# Subpart N—National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks

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SOURCE: 60 FR 4963, Jan. 25, 1995, unless otherwise noted.

## § 63.340 Applicability and designation of sources.

(a) The affected source to which the provisions of this subpart apply is each chromium electroplating or chromium anodizing tank at facilities performing hard chromium electroplating, decorative chromium electroplating, or chromium anodizing.

(b) Owners or operators of affected sources subject to the provisions of this subpart must also comply with the requirements of subpart A of this part, according to the applicability of subpart A of this part to such sources, as identified in Table 1 of this subpart.

(c) Process tanks associated with a chromium electroplating or chromium anodizing process, but in which neither chromium electroplating nor chromium anodizing is taking place, are not subject to the provisions of this subpart. Examples of such tanks include, but are not limited to, rinse tanks, etching tanks, and cleaning tanks. Likewise, tanks that contain a chromium solution, but in which no electrolytic process occurs, are not subject to this subpart. An example of such a tank is a chrome conversion coating tank where no electrical current is applied.

(d) Affected sources in which research and laboratory operations are performed are exempt from the provisions of this subpart when such operations are taking place.

(e) 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 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 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.

[60 FR 4963, Jan. 25, 1995, as amended at 61 FR 27787, June 3, 1996; 64 FR 69643, Dec. 14, 1999; 70 FR 75345, Dec. 19, 2005]

## § 63.341 Definitions and nomenclature.

(a) *Definitions.* Terms used in this subpart are defined in the Act, in subpart A of this part, or in this section. For the purposes of subpart N of this part, if the same term is defined in subpart A of this part and in this section, it shall have the meaning given in this section.

*Add-on air pollution control device* means equipment installed in the ventilation system of chromium electroplating and anodizing tanks for the purposes of collecting and containing chromium emissions from the tank(s).

*Affirmative defense* means, in the context of an enforcement proceeding, a response or a defense put forward by a defendant, regarding which the defendant has the burden of proof, and the merits of which are independently and objectively evaluated in a judicial or administrative proceeding.

*Air pollution control technique* means any method, such as an add-on air pollution control device or a chemical fume suppressant, that is used to reduce chromium emissions from chromium electroplating and chromium anodizing tanks.

*Base metal* means the metal or metal alloy that comprises the workpiece.

*Bath component* means the trade or brand name of each component(s) in trivalent chromium plating baths. For trivalent chromium baths, the bath composition is proprietary in most cases. Therefore, the trade or brand name for each component(s) can be used; however, the chemical name of the wetting agent contained in that component must be identified.

*Chemical fume suppressant* means any chemical agent that reduces or suppresses fumes or mists at the surface of an electroplating or anodizing bath; another term for fume suppressant is mist suppressant.

*Chromic acid* means the common name for chromium anhydride ($CrO_3$ ).

*Chromium anodizing* means the electrolytic process by which an oxide layer is produced on the surface of a base metal for functional purposes (e.g., corrosion resistance or electrical insulation) using a chromic acid solution. In chromium anodizing, the part to be anodized acts as the anode in the electrical circuit, and the chromic acid solution, with a concentration typically ranging from 50 to 100 grams per liter (g/L), serves as the electrolyte.

*Chromium anodizing tank* means the receptacle or container along with the following accompanying internal and external components needed for chromium anodizing: rectifiers fitted with controls to allow for voltage adjustments, heat exchanger equipment, circulation pumps, and air agitation systems.

*Chromium electroplating tank* means the receptacle or container along with the following internal and external components needed for chromium electroplating: Rectifiers, anodes, heat exchanger equipment, circulation pumps, and air agitation systems.

*Composite mesh-pad system* means an add-on air pollution control device typically consisting of several mesh-pad stages. The purpose of the first stage is to remove large particles. Smaller particles are removed in the second stage, which consists of the composite mesh pad. A final stage may remove any reentrained particles not collected by the composite mesh pad.

*Contains hexavalent chromium* means, the substance consists of, or contains 0.1 percent or greater by weight, chromium trioxide, chromium (VI) oxide, chromic acid, or chromic anhydride.

*Decorative chromium electroplating* means the process by which a thin layer of chromium (typically 0.003 to 2.5 microns) is electrodeposited on a base metal, plastic, or undercoating to provide a bright surface with wear and tarnish resistance. In this process, the part(s) serves as the cathode in the electrolytic cell and the solution serves as the electrolyte. Typical current density applied during this process ranges from 540 to 2,400 Amperes per square meter ($A/m^2$ ) for total plating times ranging between 0.5 to 5 minutes.

*Electroplating or anodizing bath* means the electrolytic solution used as the conducting medium in which the flow of current is accompanied by movement of metal ions for the purposes of electroplating metal out of the solution onto a workpiece or for oxidizing the base material.

*Emission limitation* means, for the purposes of this subpart, the concentration of total chromium allowed to be emitted expressed in milligrams per dry standard cubic meter (mg/dscm), or the allowable surface tension expressed in dynes per centimeter (dynes/cm).

*Enclosed hard chromium electroplating tank* means a chromium electroplating tank that is equipped with an enclosing hood and ventilated at half the rate or less that of an open surface tank of the same surface area.

*Existing affected source* means an affected hard chromium electroplating tank, decorative chromium electroplating tank, or chromium anodizing tank, the construction or reconstruction of which commenced on or before February 8, 2012.

*Facility* means the major or area source at which chromium electroplating or chromium anodizing is performed.

*Fiber-bed mist eliminator* means an add-on air pollution control device that removes contaminants from a gas stream through the mechanisms of inertial impaction and Brownian diffusion. These devices are typically installed downstream of another control device, which serves to prevent plugging, and consist of one or more fiber beds. Each bed consists of a hollow cylinder formed from two concentric screens; the fiber between the screens may be fabricated from glass, ceramic plastic, or metal.

*Foam blanket* means the type of chemical fume suppressant that generates a layer of foam across the surface of a solution when current is applied to that solution.

*Fresh water* means water, such as tap water, that has not been previously used in a process operation or, if the water has been recycled from a process operation, it has been treated and meets the effluent guidelines for chromium wastewater.

*Hard chromium electroplating* or industrial chromium electroplating means a process by which a thick layer of chromium (typically 1.3 to 760 microns) is electrodeposited on a base material to provide a surface with functional properties such as wear resistance, a low coefficient of friction, hardness, and corrosion resistance. In this process, the part serves as the cathode in the electrolytic cell and the solution serves as the electrolyte. Hard chromium electroplating process is performed at current densities typically ranging from 1,600 to 6,500 $A/m^2$ for total plating times ranging from 20 minutes to 36 hours depending upon the desired plate thickness.

*Hexavalent chromium* means the form of chromium in a valence state of +6.

*Large, hard chromium electroplating facility* means a facility that performs hard chromium electroplating and has a maximum cumulative potential rectifier capacity greater than or equal to 60 million ampere-hours per year (amp-hr/yr).

*Maximum cumulative potential rectifier capacity* means the summation of the total installed rectifier capacity associated with the hard chromium electroplating tanks at a facility, expressed in amperes, multiplied by the maximum potential operating schedule of 8,400 hours per year and 0.7, which assumes that electrodes are energized 70 percent of the total operating time. The maximum potential operating schedule is based on operating 24 hours per day, 7 days per week, 50 weeks per year.

*New affected source* means an affected hard chromium electroplating tank, decorative chromium electroplating tank, or chromium anodizing tank, the construction or reconstruction of which commenced after February 8, 2012.

*Open surface hard chromium electroplating tank* means a chromium electroplating tank that is ventilated at a rate consistent with good ventilation practices for open tanks.

*Operating parameter value* means a minimum or maximum value established for a control device or process parameter which, if achieved by itself or in combination with one or more other operating parameter values, determines that an owner or operator is in continual compliance with the applicable emission limitation or standard.

*Packed-bed scrubber* means an add-on air pollution control device consisting of a single or double packed bed that contains packing media on which the chromic acid droplets impinge. The packed-bed section of the scrubber is followed by a mist eliminator to remove any water entrained from the packed-bed section.

*Perfluorooctane sulfonic acid (PFOS)-based fume suppressant* means a fume suppressant that contains 1 percent or greater PFOS by weight.

*Research or laboratory operation* means an operation whose primary purpose is for research and development of new processes and products, that is conducted under the close supervision of technically trained personnel, and that is not involved in the manufacture of products for commercial sale in commerce, except in a de minimis manner.

*Small, hard chromium electroplating facility* means a facility that performs hard chromium electroplating and has a maximum cumulative potential rectifier capacity less than 60 million amp-hr/yr.

*Stalagmometer* means an instrument used to measure the surface tension of a solution by determining the mass of a drop of liquid by weighing a known number of drops or by counting the number of drops obtained from a given volume of liquid.

*Surface tension* means the property, due to molecular forces, that exists in the surface film of all liquids and tends to prevent liquid from spreading.

*Tank operation* means the time in which current and/or voltage is being applied to a chromium electroplating tank or a chromium anodizing tank.

*Tensiometer* means an instrument used to measure the surface tension of a solution by determining the amount of force needed to pull a ring from the liquid surface. The amount of force is proportional to the surface tension.

*Trivalent chromium* means the form of chromium in a valence state of +3.

*Trivalent chromium process* means the process used for electrodeposition of a thin layer of chromium onto a base material using a trivalent chromium solution instead of a chromic acid solution.

*Wetting agent* means the type of commercially available chemical fume suppressant that materially reduces the surface tension of a liquid.

(b) *Nomenclature.* The nomenclature used in this subpart has the following meaning:

(1) AMR=the allowable mass emission rate from each type of affected source subject to the same emission limitation in milligrams per hour (mg/hr).

(2) $AMR_{sys}$ =the allowable mass emission rate from affected sources controlled by an add-on air pollution control device controlling emissions from multiple sources in mg/hr.

(3) EL=the applicable emission limitation from § 63.342 in milligrams per dry standard cubic meter (mg/dscm).

(4) $IA_{total}$ =the sum of all inlet duct areas from both affected and nonaffected sources in meters squared.

(5) $IDA_i$ =the total inlet area for all ducts associated with affected sources in meters squared.

(6) $IDA_{i,a}$ =the total inlet duct area for all ducts conveying chromic acid from each type of affected source performing the same operation, or each type of affected source subject to the same emission limitation in meters squared.

(7) VR=the total of ventilation rates for each type of affected source subject to the same emission limitation in dry standard cubic meters per minute (dscm/min).

(8) $VR_{inlet}$ =the total ventilation rate from all inlet ducts associated with affected sources in dscm/min.

(9) $VR_{inlet,a}$ =the total ventilation rate from all inlet ducts conveying chromic acid from each type of affected source performing the same operation, or each type of affected source subject to the same emission limitation in dscm/min.

(10) $VR_{tot}$ = the average total ventilation rate for the three test runs as determined at the outlet by means of the Method 306 or 306A testing specified in appendix A of this part in dscm/min.

[60 FR 4963, Jan. 25, 1995, as amended at 69 FR 42894, July 19, 2004; 77 FR 58242, Sept. 19, 2012]

**§ 63.342 Standards.**

(a)(1) At all times, each owner or operator must operate and maintain any affected source subject to the requirements of this subpart, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the owner or operator 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.

(2) Each owner or operator of an affected source subject to the provisions of this subpart shall comply with these requirements in this section on and after the compliance dates specified in § 63.343 (a). All affected sources are regulated by applying maximum achievable control technology.

(b) *Applicability of emission limitations.*

(1) The emission limitations in this section apply during tank operation as defined in § 63.341, and during periods of startup and shutdown as these are routine occurrences for affected sources subject to this subpart. In response to an action to enforce the standards set forth in this subpart, the owner or operator may assert a defense to a claim for civil penalties for violations of such standards that are caused by a malfunction, as defined in 40 CFR 63.2. Appropriate penalties may be assessed, however, if the owner or operator fails to meet the burden of proving all the requirements in the affirmative defense. The affirmative defense shall not be available for claims for injunctive relief.

(i) To establish the affirmative defense in any action to enforce such a standard, the owner or operator must timely meet the reporting requirements of paragraph (b)(1)(ii) of this section, and must prove by a preponderance of evidence that:

(A) The violation was caused by a sudden, infrequent, and unavoidable failure of air pollution control equipment, process equipment, or a process to operate in a normal and usual manner; and could not have been prevented through careful planning, proper design or better operation and maintenance practices; and did not stem from any activity or event that could have been foreseen and avoided, or planned for; and was not part of a recurring pattern indicative of inadequate design, operation, or maintenance; and

(B) Repairs were made as expeditiously as possible when exceeded violation occurred. Off-shift and overtime labor were used, to the extent practicable to make these repairs; and

(C) The frequency, amount and duration of the violation (including any bypass) were minimized to the maximum extent practicable; and

(D) If the violation resulted from a bypass of control equipment or a process, then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and

(E) All possible steps were taken to minimize the impact of the violation on ambient air quality, the environment, and human health; and

(F) All emissions monitoring and control systems were kept in operation if at all possible, consistent with safety and good air pollution control practices; and

(G) All of the actions in response to the violation were documented by properly signed, contemporaneous operating logs; and

(H) At all times, the affected sources were operated in a manner consistent with good practices for minimizing emissions; and

(I) A written root cause analysis was prepared, the purpose of which is to determine, correct, and eliminate the primary causes of the malfunction and the excess emissions resulting from the malfunction event at issue. The analysis shall also specify, using the best monitoring methods and engineering judgment, the amount of excess emissions that were the result of the malfunction.

(ii) *Report.* The owner or operator seeking to assert an affirmative defense shall submit a written report to the Administrator with all necessary supporting documentation, that it has met the requirements set forth in paragraph (i) of this section. This affirmative defense report shall be included in the first periodic compliance, deviation report or excess emission report otherwise required after the initial occurrence of the violation of the relevant standard (which may be the end of any applicable averaging period). If such compliance, deviation report or excess emission report is due less than 45 days after the initial occurrence of the violation, the affirmation defense report may be included in the second compliance, deviation report or excess emission report due after the initial occurrence of the violation of the relevant standard.

(2) If an owner or operator is controlling a group of tanks with a common add-on air pollution control device, the emission limitations of paragraphs (c), (d), and (e) of this section apply whenever any one affected source is operated. The emission limitation that applies to the group of affected sources is:

(i) The emission limitation identified in paragraphs (c), (d), and (e) of this section if the affected sources are performing the same type of operation (e.g., hard chromium electroplating), are subject to the same emission limitation, and are not controlled by an add-on air pollution control device also controlling nonaffected sources;

(ii) The emission limitation calculated according to § 63.344(e)(3) if affected sources are performing the same type of operation, are subject to the same emission limitation, and are controlled with an add-on air pollution control device that is also controlling nonaffected sources; and

(iii) The emission limitation calculated according to § 63.344(e)(4) if affected sources are performing different types of operations, or affected sources are performing the same operations but subject to different emission limitations, and are controlled with an add-on air pollution control device that may also be controlling emissions from nonaffected sources.

(c)(1) *Standards for open surface hard chromium electroplating tanks.* During tank operation, each owner or operator of an existing, new, or reconstructed affected source shall control chromium emissions discharged to the atmosphere from that affected source by either:

(i) Not allowing the concentration of total chromium in the exhaust gas stream discharged to the atmosphere to exceed 0.011 milligrams of total chromium per dry standard cubic meter (mg/dscm) of ventilation air ($4.8 \times 10^{-6}$ grains per dry standard cubic foot (gr/dscf)) for all open surface hard chromium electroplating tanks that are existing affected sources and are located at large hard chromium electroplating facilities; or

(ii) Not allowing the concentration of total chromium in the exhaust gas stream discharged to the atmosphere to exceed 0.015 mg/dscm ($6.6 \times 10^{-6}$ gr/dscf) for all open surface hard chromium electroplating tanks that are existing affected sources and are located at small, hard chromium electroplating facilities; or

(iii) If a chemical fume suppressant containing a wetting agent is used, not allowing the surface tension of the electroplating or anodizing bath contained within the affected tank to exceed 40 dynes per centimeter (dynes/cm) ($2.8 \times 10^{-3}$ pound-force per foot (lbf/ft)), as measured by a stalagmometer, or 33 dynes/cm ($2.3 \times 10^{-3}$ lbf/ft), as measured by a tensiometer at any time during tank operation; or

(iv) Not allowing the concentration of total chromium in the exhaust gas stream discharged to the atmosphere to exceed 0.006 mg/dscm of ventilation air ($2.6 \times 10^{-6}$ gr/dscf) for all open surface hard chromium electroplating tanks that are new affected sources; or

(v) After September 21, 2015, the owner or operator of an affected open surface hard chromium electroplating tank shall not add PFOS-based fume suppressants to any affected open surface hard chromium electroplating tank.

(2) *Standards for enclosed hard chromium electroplating tanks.* During tank operation, each owner or operator of an existing, new, or reconstructed affected source shall control chromium emissions discharged to the atmosphere from that affected source by either:

(i) Not allowing the concentration of total chromium in the exhaust gas stream discharged to the atmosphere to exceed 0.011 mg/dscm of ventilation air ($4.8 \times 10^{-6}$ gr/dscf) for all enclosed hard chromium electroplating tanks that are existing affected sources and are located at large hard chromium electroplating facilities; or

(ii) Not allowing the concentration of total chromium in the exhaust gas stream discharged to the atmosphere to exceed 0.015 mg/dscm ($6.6 \times 10^{-6}$ gr/dscf) for all enclosed hard chromium electroplating tanks that are existing affected sources and are located at small, hard chromium electroplating facilities; or

(iii) If a chemical fume suppressant containing a wetting agent is used, not allowing the surface tension of the electroplating or anodizing bath contained within the affected tank to exceed 40 dynes/cm ($2.8 \times 10^{-3}$ lbf/ft), as measured by a stalagmometer, or 33 dynes/cm ($2.3 \times 10^{-3}$ lbf/ft), as measured by a tensiometer at any time during tank operation; or

(iv) Not allowing the mass rate of total chromium in the exhaust gas stream discharged to the atmosphere to exceed the maximum allowable mass emission rate determined by using the calculation procedure in § 63.344(f)(1)(i) for all enclosed hard chromium electroplating tanks that are existing affected sources and are located at large hard chromium electroplating facilities; or

(v) Not allowing the mass rate of total chromium in the exhaust gas stream discharged to the atmosphere to exceed the maximum allowable mass emission rate determined by using the calculation procedure in § 63.344(f)(1)(ii) if the enclosed hard chromium electroplating tank is an existing affected source and is located at a small, hard chromium electroplating facility.

(vi) Not allowing the concentration of total chromium in the exhaust gas stream discharged to the atmosphere to exceed 0.006 mg/dscm of ventilation air ($2.6 \times 10^{-6}$ gr/dscf) for all enclosed hard chromium electroplating tanks that are new affected sources; or

(vii) Not allowing the mass rate of total chromium in the exhaust gas stream discharged to the atmosphere to exceed the maximum allowable mass emission rate determined by using the calculation procedure in § 63.344(f)(1)(iii) if the enclosed hard chromium electroplating tank is a new affected source.

(viii) After September 21, 2015, the owner or operator of an affected enclosed hard chromium electroplating tank shall not add PFOS-based fume suppressants to any affected enclosed hard chromium electroplating tank.

(3)(i) An owner or operator may demonstrate the size of a hard chromium electroplating facility through the definitions in § 63.341(a). Alternatively, an owner or operator of a facility with a maximum cumulative potential rectifier capacity of 60 million amp-hr/yr or more may be considered small if the actual cumulative rectifier capacity is less than 60 million amp-hr/yr as demonstrated using the following procedures:

(A) If records show that the facility's previous annual actual rectifier capacity was less than 60 million amp-hr/yr, by using nonresettable ampere-hr meters and keeping monthly records of actual ampere-hr usage for each 12-month rolling period following the compliance date in accordance with

§ 63.346(b)(12). The actual cumulative rectifier capacity for the previous 12-month rolling period shall be tabulated monthly by adding the capacity for the current month to the capacities for the previous 11 months; or

(B) By accepting a federally-enforceable limit on the maximum cumulative potential rectifier capacity of a hard chromium electroplating facility and by maintaining monthly records in accordance with § 63.346(b)(12) to demonstrate that the limit has not been exceeded. The actual cumulative rectifier capacity for the previous 12-month rolling period shall be tabulated monthly by adding the capacity for the current month to the capacities for the previous 11 months.

(ii) Once the monthly records required to be kept by § 63.346(b)(12) and by this paragraph (c)(3)(ii) show that the actual cumulative rectifier capacity over the previous 12-month rolling period corresponds to the large designation, the owner or operator is subject to the emission limitation identified in paragraph (c)(1)(i), (iii), (c)(2)(i), (iii), or (iv) of this section, in accordance with the compliance schedule of § 63.343(a)(5).

(d) *Standards for decorative chromium electroplating tanks using a chromic acid bath and chromium anodizing tanks.* During tank operation, each owner or operator of an existing, new, or reconstructed affected source shall control chromium emissions discharged to the atmosphere from that affected source by either:

(1) Not allowing the concentration of total chromium in the exhaust gas stream discharged to the atmosphere to exceed 0.007 mg/dscm ($3.1 \times 10^{-6}$ gr/dscf) for all existing decorative chromium electroplating tanks using a chromic acid bath and all existing chromium anodizing tanks; or

(2) Not allowing the concentration of total chromium in the exhaust gas stream discharged to the atmosphere to exceed 0.006 mg/dscm ($2.6\times10^{-6}$ gr/dscf) for all new or reconstructed decorative chromium electroplating tanks using a chromic acid bath and all new or reconstructed chromium anodizing tanks; or

(3) If a chemical fume suppressant containing a wetting agent is used, not allowing the surface tension of the electroplating or anodizing bath contained within the affected tank to exceed 40 dynes/cm ($2.8 \times 10^{-3}$ lbf/ft), as measured by a stalagmometer or 33 dynes/cm ($2.3 \times 10^{-3}$ lbf/ft), as measured by a tensiometer at any time during tank operation, for all existing, new, or reconstructed decorative chromium electroplating tanks using a chromic acid bath and all existing, new, or reconstructed chromium anodizing tanks; or

(4) After September 21, 2015, the owner or operator of an affected decorative chromium electroplating tank or an affected chromium anodizing tank shall not add PFOS-based fume suppressants to any affected decorative chromium electroplating tank or chromium anodizing tank.

(e) *Standards for decorative chromium electroplating tanks using a trivalent chromium bath.* (1) Each owner or operator of an existing, new, or reconstructed decorative chromium electroplating tank that uses a trivalent chromium bath that incorporates a wetting agent as a bath ingredient is subject to the recordkeeping and reporting requirements of §§ 63.346(b)(14) and 63.347(i), but are not subject to the work practice requirements of paragraph (f) of this section, or the continuous compliance monitoring requirements in § 63.343(c). The wetting agent must be an ingredient in the trivalent chromium bath components purchased as a package.

(2) After September 21, 2015, the owner or operator of an affected decorative chromium electroplating tank using a trivalent chromium bath shall not add PFOS-based fume suppressants to any affected decorative chromium electroplating tank.

(3) Each owner or operator of an existing, new, or reconstructed decorative chromium electroplating tank that uses a trivalent chromium bath that does not incorporate a wetting agent as a bath ingredient is subject to the standards of paragraph (d) of this section.

(4) Each owner or operator of an existing, new, or reconstructed decorative chromium electroplating tank that had been using a trivalent chromium bath that incorporated a wetting agent and

ceases using this type of bath must fulfill the reporting requirements of § 63.347(i)(3) and comply with the applicable emission limitation within the timeframe specified in § 63.343(a)(7).

(f) *Operation and maintenance practices.* All owners or operators subject to the standards in paragraphs (c) and (d) of this section are subject to these operation and maintenance practices.

(1)(i) At all times, including periods of startup, shutdown, and malfunction, owners or operators shall operate and maintain any affected source, including associated air pollution control devices and monitoring equipment, in a manner consistent with good air pollution control practices.

(ii) Malfunctions shall be corrected as soon as practicable after their occurrence.

(iii) Operation and maintenance requirements established pursuant to section 112 of the Act are enforceable independent of emissions limitations or other requirements in relevant standards.

(2)(i) Determination of whether acceptable 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 the operation and maintenance plan, procedures, and records; and inspection of the source.

(ii) Based on the results of a determination made under paragraph (f)(2)(i) of this section, the Administrator may require that an owner or operator of an affected source make changes to the operation and maintenance plan required by paragraph (f)(3) of this section for that source. Revisions may be required if the Administrator finds that the plan:

(A) Does not address a malfunction that has occurred;

(B) Fails to provide for the proper operation of the affected source, the air pollution control techniques, or the control system and process monitoring equipment during a malfunction in a manner consistent with good air pollution control practices; or

(C) Does not provide adequate procedures for correcting malfunctioning process equipment, air pollution control techniques, or monitoring equipment as quickly as practicable.

(3) *Operation and maintenance plan.* (i) The owner or operator of an affected source subject to paragraph (f) of this section shall prepare an operation and maintenance plan no later than the compliance date, except for hard chromium electroplaters and the chromium anodizing operations in California which have until January 25, 1998. The plan shall be incorporated by reference into the source's title V permit, if and when a title V permit is required. The plan shall include the following elements:

(A) The plan shall specify the operation and maintenance criteria for the affected source, the add-on air pollution control device (if such a device is used to comply with the emission limits), and the process and control system monitoring equipment, and shall include a standardized checklist to document the operation and maintenance of this equipment;

(B) For sources using an add-on control device or monitoring equipment to comply with this subpart, the plan shall incorporate the operation and maintenance practices for that device or monitoring equipment, as identified in Table 1 of this section, if the specific equipment used is identified in Table 1 of this section;

(C) If the specific equipment used is not identified in Table 1 of this section, the plan shall incorporate proposed operation and maintenance practices. These proposed operation and maintenance practices shall be submitted for approval as part of the submittal required under § 63.343 (d);

(D) The plan shall specify procedures to be followed to ensure that equipment or process malfunctions due to poor maintenance or other preventable conditions do not occur; and

(E) The plan shall include a systematic procedure for identifying malfunctions of process equipment, add-on air pollution control devices, and process and control system monitoring equipment and for implementing corrective actions to address such malfunctions.

(F) The plan shall include housekeeping procedures, as specified in Table 2 of this section.

(ii) If the operation and maintenance plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction at the time the plan is initially developed, the owner or operator shall revise the operation and maintenance plan within 45 days after such an event occurs. The revised plan shall include procedures for operating and maintaining the process equipment, add-on air pollution control device, or monitoring equipment during similar malfunction events, and a program for corrective action for such events.

(iii) Recordkeeping associated with the operation and maintenance plan is identified in § 63.346(b). Reporting associated with the operation and maintenance plan is identified in § 63.347 (g) and (h) and paragraph (f)(3)(iv) of this section.

(iv) If actions taken by the owner or operator during periods of malfunction are inconsistent with the procedures specified in the operation and maintenance plan required by paragraph (f)(3)(i) of this section, the owner or operator shall record the actions taken for that event and shall report by phone such actions within 2 working days after commencing actions inconsistent with the plan. This report shall be followed by a letter within 7 working days after the end of the event, unless the owner or operator makes alternative reporting arrangements, in advance, with the Administrator.

(v) The owner or operator shall keep the written operation and maintenance plan on record after it is developed to be made available for inspection, upon request, by the Administrator for the life of the affected source or until the source is no longer subject to the provisions of this subpart. In addition, if the operation and maintenance plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the operation and maintenance plan on record to be made available for inspection, upon request, by the Administrator for a period of 5 years after each revision to the plan.

(vi) To satisfy the requirements of paragraph (f)(3) of this section, the owner or operator may use applicable standard operating procedure (SOP) manuals, Occupational Safety and Health Administration (OSHA) plans, or other existing plans, provided the alternative plans meet the requirements of this section.

(g) The standards in this section that apply to chromic acid baths shall not be met by using a reducing agent to change the form of chromium from hexavalent to trivalent.

**TABLE 1 TO § 63.342—SUMMARY OF OPERATION AND MAINTENANCE PRACTICES**

| Control technique | Operation and maintenance practices | Frequency |
|---|---|---|
| Composite mesh-pad (CMP) system | 1. Visually inspect device to ensure there is proper drainage, no chronic acid buildup on the pads, and no evidence of chemical attack on the structural integrity of the device | 1. 1/quarter. |
| | 2. Visually inspect back portion of the mesh pad closest to the fan to ensure there is no breakthrough of chromic acid mist | 2. 1/quarter. |
| | 3. Visually inspect ductwork from tank to the control device to ensure there are no leaks | 3. 1/quarter. |
| | 4. Perform washdown of the composite mesh-pads in accordance with manufacturers recommendations | 4. Per manufacturer. |
| Packed-bed scrubber (PSB) | 1. Visually inspect device to ensure there is proper drainage, no chromic acid buildup on the packed beds, and no evidence of chemical attack on the structural integrity of the device | 1. 1/quarter. |

| | | |
|---|---|---|
| | 2. Visually inspect back portion of the chevron blade mist eliminator to ensure that it is dry and there is no breakthrough of chromic acid mist | 2. 1/quarter. |
| | 3. Same as number 3 above | 3. 1/quarter. |
| | 4. Add fresh makeup water to the top of the packed bed [a,b] | 4. Whenever makeup is added. |
| PBS/CMP system | 1. Same as for CMP system | 1. 1/quarter. |
| | 2. Same as for CMP system | 2. 1/quarter. |
| | 3. Same as for CMP system | 3. 1/quarter. |
| | 4. Same as for CMP system | 4. Per manufacturer. |
| Fiber-bed mist eliminator [c] | 1. Visually inspect fiber-bed unit and prefiltering device to ensure there is proper drainage, no chromic acid buildup in the units, and no evidence of chemical attack on the structural integrity of the devices | 1. 1/quarter. |
| | 2. Visually inspect ductwork from tank or tanks to the control device to ensure there are no leaks | 2. 1/quarter. |
| | 3. Perform washdown of fiber elements in accordance with manufacturers recommendations | 3. Per manufacturer. |
| Air pollution control device (APCD) not listed in rule | To be proposed by the source for approval by the Administrator | To be proposed by the source for approval by the Administrator. |
| Monitoring Equipment | | |
| Pitot tube | Backflush with water, or remove from the duct and rinse with fresh water. Replace in the duct and rotate 180 degrees to ensure that the same zero reading is obtained. Check pitot tube ends for damage. Replace pitot tube if cracked or fatigued | 1/quarter. |
| Stalagmometer | Follow manufacturers recommendations | |

[a] If greater than 50 percent of the scrubber water is drained (e.g., for maintenance purposes), makeup water may be added to the scrubber basin.

[b] For horizontal-flow scrubbers, top is defined as the section of the unit directly above the packing media such that the makeup water would flow perpendicular to the air flow through the packing. For vertical-flow units, the top is defined as the area downstream of the packing material such that the makeup water would flow countercurrent to the air flow through the unit.

[c] Work practice standards for the control device installed upstream of the fiber-bed mist eliminator to prevent plugging do not apply as long as the work practice standards for the fiber-bed unit are followed.

**TABLE 2 TO § 63.342—HOUSEKEEPING PRACTICES**

| For | You must: | At this minimum frequency |
|---|---|---|
| 1. Any substance used in an affected chromium electroplating or chromium anodizing tank that contains hexavalent chromium | (a) Store the substance in a closed container in an enclosed storage area or building; AND<br>(b) Use a closed container when transporting the substance from the enclosed storage area | At all times, except when transferring the substance to and from the container.<br>Whenever transporting substance, except when transferring the substance to and from the container. |
| 2. Each affected tank, to minimize spills of bath solution that result from dragout. Note: this measure does not require the return of | (a) Install drip trays that collect and return to the tank any bath solution that drips or drains from parts as the parts are | Prior to operating the tank.<br>Whenever removing parts from an affected tank. |

| | | |
|---|---|---|
| contaminated bath solution to the tank. This requirement applies only as the parts are removed from the tank. Once away from the tank area, any spilled solution must be handled in accordance with Item 4 of these housekeeping measures | removed from the tank; OR<br>(b) Contain and return to the tank any bath solution that drains or drips from parts as the parts are removed from the tank; OR<br>(c) Collect and treat in an onsite wastewater treatment plant any bath solution that drains or drips from parts as the parts are removed from the tank | Whenever removing parts from an affected tank. |
| 3. Each spraying operation for removing excess chromic acid from parts removed from, and occurring over, an affected tank | Install a splash guard to minimize overspray during spraying operations and to ensure that any hexavalent chromium laden liquid captured by the splash guard is returned to the affected chromium electroplating or anodizing tank | Prior to any such spraying operation. |
| 4. Each operation that involves the handling or use of any substance used in an affected chromium electroplating or chromium anodizing tank that contains hexavalent chromium | Begin clean up, or otherwise contain, all spills of the substance. Note: substances that fall or flow into drip trays, pans, sumps, or other containment areas are not considered spills | Within 1 hour of the spill. |
| 5. Surfaces within the enclosed storage area, open floor area, walkways around affected tanks contaminated with hexavalent chromium from an affected chromium electroplating or chromium anodizing tank | (a) Clean the surfaces using one or more of the following methods: HEPA vacuuming; Hand-wiping with a damp cloth; Wet mopping; Hose down or rinse with potable water that is collected in a wastewater collection system; Other cleaning method approved by the permitting authority; OR<br>(b) Apply a non-toxic chemical dust suppressant to the surfaces | At least once every 7 days if one or more chromium electroplating or chromium anodizing tanks were used, or at least after every 40 hours of operating time of one or more affection chromium electroplating or chromium anodizing tank, whichever is later.<br>According to manufacturer's recommendations. |
| 6. All buffing, grinding, or polishing operations that are located in the same room as chromium electroplating or chromium anodizing operations | Separate the operation from any affected electroplating or anodizing operation by installing a physical barrier; the barrier may take the form of plastic strip curtains | Prior to beginning the buffing, grinding, or polishing operation. |
| 7. All chromium or chromium-containing wastes generated from housekeeping activities | Store, dispose, recover, or recycle the wastes using practices that do not lead to fugitive dust and in accordance with hazardous waste requirements | At all times. |

[60 FR 4963, Jan. 25, 1995; 60 FR 33122, June 27, 1995, as amended at 61 FR 27787, June 3, 1996; 62 FR 42920, Aug. 11, 1997; 68 FR 37347, June 23, 2003; 69 FR 42894, July 19, 2004; 71 FR 20456, Apr. 20, 2006; 77 FR 58243, Sept. 19, 2012]

**§ 63.343 Compliance provisions.**

(a) *Compliance dates.* (1) The owner or operator of an existing affected source shall comply with the emission limitations in § 63.342 no later than September 19, 2014.

(2) The owner or operator of a new or reconstructed affected source that has an initial startup after September 19, 2012, shall comply immediately upon startup of the source.

(3) The owner or operator of an existing area source that increases actual or potential emissions of hazardous air pollutants such that the area source becomes a major source must comply with the provisions for existing major sources, including the reporting provisions of § 63.347(g), immediately upon becoming a major source.

(4) The owner or operator of a new area source (i.e., an area source for which construction or reconstruction was commenced after February 8, 2012, that increases actual or potential emissions of hazardous air pollutants such that the area source becomes a major source must comply with the provisions for new major sources, immediately upon becoming a major source.

(5) An owner or operator of an existing hard chromium electroplating tank or tanks located at a small, hard chromium electroplating facility that increases its maximum cumulative potential rectifier capacity, or its actual cumulative rectifier capacity, such that the facility becomes a large, hard chromium electroplating facility must comply with the requirements of § 63.342(c)(1)(i) for all hard chromium electroplating tanks at the facility no later than 1 year after the month in which monthly records required by §§ 63.342(c)(2) and 63.346(b)(12) show that the large designation is met, or by the compliance date specified in paragraph (a)(1)(ii) of this section, whichever is later.

(6) *Request for an extension of compliance.* An owner or operator of an affected source or sources that requests an extension of compliance shall do so in accordance with this paragraph and the applicable paragraphs of § 63.6(i). When the owner or operator is requesting the extension for more than one affected source located at the facility, then only one request may be submitted for all affected sources at the facility.

(i) The owner or operator of an existing affected source who is unable to comply with a relevant standard under this subpart may request that the Administrator (or a State, when the State has an approved part 70 permit program and the source is required to obtain a part 70 permit under that program, or a State, when the State has been delegated the authority to implement and enforce the emission standard for that source) grant an extension allowing the owner or operator up to 1 additional year to comply with the standard for the affected source. The owner or operator of an affected source who has requested an extension of compliance under this paragraph and is otherwise required to obtain a title V permit for the source shall apply for such permit or apply to have the title V permit revised to incorporate the conditions of the extension of compliance. The conditions of an extension of compliance granted under this paragraph will be incorporated into the owner or operator's title V permit for the affected source(s) according to the provisions of 40 CFR part 70 or 40 CFR part 71, whichever is applicable.

(ii) Any request under this paragraph for an extension of compliance with a relevant standard shall be submitted in writing to the appropriate authority not later than 6 months before the affected source's compliance date as specified in this section.

(7) An owner or operator of a decorative chromium electroplating tank that uses a trivalent chromium bath that incorporates a wetting agent, and that ceases using the trivalent chromium process, must comply with the emission limitation now applicable to the tank within 1 year of switching bath operation.

(8) After March 19, 2013, the owner or operator of an affected source that is subject to the standards in paragraphs § 63.342(c) or (d) shall implement the housekeeping procedures specified in Table 2 of § 63.342.

(b) *Methods to demonstrate initial compliance.* (1) Except as provided in paragraphs (b)(2) and (b)(3) of this section, an owner or operator of an affected source subject to the requirements of this

subpart is required to conduct an initial performance test as required under § 63.7, using the procedures and test methods listed in §§ 63.7 and 63.344.

(2) If the owner or operator of an affected source meets all of the following criteria, an initial performance test is not required to be conducted under this subpart:

(i) The affected source is a hard chromium electroplating tank, a decorative chromium electroplating tank or a chromium anodizing tank; and

(ii) A wetting agent is used in the plating or anodizing bath to inhibit chromium emissions from the affected source; and

(iii) The owner or operator complies with the applicable surface tension limit of § 63.342(c)(1)(iii), (c)(2)(iii), or (d)(2) as demonstrated through the continuous compliance monitoring required by paragraph (c)(5)(ii) of this section.

(3) If the affected source is a decorative chromium electroplating tank using a trivalent chromium bath, and the owner or operator is subject to the provisions of § 63.342(e), an initial performance test is not required to be conducted under this subpart.

(c) *Monitoring to demonstrate continuous compliance.* The owner or operator of an affected source subject to the emission limitations of this subpart shall conduct monitoring according to the type of air pollution control technique that is used to comply with the emission limitation. The monitoring required to demonstrate continuous compliance with the emission limitations is identified in this section for the air pollution control techniques expected to be used by the owners or operators of affected sources. As an alternative to the daily monitoring, the owner or operator of an affected source may install a continuous pressure monitoring system.

(1) *Composite mesh-pad systems.* (i) During the initial performance test, the owner or operator of an affected source, or a group of affected sources under common control, complying with the emission limitations in § 63.342 through the use of a composite mesh-pad system shall determine the outlet chromium concentration using the test methods and procedures in § 63.344(c), and shall establish as a site-specific operating parameter the pressure drop across the system, setting the value that corresponds to compliance with the applicable emission limitation, using the procedures in § 63.344(d)(5). An owner or operator may conduct multiple performance tests to establish a range of compliant pressure drop values, or may set as the compliant value the average pressure drop measured over the three test runs of one performance test and accept ±2 inches of water column from this value as the compliant range.

(ii) On and after the date on which the initial performance test is required to be completed under § 63.7, the owner or operator of an affected source, or group of affected sources under common control, shall monitor and record the pressure drop across the composite mesh-pad system once each day that any affected source is operating. To be in compliance with the standards, the composite mesh-pad system shall be operated within ±2 inches of water column of the pressure drop value established during the initial performance test, or shall be operated within the range of compliant values for pressure drop established during multiple performance tests.

(iii) The owner or operator of an affected source complying with the emission limitations in § 63.343 through the use of a composite mesh-pad system may repeat the performance test and establish as a new site-specific operating parameter the pressure drop across the composite mesh-pad system according to the requirements in paragraphs (c)(1)(i) or (ii) of this section. To establish a new site-specific operating parameter for pressure drop, the owner or operator shall satisfy the requirements specified in paragraphs (c)(1)(iii)(A) through (D) of this section.

(A) Determine the outlet chromium concentration using the test methods and procedures in § 63.344(c);

(B) Establish the site-specific operating parameter value using the procedures § 63.344(d)(5);

(C) Satisfy the recordkeeping requirements in § 63.346(b)(6) through (8); and

(D) Satisfy the reporting requirements in § 63.347(d) and (f).

(iv) The requirement to operate a composite mesh-pad system within the range of pressure drop values established under paragraphs (c)(1)(i) through (iii) of this section does not apply during automatic washdown cycles of the composite mesh-pad system.

(2) *Packed-bed scrubber systems.* (i) During the initial performance test, the owner or operator of an affected source, or group of affected sources under common control, complying with the emission limitations in § 63.342 through the use of a packed-bed scrubber system shall determine the outlet chromium concentration using the procedures in § 63.344(c), and shall establish as site-specific operating parameters the pressure drop across the system and the velocity pressure at the common inlet of the control device, setting the value that corresponds to compliance with the applicable emission limitation using the procedures in § 63.344(d) (4) and (5). An owner or operator may conduct multiple performance tests to establish a range of compliant operating parameter values. Alternatively, the owner or operator may set as the compliant value the average pressure drop and inlet velocity pressure measured over the three test runs of one performance test, and accept ±1 inch of water column from the pressure drop value and ±10 percent from the velocity pressure value as the compliant range.

(ii) On and after the date on which the initial performance test is required to be completed under § 63.7, the owner or operator of an affected source, or group of affected sources under common control, shall monitor and record the velocity pressure at the inlet to the packed-bed system and the pressure drop across the scrubber system once each day that any affected source is operating. To be in compliance with the standards, the scrubber system shall be operated within ±10 percent of the velocity pressure value established during the initial performance test, and within ±1 inch of water column of the pressure drop value established during the initial performance test, or within the range of compliant operating parameter values established during multiple performance tests.

(3) *Packed-bed scrubber/composite mesh-pad system.* The owner or operator of an affected source, or group of affected sources under common control, that uses a packed-bed scrubber in conjunction with a composite mesh-pad system to meet the emission limitations of § 63.342 shall comply with the monitoring requirements for composite mesh-pad systems as identified in paragraph (c)(1) of this section.

(4) *Fiber-bed mist eliminator.* (i) During the initial performance test, the owner or operator of an affected source, or group of affected sources under common control, complying with the emission limitations in § 63.342 through the use of a fiber-bed mist eliminator shall determine the outlet chromium concentration using the procedures in § 63.344(c), and shall establish as a site-specific operating parameter the pressure drop across the fiber-bed mist eliminator and the pressure drop across the control device installed upstream of the fiber bed to prevent plugging, setting the value that corresponds to compliance with the applicable emission limitation using the procedures in § 63.344(d)(5). An owner or operator may conduct multiple performance tests to establish a range of compliant pressure drop values, or may set as the compliant value the average pressure drop measured over the three test runs of one performance test and accept ± 1 inch of water column from this value as the compliant range.

(ii) On and after the date on which the initial performance test is required to be completed under § 63.7, the owner or operator of an affected source, or group of affected sources under common control, shall monitor and record the pressure drop across the fiber-bed mist eliminator, and the control device installed upstream of the fiber bed to prevent plugging, once each day that any affected source is operating. To be in compliance with the standards, the fiber-bed mist eliminator and the upstream control device shall be operated within ±1 inch of water column of the pressure drop value established during the initial performance test, or shall be operated within the range of compliant values for pressure drop established during multiple performance tests.

(5) *Wetting agent-type or combination wetting agent-type/foam blanket fume suppressants.* (i) During the initial performance test, the owner or operator of an affected source complying with the emission limitations in § 63.342 through the use of a wetting agent in the electroplating or anodizing bath shall determine the outlet chromium concentration using the procedures in § 63.344(c). The owner or operator shall establish as the site-specific operating parameter the surface tension of the bath using Method 306B, appendix A of this part, setting the maximum value that corresponds to compliance with

the applicable emission limitation. In lieu of establishing the maximum surface tension during the performance test, the owner or operator may accept 40 dynes/cm, as measured by a stalagmometer, or 33 dynes/cm, as measured by a tensiometer, as the maximum surface tension value that corresponds to compliance with the applicable emission limitation. However, the owner or operator is exempt from conducting a performance test only if the criteria of paragraph (b)(1) of this section are met.

(ii) On and after the date on which the initial performance test is required to be completed under § 63.7, the owner or operator of an affected source, or group of affected sources under common control, shall monitor and record the pressure drop across the fiber-bed mist eliminator, and the control device installed upstream of the fiber bed to prevent plugging, once each day that any affected source is operating. To be in compliance with the standards, the fiber-bed mist eliminator and the upstream control device shall be operated within ±1 inch of water column of the pressure drop value established during the initial performance test, or shall be operated within the range of compliant values for pressure drop established during multiple performance tests.

(iii) Once a bath solution is drained from the affected tank and a new solution added, the original monitoring schedule of once every 4 hours must be resumed, with a decrease in monitoring frequency allowed following the procedures of paragraphs (c)(5)(ii) (B) and (C) of this section.

(6) *Foam blanket-type fume suppressants.* (i) During the initial performance test, the owner or operator of an affected source complying with the emission limitations in § 63.342 through the use of a foam blanket in the electroplating or anodizing bath shall determine the outlet chromium concentration using the procedures in § 63.344(c), and shall establish as the site-specific operating parameter the thickness of the foam blanket, setting the minimum thickness that corresponds to compliance with the applicable emission limitation. In lieu of establishing the minimum foam blanket thickness during the performance test, the owner or operator may accept 2.54 centimeters (1 inch) as the minimum foam blanket thickness that corresponds to compliance with the applicable emission limitation. All foam blanket measurements must be taken in close proximity to the workpiece or cathode area in the plating tank(s).

(ii) On and after the date on which the initial performance test is required to be completed under § 63.7, the owner or operator of an affected source shall monitor the foam blanket thickness of the electroplating or anodizing bath. Operation of the affected source at a foam blanket thickness less than the value established during the performance test, or less than 2.54 cm (1 inch) if the owner or operator is using this value in accordance with paragraph (c)(6)(i) of this section, shall constitute noncompliance with the standards. The foam blanket thickness shall be measured according to the following schedule:

(iii) Once a bath solution is drained from the affected tank and a new solution added, the original monitoring schedule of once every hour must be resumed, with a decrease in monitoring frequency allowed following the procedures of paragraphs (c)(6)(ii) (B) and (C) of this section.

(7) *Fume suppressant/add-on control device.* (i) If the owner or operator of an affected source uses both a fume suppressant and add-on control device and both are needed to comply with the applicable emission limit, monitoring requirements as identified in paragraphs (c) (1) through (6) of this section, and the work practice standards of Table 1 of § 63.342, apply for each of the control techniques used.

(ii) If the owner or operator of an affected source uses both a fume suppressant and add-on control device, but only one of these techniques is needed to comply with the applicable emission limit, monitoring requirements as identified in paragraphs (c) (1) through (6) of this section, and work practice standards of Table 1 of § 63.342, apply only for the control technique used to achieve compliance.

(8) *Use of an alternative monitoring method.* (i) Requests and approvals of alternative monitoring methods shall be considered in accordance with § 63.8(f)(1), (f)(3), (f)(4), and (f)(5).

(ii) After receipt and consideration of an application for an alternative monitoring method, the Administrator may approve alternatives to any monitoring methods or procedures of this subpart including, but not limited to, the following:

(A) Alternative monitoring requirements when installation or use of monitoring devices specified in this subpart would not provide accurate measurements due to interferences caused by substances within the effluent gases; or

(B) Alternative locations for installing monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.

(d) An owner or operator who uses an air pollution control device not listed in this section shall submit a description of the device, test results collected in accordance with § 63.344(c) verifying the performance of the device for reducing chromium emissions to the atmosphere to the level required by this subpart, a copy of the operation and maintenance plan referenced in § 63.342(f) including operation and maintenance practices, and appropriate operating parameters that will be monitored to establish continuous compliance with the standards. The monitoring plan submitted identifying the continuous compliance monitoring is subject to the Administrator's approval.

[60 FR 4963, Jan. 25, 1995; 60 FR 33122, June 27, 1995, as amended at 62 FR 42920, Aug. 11, 1997; 68 FR 37347, June 23, 2003; 69 FR 42895, July 19, 2004; 77 FR 58245, Sept. 19, 2012]

**§ 63.344 Performance test requirements and test methods.**

(a) *Performance test requirements.* Performance tests shall be conducted using the test methods and procedures in this section. Performance tests shall be conducted under such conditions as the Administrator specifies to the owner or operator based on representative performance of the affected source for the period being tested. Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests. Performance test results shall be documented in complete test reports that contain the information required by paragraphs (a)(1) through (9) of this section. The test plan to be followed shall be made available to the Administrator prior to the testing, if requested.

(1) A brief process description;

(2) Sampling location description(s);

(3) A description of sampling and analytical procedures and any modifications to standard procedures;

(4) Test results;

(5) Quality assurance procedures and results;

(6) Records of operating conditions during the test, preparation of standards, and calibration procedures;

(7) Raw data sheets for field sampling and field and laboratory analyses;

(8) Documentation of calculations; and

(9) Any other information required by the test method.

(b)(1) If the owner or operator of an affected source conducts performance testing at startup to obtain an operating permit in the State in which the affected source is located, the results of such testing may be used to demonstrate compliance with this subpart if:

(i) The test methods and procedures identified in paragraph (c) of this section were used during the performance test;

(ii) The performance test was conducted under representative operating conditions for the source;

(iii) The performance test report contains the elements required by paragraph (a) of this section;

(iv) The owner or operator of the affected source for which the performance test was conducted has sufficient data to establish the operating parameter value(s) that correspond to compliance with the standards, as required for continuous compliance monitoring under § 63.343(c);

(v) The performance test was conducted after January 25, 1995;

(vi) As of September 19, 2012 the source was using the same emissions controls that were used during the compliance test;

(vii) As of September 19, 2012, the source was operating under conditions that are representative of the conditions under which the source was operating during the compliance test; and

(viii) Based on approval from the permitting authority.

(2) [Reserved]

(c) *Test methods.* Each owner or operator subject to the provisions of this subpart and required by § 63.343(b) to conduct an initial performance test shall use the test methods identified in this section to demonstrate compliance with the standards in § 63.342.

(1) Method 306 or Method 306A, "Determination of Chromium Emissions From Decorative and Hard Chromium Electroplating and Anodizing Operations," appendix A of this part shall be used to determine the chromium concentration from hard or decorative chromium electroplating tanks or chromium anodizing tanks. The sampling time and sample volume for each run of Methods 306 and 306A, appendix A of this part shall be at least 120 minutes and 1.70 dscm (60 dscf), respectively. Methods 306 and 306A, appendix A of this part allow the measurement of either total chromium or hexavalent chromium emissions. For the purposes of this standard, sources using chromic acid baths must demonstrate compliance with the emission limits of § 63.342 by measuring the total chromium.

(2) The California Air Resources Board (CARB) Method 425 (which is available by contacting the California Air Resources Board, 1102 Q Street, Sacramento, California 95814) may be used to determine the chromium concentration from hard and decorative chromium electroplating tanks and chromium anodizing tanks if the following conditions are met:

(i) If a colorimetric analysis method is used, the sampling time and volume shall be sufficient to result in 33 to 66 micrograms of catch in the sampling train.

(ii) If Atomic Absorption Graphite Furnace (AAGF) or Ion Chromatography with a Post-column Reactor (ICPCR) analyses were used, the sampling time and volume should be sufficient to result in a sample catch that is 5 to 10 times the minimum detection limit of the analytical method (i.e., 1.0 microgram per liter of sample for AAGF and 0.5 microgram per liter of sample for ICPCR).

(iii) In the case of either paragraph (c)(2) (i) or (ii) of this section, a minimum of 3 separate runs must be conducted. The other requirements of § 63.7 that apply to affected sources, as indicated in Table 1 of this subpart, must also be met.

(3) Method 306B, "Surface Tension Measurement and Recordkeeping for Tanks Used at Decorative Chromium Electroplating and Anodizing Facilities," appendix A of this part shall be used to measure the surface tension of electroplating and anodizing baths.

(4) Alternate test methods may also be used if the method has been validated using Method 301, appendix A of this part and if approved by the Administrator. Procedures for requesting and obtaining approval are contained in § 63.7(f).

(d) *Establishing site-specific operating parameter values.* (1) Each owner or operator required to establish site-specific operating parameters shall follow the procedures in this section.

(2) All monitoring equipment shall be installed such that representative measurements of emissions or process parameters from the affected source are obtained. For monitoring equipment purchased from a vendor, verification of the operational status of the monitoring equipment shall include execution

of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

(i) Specifications for differential pressure measurement devices used to measure velocity pressure shall be in accordance with section 2.2 of Method 2 (40 CFR part 60, appendix A).

(ii) Specification for differential pressure measurement devices used to measure pressure drop across a control system shall be in accordance with manufacturer's accuracy specifications.

(3) The surface tension of electroplating and anodizing baths shall be measured using Method 306B, “Surface Tension Measurement and Recordkeeping for Tanks used at Decorative Chromium Electroplating and Anodizing Facilities,” appendix A of this part. This method should also be followed when wetting agent type or combination wetting agent/foam blanket type fume suppressants are used to control chromium emissions from a hard chromium electroplating tank and surface tension measurement is conducted to demonstrate continuous compliance.

(4) The owner or operator of a source required to measure the velocity pressure at the inlet to an add-on air pollution control device in accordance with § 63.343(c)(2), shall establish the site-specific velocity pressure as follows:

(i) Locate a velocity traverse port in a section of straight duct that connects the hooding on the plating tank or tanks with the control device. The port shall be located as close to the control system as possible, and shall be placed a minimum of 2 duct diameters downstream and 0.5 diameter upstream of any flow disturbance such as a bend, expansion, or contraction (see Method 1, 40 CFR part 60, appendix A). If 2.5 diameters of straight duct work does not exist, locate the port 0.8 of the duct diameter downstream and 0.2 of the duct diameter upstream from any flow disturbance.

(ii) A 12-point velocity traverse of the duct to the control device shall be conducted along a single axis according to Method 2 (40 CFR part 60, appendix A) using an S-type pitot tube; measurement of the barometric pressure and duct temperature at each traverse point is not required, but is suggested. Mark the S-type pitot tube as specified in Method 1 (40 CFR part 60, appendix A) with 12 points. Measure the velocity pressure ($\Delta$ p) values for the velocity points and record. Determine the square root of the individual velocity point $\Delta$ p values and average. The point with the square root value that comes closest to the average square root value is the point of average velocity. The $\Delta$ p value measured for this point during the performance test will be used as the reference for future monitoring.

(5) The owner or operator of a source required to measure the pressure drop across the add-on air pollution control device in accordance with § 63.343(c) (1) through (4) may establish the pressure drop in accordance with the following guidelines:

(i) Pressure taps shall be installed at any of the following locations:

(A) At the inlet and outlet of the control system. The inlet tap should be installed in the ductwork just prior to the control device and the corresponding outlet pressure tap should be installed on the outlet side of the control device prior to the blower or on the downstream side of the blower;

(B) On each side of the packed bed within the control system or on each side of each mesh pad within the control system; or

(C) On the front side of the first mesh pad and back side of the last mesh pad within the control system.

(ii) Pressure taps shall be sited at locations that are:

(A) Free from pluggage as possible and away from any flow disturbances such as cyclonic demisters.

(B) Situated such that no air infiltration at measurement site will occur that could bias the measurement.

(iii) Pressure taps shall be constructed of either polyethylene, polybutylene, or other nonreactive materials.

(iv) Nonreactive plastic tubing shall be used to connect the pressure taps to the device used to measure pressure drop.

(v) Any of the following pressure gauges can be used to monitor pressure drop: a magnehelic gauge, an inclined manometer, or a “U” tube manometer.

(vi) Prior to connecting any pressure lines to the pressure gauge(s), each gauge should be zeroed. No calibration of the pressure gauges is required.

(e) *Special compliance provisions for multiple sources controlled by a common add-on air pollution control device.* (1) This section identifies procedures for measuring the outlet chromium concentration from an add-on air pollution control device that is used to control multiple sources that may or may not include sources not affected by this subpart.

(2) When multiple affected sources performing the same type of operation (e.g., all are performing hard chromium electroplating), and subject to the same emission limitation, are controlled with an add-on air pollution control device that is not controlling emissions from any other type of affected operation or from any nonaffected sources, the applicable emission limitation identified in § 63.342 must be met at the outlet of the add-on air pollution control device.

(3) When multiple affected sources performing the same type of operation and subject to the same emission limitation are controlled with a common add-on air pollution control device that is also controlling emissions from sources not affected by these standards, the following procedures should be followed to determine compliance with the applicable emission limitation in § 63.342:

(i) Calculate the cross-sectional area of each inlet duct (i.e., uptakes from each hood) including those not affected by the standard.

(ii) Determine the total sample time per test run by dividing the total inlet area from all tanks connected to the control system by the total inlet area for all ducts associated with affected sources, and then multiply this number by 2 hours. The calculated time is the minimum sample time required per test run.

(iii) Perform Method 306 or 306A testing and calculate an outlet mass emission rate.

(iv) Determine the total ventilation rate from the affected sources ($VR_{inlet}$ ) by using equation 1:

$$VR_{tot} \times \frac{IDA_i}{\sum IA_{total}} = VR_{inlet} \qquad (1)$$

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where $VR_{tot}$ is the average total ventilation rate in dscm/min for the three test runs as determined at the outlet by means of the Method 306 or 306A testing; $IDA_i$ is the total inlet area for all ducts associated with affected sources; $\sum IA_{total}$ is the sum of all inlet duct areas from both affected and nonaffected sources; and $VR_{inlet}$ is the total ventilation rate from all inlet ducts associated with affected sources.

(v) Establish the allowable mass emission rate of the system ($AMR_{sys}$ ) in milligrams of total chromium per hour (mg/hr) using equation 2:

$$\sum VR_{inlet} \times EL \times 60 \text{ minutes/hour} = AMR_{sys} \qquad (2)$$

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where $\Sigma$ $VR_{inlet}$ is the total ventilation rate in dscm/min from the affected sources, and EL is the applicable emission limitation from § 63.342 in mg/dscm. The allowable mass emission rate ($AMR_{sys}$ ) calculated from equation 2 should be equal to or more than the outlet three-run average mass emission rate determined from Method 306 or 306A testing in order for the source to be in compliance with the standard.

(4) When multiple affected sources performing different types of operations (e.g., hard chromium electroplating, decorative chromium electroplating, or chromium anodizing) are controlled by a common add-on air pollution control device that may or may not also be controlling emissions from sources not affected by these standards, or if the affected sources controlled by the common add-on air pollution control device perform the same operation but are subject to different emission limitations (e.g., because one is a new hard chromium plating tank and one is an existing small, hard chromium plating tank), the following procedures should be followed to determine compliance with the applicable emission limitation in § 63.342:

(i) Follow the steps outlined in paragraphs (e)(3)(i) through (e)(3)(iii) of this section.

(ii) Determine the total ventilation rate for each type of affected source ($VR_{inlet}$ ,a) using equation 3:

$$VR_{tot} \times \frac{IDA_{i,a}}{\sum IA_{total}} = VR_{inlet,a} \qquad (3)$$

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where $VR_{tot}$ is the average total ventilation rate in dscm/min for the three test runs as determined at the outlet by means of the Method 306 or 306A testing; $IDA_{i,a}$ is the total inlet duct area for all ducts conveying chromic acid from each type of affected source performing the same operation, or each type of affected source subject to the same emission limitation; $\sum IA_{total}$ is the sum of all duct areas from both affected and nonaffected sources; and $VR_{inlet,a}$ is the total ventilation rate from all inlet ducts conveying chromic acid from each type of affected source performing the same operation, or each type of affected source subject to the same emission limitation.

(iii) Establish the allowable mass emission rate in mg/hr for each type of affected source that is controlled by the add-on air pollution control device using equation 4, 5, 6, or 7 as appropriate:

$$VR_{hc1} \times EL_{hc1} \times 60 \text{ minutes/hour} = AMR_{hc1} \qquad (4)$$

$$VR_{hc2} \times EL_{hc2} \times 60 \text{ minutes/hour} = AMR_{hc2} \qquad (5)$$

$$VR_{dc} \times EL_{dc} \times 60 \text{ minutes/hour} = AMR_{dc} \qquad (6)$$

$$VR_{ca} \times EL_{ca} \times 60 \text{ minutes/hour} = AMR_{ca} \qquad (7)$$

where “hc” applies to the total of ventilation rates for all hard chromium electroplating tanks subject to the same emission limitation, “dc” applies to the total of ventilation rates for the decorative chromium electroplating tanks, “ca” applies to the total of ventilation rates for the chromium anodizing tanks, and EL is the applicable emission limitation from § 63.342 in mg/dscm. There are two equations for hard chromium electroplating tanks because different emission limitations may apply (e.g., a new tank versus an existing, small tank).

(iv) Establish the allowable mass emission rate of the system ($AMR_{sys}$ ) in milligrams of total chromium per hour (mg/hr) using equation 8, including each type of affected source as appropriate:

$$AMR_{hc1} + AMR_{hc2} + AMR_{dc} + AMR_{ca} = AMR_{sys} \qquad (8)$$

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The allowable mass emission rate calculated from equation 8 should be equal to or more than the outlet three-run average mass emission rate determined from Method 306 or 306A testing in order for the source to be in compliance with the standards.

(5) Each owner or operator that uses the special compliance provisions of this paragraph to demonstrate compliance with the emission limitations of § 63.342 shall submit the measurements and calculations to support these compliance methods with the notification of compliance status required by § 63.347(e).

(6) Each owner or operator that uses the special compliance provisions of this section to demonstrate compliance with the emission limitations of § 63.342 shall repeat these procedures if a

tank is added or removed from the control system regardless of whether that tank is a nonaffected source. If the new nonaffected tank replaces an existing nonaffected tank of the same size and is connected to the control system through the same size inlet duct then this procedure does not have to be repeated.

(f) *Compliance provisions for the mass rate emission standard for enclosed hard chromium electroplating tanks.* (1) This section identifies procedures for calculating the maximum allowable mass emission rate for owners or operators of affected sources who choose to meet the mass emission rate standard in § 63.342(c)(2)(iv) or (v).

(i)(A) The owner or operator of an enclosed hard chromium electroplating tank that is an existing affected source and is located at a large hard chromium electroplating facility who chooses to meet the mass emission rate standard in § 63.342(c)(2)(iv) shall determine compliance by not allowing the mass rate of total chromium in the exhaust gas stream discharged to the atmosphere to exceed the maximum allowable mass emission rate calculated using equation 9:

$$MAMER = ETSA \times K \times 0.011 \text{ mg/dscm} \quad (9)$$

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(B) Compliance with the alternative mass emission limit is demonstrated if the three-run average mass emission rate determined from Method 306 testing is less than or equal to the maximum allowable mass emission rate calculated from equation 9.

(ii)(A) The owner or operator of an enclosed hard chromium electroplating tank that is an existing affected source located at a small hard chromium electroplating facility who chooses to meet the mass emission rate standard in § 63.342(c)(2)(v) shall determine compliance by not allowing the mass rate of total chromium in the exhaust gas stream discharged to the atmosphere to exceed the maximum allowable mass emission rate calculated using equation 10:

$$MAMER = ETSA \times K \times 0.015 \text{ mg/dscm.} \quad (10)$$

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(B) Compliance with the alternative mass emission limit is demonstrated if the three-run average mass emission rate determined from testing using Method 306 of appendix A to part 63 is less than or equal to the maximum allowable mass emission rate calculated from equation 10.

(iii)(A) The owner or operator of an enclosed hard chromium electroplating tank that is a new source who chooses to meet the mass emission rate standard in § 63.342(c)(2)(vii) shall determine compliance by not allowing the mass rate of total chromium in the exhaust gas stream discharged to the atmosphere to exceed the maximum allowable mass emission rate calculated using equation 11:

$$MAMER = ETSA \times K \times 0.006 \text{ mg/dscm.} \quad (11)$$

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(B) Compliance with the alternative mass emission limit is demonstrated if the three-run average mass emission rate determined from testing using Method 306 or 306A of appendix A to part 63 is less than or equal to the maximum allowable mass emission rate calculated from equation 11.

[60 FR 4963, Jan. 25, 1995, as amended at 61 FR 27787, June 3, 1996; 69 FR 42896, July 19, 2004; 77 FR 58246, Sept. 19, 2012]

**§ 63.345 Provisions for new and reconstructed sources.**

(a) This section identifies the preconstruction review requirements for new and reconstructed affected sources that are subject to, or become subject to, this subpart.

(b) *New or reconstructed affected sources.* The owner or operator of a new or reconstructed affected source is subject to § 63.5(a), (b)(1), (b)(5), (b)(6), and (f)(1), as well as the provisions of this paragraph.

(1) After January 25, 1995, whether or not an approved permit program is effective in the State in which an affected source is (or would be) located, no person may construct a new affected source or reconstruct an affected source subject to this subpart, or reconstruct a source such that it becomes an affected source subject to this subpart, without submitting a notification of construction or reconstruction to the Administrator. The notification shall contain the information identified in paragraphs (b) (2) and (3) of this section, as appropriate.

(2) The notification of construction or reconstruction required under paragraph (b)(1) of this section shall include:

(i) The owner or operator's name, title, and address;

(ii) The address (i.e., physical location) or proposed address of the affected source if different from the owner's or operator's;

(iii) A notification of intention to construct a new affected source or make any physical or operational changes to an affected source that may meet or has been determined to meet the criteria for a reconstruction as defined in § 63.2;

(iv) An identification of subpart N of this part as the basis for the notification;

(v) The expected commencement and completion dates of the construction or reconstruction;

(vi) The anticipated date of (initial) startup of the affected source;

(vii) The type of process operation to be performed (hard or decorative chromium electroplating, or chromium anodizing);

(viii) A description of the air pollution control technique to be used to control emissions from the affected source, such as preliminary design drawings and design capacity if an add-on air pollution control device is used; and

(ix) An estimate of emissions from the source based on engineering calculations and vendor information on control device efficiency, expressed in units consistent with the emission limits of this subpart. Calculations of emission estimates should be in sufficient detail to permit assessment of the validity of the calculations.

(3) If a reconstruction is to occur, the notification required under paragraph (b)(1) of this section shall include the following in addition to the information required in paragraph (b)(2) of this section:

(i) A brief description of the affected source and the components to be replaced;

(ii) A brief description of the present and proposed emission control technique, including the information required by paragraphs (b)(2) (viii) and (ix) of this section;

(iii) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new source;

(iv) The estimated life of the affected source after the replacements; and

(v) A discussion of any economic or technical limitations the source may have in complying with relevant standards or other requirements after the proposed replacements. The discussion shall be sufficiently detailed to demonstrate to the Administrator's satisfaction that the technical or economic limitations affect the source's ability to comply with the relevant standard and how they do so.

(vi) If in the notification of reconstruction, the owner or operator designates the affected source as a reconstructed source and declares that there are no economic or technical limitations to prevent the source from complying with all relevant standards or requirements, the owner or operator need not submit the information required in paragraphs (b)(3) (iii) through (v) of this section.

(4) The owner or operator of a new or reconstructed affected source that submits a notification in accordance with paragraphs (b) (1) through (3) of this section is not subject to approval by the Administrator. Construction or reconstruction is subject only to notification and can begin upon submission of a complete notification.

(5) *Submittal timeframes.* After January 25, 1995, whether or not an approved permit program is effective in the State in which an affected source is (or would be) located, an owner or operator of a new or reconstructed affected source shall submit the notification of construction or reconstruction required by paragraph (b)(1) of this section according to the following schedule:

(i) If construction or reconstruction commences after January 25, 1995, the notification shall be submitted as soon as practicable before the construction or reconstruction is planned to commence.

(ii) If the construction or reconstruction had commenced and initial startup had not occurred before January 25, 1995, the notification shall be submitted as soon as practicable before startup but no later than 60 days after January 25, 1995.

**§ 63.346 Recordkeeping requirements.**

(a) The owner or operator of each affected source subject to these standards shall fulfill all recordkeeping requirements outlined in this section and in the General Provisions to 40 CFR part 63, according to the applicability of subpart A of this part as identified in Table 1 of this subpart.

(b) The owner or operator of an affected source subject to the provisions of this subpart shall maintain the following records for such source:

(1) Inspection records for the add-on air pollution control device, if such a device is used, and monitoring equipment, to document that the inspection and maintenance required by the work practice standards of § 63.342(f) and Table 1 of § 63.342 have taken place. The record can take the form of a checklist and should identify the device inspected, the date of inspection, a brief description of the working condition of the device during the inspection, and any actions taken to correct deficiencies found during the inspection.

(2) Records of all maintenance performed on the affected source, the add-on air pollution control device, and monitoring equipment, except routine housekeeping practices;

(3) Records of the occurrence, duration, and cause (if known) of each malfunction of process, add-on air pollution control, and monitoring equipment;

(4) Records of actions taken during periods of malfunction to minimize emissions in accordance with § 63.342(a)(1), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation;

(5) Other records, which may take the form of checklists, necessary to demonstrate consistency with the provisions of the operation and maintenance plan required by § 63.342(f)(3);

(6) Test reports documenting results of all performance tests;

(7) All measurements as may be necessary to determine the conditions of performance tests, including measurements necessary to determine compliance with the special compliance procedures of § 63.344(e);

(8) Records of monitoring data required by § 63.343(c) that are used to demonstrate compliance with the standard including the date and time the data are collected;

(9) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions, as indicated by monitoring data, that occurs during malfunction of the process, add-on air pollution control, or monitoring equipment;

(10) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions, as indicated by monitoring data, that occurs during periods other than malfunction of the process, add-on air pollution control, or monitoring equipment;

(11) The total process operating time of the affected source during the reporting period;

(12) Records of the actual cumulative rectifier capacity of hard chromium electroplating tanks at a facility expended during each month of the reporting period, and the total capacity expended to date for a reporting period, if the owner or operator is using the actual cumulative rectifier capacity to determine facility size in accordance with § 63.342(c)(2);

(13) For sources using fume suppressants to comply with the standards, records of the date and time that fume suppressants are added to the electroplating or anodizing bath and records of the fume suppressant manufacturer and product name;

(14) For sources complying with § 63.342(e), records of the bath components purchased, with the wetting agent clearly identified as a bath constituent contained in one of the components;

(15) Any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements, if the source has been granted a waiver under § 63.10(f); and

(16) All documentation supporting the notifications and reports required by § 63.9, § 63.10, and § 63.347.

(c) All records shall be maintained for a period of 5 years in accordance with § 63.10(b)(1).

[60 FR 4963, Jan. 25, 1995, as amended at 77 FR 58248, Sept. 19, 2012]

**§ 63.347 Reporting requirements.**

(a) The owner or operator of each affected source subject to these standards shall fulfill all reporting requirements outlined in this section and in the General Provisions to 40 CFR part 63, according to the applicability of subpart A as identified in Table 1 of this subpart. These reports shall be made to the Administrator at the appropriate address as identified in § 63.13 or to the delegated State authority.

(1) Reports required by subpart A of this part and this section may be sent by U.S. mail, fax, or by another courier.

(i) Submittals sent by U.S. mail shall be postmarked on or before the specified date.

(ii) Submittals sent by other methods shall be received by the Administrator on or before the specified date.

(2) If acceptable to both the Administrator and the owner or operator of an affected source, reports may be submitted on electronic media.

(b) The reporting requirements of this section apply to the owner or operator of an affected source when such source becomes subject to the provisions of this subpart.

(c) *Initial notifications.* (1) The owner or operator of an affected source that has an initial startup before January 25, 1995, shall notify the Administrator in writing that the source is subject to this subpart. The notification shall be submitted no later than 180 calendar days after January 25, 1995, and shall contain the following information:

(i) The name, title, and address of the owner or operator;

(ii) The address (i.e., physical location) of each affected source;

(iii) A statement that subpart N of this part is the basis for this notification;

(iv) Identification of the applicable emission limitation and compliance date for each affected source;

(v) A brief description of each affected source, including the type of process operation performed;

(vi) For sources performing hard chromium electroplating, the maximum potential cumulative potential rectifier capacity;

(vii) For sources performing hard chromium electroplating, a statement of whether the affected source(s) is located at a small or a large, hard chromium electroplating facility and whether this will be demonstrated through actual or maximum potential cumulative rectifier capacity;

(viii) For sources performing hard chromium electroplating, a statement of whether the owner or operator of an affected source(s) will limit the maximum potential cumulative rectifier capacity in accordance with § 63.342(c)(2) such that the hard chromium electroplating facility is considered small; and

(ix) A statement of whether the affected source is located at a major source or an area source as defined in § 63.2.

(2) The owner or operator of a new or reconstructed affected source that has an initial startup after January 25, 1995 shall submit an initial notification (in addition to the notification of construction or reconstruction required by § 63.345(b) as follows:

(i) A notification of the date when construction or reconstruction was commenced, shall be submitted simultaneously with the notification of construction or reconstruction, if construction or reconstruction was commenced before January 25, 1995;

(ii) A notification of the date when construction or reconstruction was commenced, shall be submitted no later than 30 calendar days after such date, if construction or reconstruction was commenced after January 25, 1995; and

(iii) A notification of the actual date of startup of the source shall be submitted within 30 calendar days after such date.

(d) *Notification of performance test.* (1) The owner or operator of an affected source shall notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the test is scheduled to begin to allow the Administrator to have an observer present during the test. Observation of the performance test by the Administrator is optional.

(2) In the event the owner or operator is unable to conduct the performance test as scheduled, the provisions of § 63.7(b)(2) apply.

(e) *Notification of compliance status.* (1) A notification of compliance status is required each time that an affected source becomes subject to the requirements of this subpart.

(2) If the State in which the source is located has not been delegated the authority to implement the rule, each time a notification of compliance status is required under this part, the owner or operator of an affected source shall submit to the Administrator a notification of compliance status, signed by the responsible official (as defined in § 63.2) who shall certify its accuracy, attesting to whether the affected source has complied with this subpart. If the State has been delegated the authority, the notification of compliance status shall be submitted to the appropriate authority. The notification shall list for each affected source:

(i) The applicable emission limitation and the methods that were used to determine compliance with this limitation;

(ii) If a performance test is required by this subpart, the test report documenting the results of the performance test, which contains the elements required by § 63.344(a), including measurements and calculations to support the special compliance provisions of § 63.344(e) if these are being followed;

(iii) The type and quantity of hazardous air pollutants emitted by the source reported in mg/dscm or mg/hr if the source is using the special provisions of § 63.344(e) to comply with the standards. (If the owner or operator is subject to the construction and reconstruction provisions of § 63.345 and had previously submitted emission estimates, the owner or operator shall state that this report corrects or verifies the previous estimate.) For sources not required to conduct a performance test in accordance with § 63.343(b), the surface tension measurement may fulfill this requirement;

(iv) For each monitored parameter for which a compliant value is to be established under § 63.343 (c), the specific operating parameter value, or range of values, that corresponds to compliance with the applicable emission limit;

(v) The methods that will be used to determine continuous compliance, including a description of monitoring and reporting requirements, if methods differ from those identified in this subpart;

(vi) A description of the air pollution control technique for each emission point;

(vii) A statement that the owner or operator has completed and has on file the operation and maintenance plan as required by the work practice standards in § 63.342(f);

(viii) If the owner or operator is determining facility size based on actual cumulative rectifier capacity in accordance with § 63.342(c)(2), records to support that the facility is small. For existing sources, records from any 12-month period preceding the compliance date shall be used or a description of how operations will change to meet a small designation shall be provided. For new sources, records of projected rectifier capacity for the first 12-month period of tank operation shall be used;

(ix) A statement by the owner or operator of the affected source as to whether the source has complied with the provisions of this subpart.

(3) For sources required to conduct a performance test by § 63.343(b), the notification of compliance status shall be submitted to the Administrator no later than 90 calendar days following completion of the compliance demonstration required by § 63.7 and § 63.343(b).

(4) For sources that are not required to complete a performance test in accordance with § 63.343 (b), the notification of compliance status shall be submitted to the Administrator no later than 30 days after the compliance date specified in § 63.343(a), except the date on which sources in California shall monitor the surface tension of the anodizing bath is extended to January 25, 1998.

(f) *Reports of performance test results.* (1) If the State in which the source is located has not been delegated the authority to implement the rule, the owner or operator of an affected source shall report to the Administrator the results of any performance test conducted as required by § 63.7 or § 63.343(b). If the State has been delegated the authority, the owner or operator of an affected source should report performance test results to the appropriate authority.

(2) Reports of performance test results shall be submitted no later than 90 days following the completion of the performance test, and shall be submitted as part of the notification of compliance status required by paragraph (e) of this section.

(3)(i) Within 60 days after the date of completing each performance test (defined in § 63.2) as required by this subpart, you must submit the results of the performance tests, including any associated fuel analyses, required by this subpart to the EPA's WebFIRE database by using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through the EPA's Central Data Exchange (CDX) ( *www.epa.gov/cdx* ). Performance test data must be submitted in the file format generated through use of the EPA's Electronic Reporting Tool (ERT) (see *http://www.epa.gov/ttn/chief/ert/index.html* ). Only data collected using test methods on the ERT Web site are subject to this requirement for submitting reports electronically to WebFIRE. Owners or

operators who claim that some of the information being submitted for performance tests is confidential business information (CBI) must submit a complete ERT file including information claimed to be CBI on a compact disk, flash drive or other commonly used electronic storage media to the EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAPQS/CORE CBI Office, Attention: WebFIRE Administrator, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT file with the CBI omitted must be submitted to the EPA via CDX as described earlier in this paragraph. At the discretion of the delegated authority, you must also submit these reports, including the confidential business information, to the delegated authority in the format specified by the delegated authority. For any performance test conducted using test methods that are not listed on the ERT Web site, the owner or operator shall submit the results of the performance test to the Administrator at the appropriate address listed in § 63.13.

(g) *Ongoing compliance status reports for major sources.* (1) The owner or operator of an affected source that is located at a major source site shall submit a summary report to the Administrator to document the ongoing compliance status of the affected source. The report shall contain the information identified in paragraph (g)(3) of this section, and shall be submitted semiannually except when:

(i) The Administrator determines on a case-by-case basis that more frequent reporting is necessary to accurately assess the compliance status of the source; or

(ii) The monitoring data collected by the owner or operator of the affected source in accordance with § 63.343(c) show that the emission limit has been exceeded, in which case quarterly reports shall be submitted. Once an owner or operator of an affected source reports an exceedance, ongoing compliance status reports shall be submitted quarterly until a request to reduce reporting frequency under paragraph (g)(2) of this section is approved.

(2) *Request to reduce frequency of ongoing compliance status reports.* (i) An owner or operator who is required to submit ongoing compliance status reports on a quarterly (or more frequent basis) may reduce the frequency of reporting to semiannual if all of the following conditions are met:

(A) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods), the ongoing compliance status reports demonstrate that the affected source is in compliance with the relevant emission limit;

(B) The owner or operator continues to comply with all applicable recordkeeping and monitoring requirements of subpart A of this part and this subpart; and

(C) The Administrator does not object to a reduced reporting frequency for the affected source, as provided in paragraphs (g)(2) (ii) and (iii) of this section.

(ii) The frequency of submitting ongoing compliance status reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change, and the Administrator does not object to the intended change. In deciding whether to approve a reduced reporting frequency, the Administrator may review information concerning the source's entire previous performance history during the 5-year recordkeeping period prior to the intended change, or the recordkeeping period since the source's compliance date, whichever is shorter. Records subject to review may include performance test results, monitoring data, and evaluations of an owner or operator's conformance with emission limitations and work practice standards. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce reporting frequency, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(iii) As soon as the monitoring data required by § 63.343(c) show that the source is not in compliance with the relevant emission limit, the frequency of reporting shall revert to quarterly, and the owner shall state this exceedance in the ongoing compliance status report for the next reporting period. After demonstrating ongoing compliance with the relevant emission limit for another full year, the owner

or operator may again request approval from the Administrator to reduce the reporting frequency as allowed by paragraph (g)(2) of this section.

(3) *Contents of ongoing compliance status reports.* The owner or operator of an affected source for which compliance monitoring is required in accordance with § 63.343(c) shall prepare a summary report to document the ongoing compliance status of the source. The report must contain the following information:

(i) The company name and address of the affected source;

(ii) An identification of the operating parameter that is monitored for compliance determination, as required by § 63.343(c);

(iii) The relevant emission limitation for the affected source, and the operating parameter value, or range of values, that correspond to compliance with this emission limitation as specified in the notification of compliance status required by paragraph (e) of this section;

(iv) The beginning and ending dates of the reporting period;

(v) A description of the type of process performed in the affected source;

(vi) The total operating time of the affected source during the reporting period;

(vii) If the affected source is a hard chromium electroplating tank and the owner or operator is limiting the maximum cumulative rectifier capacity in accordance with § 63.342(c)(2), the actual cumulative rectifier capacity expended during the reporting period, on a month-by-month basis;

(viii) A summary of operating parameter values, including the total duration of excess emissions during the reporting period as indicated by those values, the total duration of excess emissions expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total duration of excess emissions during the reporting period into those that are due to process upsets, control equipment malfunctions, other known causes, and unknown causes;

(ix) A certification by a responsible official, as defined in § 63.2, that the work practice standards in § 63.342(f) were followed in accordance with the operation and maintenance plan for the source;

(x) If the operation and maintenance plan required by § 63.342(f)(3) was not followed, an explanation of the reasons for not following the provisions, an assessment of whether any excess emission and/or parameter monitoring exceedances are believed to have occurred, and a copy of the report(s) required by § 63.342(f)(3)(iv) documenting that the operation and maintenance plan was not followed;

(xi) A description of any changes in monitoring, processes, or controls since the last reporting period;

(xii) 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 § 63.342(a)(1), including actions taken to correct a malfunction.

(xiii) The name, title, and signature of the responsible official who is certifying the accuracy of the report; and

(xiv) The date of the report.

(4) When more than one monitoring device is used to comply with the continuous compliance monitoring required by § 63.343(c), the owner or operator shall report the results as required for each monitoring device. However, when one monitoring device is used as a backup for the primary monitoring device, the owner or operator shall only report the results from the monitoring device used to meet the monitoring requirements of this subpart. If both devices are used to meet these requirements,

then the owner or operator shall report the results from each monitoring device for the relevant compliance period.

(h) *Ongoing compliance status reports for area sources.* The requirements of this paragraph do not alleviate affected area sources from complying with the requirements of State or Federal operating permit programs under 40 CFR part 71.

(1) The owner or operator of an affected source that is located at an area source site shall prepare a summary report to document the ongoing compliance status of the affected source. The report shall contain the information identified in paragraph (g)(3) of this section, shall be completed annually and retained on site, and made available to the Administrator upon request. The report shall be completed annually except as provided in paragraph (h)(2) of this section.

(2) *Reports of exceedances.* (i) If either of the following conditions is met, semiannual reports shall be prepared and submitted to the Administrator:

(A) The total duration of excess emissions (as indicated by the monitoring data collected by the owner or operator of the affected source in accordance with § 63.343(c)) is 1 percent or greater of the total operating time for the reporting period; or

(B) The total duration of malfunctions of the add-on air pollution control device and monitoring equipment is 5 percent or greater of the total operating time.

(ii) Once an owner or operator of an affected source reports an exceedance as defined in paragraph (h)(2)(i) of this section, ongoing compliance status reports shall be submitted semiannually until a request to reduce reporting frequency under paragraph (h)(3) of this section is approved.

(iii) The Administrator may determine on a case-by-case basis that the summary report shall be completed more frequently and submitted, or that the annual report shall be submitted instead of being retained on site, if these measures are necessary to accurately assess the compliance status of the source.

(3) *Request to reduce frequency of ongoing compliance status reports.* (i) An owner or operator who is required to submit ongoing compliance status reports on a semiannual (or more frequent) basis, or is required to submit its annual report instead of retaining it on site, may reduce the frequency of reporting to annual and/or be allowed to maintain the annual report onsite if all of the following conditions are met:

(A) For 1 full year (e.g., 2 semiannual or 4 quarterly reporting periods), the ongoing compliance status reports demonstrate that the affected source is in compliance with the relevant emission limit;

(B) The owner or operator continues to comply with all applicable recordkeeping and monitoring requirements of subpart A of this part and this subpart; and

(C) The Administrator does not object to a reduced reporting frequency for the affected source, as provided in paragraphs (h)(3) (ii) and (iii) of this section.

(ii) The frequency of submitting ongoing compliance status reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change, and the Administrator does not object to the intended change. In deciding whether to approve a reduced reporting frequency, the Administrator may review information concerning the source's previous performance history during the 5-year recordkeeping period prior to the intended change, or the recordkeeping period since the source's compliance date, whichever is shorter. Records subject to review may include performance test results, monitoring data, and evaluations of an owner or operator's conformance with emission limitations and work practice standards. Such information may be used by the Administrator to make a judgement about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce reporting frequency, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will

specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(iii) As soon as the monitoring data required by § 63.343(c) show that the source is not in compliance with the relevant emission limit, the frequency of reporting shall revert to semiannual, and the owner shall state this exceedance in the ongoing compliance status report for the next reporting period. After demonstrating ongoing compliance with the relevant emission limit for another full year, the owner or operator may again request approval from the Administrator to reduce the reporting frequency as allowed by paragraph (h)(3) of this section.

(i) *Reports associated with trivalent chromium baths.* The requirements of this paragraph do not alleviate affected sources from complying with the requirements of State or Federal operating permit programs under title V. Owners or operators complying with the provisions of § 63.342(e) are not subject to paragraphs (a) through (h) of this section, but must instead submit the following reports:

(1) Within 180 days after January 25, 1995, submit an initial notification that includes:

(i) The same information as is required by paragraphs (c)(1) (i) through (v) of this section; and

(ii) A statement that a trivalent chromium process that incorporates a wetting agent will be used to comply with § 63.342(e); and

(iii) The list of bath components that comprise the trivalent chromium bath, with the wetting agent clearly identified; and

(2) Within 30 days of the compliance date specified in § 63.343(a), a notification of compliance status that contains an update of the information submitted in accordance with paragraph (i)(1) of this section or a statement that the information is still accurate; and

(3) Within 30 days of a change to the trivalent chromium electroplating process, a report that includes:

(i) A description of the manner in which the process has been changed and the emission limitation, if any, now applicable to the affected source;

(ii) If a different emission limitation applies, the applicable information required by paragraph (c)(1) of this section; and

(iii) The notification and reporting requirements of paragraphs (d), (e), (f), (g), and (h) of this section, which shall be submitted in accordance with the schedules identified in those paragraphs.

[60 FR 4963, Jan. 25, 1995, as amended at 61 FR 27787, June 3, 1996; 62 FR 4465, Jan. 30, 1997, 62 FR 42921, Aug. 11, 1997; 69 FR 42897, July 19, 2004; 77 FR 58248, Sept. 19, 2012]

**§ 63.348 Implementation and enforcement.**

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to a State, local, or Tribal agency.

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

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§ 63.340, 63.342(a) through (e) and (g), and 63.343(a).

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

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

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

[68 FR 37347, June 23, 2003]

**Table 1 to Subpart N of Part 63—General Provisions Applicability to Subpart N**

| General provisions reference | Applies to subpart N | Comment |
|---|---|---|
| 63.1(a)(1) | Yes | Additional terms defined in § 63.341; when overlap between subparts A and N occurs, subpart N takes precedence. |
| 63.1(a)(2) | Yes | |
| 63.1(a)(3) | Yes | |
| 63.1(a)(4) | Yes | Subpart N clarifies the applicability of each paragraph in subpart A to sources subject to subpart N. |
| 63.1(a)(5) | No | [Reserved] |
| 63.1(a)(6) | Yes | |
| 63.1(a)(7)-(9) | No | [Reserved] |
| 63.1(a)(10) | Yes | |
| 63.1(a)(11) | Yes | § 63.347(a) of subpart N also allows report submissions via fax and on electronic media. |
| 63.1(a)(12) | Yes | |
| 63.1(b)(1) | No | § 63.340 of subpart N specifies applicability. |
| 63.1(b)(2) | No | [Reserved] |
| 63.1(b)(3) | No | This provision in subpart A is being deleted. Also, all affected area and major sources are subject to subpart N; there are no exemptions. |
| 63.1(c)(1) | Yes | Subpart N clarifies the applicability of each paragraph in subpart A to sources subject to subpart N. |
| 63.1(c)(2) | Yes | § 63.340(e) of Subpart N exempts area sources from the obligation to obtain Title V operating permits. |
| 63.1(c)(3)-(4) | No | [Reserved] |
| 63.1(c)(5) | No | Subpart N clarifies that an area source that becomes a major source is subject to the requirements for major sources. |
| 63.1(e) | Yes | |
| 63.2 | Yes | Additional terms defined in § 63.341; when overlap between subparts A and N occurs, subpart N takes precedence. |
| 63.3 | Yes | Other units used in subpart N are defined in that subpart. |
| 63.4(a)(1)-(2) | Yes | |
| 63.4(a)(3)-(5) | No | [Reserved] |
| 63.4(b)-(c) | Yes | |
| 63.5(a) | Yes | Except replace the term “source” and “stationary source” in § 63.5(a) (1) and (2) of subpart A with “affected sources.” |
| 63.5(b)(1) | Yes | |
| 63.5(b)(2) | No | [Reserved] |

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| 63.5(b)(3) | Yes | Applies only to major affected sources. |
| 63.5(b)(4) | No | Subpart N (§ 63.345) specifies requirements for the notification of construction or reconstruction for affected sources that are not major. |
| 63.5(b)(5) | No | [Reserved] |
| 63.5(b)(6) | Yes | |
| 63.5(c) | No | [Reserved] |
| 63.5(d)(1)(i) | No | § 63.345(c)(5) of subpart N specifies when the application or notification shall be submitted. |
| 63.5(d)(1)(ii) | Yes | Applies to major affected sources that are new or reconstructed. |
| 63.5(d)(1)(iii) | Yes | Except information should be submitted with the Notification of Compliance Status required by § 63.347(e) of subpart N. |
| 63.5(d)(2) | Yes | Applies to major affected sources that are new or reconstructed except: (1) replace “source” in § 63.5(d)(2) of subpart A with “affected source”; and (2) actual control efficiencies are submitted with the Notification of Compliance Status required by § 63.347(e). |
| 63.5(d)(3)-(4) | Yes | Applies to major affected sources that are new or reconstructed. |
| 63.5(e) | Yes | Applies to major affected sources that are new or reconstructed. |
| 63.5(f)(1) | Yes | Except replace “source” in § 63.5(f)(1) of subpart A with “affected source.” |
| 63.5(f)(2) | No | New or reconstructed affected sources shall submit the request for approval of construction or reconstruction under § 63.5(f) of subpart A by the deadline specified in § 63.345(c)(5) of subpart N. |
| 63.6(a) | Yes | |
| 63.6(b)(1)-(2) | Yes | Except replace “source” in § 63.6(b)(1)-(2) of part A with “affected source.” |
| 63.6(b)(3)-(4) | Yes | |
| 63.6(b)(5) | Yes | Except replace “source” in § 63.6(b)(5) of subpart A with “affected source.” |
| 63.6(b)(7) | No | Provisions for new area sources that become major sources are contained in § 63.343(a)(4) of subpart N. |
| 63.6(c)(1)-(2) | Yes | Except replace “source” in § 63.6(c)(1)-(2) of subpart A with “affected source.” |
| 63.6(c)(3)-(4) | No | [Reserved] |
| 63.6(c)(5) | No | Compliance provisions for existing area sources that become major sources are contained in § 63.343(a)(3) of subpart N. |
| 63.6(d) | No | [Reserved] |
| 63.6(e)(1)-(3) | No | § 63.342(f) of subpart N contains work practice standards (operation and maintenance requirements) that override these provisions. |
| 63.6(f)(1) | No | § 63.342(b) of subpart N specifies when the standards apply. |
| 63.6(f)(2)(i)-(ii) | Yes | |
| 63.6(f)(2)(iii) | No | § 63.344(b) of subpart N specifies instances in which previous performance test results for existing sources are acceptable. |
| 63.6(f)(2)(iv) | Yes | |
| 63.6(f)(2)(v) | Yes | |
| 63.6(f)(3) | Yes | |
| 63.6(g) | Yes | |
| 63.6(h)(1) | No | SSM Exception |
| 63.6(h)(2) | No | Subpart N does not contain any opacity or visible emission standards. |
| 63.6(i)(1) | Yes | |
| 63.6(i)(2) | Yes | Except replace “source” in § 63.6(i)(2)(i) and (ii) of subpart A with “affected source.” |
| 63.6(i)(3) | Yes | |

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| 63.6(i)(4)(i) | No | § 63.343(a)(6) of subpart N specifies the procedures for obtaining an extension of compliance and the date by which such requests must be submitted. |
| 63.6(i)(4)(ii) | Yes | |
| 63.6(i)(5) | Yes | |
| 63.6(i)(6)(i) | Yes | This paragraph only references “paragraph (i)(4) of this section” for compliance extension provisions. But, § 63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension. |
| 63.6(i)(6)(ii) | Yes | |
| 63.6(i)(7) | Yes | |
| 63.6(i)(8) | Yes | This paragraph only references “paragraphs (i)(4) through (i)(6) of this section” for compliance extension provisions. But, § 63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension. |
| 63.6(i)(9) | Yes | This paragraph only references “paragraphs (i)(4) through (i)(6) of this section” and “paragraphs (i)(4) and (i)(5) of this section” for compliance extension provisions. But, § 63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension. |
| 63.6(i)(10)(i)-(iv) | Yes | |
| 63.6(i)(10)(v)(A) | Yes | This paragraph only references “paragraph (i)(4)” for compliance extension provisions. But, § 63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension. |
| 63.6(i)(10)(v)(B) | Yes | |
| 63.6(i)(11) | Yes | |
| 63.6(i)(12)(i) | Yes | This paragraph only references “paragraph (i)(4)(i) or (i)(5) of this section” for compliance extension provisions. But, § 63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension. |
| 63.6(i)(12)(ii)-(iii) | Yes | |
| 63.6(i)(13) | Yes | |
| 63.6(i)(14) | Yes | |
| 63.6(i)(15) | No | [Reserved] |
| 63.6(i)(16) | Yes | |
| 63.6(j) | Yes | |
| 63.7(a)(1) | Yes | |
| 63.7(a)(2)(i)-(viii) | No | [Reserved] |
| 63.7(a)(2)(ix) | Yes | |
| 63.7(a)(3) | Yes | |
| 63.7(a)(4) | Yes | |
| 63.7(b)(1) | No | § 63.347(d) of subpart N requires notification prior to the performance test. § 63.344(a) of subpart N requires submission of a site-specific test plan upon request. |
| 63.7(b)(2) | Yes | |
| 63.7(c) | No | § 63.344(a) of subpart N specifies what the test plan should contain, but does not require test plan approval or performance audit samples. |
| 63.7(d) | Yes | Except replace “source” in the first sentence of § 63.7(d) of subpart A with “affected source.” |
| 63.7(e)(1) | No | See § 63.344(a). Any cross reference to § 63.7(e)(1) in any other general provision incorporated by reference shall be treated as a cross-reference to § 63.344(a). |

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| 63.7(e)(2)-(4) | Yes | Subpart N also contains test methods specific to affected sources covered by that subpart. |
| 63.7(f) | Yes | § 63.344(c)(2) of subpart N identifies CARB Method 425 as acceptable under certain conditions. |
| 63.7(g)(1) | No | Subpart N identifies the items to be reported in the compliance test [§ 63.344(a)] and the timeframe for submitting the results [§ 63.347(f)]. |
| 63.7(g)(2) | No | [Reserved] |
| 63.7(g)(3) | Yes | |
| 63.7(h)(1)-(2) | Yes | |
| 63.7(h)(3)(i) | Yes | This paragraph only references "§ 63.6(i)" for compliance extension provisions. But, § 63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension. |
| 63.7(h)(3)(ii)-(iii) | Yes | |
| 63.7(h)(4)-(5) | Yes | |
| 63.8(a)(1) | Yes | |
| 63.8(a)(2) | No | Work practice standards are contained in § 63.342(f) of subpart N. |
| 63.8(a)(3) | No | [Reserved] |
| 63.8(a)(4) | No | |
| 63.8(b)(1) | Yes | |
| 63.8(b)(2) | No | § 63.344(d) of subpart N specifies the monitoring location when there are multiple sources. |
| 63.9(b)(3) | No | [Reserved] |
| 63.8(c)(1)(i) | No | Subpart N requires proper maintenance of monitoring devices expected to be used by sources subject to subpart N. |
| 63.8(c)(1)(ii) | No | § 63.342(f)(3)(iv) of subpart N specifies reporting when the O&M plan is not followed. |
| 63.8(c)(1)(iii) | No | § 63.343(f)(2) identifies the criteria for whether O&M procedures are acceptable. |
| 63.8(c)(2)-(3) | No | § 63.344(d)(2) requires appropriate use of monitoring devices. |
| 63.8(c)(4)-(7) | No | |
| 63.8(d) | No | Maintenance of monitoring devices is required by §§ 63.342(f) and 63.344 (d)(2) of subpart N. |
| 63.8(e) | No | There are no performance evaluation procedures for the monitoring devices expected to be used to comply with subpart N. |
| 63.8(f)(1) | Yes | |
| 63.8(f)(2) | No | Instances in which the Administrator may approve alternatives to the monitoring methods and procedures of subpart N are contained in § 63.343 (c)(8) of subpart N. |
| 63.8(f)(3) | Yes | |
| 63.8(f)(4) | Yes | |
| 63.8(f)(5) | Yes | |
| 63.8(f)(6) | No | Subpart N does not require the use of CEM's. |
| 63.8(g) | No | Monitoring data does not need to be reduced for reporting purposes because subpart N requires measurement once/day. |
| 63.9(a) | Yes | |
| 63.9(b)(1)(i)-(ii) | No | § 63.343(a)(3) of subpart N requires area sources to comply with major source provisions if an increase in HAP emissions causes them to become major sources. |
| 63.9(b)(1)(iii) | No | § 63.347(c)(2) of subpart N specifies initial notification requirements for new or reconstructed affected sources. |

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| 63.9(b)(2) | No | § 63.347(c)(1) of subpart N specifies the information to be contained in the initial notification. |
| 63.9(b)(3) | No | § 63.347(c)(2) of subpart N specifies notification requirements for new or reconstructed sources that are not major affected sources. |
| 63.9(b)(4) | No | |
| 63.9(b)(5) | No | |
| 63.9(c) | Yes | This paragraph only references "§ 63.6(i)(4) through § 63.6(i)(6)" for compliance extension provisions. But, § 63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension. Subpart N provides a different timeframe for submitting the request than § 63.6(i)(4). |
| 63.9(d) | Yes | This paragraph only references "the notification dates established in paragraph (g) of this section." But, § 63.347 of subpart N also contains notification dates. |
| 63.9(e) | No | Notification of performance test is required by § 63.347(d) of subpart N. |
| 63.9(f) | No | |
| 63.9(g) | No | Subpart N does not require a performance evaluation or relative accuracy test for monitoring devices. |
| 63.9(h)(1)-(3) | No | § 63.347(e) of subpart N specifies information to be contained in the notification of compliance status and the timeframe for submitting this information. |
| 63.9(h)(4) | No | [Reserved] |
| 63.9(h)(5) | No | Similar language has been incorporated into § 63.347(e)(2)(iii) of subpart N. |
| 63.9(h)(6) | Yes | |
| 63.9(i) | Yes | |
| 63.9(j) | Yes | |
| 63.10(a) | Yes | |
| 63.10(b)(1) | Yes | |
| 63.10(b)(2) | No | § 63.346(b) of subpart N specifies the records that must be maintained. |
| 63.10(b)(3) | No | Subpart N applies to major and area sources. |
| 63.10(c) | No | Applicable requirements of § 63.10(c) have been incorporated into § 63.346 (b) of subpart N. |
| 63.10(d)(1) | Yes | |
| 63.10(d)(2) | No | § 63.347(f) of subpart N specifies the timeframe for reporting performance test results. |
| 63.10(d)(3) | No | Subpart N does not contain opacity or visible emissions standards. |
| 63.10(d)(4) | Yes | |
| 63.10(d)(5) | No | § 63.342(f)(3)(iv) and § 63.347(g)(3) of subpart N specify reporting associated with malfunctions. |
| 63.10(e) | No | § 63.347(g) and (h) of subpart N specify the frequency of periodic reports of monitoring data used to establish compliance. Applicable requirements of § 63.10(e) have been incorporated into § 63.347(g) and (h). |
| 63.10(f) | Yes | |
| 63.11 | No | Flares will not be used to comply with the emission limits. |
| 63.12-63.15 | Yes | |

[60 FR 4963, Jan. 25, 1995, as amended at 61 FR 27787, June 3, 1996; 70 FR 75345, Dec. 19, 2005; 77 FR 58248, Sept. 19, 2012]

EDITORIAL NOTE: The following amendment could not be incorporated into Table 1 to subpart N of part 63, because of an inaccurate amendatory instruction. For the convenience of the user the amendatory instruction and regulatory text is set forth as follows:

At 77 FR 58248, Sept. 19, 2012, table 1 to subpart N of part 63 in part by revising the entry for 63.6 (b)(6).

**Table 1 to Subpart N of Part 63—General Provisions Applicability to Subpart N**

| General provisions reference | Applies to subpart N | Comment |
|---|---|---|
| | | |
| * * * * * * | | |
| 63.6(b)(6) | No | [Reserved] |
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