi)–(xi) | CMS Records | Malfunctions, inoperative, out-of-control periods | Yes. |

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| §63.10(b)(2)(xii) | Records | Records when under waiver | Yes. |
| §63.10(b)(2)(xiii) | Records | Records when using alternative to relative accuracy test | Yes. |
| §63.10(b)(2)(xiv) | Records | All documentation supporting initial notification and notification of compliance status | Yes. |
| §63.10(b)(3) | Records | Applicability determinations | Yes. |
| §63.10(c) | Records | Additional records for CMS | No. |
| §63.10(d)(1) | General Reporting Requirements | Requirement to report | Yes. |
| §63.10(d)(2) | Report of Performance Test Results | When to submit to Federal or State authority | Yes. |
| §63.10(d)(3) | Reporting Opacity or VE Observations | What to report and when | No. |
| §63.10(d)(4) | Progress Reports | Must submit progress reports on schedule if under compliance extension | Yes. |
| §63.10(d)(5) | SSM Reports | Contents and submission | No. <i>See</i> §63.11095(d) for malfunction reporting requirements. |
| §63.10(e)(1)–(2) | Additional CMS Reports | Must report results for each CEMS on a unit; written copy of CMS performance evaluation; 2–3 copies of COMS performance evaluation | No. |
| §63.10(e)(3)(i)–(iii) | Reports | Schedule for reporting excess emissions | Yes, note that §63.11095 specifies excess emission events for this subpart. |
| §63.10(e)(3)(iv)–(v) | Excess Emissions Reports | Requirement to revert to quarterly submission if there is an excess emissions and parameter monitor | Yes, §63.11095 specifies excess emission events for this subpart. |

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| | | exceedances (now defined as deviations); provision to request semiannual reporting after compliance for 1 year; submit report by 30th day following end of quarter or calendar half; if there has not been an exceedance or excess emissions (now defined as deviations), report contents in a statement that there have been no deviations; must submit report containing all of the information in §§63.8(c)(7)–(8) and 63.10(c)(5)–(13) | |
| §63.10(e)(3)(vi)–(viii) | Excess Emissions Report and Summary Report | Requirements for reporting excess emissions for CMS; requires all of the information in §§63.8(c)(7)–(8) and 63.10(c)(5)–(13) | Yes. |
| §63.10(e)(4) | Reporting COMS Data | Must submit COMS data with performance test data | Yes. |
| §63.10(f) | Waiver for Recordkeeping/Reporting | Procedures for Administrator to waive | Yes. |
| §63.11(b) | Flares | Requirements for flares | Yes, the section references §63.11(b). |
| §63.12 | Delegation | State authority to enforce standards | Yes. |
| §63.13 | Addresses | Addresses where reports, notifications, and requests are sent | Yes. |
| §63.14 | Incorporations by Reference | Test methods incorporated by reference | Yes. |
| §63.15 | Availability of Information | Public and confidential information | Yes. |

[73 FR 1933, Jan. 10, 2008, as amended at 76 FR 4180, Jan. 24, 2011]