

Minor Air Permit to Construct Application for Nokota Gas Processing – Daniele Facility

North Dakota Department of Environmental Quality
Facility located in Divide County, North Dakota

Prepared For

Nokota Gas Processing, LLC

Prepared by

Braun Intertec Corporation
October 22, 2025 and December 22, 2025

Project B2507641

December 22, 2025

Project B2507641
Submitted Electronically via CERIS-ID

North Dakota Department of Environmental Quality
Division of Air Quality
4201 Normandy Street
Bismarck, ND 58503-1324

Re: Air Pollution Control Permit to Construct Application
Nokota Gas Processing- Daniele Facility

To Whom it May Concern:

Braun Intertec Corporation is submitting the enclosed updated Air Pollution Control Permit to Construct Application for the Nokota Gas Processing Daniele Facility in Divide County, North Dakota.

A Flare Mitigation Gas Takeaway Agreement was signed between Nokota Gas Processing, LLC and Phoenix Operating LLC for the Daniele pad location. Nokota Gas Processing- Daniele Facility is a proposed natural gas processing and electricity generation facility.

On August 25, 2025, the applicant submitted an Air Pollution Control Permit to Construct Application which was deemed incomplete on October 17, 2025, with the ND DEQ requesting that the following concerns be reviewed or corrected in a new application:

- The engine and compressor information for the facilities is inconsistent throughout the application documents. Please include in the make, model, date of manufacture, brake horse power, and applicable NSPS or MACT subparts for each engine and year of its associated compressor. An SFN 8891 for each engine should be included. A picture of the manufacture plate is appreciated but not required.
- The Potential to Emit (PTE) for the facilities should be based on 8,760 operating hours for engines unless you are looking at taking a restriction for less operating hours.
- The PTE for the facilities should also use the requested emission limits for the engines. Example, if the CO limit of 0.5 g/hp-hr is requested, please include that request in the application and use that emission rate to calculate the PTE, not the manufacturer's rate.
- Re-access what equipment is subject to NSPS OOOO/a/b and clearly list what NSPS applies.

The ND DEQ concerns identified above have been addressed as follows:

- An SFN 8891 for each engine is included in the updated application.
- The Potential to Emit (PTE) for the facilities have been updated and are based on 8,760 operating hours for the engines.

- It was noted by ND DEQ that the PTE for the facilities should also use the requested emission limits for the engines. Specifically, an example was given by ND DEQ that if the CO limit of 0.5 g/hp-hr is requested by Nokota Gas, the application should use that emission rate to calculate the PTE, not the manufacturer's rate. The applicant does not want to use the NSPS JJJ allowable limits for PTE for NOx, CO, and VOC since the PTE would then be greater than 100 TPY. Instead, a factor of 1.5 times the manufacturer guarantee was used to calculate the PTE for NOx, CO, and VOC. All other PTE values used AP-42 emission factors.
- The NSPS subpart OOOOb regulation applies to the equipment and is highlighted in an attachment in Appendix H.

Please feel free to contact John Dague at 715.931.9855 or jdague@braunintertec.com or Stephanie Salter at 406.224.7043 or ssalter@braunintertec.com should you have any questions or if you require additional information regarding this application.

Sincerely,

BRAUN INTERTEC CORPORATION



John B. Dague, PE (IA and WI)
Senior Engineer



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Senior Engineer

Attachments:

Application Support Document and Appendices

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A. Facility Description

Nokota Gas Processing – Daniele Facility (Daniele Facility) has a Flare Mitigation Gas Takeaway Agreement with Phoenix Operating LLC, which allows Daniele Facility to operate a natural gas processing and natural gas-fired electric generation plant on the existing production pad.

B. Project Description

Wellhead gas from the production existing pad is delivered through the flow line to the facility, where it passes through a hydrogen sulfide (H₂S) treatment plant (H₂SPLANT). The H₂S vessel is 128-inches in diameter, 26-feet seam-to-seam, and rated at 100 psi at 100 degrees F. The gas then flows through a two-phase separator to remove all water entrained in the stream before being routed to the compressor (COMP01) which increases the pressure of the stream up to 600-800 psi.

Following compression, the stream flows through a Joule-Thompson (JT) plant which liquifies 50% of the propane contained in the natural gas stream, 75% of the butanes, and 99% of C₅'s and higher. From the JT, the liquids go to a three-phase separator to separate the recovered liquids from water and any vapors that flash off.

The three-phase separator sends the recovered liquids to one of three storage vessels, the produced water to the produced water tank, and any flash vapors are routed to the offsite existing flare. Any gas that is not liquified by the JT plant, now clean and conditioned, is routed to one of twenty-five generators (GEN01-GEN25). The generators run this clean, lower btu gas for power generation at 390 ekW. Liquified natural gas storage tanks are unloaded (Unload) by truck a maximum of once per day.

The produced water tank is owned by a separate entity. The liquid tanks are pressurized, preventing working and breathing losses, and vapors from these tanks are routed to the existing flare for emissions control. However, the existing flare is also owned and operated by a separate entity (who is also the primary operator at the production well) and it is their responsibility to permit the flare.

Table 1 lists the emissions units associated with the Daniele Facility.

Table 1. Emission Unit Identification

Emissions Generating Source	Source ID/ EPN
H2S Treatment Plant	H2SPLANT
Compressor 01 (530HP)	COMP01
Generator 01	GEN01
Generator 02	GEN02
Generator 03	GEN03
Generator 04	GEN04
Generator 05	GEN05
Generator 06	GEN06
Generator 07	GEN07
Generator 08	GEN08
Generator 09	GEN09
Generator 10	GEN10
Generator 11	GEN11
Generator 12	GEN12
Generator 13	GEN13
Generator 14	GEN14
Generator 15	GEN15
Generator 16	GEN16
Generator 17	GEN17
Generator 18	GEN18
Generator 19	GEN19
Generator 20	GEN20
Generator 21	GEN21
Generator 22	GEN22
Generator 23	GEN23
Generator 24	GEN24
Generator 25	GEN25
NGL Truck Loadout	Unload
<i>Note: During actual operations, tank emissions will be routed to the offsite flare.</i>	

C. Regulatory Overview

C.1 North Dakota State Regulation Applicability

Permit to Construct

Pursuant to subsection 1 of North Dakota Century Code section 23.1-06-08, stationary sources within the source categories listed in 33.1-15-14-01 are designated as air contaminant sources capable of causing or contributing to air pollution, either directly or indirectly. This list includes Natural Gas Processing in 33.1-15-14-01.5.f. Regulation 33.1-15-14-02 indicates that this facility, being one of the source categories described above is required to obtain a Permit to Construct.

Permit to Operate

Pursuant to section 33.1-15-14-03, the facility is also required to obtain a Permit to Operate. The Daniele Facility will conduct performance testing, sample testing, and monitoring if required by the North Dakota Department of Environmental Quality (ND DEQ) as required in sections 33.1-15-14-03.4 and 33.1-15-14-03.6. The facility is a synthetic minor, non-part 70 source since at maximum operating conditions carbon monoxide potential to emit (PTE) is less than 100 tons per year (TPY). Since the facility is not a major source, it is not required to obtain a Title V operating permit.

Table 2. PTE and Applicability Thresholds Comparison

Pollutant	Total Facility Operations PTE ¹ , (tpy)	PSD Major Source Threshold ² (tpy)	PTE Below PSD Major Source Threshold?	Title V Major Source Threshold (tpy)	PTE Below Title V Major Source Threshold?
NO _x	5.34	-	-	100	Yes
CO	42.38	250	Yes	100	Yes
PM ₁₀	1.63	250	Yes	100	Yes
PM _{2.5}	1.63	250	Yes	100	Yes
SO ₂	0.11	250	Yes	100	Yes
VOC	4.56	-	-	100	Yes
Lead	-	250	Yes	10	Yes
Single HAP	2.23	NA ³	Yes	10	Yes
Total HAPs	4.29	NA ³	Yes	25	Yes
CO ₂ e	20,715.42	100,000	Yes	100,000	Yes

¹ PTE calculations detailed in **Appendix A**.

² For non-listed source categories.

³ Not regulated under the PSD program.

C.2. New Source Performance Standards (NSPS)

The Daniele Facility will include twenty-five natural gas-fired generator engines GEN01- GEN25 with a rating of approximately 617 brake horsepower (hp), each, and electrical generating capacity of approximately 390 electrical kilowatts (ekW), each, manufactured September 17, 2024. The Daniele Facility will also include a compressor engine COMP01 (Waukesha gas engine VGF H24GSI rated at 530 manufactured June 1, 2004).

40 CFR Part 60 Subpart JJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

40 CFR Part 60 Subpart JJJ pertains to Spark Ignition Stationary Internal Combustion Engines (SI ICE). The twenty-five natural gas-fired generator engines GEN01- GEN25 are non-emergency, rich burn, natural gas engine greater than 500 hp and manufactured after July 1, 2007, and are subject to this rule. The emission limits from Table 1 to Subpart JJJ are:

- NO_x (Nitrogen Oxides): 1.0 g/hp-hr
- CO (Carbon Monoxide): 2.0 g/hp-hr
- VOC (Volatile Organic Compounds): 0.7 g/hp-hr

These limits apply to engines that are not certified to the standards in 40 CFR Part 1048 or 1054 and must demonstrate compliance through performance testing.

If the engines are certified, they must meet the standards specified in the certification and maintain compliance through proper operation and maintenance. The twenty-five natural gas-fired generator engines GEN01- GEN25 are certified and will be operated and maintained in accordance with the requirements of 40 CFR Part 60 Subpart JJJ. The available US EPA certificates of conformity for the natural gas-fired generator engines are attached to **Appendix E**.

The potential to emit (PTE) for GEN01- GEN25 was revised in this application and calculated with the allowable limits taken in the permit. The applicant does not want to use the NSPS JJJ allowable limits for PTE for NO_x, CO, and VOC since the PTE would then be greater than 100 TPY. Instead, a factor of 1.5 times the manufacturer guarantee was used to calculate the PTE for NO_x, CO, and VOC. All other PTE values used AP-42 emission factors.

40 CFR Part 60 Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, and On or Before October 4, 2023

40 CFR Part 60 Subpart Kb addresses VOC storage tanks with a capacity greater than or equal to 75 cubic meters (19,812.9 gallons). The proposed liquified natural gas storage tanks (TANK01-03) at the facility have a capacity of approximately 16,000 gallons. The tanks are to be installed with a closed vent system and vapors are to be routed to the existing flare. Based on the proposed liquified natural gas storage tanks (TANK01-03) capacity, they are not subject to this rule.

40 CFR Part 60 Subpart OOOOb—Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After December 6, 2022

40 CFR Part 60 Subpart OOOOb pertains to natural gas facilities that commence construction, modification, or reconstruction on or after December 6, 2022. Although the Daniele Facility is not the owner/ operator of the Daniele well, the natural gas is well gas at a well site and the compressors are not affected by this subpart as per §60.5365b(c).

The compressor name plate for Daniele lists September 2012 and manufactured by Ariel Corporation.

Daniele Facility has tanks as described in §60.5365b(e). VOC and Methane emissions from the tanks, after being controlled by and emitted from the offsite existing flare, total 1.11 TPY and 0.05 TPY respectively. These tanks are then exempt from Subpart OOOOb as per §60.5365b(e)(1). The requirements for Subpart OOOOb are highlighted in **Appendix H**.

C.3. National Emission Standards for Hazardous Air Pollutants (NESHAP)

40 CFR Part 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

The proposed facility will be a true area source of hazardous air pollutants (HAP).

The proposed natural gas-fired generator engines GEN01- GEN25 will be subject to 40 CFR Part 63 Subpart ZZZZ because the proposed engines will be new stationary reciprocating internal combustion engines (RICE) located at an area source of HAPs. The engines will meet the definition of “Stationary RICE subject to Regulations under 40 CFR Part 60” under 40 CFR §63.6590(c) and will meet the requirements of 40 CFR Part 63 Subpart ZZZZ by complying with the requirements of 40 CFR Part 60 Subpart JJJJ. engines

Compressor engine COMP01 was manufactured on June 1, 2004 and is subject to 40 CFR Part 63 Subpart ZZZZ. The requirements for Subpart ZZZZ are highlighted in **Appendix G**.

40 CFR Part 63 Subpart HH—National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities

40 CFR Part 63 Subpart HH has the potential to be applicable, however the facility is not a major source, nor does it operate a Triethylene Glycol Unit. Therefore, Subpart HH does not apply.

C.4. Title V and Prevention of Significant Deterioration (PSD) Applicability

Facilities that are considered a “major source” must obtain a Title V permit. For Federal Attainment Areas that meet the National Ambient Air Quality Standards (NAAQS) set by the Environmental Protection Agency (EPA), a major source is defined as a facility that emits greater-than-or-equal-to 100 TPY of any criteria pollutant, 10 TPY for any individual HAP’s species, and/or 25 TPY for any combination of HAPs. Sitewide PTE for criteria pollutants (including VOC’s) have been quantified and can be found in **Appendix A**. This facility is in an attainment area and does not have the potential to emit more than 100 TPY of any criteria pollutant, nor is it a major source of HAPs. Therefore, this facility is not required to obtain a Title V permit. 40 CFR §52.21 states the requirements of PSD apply to the construction of any new major stationary source or any project at an existing major stationary source in an area designated as attainment or unclassifiable. This facility is not a major source. See Table 2 for a summary of applicability.

D. Emissions Calculation Discussion

Emissions from the engines were estimated using manufacturer data documented in **Appendix E** and emission factors from EPA’s AP-42 Chapter 3.2 Natural Gas-Fired Reciprocating Engines, Table 3.2-3 *Uncontrolled Emission Factors For 4-Stroke Rich-Burn Engines*, were used to quantify emissions from the combustion of natural gas. Emissions calculations are included in **Appendix A**.

E. Emissions Screening

Emissions screening is included in **Appendix D** and document that the maximum potential offsite concentrations will meet the National Ambient Air Quality Standards.

Appendix A

Emission Calculations

Daniele Facility

Assumptions	
Hours per year =	8760
lbs/ton =	2000
Number of Mesa units =	25

The potential to emit (PTE) must be calculated with the allowable limits taken in the permit. The applicant can not use the NSPS JJJJ allowable limits for PTE for NOX and CO since the PTE will be greater than 100 TPY. Instead a factor of 1.5 x the manufacturer guarantee will be used to calculate PTE for NOX, CO, and VOC. All other PTE values will use AP-42 emission factors.

Table 1a - Sitewide Potential to Emit Emissions Summary

Source ID/ EPN	VOC		PM/PM10/PM2.5		NOX		CO		SO2		Single HAP		Total HAP	
	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
H2SPLANT	--	--	--	--	--	--	--	--	9.52E-03	4.17E-03	--	--	--	--
COMP01	7.33E-01	3.21E+00	1.04E-04	4.56E-04	1.05E+00	4.60E+00	2.09E+00	9.17E+00	7.93E-04	3.47E-03	3.90E-01	1.71E+00	4.06E-01	1.78E+00
GEN01	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN02	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN03	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN04	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN05	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN06	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN07	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN08	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN09	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN10	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN11	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN12	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN13	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN14	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN15	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN16	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN17	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN18	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN19	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN20	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN21	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN22	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN23	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN24	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN25	2.92E-03	1.28E-02	1.49E-02	6.53E-02	6.78E-03	2.97E-02	3.01E-01	1.32E+00	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
Unload	5.67E+00	1.03E+00	--	--	--	--	--	--	--	--	--	--	--	--
Total	6.47	4.56	3.73E-01	1.63	1.22	5.34	9.63	42.18	0.03	0.11	0.51	2.23	0.98	4.29

Table 1b - Sitewide Maximum Emissions Summary using NSPS Subpart JJJJ limits for CO, NOx, and VOCs

Source ID/ EPN	VOC		PM/PM10/PM2.5		NOX		CO		SO2		Single HAP		Total HAP	
	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
H2SPLANT	--	--	--	--	--	--	--	--	9.52E-03	4.17E-03	--	--	--	--
COMP01	7.33E-01	3.21E+00	1.04E-04	4.56E-04	1.05E+00	4.60E+00	2.09E+00	9.17E+00	7.93E-04	3.47E-03	3.90E-01	1.71E+00	4.06E-01	1.78E+00
GEN01	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN02	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN03	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN04	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN05	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN06	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN07	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN08	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN09	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN10	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN11	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN12	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN13	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN14	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN15	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN16	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN17	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN18	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN19	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN20	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN21	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN22	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN23	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN24	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
GEN25	2.14E+00	9.35E+00	1.49E-02	6.53E-02	4.27E+00	1.87E+01	8.54E+00	3.74E+01	9.23E-04	4.04E-03	4.80E-03	2.10E-02	2.29E-02	1.00E-01
Unload	5.67E+00	1.03E+00	--	--	--	--	--	--	--	--	--	--	--	--
Total	59.78	238.03	3.73E-01	1.63	107.80	472.18	215.60	944.34	0.03	0.11	0.51	2.23	0.98	4.29

Single HAP ≥ 10 tpy → Title V permit required.
Combined HAPs ≥ 25 tpy → Title V permit required.
Criteria pollutants (e.g., NOx, VOCs, CO) ≥ 100 tpy (or lower in non-attainment areas) → Title V permit required.

Table 1c - Greenhouse Gas Emissions Summary

Pollutant ²	EPA Pollutant Type	Emission Factors ¹ (lb/MMBtu)	Hourly Emissions (lb/hr)	Annual Emissions (TPY)
Greenhouse Gases				
CO ₂ e	GHG	116.5	4,730	20,715.42
CO ₂	GHG	110.0	4,466	19,559.62
CH ₄	GHG	0.230	9	40.90
N ₂ O	GHG	2.20E-04	8.95E-03	0.04

Total MMBtu/hr for Gen1 - Gen25 40.60

¹ AP-42 emission factors are based on natural gas and LPG, AP-42 Chapter 3.2 Natural Gas-fired Reciprocating Engines, Table 3.2-3 (4-Stroke Rich-Burn Engines), July 2000.

² N₂O emission factors from 40 CFR 98 Subpart C, Table C-2, (N₂O = 1.0 x 10⁻⁴ kg N₂O/MMBtu), November 29, 2013.

Table 2- Gas Composition Analysis

Components	UnMorm %	Normal %
Propane	9.60E+00	9.82E+00
IsoButane	4.64E-01	4.75E-01
Butane	1.00E+00	1.03E+00
NeoPentane	4.80E-04	4.90E-04
IsoPentane	5.60E-02	5.73E-02
Pentane	5.81E-02	5.94E-02
Hexane+	2.69E-01	2.75E-01
Nitrogen	4.90E+00	5.01E+00
Methane	5.93E+01	6.07E+01
Carbon Dioxide	1.24E+00	1.27E+00
Ethane	2.08E+01	2.13E+01
Water		1.74E+00
sum:	9.78E+01	1.00E+02

Table 3 - H2S Treatment Plant Emissions

Calculation Basis		
Plant flow rate	3,300,000	scf/yr
	3.3	10 ⁶ scf/yr
Emission Factor	1685	*S lbSO ₂ /10 ⁶ scf gas processed
S Factor	0.15%	H ₂ S Volume %
True Emission Factor	2.5275	lbSO ₂ /10 ⁶ scf gas processed

SO ₂ Emissions from H ₂ S Treatment		
Annual SO ₂ Emissions	4.17E-03	TPY SO ₂
Hourly SO ₂ Emissions	9.52E-03	lb/hr SO ₂

Notes:

1. Emission calculation methodology and emission factors obtained from EPA AP-42 Table 5.3.1 "Emission Factors For Gas Sweetening Plants"

Table 4 - Summary of Tank Emissions

Calculations Basis		
Hose Dimensions		
Hose Length	10	Feet
Hose Diameter	2	inches
	0.17	Feet
Hose Volume	0.22	ft ³
Throughput		
Total LNG Tanks	3	Tanks
Max Throughput	1	Loadout/ Day

Composition of Recovered Liquids Stream												
Weight % C3+ In Gas Stream	lb/lb of gas	Recovery Efficiency	Recovery /lb of gas	Weight % C3+ In Recovered Liquid Stream		Density (lb/ft³)	Density in Mixture (lb/ft³)	Released Per Loadout (lb/ft³)	Max VOC Emissions*			
									lb/hr	lb/day	TPY	
Propane	9.82%	0.098177	50%	0.049089	Propane	76.61%	0.12	0.09	0.020	0.06	0.06	0.011
IsoButane	0.47%	0.004747	75%	0.00356	IsoButane	5.56%	34.4	1.91	0.420	1.251	1.251	0.228
Butane	1.03%	0.010266	75%	0.0077	Butane	12.02%	35.77	4.30	0.946	2.813	2.813	0.513
NeoPentane	0.00%	4.9E-06	95%	4.66E-06	NeoPentane	0.01%	39.09	2.74E-03	6.02E-04	0.002	0.002	0
IsoPentane	0.06%	0.000573	95%	0.000544	IsoPentane	0.85%	39.09	0.33	0.073	0.217	0.217	0.04
Pentane	0.06%	0.000594	95%	0.000564	Pentane	0.88%	39.09	0.34	0.076	0.225	0.225	0.041
Hexane+	0.28%	0.002751	95%	0.002614	Hexane+	4.08%	41.24	1.68	0.370	1.101	1.101	0.201
							Total:	8.66	1.91	5.67	5.669	1.034

*Total for all 3 Tanks

Notes:

1. American Petroleum Institute (API)

API LNG Greenhouse Gas Emissions Guidelines. Washington, D.C.: API, May 2015.

<https://www.api.org/~media/files/ehs/climate-change/api-lng-ghg-emissions-guidelines-05-2015.pdf>

2. U.S. Environmental Protection Agency (EPA)

Emission Inventory Improvement Program (EIIP), Volume II: Chapter 16 – Methods for Estimating Air Emissions from Oil and Gas Operations. August 2007.

https://www.epa.gov/sites/default/files/2015-08/documents/ii16_aug2007final.pdf

3. Texas Commission on Environmental Quality (TCEQ)

Flash Emission Calculation Guidance for Oil and Gas Operations.

https://www.tceq.texas.gov/assets/public/permitting/air/Guidance/NewSourceReview/guidance_flashemission.pdf

4. Air Knowledge – U.S. EPA Training Resource

VOC Emission Calculation Examples.

https://airknowledge.gov/ILT/TOXC220/Current/Ci/11TOXC220_Handout_Mecklenburg.pdf

Table 5 - Comp01 Worst-Case Compressor Emissions

Engine Information:			
Source ID's (EPW's):	COMP01		
Manufacturer:	Waukesha		
Model No.:	H24GSI		
Stroke Cycle:	4 stroke		
Type of Burn:	Rich		
Type of Fuel:	Natural Gas		
Manufacturer Date:	6/3/2004		
Rated Horsepower (bhp):	530		
Conversion Factor (bhp/MMBtu/hr)	2.55E-03		
Power Rating (MMBtu/hr)	1.35		
Control Device:	NSCR (Non-Selective Catalytic Reduction)		

Assumptions

Hours per year = 8760

Hours per year = 365 Use 365 hours per year for unloading.

lbs/ton = 2000

Uncontrolled Engine Emissions Data					
Pollutant	Emission Factor	Units	Maximum Potential Emissions		Estimation Basis / Emission Factor Source
			lbs/hr	tpy	
NO _x	--	--	1.05	4.60	manufacturer ²
CO	--	--	2.09	9.17	manufacturer ³
SO ₂	5.88E-04	lb/MMBtu	7.93E-04	0.00	AP-42, Table 3.2-3 (Jul-2000)
VOC	--	--	0.7325	3.21	manufacturer ³
PM ₁₀	7.71E-05	lb/MMBtu	1.04E-04	0.00	AP-42, Table 3.2-3 (Jul-2000)
PM _{2.5}	7.71E-05	lb/MMBtu	1.04E-04	0.00	AP-42, Table 3.2-3 (Jul-2000)
HAP's (Total)	See Next Table		0.41	1.78	AP-42, Table 3.2-3 (Jul-2000)

- Notes:**
- Emissions represented are *per* unit
 - Total HAP is the summation of all hazardous air pollutants for which there is a published emission factor for this source type.
 - The addition of NSCR resulted in a derating to 475 bhp which can occur due to added exhaust backpressure. A 530 bhp will continue to be used as a worst-case emission calculations.

Hazardous Air Pollutant (HAP) Emissions Calculations

Pollutant	AP-42	Units	Maximum Potential Emissions		Estimation Basis / Emission Factor Source
	Emission Factor		lbs./hr	tpy	
1,1,2,2-Tetrachloroethane	2.53E-05	lb/MMBtu	3.41E-05	1.49E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
1,1,2-Trichloroethane	1.53E-05	lb/MMBtu	2.06E-05	9.04E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
1,1-Dichloroethane	1.13E-05	lb/MMBtu	1.52E-05	6.68E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
1,2-Dichloroethane	1.13E-05	lb/MMBtu	1.52E-05	6.68E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
1,2-Dichloropropane	1.30E-05	lb/MMBtu	1.75E-05	7.68E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
1,3-Butadiene	6.63E-04	lb/MMBtu	8.94E-04	3.92E-03	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
1,3-Dichloropropene	1.77E-05	lb/MMBtu	1.71E-05	7.50E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Acetaldehyde	2.79E-03	lb/MMBtu	3.76E-03	1.65E-02	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Acrolein	2.63E-03	lb/MMBtu	3.55E-03	1.55E-02	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Benzene	1.58E-03	lb/MMBtu	2.13E-03	9.34E-03	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Butyl/isobutyraldehyde	4.86E-05	lb/MMBtu	6.56E-05	2.87E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Carbon Tetrachloride	1.77E-05	lb/MMBtu	2.39E-05	1.05E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Chlorobenzene	1.29E-05	lb/MMBtu	1.74E-05	7.62E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Chloroform	1.37E-05	lb/MMBtu	1.85E-05	8.10E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Ethylbenzene	2.48E-05	lb/MMBtu	3.35E-05	1.47E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Ethylene Dibromide	2.13E-05	lb/MMBtu	2.87E-05	1.26E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Formaldehyde	-	lb/MMBtu	3.90E-01	1.71E+00	Manufacturer's Emission Estimate (before control). ¹
Methanol	3.06E-03	lb/MMBtu	4.13E-03	1.81E-02	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Methylene Chloride	4.12E-05	lb/MMBtu	5.56E-05	2.43E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Naphthalene	9.71E-05	lb/MMBtu	1.31E-04	5.74E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
PAH	1.41E-04	lb/MMBtu	1.90E-04	8.33E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Styrene	1.19E-05	lb/MMBtu	1.61E-05	7.03E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Toluene	5.58E-04	lb/MMBtu	7.53E-04	3.30E-03	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Vinyl Chloride	7.18E-06	lb/MMBtu	9.69E-06	4.24E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Xylene	1.95E-04	lb/MMBtu	2.63E-04	1.15E-03	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guid.
Total HAP			0.41	1.78	
Max Individual HAP			0.39	1.71	

- Notes:**
- Since no post-control formaldehyde emissions estimate was provided, the pre-control estimate was noted instead. NSCR systems can reduce volatile organic compounds (VOCs)—which include formaldehyde—by up to 95%.

Example Calculations:

Emission Rate (lbs/hr) = EF (lb/MMBtu) * Engine Heat Input (MMBtu/hr)

Emission Rate (tpy) = Emissions (lb/hr) * 8,760 (hrs/yr) ÷ 2,000 (lbs/ton)

Table 6 - Worst-Case Generator Emissions

Engine Information:	
Source ID's (EPN's):	GEN01 - GEN25, <i>each</i>
Manufacturer:	Mesa
Model No.:	GV22PU
Stroke Cycle:	4 stroke
Type of Burn:	Rich
Type of Fuel:	"Clean Gas"
Rated Horsepower (bhp):	617
Conversion Factor (bhp/(MMBtu/hr)) ¹	2.54E-03
Power Rating (MMBtu/hr)	1.57
Control Device:	None
Number of Units	1
Assumptions:	
Hours per year =	8760
lbs/ton =	2000

Hazardous Air Pollutant (HAP) Emissions Calculations					
Pollutant	AP-42 Emission Factor	Units	Potential to Emit		Estimation Basis / Emission Factor Source
			lbs/hr	tpy	
1,1,2,2-Tetrachloroethane	2.53E-05	lb/MMBtu	3.97E-05	1.74E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
1,1,2-Trichloroethane	1.53E-05	lb/MMBtu	2.40E-05	1.05E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
1,1-Dichloroethane	1.13E-05	lb/MMBtu	1.77E-05	7.77E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
1,2-Dichloroethane	1.13E-05	lb/MMBtu	1.77E-05	7.77E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
1,2-Dichloropropane	1.30E-05	lb/MMBtu	2.04E-05	8.94E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
1,3-Butadiene	6.63E-04	lb/MMBtu	1.04E-03	4.56E-03	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
1,3-Dichloropropene	1.27E-05	lb/MMBtu	1.99E-05	8.73E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Acetaldehyde	2.79E-03	lb/MMBtu	4.38E-03	1.92E-02	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Acrolein	2.63E-03	lb/MMBtu	4.13E-03	1.81E-02	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Benzene	1.58E-03	lb/MMBtu	2.48E-03	1.09E-02	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Butyr/isobutyraldehyde	4.86E-05	lb/MMBtu	7.63E-05	3.34E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Carbon Tetrachloride	1.77E-05	lb/MMBtu	2.78E-05	1.22E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Chlorobenzene	1.29E-05	lb/MMBtu	2.03E-05	8.87E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Chloroform	1.37E-05	lb/MMBtu	2.15E-05	9.42E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Ethylbenzene	2.48E-05	lb/MMBtu	3.89E-05	1.71E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Ethylene Dibromide	2.13E-05	lb/MMBtu	3.34E-05	1.46E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Formaldehyde	2.60E-03	lb/MMBtu	4.08E-03	1.79E-02	Manufacturer Estimate
Methanol	3.06E-03	lb/MMBtu	4.80E-03	2.10E-02	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Methylene Chloride	4.12E-05	lb/MMBtu	6.47E-05	2.83E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Naphthalene	9.71E-05	lb/MMBtu	1.52E-04	6.68E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
PAH	1.41E-04	lb/MMBtu	2.21E-04	9.70E-04	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Styrene	1.19E-05	lb/MMBtu	1.87E-05	8.18E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Toluene	5.58E-04	lb/MMBtu	8.76E-04	3.84E-03	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Vinyl Chloride	7.18E-06	lb/MMBtu	1.13E-05	4.94E-05	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Xylene	1.95E-04	lb/MMBtu	3.06E-04	1.34E-03	AP-42, Table 3.2-3 (Jul 2000), TCEQ EI Guide
Total HAP			2.29E-02	1.00E-01	
Max Single HAP			4.80E-03	2.10E-02	

Example Calculations:

Emission Rate (lbs/hr) = EF (g/bhp-hr) * Engine Rating (bhp) * 0.00220462 (lb/g)

Emission Rate (lbs/hr) = EF (lb/MMBtu) * Engine Heat Input (MMBtu/hr)

Emission Rate (tpy) = Emissions (lb/hr) * 8,760 (hrs/yr) ÷ 2,000 (lbs/ton)

NMHCs Include Formaldehyde: Non-Methane Hydrocarbons (NMHCs) are a broad category of volatile organic compounds (VOCs) that exclude methane.

Formaldehyde is one of the compounds that can be part of NMHCs.

[Unveiling NMHCs: Understanding Non-Methane Hydrocarbons](#)¹Brake horsepower (bhp) is defined as:

1bhp=745.7W

745.7

watts

To convert watts to MMBtu/hr:

1W=3.41214×10⁻⁶MMBtu/hr

3.41E-06

MMBtu/hr

Multiplying these gives:

745.7×3.41214×10⁻⁶ =

0.0025444MMBtu/hr per bhp

or

2.54E-03

bhp/MMBtu/hr

Source: <https://www.unitsconverters.com/en/Mmbtu/H-To-Bhp>

Table 7 - AP-42 Emission Factor Reference Tables

The potential to emit (PTE) must be calculated with the allowable limits taken in the permit. The applicant can not use the NSPS JJJJ allowable limits for PTE for NOX, CO, and VOC since the PTE will be greater than 100 TPY. Instead a factor of 1.5 x the manufacturer guarantee will be used to calculate PTE for NOX, CO, and VOC. All other PTE values will use AP-42 emission factors.

Natural Gas Combustion AP-42, Chapter 3.2, Table 3.2-3

Pollutant	AP-42 Emission Factor	Units
NO _x	2.27	lb/MMBtu
CO	3.72	lb/MMBtu
SO ₂	5.88E-04	lb/MMBtu
VOC	2.96E-02	lb/MMBtu
PM ₁₀	9.50E-03	lb/MMBtu
PM _{2.5}	9.50E-03	lb/MMBtu

Potential to Emit is this Factor of Manufacturer's Emission Estimates: 1.5

CO	4.65E-01	g/KW-hr	1.92E-01	lbs/MMBtu
NOx	1.05E-02	g/KW-hr	4.32E-03	lbs/MMBtu
VOC	4.50E-03	g/KW-hr	1.86E-03	lbs/MMBtu

40 CFR Part 60 Subpart JJJJ pertains to Spark Ignition Stationary Internal Combustion Engines (SI ICE)

CO	2.0	g/hp-hr	5.44E+00	lbs/MMBtu
NOx	1.0	g/hp-hr	2.72E+00	lbs/MMBtu
VOC	0.7	g/hp-hr	1.36E+00	lbs/MMBtu

Manufacturer's Emission Estimates

CO	3.10E-01	g/KW-hr	1.28E-01	lbs/MMBtu
NOx	7.00E-03	g/KW-hr	2.88E-03	lbs/MMBtu
VOC	3.00E-03	g/KW-hr	1.24E-03	lbs/MMBtu

Natural Gas - HAPS AP-42, Chapter 3.2, Table 3.2-3

	AP-42 Emission Factor	Units
Organic HAPs:		
1,1,2,2-Tetrachloroethane	2.53E-05	lb/MMBtu
1,1,2-Trichloroethane	1.53E-05	lb/MMBtu
1,1-Dichloroethane	1.13E-05	lb/MMBtu
1,2-Dichloroethane	1.13E-05	lb/MMBtu
1,2-Dichloropropane	1.30E-05	lb/MMBtu
1,3-Butadiene	6.63E-04	lb/MMBtu
1,3-Dichloropropene	1.27E-05	lb/MMBtu
Acetaldehyde	2.79E-03	lb/MMBtu
Acrolein	2.63E-03	lb/MMBtu
Benzene	1.58E-03	lb/MMBtu
Butyr/isobutyraldehyde	4.86E-05	lb/MMBtu
Carbon Tetrachloride	1.77E-05	lb/MMBtu
Chlorobenzene	1.29E-05	lb/MMBtu
Chloroform	1.37E-05	lb/MMBtu
Ethylbenzene	2.48E-05	lb/MMBtu
Ethylene Dibromide	2.13E-05	lb/MMBtu
Formaldehyde	2.05E-02	lb/MMBtu
Methanol	3.06E-03	lb/MMBtu
Methylene Chloride	4.12E-05	lb/MMBtu
Naphthalene	9.71E-05	lb/MMBtu
PAH	1.41E-04	lb/MMBtu
Styrene	1.19E-05	lb/MMBtu
Toluene	5.58E-04	lb/MMBtu
Vinyl Chloride	7.18E-06	lb/MMBtu
Xylene	1.95E-04	lb/MMBtu

Appendix B

North Dakota Minor Permit to Construct Application Forms



PERMIT APPLICATION FOR INTERNAL COMBUSTION ENGINES AND TURBINES

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION OF AIR QUALITY

SFN 8891 (9-2021)

NOTE: READ INSTRUCTIONS BEFORE COMPLETING THIS FORM.

- Must include SFN 8516 or SFN 52858

SECTION A – GENERAL INFORMATION

Name of Firm or Organization Nokota Gas Processing	Facility Name Daniele

SECTION B – FACILITY AND UNIT INFORMATION

Source ID Number (From form SFN 8516) COMP01		
Type of Unit (check all that apply)	☒ Stationary Natural Gas-Fired Engine	☐ Emergency Use Only
	☐ Stationary Diesel and Dual Fuel Engine	☒ Non-Emergency Use
	☐ Stationary Gasoline Engine	☐ Peaking
	☐ Stationary Natural Gas-Fired Turbine	☐ Demand Response
	☐ Other – Specify:	

SECTION C – MANUFACTURER DATA

Make Waukesha	Model H24GSI	Date of Manufacture 06/01/2004	
Reciprocating Internal Combustion Engine			
☒ Spark Ignition	☐ Compression Ignition	☐ Lean Burn	
☒ 4 Stroke	☐ 2 Stroke	☒ Rich Burn	
Maximum Rating (BHP @ rpm) 530		Operating Capacity (BHP @ rpm)	
Engine Subject to: ☐ 40 CFR 60, Subpart IIII ☐ 40 CFR 60, Subpart JJJJ ☒ 40 CFR 63, Subpart ZZZZ ☒ 40 CFR 60, Subpart OOOO (for compressors) ☐ 40 CFR 60, Subpart OOOOa (for compressors)			
Turbine Dry Low Emissions? ☐ Yes ☐ No			
Heat Input (MMBtu/hr)	Maximum Rating (HP)	75% Rating (HP)	Efficiency
Turbine Subject to: ☐ 40 CFR 60, Subpart GG ☐ 40 CFR 60, Subpart KKKK			

SECTION D – FUELS USED

Natural Gas (10 ⁶ cu ft/year) 2	Percent Sulfur 0	Percent H ₂ S 0
Oil (gal/year)	Percent Sulfur 0.00068	Grade No.
LP Gas (gal/year)	Other – Specify:	

SECTION E – NORMAL OPERATING SCHEDULE

Hours Per Day 24	Days Per Week 7	Weeks Per Year 365	Hours Per Year 8760	Peak Production Season (if any)

SECTION F – STACK PARAMETERS

Emission Point ID Number COMP01		Stack Height Above Ground Level (feet) 18.5	
Stack Diameter (feet at top) 1.25	Gas Discharged (SCFM) 991	Exit Temp (°F) 1050	Gas Velocity (FPS) 10.57

SECTION G – EMISSION CONTROL EQUIPMENT

Is any emission control equipment installed on this unit?

☐ No☒ Yes – Complete and attach form SFN 8532**SECTION H – MAXIMUM AIR CONTAMINANTS EMITTED** Note: Per Generator

Pollutant	Maximum Pounds Per Hour	Amount (Tons Per Year)	Basis of Estimate*
NO _x			
CO			
PM			
PM ₁₀ (filterable and condensable)			
PM _{2.5} (filterable and condensable)			
SO ₂			
VOC			
GHG (as CO ₂ e)			
Largest Single HAP			
Total HAPS			

* If performance test results are available for the unit, submit a copy of test with this application, if manufacture data used, submit manufacturers specification sheets.

IS THIS UNIT IN COMPLIANCE WITH ALL APPLICABLE AIR POLLUTION RULES AND REGULATIONS?

☒ YES ☐ NO

If "NO" a Compliance Schedule (SFN 61008) must be completed and attached.

Attach and label separate sheet(s) if you need more space to explain any system or answers or to provide complete listings of Emissions, Contaminants, or other items.

SEND COMPLETED APPLICATION AND ALL ATTACHMENTS TO:

North Dakota Department of Environmental Quality
 Division of Air Quality
 4201 Normandy Street, 2nd Floor
 Bismarck, ND 58503-1324
 (701) 328-5188



PERMIT APPLICATION FOR INTERNAL COMBUSTION ENGINES AND TURBINES

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION OF AIR QUALITY

SFN 8891 (9-2021)

NOTE: READ INSTRUCTIONS BEFORE COMPLETING THIS FORM.

- Must include SFN 8516 or SFN 52858

SECTION A – GENERAL INFORMATION

Name of Firm or Organization Nokota Gas Processing	Facility Name Daniele

SECTION B – FACILITY AND UNIT INFORMATION

Source ID Number (From form SFN 8516) GEN01-GEN25		
Type of Unit (check all that apply)	☒ Stationary Natural Gas-Fired Engine ☐ Stationary Diesel and Dual Fuel Engine ☐ Stationary Gasoline Engine ☐ Stationary Natural Gas-Fired Turbine ☐ Other – Specify:	☐ Emergency Use Only ☒ Non-Emergency Use ☐ Peaking ☐ Demand Response

SECTION C – MANUFACTURER DATA

Make Mesa Solutions	Model GV22PU	Date of Manufacture 09/17/2024	
Reciprocating Internal Combustion Engine			
☒ Spark Ignition ☒ 4 Stroke	☐ Compression Ignition ☐ 2 Stroke	☐ Lean Burn ☒ Rich Burn	
Maximum Rating (BHP @ rpm) 617 BHP, 13.8 KV @ 60 HZ		Operating Capacity (BHP @ rpm)	
Engine Subject to: ☐ 40 CFR 60, Subpart IIII ☒ 40 CFR 60, Subpart JJJJ ☒ 40 CFR 63, Subpart ZZZZ ☐ 40 CFR 60, Subpart OOOO (for compressors) ☐ 40 CFR 60, Subpart OOOOa (for compressors)			
Turbine Dry Low Emissions? ☐ Yes ☐ No			
Heat Input (MMBtu/hr)	Maximum Rating (HP)	75% Rating (HP)	Efficiency
Turbine Subject to: ☐ 40 CFR 60, Subpart GG ☐ 40 CFR 60, Subpart KKKK			

SECTION D – FUELS USED

Natural Gas (10 ⁶ cu ft/year) 2	Percent Sulfur 0	Percent H ₂ S 0
Oil (gal/year)	Percent Sulfur 0.00068	Grade No.
LP Gas (gal/year)	Other – Specify:	

SECTION E – NORMAL OPERATING SCHEDULE

Hours Per Day 24	Days Per Week 7	Weeks Per Year 365	Hours Per Year 8760	Peak Production Season (if any)

SECTION F – STACK PARAMETERS

Emission Point ID Number GEN01-GEN25		Stack Height Above Ground Level (feet) 10	
Stack Diameter (feet at top) 0.33	Gas Discharged (SCFM) 789	Exit Temp (°F) 1245	Gas Velocity (FPS) 150.7

SECTION G – EMISSION CONTROL EQUIPMENT

Is any emission control equipment installed on this unit?

☒ No☐ Yes – Complete and attach form SFN 8532**SECTION H – MAXIMUM AIR CONTAMINANTS EMITTED** Note: Per Generator

Pollutant	Maximum Pounds Per Hour	Amount (Tons Per Year)	Basis of Estimate*
NO _x	0.007	0.030	Calculation (Manufacturer Data)
CO	.301	1.32	Calculation (Manufacturer Data)
PM	0.015	.065	Calculation (AP-42 Emission Factor)
PM ₁₀ (filterable and condensable)	0.015	0.065	Calculation (AP-42 Emission Factor)
PM _{2.5} (filterable and condensable)	0.015	0.065	Calculation (AP-42 Emission Factor)
SO ₂	0.001	0.004	Calculation (AP-42 Emission Factor)
VOC	.003	.013	Calculation (AP-42 Emission Factor)
GHG (as CO ₂ e)		690.79	
Largest Single HAP	0.005	0.021	Calculation (AP-42 Emission Factor)
Total HAPS	0.023	.100	Calculation (AP-42 Emission Factor)

* If performance test results are available for the unit, submit a copy of test with this application, if manufacture data used, submit manufacturers specification sheets.

IS THIS UNIT IN COMPLIANCE WITH ALL APPLICABLE AIR POLLUTION RULES AND REGULATIONS?

☒ YES☐ NO

If "NO" a Compliance Schedule (SFN 61008) must be completed and attached.

Attach and label separate sheet(s) if you need more space to explain any system or answers or to provide complete listings of Emissions, Contaminants, or other items.

SEND COMPLETED APPLICATION AND ALL ATTACHMENTS TO:

North Dakota Department of Environmental Quality
 Division of Air Quality
 4201 Normandy Street, 2nd Floor
 Bismarck, ND 58503-1324
 (701) 328-5188



PERMIT APPLICATION FOR HAZARDOUS AIR POLLUTANT (HAP) SOURCES
NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF AIR QUALITY
SFN 8329 (9-2021)

SECTION A1 - APPLICANT INFORMATION

Name of Firm or Organization Nokota Gas Processing, LLC		
Applicant's Name Benjamin Durig		
Title President and COO	Telephone Number (701) 260-1691	E-mail Address bdurig@nokotagp.com
Mailing Address (Street & No.) 952 Echo Lane Ste 200		
City Houston	State TX	ZIP Code 77024

SECTION A2 - FACILITY INFORMATION

Contact Person for Air Pollution Matters Liz Garcia		
Title Compliance Coordinator	Telephone Number (701) 260-1691	E-mail Address lgarcia@nokotg.com
Facility Address (Street & No. or Lat/Long to Nearest Second) 48.66121500 N-103.43756800 W		
City	State	ZIP Code
County Divide	Number of Employees at Location	
Land Area at Plant Site Acres (or)	Sq. Ft.	MSL Elevation at Plant 2062

Describe Nature of Business/Process Natural gas processing and electricity generation

SECTION B – STACK DATA

Inside Diameter (ft)	Height Above Grade (ft)	
Gas Temperature at Exit (°F)	Gas Velocity at Exit (ft/sec)	Gas Volume (scfm)
Basis of any Estimates (attach separate sheet if necessary)		
Are Emission Control Devices in Place? If YES – Complete SFN 8532 ☒ Yes ☐ No		
Nearest Residences or Building Nearest Residence	Distance (ft) 2500	Direction East
Nearest Property Line	Distance (ft) 100	Direction North

SECTION C – EMISSION STREAM DATA

Source ID Number SFN 8516	Mean Particle Diameter (um)
Flow Rate (scfm) 228.3105	Drift Velocity (ft/sec)
Stream Temperature (°F)	Particulate Concentration (gr/dscf)
Moisture Content (%)	Halogens or Metals Present?
Pressure (in. Hg)	Organic Content (ppmv)
Heat Content (Btu/scfm) 2087.18	O ₂ Content (%)

SECTION D – POLLUTANT SPECIFIC DATA
(Complete One Box for Each Pollutant in Emission Stream)

Pollutant Emitted See attached calculations	Chemical Abstract Services (CAS) Number
Proposed Emission Rate (lb/hr)	Emission Source (describe)
Source Classification (process point, process fugitive, area fugitive)	Pollutant Class and Form (organic/inorganic - particulate/vapor)
Concentration in Emission Stream (ppmv)	Vapor Pressure (in. Hg @ °F)
Solubility	Molecular Weight (lb/lb-mole)
Absorptive Properties	

Pollutant Emitted	Chemical Abstract Services (CAS) Number
Proposed Emission Rate (lb/hr)	Emission Source (describe)
Source Classification (process point, process fugitive, area fugitive)	Pollutant Class and Form (organic/inorganic - particulate/vapor)
Concentration in Emission Stream (ppmv)	Vapor Pressure (in. Hg @ °F)
Solubility	Molecular Weight (lb/lb-mole)
Absorptive Properties	

(Add additional pages if necessary)

Signature of Applicant	Date

SEND COMPLETED APPLICATION AND ALL ATTACHMENTS TO:

North Dakota Department of Environmental Quality
Division of Air Quality
4201 Normandy Street, 2nd Floor
Bismarck, ND 58503-1324
(701) 328-5188



PERMIT APPLICATION FOR AIR CONTAMINANT SOURCES

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION OF AIR QUALITY

SFN 8516 (9-2021)

SECTION A - FACILITY INFORMATION

Name of Firm or Organization Nokota Gas Processing, LLC				
Applicant's Name Benjamin Durig				
Title President and COO		Telephone Number (701) 260-1691		E-mail Address bdurig@nokotagp.com
Contact Person for Air Pollution Matters Liz Garcia				
Title Compliance Coordinator		Telephone Number (701) 260-1691		E-mail Address lgarcia@nokotagp.com
Mailing Address (Street & No.) 952 Echo Lane Ste 200				
City Houston		State TX		ZIP Code 77024
Facility Name Nokota Gas Processing - Daniele Facility				
Facility Address (Street & No.)				
City		State		ZIP Code
County Divide		Coordinates NAD 83 in Decimal Degrees (to fourth decimal degree) Latitude 48.66121500 Longitude -103.43756800		
Legal Description of Facility Site				
Quarter North Dakota	Quarter NENW	Section 26	Township 160 North	Range 99 West
Land Area at Facility Site Acres (or) Sq. Ft.		MSL Elevation at Facility 2220 ft		

SECTION B - GENERAL NATURE OF BUSINESS

Describe Nature of Business	North American Industry Classification System Number	Standard Industrial Classification Number (SIC)
Natural Gas Processing		1321, 1311
Electricity Generation	221112	4911

SECTION C - GENERAL PERMIT INFORMATION

Type of Permit? ☒ Permit to Construct (PTC) ☐ Permit to Operate (PTO)	
If application is for a Permit to Construct, please provide the following data:	
Planned Start Construction Date 09/2024	Planned End Construction Date 10/2024

SECTION D – SOURCE IDENTIFICATION AND CATEGORY OF EACH SOURCE INCLUDED ON THIS PERMIT APPLICATION

Your Source ID Number	Source or Unit (Equipment, Machines, Devices, Boilers, Processes, Incinerators, Etc.)	Permit to Construct				Minor Source Permit to Operate						
		New Source	Existing Source Modification	Existing Source Expansion	Existing Source Change of Location	New Source	Existing Source Initial Application	Existing Source After Modification	Existing Source After Expansion	Existing Source After Change of Location	Existing Source After Change of Ownership	Other
	COMP01	☒	☐	☐	☐	☒	☐	☐	☐	☐	☐	☐
	GEN01-GEN25	☒	☐	☐	☐	☒	☐	☐	☐	☐	☐	☐
	H2SPLANT	☒	☐	☐	☐	☒	☐	☐	☐	☐	☐	☐
	Unload	☒	☐	☐	☐	☒	☐	☐	☐	☐	☐	☐
		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

Add additional pages if necessary

SECTION D2 – APPLICABLE REGULATIONS

Source ID No.	Applicable Regulations (NSPS/MACT/NESHAP/etc.)
Facility-wide	40 CFR Part 60 Subpart JJJJ
Facility-wide	40 CFR Part 63 Subpart ZZZZ
Fugitives	40 CFR Part 60 Subpart OOOOb

SECTION E – TOTAL POTENTIAL EMISSIONS

Pollutant	Amount (Tons Per Year)
NO _x	5.34
CO	42.18
PM	1.63

Pollutant	Amount (Tons Per Year)
PM ₁₀ (filterable and condensable)	1.63
PM _{2.5} (filterable and condensable)	1.63
SO ₂	0.11
VOC	4.56
GHG (as CO ₂ e)	20715.42
Largest Single HAP	2.23
Total HAPS	4.29

*If performance test results are available for the unit, submit a copy of test with this application. If manufacturer guarantee is used provide spec sheet.

SECTION F1 – ADDITIONAL FORMS

Indicate which of the following forms are attached and made part of the application	
☒ Air Pollution Control Equipment (SFN 8532) ☐ Construct/Operate Incinerators (SFN 8522) ☐ Natural Gas Processing Plants (SFN 11408) ☐ Glycol Dehydration Units (SFN 58923) ☐ Flares (SFN 59652) ☐ Grain, Feed, and Fertilizer Operations (SFN 8524)	☐ Fuel Burning Equipment Used for Indirect Heating (SFN 8518) ☒ Hazardous Air Pollutant (HAP) Sources (SFN 8329) ☐ Manufacturing or Processing Equipment (SFN 8520) ☐ Volatile Organic Compounds Storage Tank (SFN 8535) ☒ Internal Combustion Engines and Turbines (SFN 8891) ☐ Oil/Gas Production Facility Registration (SFN 14334)

SECTION F2 – OTHER ATTACHMENTS INCLUDED AS PART OF THIS APPLICATION

1.	Application Support Document	4.	US EPA Certificate of Conformity
2.	SCREEN3 Model Output	5.	Highlighted NSPS and NESHAP RULES
3.	Process Flow Diagram	6.	

I, the undersigned applicant, am fully aware that statements made in this application and the attached exhibits and statements constitute the application for Permit(s) to Construct and/or Operate Air Contaminant sources from the North Dakota Department of Environmental Quality and certify that the information in this application is true, correct and complete to the best of my knowledge and belief. Further, I agree to comply with the provisions of Chapter 23.1-06 of the North Dakota Century Code and all rules and regulations of the Department, or revisions thereof. I also understand the permit is nontransferable and, if granted a permit, I will promptly notify the Department upon sale or legal transfer of this permitted establishment.

Signature	Date

INSTRUCTIONS

SITE PLANS TO BE ATTACHED TO APPLICATION:

Prepare and attach a plot plan drawn to scale or properly dimensioned, showing at least the following:

- a. The property involved and the outlines and heights of all buildings on the property. Identify property lines plainly. Also, indicate if there is a fence around the property that prevents public access.
- b. Location and identification of all existing or proposed equipment, manufacturing processes, etc., and points of emission or discharge of air contaminants to the atmosphere.
- c. Location of the facility or property with respect to the surrounding area, including residences, businesses and other permanent structures, streets and roadways. Identify all such structures and roadways. Indicate direction (**NORTH**) on the drawing and the prevailing wind direction.

EQUIPMENT PLANS AND SPECIFICATIONS FOR PERMIT TO CONSTRUCT:

Supply plans and specifications, including as a minimum an assembly drawing, dimensioned and to scale, in plan, elevation and as many sections as are needed to show clearly the design and operation of the equipment and the means by which air contaminants are controlled.

The following must be shown:

- a. Size and shape of the equipment. Show exterior and interior dimensions and features.
- b. Locations, sizes, and shape details of all features which may affect the production, collection, conveying, or control of air contaminants of any kind, location, size, and shape details concerning all material handling equipment.
- c. All data and calculations used in selecting or designing the equipment.
- d. Horsepower rating of all internal combustion engines driving the equipment.

NOTE: STRUCTURAL DESIGN CALCULATIONS AND DETAILS ARE NOT REQUIRED. WHEN STANDARD COMMERCIAL EQUIPMENT IS TO BE INSTALLED, THE MANUFACTURER'S CATALOG DESCRIBING THE EQUIPMENT MAY BE SUBMITTED IN LIEU OF ITEMS a, b, c, and d OF ABOVE, WHICH THE CATALOG COVERS. ALL INFORMATION REQUIRED ABOVE THAT THE CATALOG DOES NOT CONTAIN MUST BE SUBMITTED BY THE APPLICANT.

ADDITIONAL INFORMATION MAY BE REQUIRED:

If the application is signed by an authorized representative of the owner, a LETTER OF AUTHORIZATION must be attached to the application.

SEND COMPLETED APPLICATION AND ALL ATTACHMENTS TO:

North Dakota Department of Environmental Quality
Division of Air Quality
4201 Normandy Street, 2nd Floor
Bismarck, ND 58503-1324
(701) 328-5188



PERMIT APPLICATION FOR AIR POLLUTION CONTROL EQUIPMENT

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION OF AIR QUALITY

SFN 8532 (9-2021)

NOTE: READ INSTRUCTIONS BEFORE COMPLETING THIS FORM.

- Must also include forms SFN 8516 or SFN 52858

SECTION A – GENERAL INFORMATION

Name of Firm or Organization Nokota Gas Processing, LLC	Facility Name Nokota Gas Processing - Daniele Facility
Source ID No. of Equipment being Controlled COMP01	

SECTION B – EQUIPMENT

Type:	☐ Cyclone	☐ Multiclone	☐ Baghouse	☐ Electrostatic Precipitator
	☐ Wet Scrubber	☐ Spray Dryer	☐ Flare/Combustor	
	☒ Other – Specify: NSCR (Non-Selective Catalytic Reduction)			
Name of Manufacturer EMIT	Model Number RE-2150-T	Date to Be Installed 10/4/2024		
Application:	☐ Boiler ☐ Kiln ☒ Engine ☐ Other – Specify:			
Pollutants Removed				
Design Efficiency (%)				
Operating Efficiency (%)				
Describe method used to determine operating efficiency: See Appendix E for engine specification sheets.				

SECTION CD – GAS CONDITIONS

Gas Conditions		Inlet	Outlet
Gas Volume (SCFM; 68°F; 14.7 psia)			
Gas Temperature (°F)			
Gas Pressure (in. H ₂ O)			
Gas Velocity (ft/sec)			
Pollutant Concentration (Specify Pollutant and Unit of Concentration)	Pollutant	Unit of Concentration	
Pressure Drop Through Gas Cleaning Device (in. H ₂ O)			

INSTRUCTIONS FOR PERMIT APPLICATION FOR AIR POLLUTION CONTROL EQUIPMENT

1. Complete this form for each piece of equipment or process, which has air pollution control equipment installed, described in the following Permit Applications: Hazardous Air Pollutant (HAP) Sources (SFN 8329), Fuel Burning Equipment for Indirect Heating (SFN 8518); Manufacturing or Processing Equipment (SFN 8520); Incinerators/Crematories (SFN 8522); Internal Combustion Engines and Turbines (SFN 8891); and Glycol Dehydration Units (SFN 58923). Print or type all information. If an item does not apply, place NA in the appropriate space.
2. Type of Equipment - If the type is not one of those listed; provide enough information so the operating principal of the equipment can be determined.
3. List each pollutant which the device is intended to control, the efficiency of removal intended by the designer, and the actual efficiency under operating conditions.
4. Please attach the following:
 - A brief description and sketch of the air pollution control device if it is of unusual design or used in conjunction with other control devices. Show any bypass of the device and specify the conditions under which the bypass is used.
 - A description of what is done with collected air contaminants from the time they are collected until they reach the final disposal point. Include a description of the transportation methods used.
 - If a stack test has been conducted, attach a copy of the results, date of the test, a description of the techniques used, and the name and address of the organization which performed the test.
5. If the control device is a combustor (e.g.: thermal oxidizer, vapor combustion unit, etc.), include an estimate of potential greenhouse gas emissions (CO₂e).

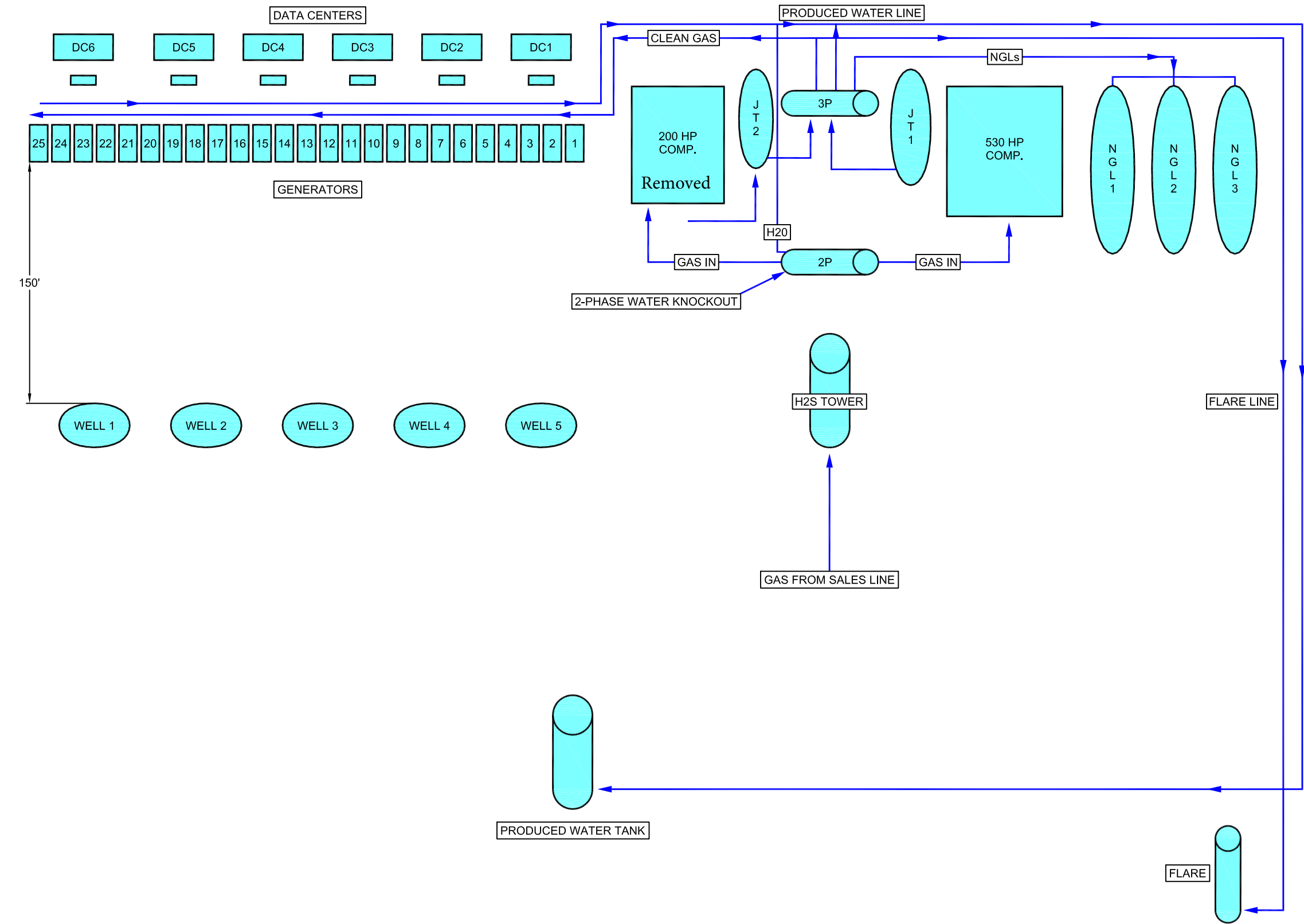
SUBMIT YOUR APPLICATION WITH ALL SUPPORTING DOCUMENTS, ALONG WITH THE FORMS SPECIFIED IN THE FIRST PARAGRAPH ABOVE, TO:

North Dakota Department of Environmental Quality
Division of Air Quality
4201 Normandy Street, 2nd Floor
Bismarck, ND 58503-1324
(701) 328-5188

Appendix C

Process Flow Diagram

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Drawing Information

Project No:
B2507036

Drawing No:
B2507036

Drawn By: BJB
Date Drawn: 8/15/25
Checked By: JD
Last Modified: 8/15/25

Project Information

Air Permitting and
Compliance Assistance

Nokota Gas Processing
Daniele Facility

Divide County, North
Dakota

**Process Flow
Diagram**

Appendix D

Screen3 Results

**Nokota Gas Processing
Daniele Facility Gas to
Grid**

Table 8 - Modeling & Offsite Impacts Analysis - Simple (Screen Run)

Screen 3 Results	Distance to Maximum Concentrations (Unit Impact Multiplier)					
	Max (m)	1-hr	3-hr	8-hr	24-hr	Annual
COMP01	113	40.55	36.5	28.39	16.22	3.24
COMP02 (removed)	42	75.05	67.55	52.54	30.02	6
Generators	50	78.56	70.71	54.99	31.43	6.29

Note: Unit Impact Multiplier (UIM) is in units of (ug/m³)/(lb/hr)

Emission Rates	PM10	PM2.5	NOX	CO	SO2
Source ID/ EPN	lb/hr	lb/hr	lb/hr	lb/hr	lb/hr
COMP01	0.0001	0.0001	1.0500	2.0944	0.0008
COMP02 (removed)	0.0001	0.0001	1.1423	2.2846	0.0008
GEN01	0.0001	0.0001	0.0068	0.3142	0.0009
GEN02	0.0001	0.0001	0.0068	0.3142	0.0009
GEN03	0.0001	0.0001	0.0068	0.3142	0.0009
GEN04	0.0001	0.0001	0.0068	0.3142	0.0009
GEN05	0.0001	0.0001	0.0068	0.3142	0.0009
GEN06	0.0001	0.0001	0.0068	0.3142	0.0009
GEN07	0.0001	0.0001	0.0068	0.3142	0.0009
GEN08	0.0001	0.0001	0.0068	0.3142	0.0009
GEN09	0.0001	0.0001	0.0068	0.3142	0.0009
GEN10	0.0001	0.0001	0.0068	0.3142	0.0009
GEN11	0.0001	0.0001	0.0068	0.3142	0.0009
GEN12	0.0001	0.0001	0.0068	0.3142	0.0009
GEN13	0.0001	0.0001	0.0068	0.3142	0.0009
GEN14	0.0001	0.0001	0.0068	0.3142	0.0009
GEN15	0.0001	0.0001	0.0068	0.3142	0.0009
GEN16	0.0001	0.0001	0.0068	0.3142	0.0009
GEN17	0.0001	0.0001	0.0068	0.3142	0.0009
GEN18	0.0001	0.0001	0.0068	0.3142	0.0009
GEN19	0.0001	0.0001	0.0068	0.3142	0.0009
GEN20	0.0001	0.0001	0.0068	0.3142	0.0009
GEN21	0.0001	0.0001	0.0068	0.3142	0.0009
GEN22	0.0001	0.0001	0.0068	0.3142	0.0009
GEN23	0.0001	0.0001	0.0068	0.3142	0.0009
GEN24	0.0001	0.0001	0.0068	0.3142	0.0009
GEN25	0.0001	0.0001	0.0068	0.3142	0.0009

Offsite Impacts Analysis Results

SIL Analysis

Standard Operations - Maximum Ground Level Concentrations (GLC) in ug/m³

Averaging Period	1-hr			3-hr	8-hr	24-hr		Annual	
Source ID/ EPN	NOX	CO	SO2	SO2	CO	PM10	PM2.5	PM2.5	NOX
COMP01	42.58	84.93	0.0322	0.0561	115.17	3.27E-03	3.27E-03	6.54E-04	6.60
COMP02 (removed)	85.73	171.46	0.0595	0.0536	120.04	3.12E-03	3.12E-03	6.24E-04	6.85
GEN01	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04

GEN02	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN03	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN04	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN05	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN06	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN07	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN08	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN09	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN10	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN11	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN12	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN13	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN14	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN15	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN16	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN17	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN18	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN19	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN20	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN21	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN22	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN23	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN24	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
GEN25	0.53	24.68	0.0725	0.0653	17.28	3.81E-03	3.81E-03	7.62E-04	0.04
Total Sitewide:	141.67	873.51	1.91	1.74	667.18	0.10	0.10	0.02	14.53
De Minimis/SIL	7.5	2000	7.8	25	500	5	1.2	0.2	1
Below SIL?	NO	YES	YES	YES	NO	YES	YES	YES	NO
NAAQS Analysis Required for 8-hr CO, 1-hr & Annual NOx									

NAAQS ANALYSIS									
Standard Operations - Maximum Ground Level Concentrations (GLC) in ug/m ³									
Averaging Period	1-hr			3-hr	8-hr	24-hr		Annual	
	NOX	CO	SO2	SO2	CO	PM10	PM2.5	PM2.5	NOX
Max Sitewide:	141.67	--	--	--	667.18	--	--	--	14.53
Background:	15.00	--	--	--	1.70	--	--	--	2.17
Total Impact:	156.67	--	--	--	668.88	--	--	--	16.70
NAAQS	188	40000	196	1300	10000	150	35	9	100
Below SIL?	YES	YES	YES	YES	YES	YES	YES	YES	YES
Maximum Potential Offsite Concentrations Meet NAAQS									

Notes:

NAAQS background concentration data for NO₂ taken from SiteID 380250004 located at 5th Street South West, Dunn Center, Dunn County, ND. This monitor is the closest monitor to the site; 98th Percentile & Annual NO₂ Data used. CO background concentration taken from SiteID 380150003 located at 1810 N 16th Street, Bismarck, ND.

11/02/24

01:38:26

*** SCREEN3 MODEL RUN ***

*** VERSION DATED 13043 ***

COMP01

SIMPLE TERRAIN INPUTS:

SOURCE TYPE = POINT
EMISSION RATE (G/S) = 0.126000
STACK HEIGHT (M) = 5.6388
STK INSIDE DIAM (M) = 0.3810
STK EXIT VELOCITY (M/S)= 3.2287
STK GAS EXIT TEMP (K) = 874.2611
AMBIENT AIR TEMP (K) = 293.1500
RECEPTOR HEIGHT (M) = 0.0000
URBAN/RURAL OPTION = RURAL
BUILDING HEIGHT (M) = 0.0000
MIN HORIZ BLDG DIM (M) = 0.0000
MAX HORIZ BLDG DIM (M) = 0.0000

THE REGULATORY (DEFAULT) MIXING HEIGHT OPTION WAS SELECTED.

THE REGULATORY (DEFAULT) ANEMOMETER HEIGHT OF 10.0 METERS WAS ENTERED.

BOUY. FLUX = 0.764 M**4/S**3; MOM. FLUX = 0.127 M**4/S**2.

*** FULL METEOROLOGY ***

*** SCREEN AUTOMATED DISTANCES ***

*** TERRAIN HEIGHT OF 0. M ABOVE STACK BASE USED FOR FOLLOWING DISTANCES ***

DIST (M)	CONC (UG/M**3)	STAB	U10M (M/S)	USTK (M/S)	MIX HT (M)	PLUME HT (M)	SIGMA Y (M)	SIGMA Z (M)	DWASH
1.	0.000	1	1.0	1.0	320.0	23.14	0.59	0.45	NO
100.	48.73	3	3.5	3.5	1120.0	10.20	12.54	7.58	NO
200.	43.06	4	3.0	3.0	960.0	11.15	15.65	8.66	NO
300.	36.20	4	2.0	2.0	640.0	14.39	22.75	12.35	NO
400.	31.26	4	1.5	1.5	480.0	17.31	29.64	15.63	NO
500.	27.53	4	1.0	1.0	320.0	23.14	36.49	18.97	NO
600.	24.35	4	1.0	1.0	320.0	23.14	43.01	21.79	NO
700.	21.19	4	1.0	1.0	320.0	23.14	49.44	24.55	NO
800.	18.39	4	1.0	1.0	320.0	23.14	55.80	27.25	NO
900.	16.02	4	1.0	1.0	320.0	23.14	62.09	29.89	NO
1000.	14.07	6	1.0	1.0	10000.0	28.19	34.49	15.37	NO
1100.	14.45	6	1.0	1.0	10000.0	28.19	37.52	16.16	NO

1200.	14.62	6	1.0	1.0	10000.0	28.19	40.53	16.93	NO
1300.	14.63	6	1.0	1.0	10000.0	28.19	43.52	17.69	NO
1400.	14.53	6	1.0	1.0	10000.0	28.19	46.50	18.42	NO
1500.	14.33	6	1.0	1.0	10000.0	28.19	49.45	19.15	NO
1600.	14.07	6	1.0	1.0	10000.0	28.19	52.39	19.86	NO
1700.	13.77	6	1.0	1.0	10000.0	28.19	55.32	20.55	NO
1800.	13.44	6	1.0	1.0	10000.0	28.19	58.23	21.23	NO
1900.	13.09	6	1.0	1.0	10000.0	28.19	61.12	21.91	NO
2000.	12.73	6	1.0	1.0	10000.0	28.19	64.00	22.57	NO
2100.	12.34	6	1.0	1.0	10000.0	28.19	66.87	23.13	NO
2200.	11.96	6	1.0	1.0	10000.0	28.19	69.72	23.67	NO
2300.	11.59	6	1.0	1.0	10000.0	28.19	72.56	24.21	NO
2400.	11.24	6	1.0	1.0	10000.0	28.19	75.39	24.74	NO
2500.	10.89	6	1.0	1.0	10000.0	28.19	78.21	25.26	NO
2600.	10.56	6	1.0	1.0	10000.0	28.19	81.02	25.77	NO
2700.	10.24	6	1.0	1.0	10000.0	28.19	83.82	26.27	NO
2800.	9.937	6	1.0	1.0	10000.0	28.19	86.60	26.77	NO
2900.	9.644	6	1.0	1.0	10000.0	28.19	89.38	27.25	NO
3000.	9.363	6	1.0	1.0	10000.0	28.19	92.15	27.73	NO
3500.	8.132	6	1.0	1.0	10000.0	28.19	105.85	29.69	NO
4000.	7.149	6	1.0	1.0	10000.0	28.19	119.34	31.50	NO
4500.	6.350	6	1.0	1.0	10000.0	28.19	132.66	33.20	NO
5000.	5.693	6	1.0	1.0	10000.0	28.19	145.81	34.81	NO
5500.	5.144	6	1.0	1.0	10000.0	28.19	158.82	36.33	NO
6000.	4.680	6	1.0	1.0	10000.0	28.19	171.70	37.79	NO
6500.	4.284	6	1.0	1.0	10000.0	28.19	184.45	39.18	NO
7000.	3.943	6	1.0	1.0	10000.0	28.19	197.10	40.52	NO
7500.	3.653	6	1.0	1.0	10000.0	28.19	209.64	41.66	NO
8000.	3.398	6	1.0	1.0	10000.0	28.19	222.08	42.77	NO
8500.	3.174	6	1.0	1.0	10000.0	28.19	234.43	43.83	NO
9000.	2.975	6	1.0	1.0	10000.0	28.19	246.69	44.86	NO
9500.	2.797	6	1.0	1.0	10000.0	28.19	258.87	45.86	NO
10000.	2.637	6	1.0	1.0	10000.0	28.19	270.98	46.83	NO
15000.	1.640	6	1.0	1.0	10000.0	28.19	388.48	55.26	NO
20000.	1.185	6	1.0	1.0	10000.0	28.19	500.99	60.64	NO
25000.	0.9191	6	1.0	1.0	10000.0	28.19	609.78	65.17	NO
30000.	0.7460	6	1.0	1.0	10000.0	28.19	715.62	69.14	NO
40000.	0.5429	6	1.0	1.0	10000.0	28.19	920.25	74.77	NO
50000.	0.4242	6	1.0	1.0	10000.0	28.19	1117.44	79.45	NO

MAXIMUM 1-HR CONCENTRATION AT OR BEYOND 1. M:

81.	49.68	3	4.5	4.5	1440.0	8.93	10.43	6.31	NO

DWASH= MEANS NO CALC MADE (CONC = 0.0)

DWASH=NO MEANS NO BUILDING DOWNWASH USED

DWASH=HS MEANS HUBER-SNYDER DOWNWASH USED

DWASH=SS MEANS SCHULMAN-SCIRE DOWNWASH USED

DWASH=NA MEANS DOWNWASH NOT APPLICABLE, $X < 3 \cdot LB$

*** SUMMARY OF SCREEN MODEL RESULTS ***

CALCULATION PROCEDURE	MAX CONC (UG/M**3)	DIST TO MAX (M)	TERRAIN HT (M)
-----	-----	-----	-----
SIMPLE TERRAIN	49.68	81.	0.

10/27/24

02:11:37

*** SCREEN3 MODEL RUN ***

*** VERSION DATED 13043 ***

Generators

SIMPLE TERRAIN INPUTS:

SOURCE TYPE = POINT
EMISSION RATE (G/S) = 0.126000
STACK HEIGHT (M) = 3.0480
STK INSIDE DIAM (M) = 0.1016
STK EXIT VELOCITY (M/S)= 45.9338
STK GAS EXIT TEMP (K) = 946.4833
AMBIENT AIR TEMP (K) = 293.1500
RECEPTOR HEIGHT (M) = 0.0000
URBAN/RURAL OPTION = RURAL
BUILDING HEIGHT (M) = 0.0000
MIN HORIZ BLDG DIM (M) = 0.0000
MAX HORIZ BLDG DIM (M) = 0.0000

THE REGULATORY (DEFAULT) MIXING HEIGHT OPTION WAS SELECTED.

THE REGULATORY (DEFAULT) ANEMOMETER HEIGHT OF 10.0 METERS WAS ENTERED.

BOUY. FLUX = 0.802 M**4/S**3; MOM. FLUX = 1.686 M**4/S**2.

*** FULL METEOROLOGY ***

*** SCREEN AUTOMATED DISTANCES ***

*** TERRAIN HEIGHT OF 0. M ABOVE STACK BASE USED FOR FOLLOWING DISTANCES ***

DIST (M)	CONC (UG/M**3)	STAB	U10M (M/S)	USTK (M/S)	MIX HT (M)	PLUME HT (M)	SIGMA Y (M)	SIGMA Z (M)	DWASH
1.	0.000	1	1.0	1.0	320.0	21.21	1.06	0.99	NO
100.	76.22	4	5.0	5.0	1600.0	6.68	8.27	4.77	NO
200.	58.30	4	2.5	2.5	800.0	10.31	15.70	8.75	NO
300.	44.96	4	1.5	1.5	480.0	15.16	22.87	12.58	NO
400.	36.04	4	1.5	1.5	480.0	15.16	29.66	15.66	NO
500.	31.01	4	1.0	1.0	320.0	21.21	36.52	19.02	NO
600.	26.63	4	1.0	1.0	320.0	21.21	43.03	21.84	NO
700.	22.73	4	1.0	1.0	320.0	21.21	49.46	24.59	NO
800.	19.47	4	1.0	1.0	320.0	21.21	55.82	27.28	NO
900.	17.79	6	1.0	1.0	10000.0	25.97	31.47	14.54	NO
1000.	18.23	6	1.0	1.0	10000.0	25.97	34.51	15.41	NO
1100.	18.25	6	1.0	1.0	10000.0	25.97	37.54	16.20	NO

1200.	18.07	6	1.0	1.0	10000.0	25.97	40.55	16.97	NO
1300.	17.77	6	1.0	1.0	10000.0	25.97	43.54	17.73	NO
1400.	17.36	6	1.0	1.0	10000.0	25.97	46.51	18.46	NO
1500.	16.90	6	1.0	1.0	10000.0	25.97	49.47	19.18	NO
1600.	16.41	6	1.0	1.0	10000.0	25.97	52.41	19.89	NO
1700.	15.89	6	1.0	1.0	10000.0	25.97	55.33	20.58	NO
1800.	15.36	6	1.0	1.0	10000.0	25.97	58.24	21.27	NO
1900.	14.84	6	1.0	1.0	10000.0	25.97	61.13	21.94	NO
2000.	14.32	6	1.0	1.0	10000.0	25.97	64.01	22.60	NO
2100.	13.81	6	1.0	1.0	10000.0	25.97	66.88	23.16	NO
2200.	13.31	6	1.0	1.0	10000.0	25.97	69.73	23.70	NO
2300.	12.84	6	1.0	1.0	10000.0	25.97	72.57	24.24	NO
2400.	12.39	6	1.0	1.0	10000.0	25.97	75.40	24.77	NO
2500.	11.97	6	1.0	1.0	10000.0	25.97	78.22	25.29	NO
2600.	11.56	6	1.0	1.0	10000.0	25.97	81.03	25.80	NO
2700.	11.17	6	1.0	1.0	10000.0	25.97	83.83	26.30	NO
2800.	10.80	6	1.0	1.0	10000.0	25.97	86.61	26.79	NO
2900.	10.45	6	1.0	1.0	10000.0	25.97	89.39	27.28	NO
3000.	10.12	6	1.0	1.0	10000.0	25.97	92.16	27.76	NO
3500.	8.703	6	1.0	1.0	10000.0	25.97	105.85	29.71	NO
4000.	7.592	6	1.0	1.0	10000.0	25.97	119.35	31.52	NO
4500.	6.704	6	1.0	1.0	10000.0	25.97	132.66	33.22	NO
5000.	5.980	6	1.0	1.0	10000.0	25.97	145.82	34.83	NO
5500.	5.382	6	1.0	1.0	10000.0	25.97	158.83	36.35	NO
6000.	4.880	6	1.0	1.0	10000.0	25.97	171.70	37.80	NO
6500.	4.454	6	1.0	1.0	10000.0	25.97	184.46	39.20	NO
7000.	4.089	6	1.0	1.0	10000.0	25.97	197.10	40.53	NO
7500.	3.780	6	1.0	1.0	10000.0	25.97	209.64	41.68	NO
8000.	3.511	6	1.0	1.0	10000.0	25.97	222.08	42.79	NO
8500.	3.274	6	1.0	1.0	10000.0	25.97	234.43	43.85	NO
9000.	3.064	6	1.0	1.0	10000.0	25.97	246.69	44.88	NO
9500.	2.877	6	1.0	1.0	10000.0	25.97	258.88	45.88	NO
10000.	2.709	6	1.0	1.0	10000.0	25.97	270.98	46.84	NO
15000.	1.673	6	1.0	1.0	10000.0	25.97	388.48	55.27	NO
20000.	1.204	6	1.0	1.0	10000.0	25.97	500.99	60.65	NO
25000.	0.9320	6	1.0	1.0	10000.0	25.97	609.79	65.19	NO
30000.	0.7553	6	1.0	1.0	10000.0	25.97	715.62	69.15	NO
40000.	0.5487	6	1.0	1.0	10000.0	25.97	920.25	74.78	NO
50000.	0.4282	6	1.0	1.0	10000.0	25.97	1117.44	79.46	NO

MAXIMUM 1-HR CONCENTRATION AT OR BEYOND	1. M:								
50.	78.56	3	5.0	5.0	1600.0	6.68	6.76	4.15	NO

DWASH= MEANS NO CALC MADE (CONC = 0.0)
DWASH=NO MEANS NO BUILDING DOWNWASH USED
DWASH=HS MEANS HUBER-SNYDER DOWNWASH USED
DWASH=SS MEANS SCHULMAN-SCIRE DOWNWASH USED
DWASH=NA MEANS DOWNWASH NOT APPLICABLE, X<3*LB

*** SUMMARY OF SCREEN MODEL RESULTS ***

CALCULATION PROCEDURE	MAX CONC (UG/M**3)	DIST TO MAX (M)	TERRAIN HT (M)
-----	-----	-----	-----
SIMPLE TERRAIN	78.56	50.	0.

Appendix E

US EPA Certificate of Conformity
For Engines and Engine Specification Sheets



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
2025 MODEL YEAR
CERTIFICATE OF CONFORMITY
WITH THE CLEAN AIR ACT

OFFICE OF TRANSPORTATION
AND AIR QUALITY
ANN ARBOR, MICHIGAN 48105

Certificate Issued To: Mesa Natural Gas Solutions, LLC
(U.S. Manufacturer or Importer)

Certificate Number: SMSAB22.0V22-001

Effective Date:

01/07/2025

Expiration Date:

12/31/2025

Byron J. Bunker, Division Director
Compliance Division

Issue Date:

01/07/2025

Revision Date:

N/A

Manufacturer: Mesa Natural Gas Solutions, LLC

Engine Family: SMSAB22.0V22

Mobile/Stationary Certification Type: Mobile and Stationary

Fuel : LPG/Propane
Natural Gas (CNG/LNG)

Emission Standards :

Part 60 Subpart JJJJ Table 1

CO (g/Hp-hr) : 2.0

NOx (g/Hp-hr) : 1.0

VOC (g/Hp-hr) : 0.7

Stationary Part 1048

NMHC + NOx (g/kW-hr) : 2.7

HC + NOx (g/kW-hr) : 2.7

CO (g/kW-hr) : 4.4

Mobile Part 1048

CO (g/kW-hr) : 4.4

HC + NOx (g/kW-hr) : 2.7

NMHC + NOx (g/kW-hr) : 2.7

Emergency Use Only : N

Pursuant to Section 213 of the Clean Air Act (42 U.S.C. section 7547) and 40 CFR Part 60, 40 CFR Part 1048, 1065, 1068, and 60 (stationary only and combined stationary and mobile) and subject to the terms and conditions prescribed in those provisions, this certificate of conformity is hereby issued with respect to the test engines which have been found to conform to applicable requirements and which represent the following nonroad engines, by engine family, more fully described in the documentation required by 40 CFR Part 60, 40 CFR Part 1048 and produced in the stated model year.

This certificate of conformity covers only those new nonroad spark-ignition engines which conform in all material respects to the design specifications that applied to those engines described in the documentation required by 40 CFR Part 60, 40 CFR Part 1048 and which are produced during the model year stated on this certificate of the said manufacturer, as defined in 40 CFR Part 60, 40 CFR Part 1048. This certificate of conformity does not cover nonroad engines imported prior to the effective date of the certificate.

It is a term of this certificate that the manufacturer shall consent to all inspections described in 40 CFR 1068.20 and authorized in a warrant or court order. Failure to comply with the requirements of such a warrant or court order may lead to revocation or suspension of this certificate for reasons specified in 40 CFR Part 60, 40 CFR Part 1048. It is also a term of this certificate that this certificate may be revoked or suspended or rendered void *ab initio* for other reasons specified in 40 CFR Part 60, 40 CFR Part 1048.

This certificate does not cover large nonroad engines sold, offered for sale, or introduced, or delivered for introduction, into commerce in the U.S. prior to the effective date of the certificate.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
2024 MODEL YEAR
CERTIFICATE OF CONFORMITY
WITH THE CLEAN AIR ACT

OFFICE OF TRANSPORTATION
AND AIR QUALITY
ANN ARBOR, MICHIGAN 48105

Certificate Issued To: Mesa Natural Gas Solutions, LLC
(U.S. Manufacturer or Importer)

Certificate Number: RMSAB22.0V22-001

Effective Date:

12/15/2023

Expiration Date:

12/31/2024

Byron J. Bunker, Division Director
Compliance Division

Issue Date:

12/15/2023

Revision Date:

N/A

Manufacturer: Mesa Natural Gas Solutions, LLC

Engine Family: RMSAB22.0V22

Mobile/Stationary Certification Type: Mobile and Stationary

Fuel : LPG/Propane

Natural Gas (CNG/LNG)

Emission Standards :

Stationary Part 1048

CO (g/kW-hr) : 4.4

NMHC + NO_x (g/kW-hr) : 2.7

HC + NO_x (g/kW-hr) : 2.7

Mobile Part 1048

CO (g/kW-hr) : 4.4

HC + NO_x (g/kW-hr) : 2.7

NMHC + NO_x (g/kW-hr) : 2.7

Part 60 Subpart JJJJ Table 1

VOC (g/Hp-hr) : 0.7

CO (g/Hp-hr) : 2.0

NO_x (g/Hp-hr) : 1.0

Emergency Use Only : N

Pursuant to Section 213 of the Clean Air Act (42 U.S.C. section 7547) and 40 CFR Part 60, 40 CFR Part 1048, 1065, 1068, and 60 (stationary only and combined stationary and mobile) and subject to the terms and conditions prescribed in those provisions, this certificate of conformity is hereby issued with respect to the test engines which have been found to conform to applicable requirements and which represent the following nonroad engines, by engine family, more fully described in the documentation required by 40 CFR Part 60, 40 CFR Part 1048 and produced in the stated model year.

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2.5 Mobile Generator Set Specifications

A10003, A10005, A10007, A10009, A10010, A10011

Version 1.1
May 2024

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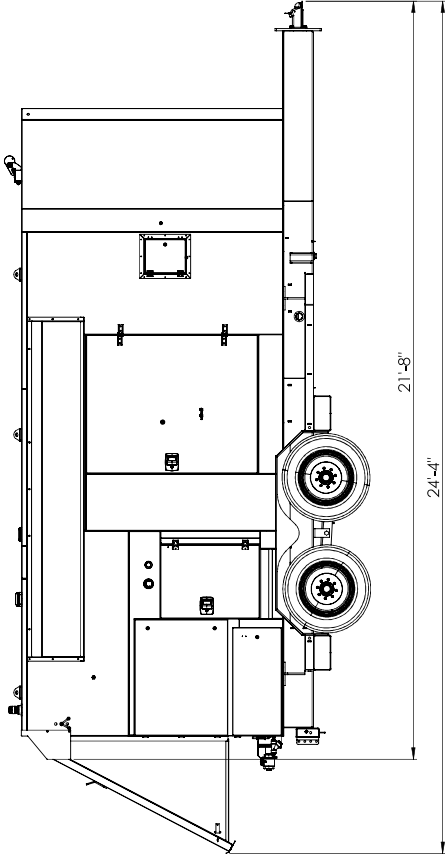
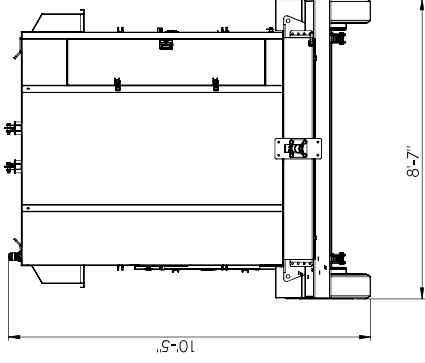
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<u>Specifications</u>	5
Generator Set Information	5
Engine Information	6
Alternator Information	8
Termination Information	8
Dimensions and Weights	9
<u>Derates</u>	10



390kW 60Hz Oil and Gas Generator Set

1062R3_5.10.24



MODEL NUMBER: M-GV22PU-DS-H4, Item #A10003

Genset Information	
Voltage	480 V
Frequency	60 Hz
NG PRP Rating	390 kW 488 kVA
LP PRP Rating	315 kW 394 kVA
Wet Weight	17939 lbs

Engine Information	
Model	Mesa GV22PU
Nameplate Rating	500 kW 671 hp
Speed	1,800 rpm
Displacement	21.9 L 1,336 in ³
Cylinder Arrangement	12 Cylinders V-type
Aspiration Mode	Turbocharged

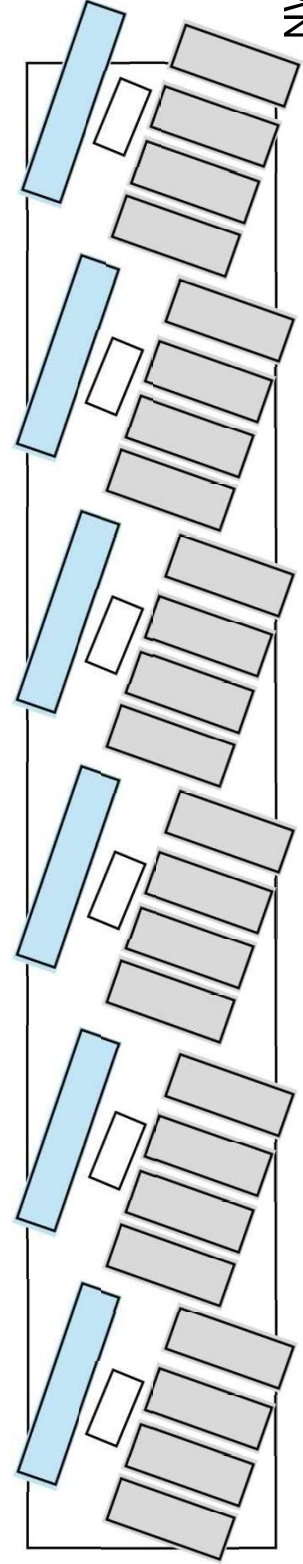
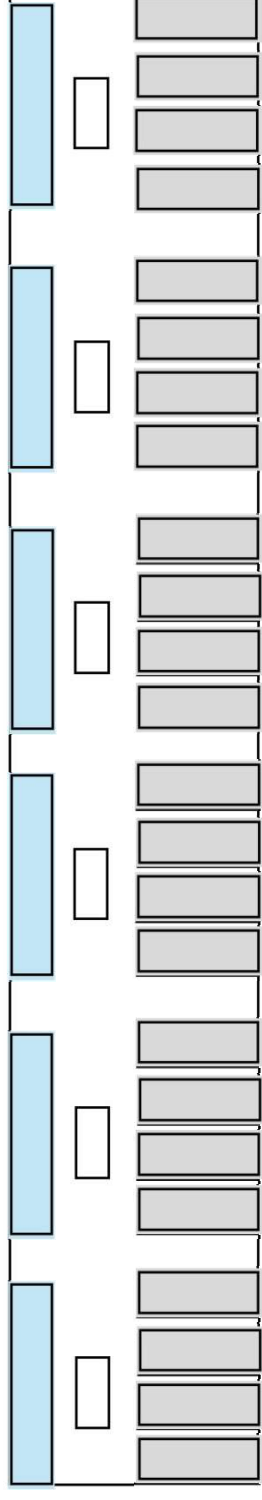
Fuel Consumption*		
Load %	NG Rating	LP Rating
100%	4,742,067 Btu/hr	3,841,674 Btu/hr
75%	3,724,507 Btu/hr	3,053,714 Btu/hr
50%	2,740,103 Btu/hr	2,306,604 Btu/hr

* NG: HHV=1,041 Btu/scf (39 MJ/m³)
LP: HHV=2,538 Btu/scf (95 MJ/m³)

Control System	
Controller Type	DSE 8610 MKII
Synchronizing & Load Sharing	Yes
Telemetry & Remote Monitoring	Yes

Alternator	
Manufacturer	WEG
Model	AG10 280MI70AI
Rated Power Factor	0.8 PF
Rating	456 kW 570 kVA
Excitation Type	I-PMG (auxiliary coil)
Insulation Class	Class H
Temp. Rise / Ambient	125 / 40°C
Enclosure	IP23

Emission Control	
AFR Controller	Yes
NSCR Catalyst	Yes



NW to SE orientation
Taken into acct.



Specifications

Generator Set Information

Electrical Specifications, 60Hz	
Switch Position 1 (480V High Wye)	
Voltage (V)	480/277
Prime Power Rating kWe (kVA) NG @ 60Hz	390 (488)
Prime Power Rating kWe (kVA) LP @ 60Hz	315 (394)
Power Factor	0.8
Rated Full Load Current, A	587
All Power Ratings Tested per ISO 8528-6 2005 at an elevation of 5000 ft (1524 m). Refer to derate table for performance at increased elevation.	

Electrical Specifications, 50Hz	
Switch Position 1 (400V High Wye)	
Voltage (V)	400/231
Prime Power Rating kWe (kVA) NG	340 (425)
Prime Power Rating kWe (kVA) LP	280 (350)
Power Factor	0.8
Rated Full Load Current, A	613
All Power Ratings Tested per ISO 8528-6 2005 at an elevation of 5000 ft (1524 m). Refer to derate table for performance at increased elevation.	

Fuel Consumption (HHV, BTU/hr)	
Fuel Consumption @ 60Hz	
NG Heat Rate @ 100% PRP	4,742,067 BTU/hr
NG Heat Rate @ 75%	3,724,507 BTU/hr
NG Heat Rate @ 50%	2,740,103 BTU/hr
LP Heat Rate @ 100%	3,841,674 BTU/hr
LP Heat Rate @ 75%	3,053,714 BTU/hr
LP Heat Rate @ 50%	2,306,604 BTU/hr
Fuel Consumption @ 50Hz	
NG Heat Rate @100%	4,120,696 BTU/hr
NG Heat Rate @ 75%	3,243,370 BTU/hr
NG Heat Rate @ 50%	2,379,328 BTU/hr
LP Heat Rate @ 100%	3,263,958 BTU/hr
LP Heat Rate @ 75%	2,595,586 BTU/hr
LP Heat Rate @ 50%	1,940,173 BTU/hr
Tested per ISO 8528-5	
FUEL SPECIFICATION: Gas properties for fuel consumption data: NG: Density = 0.737 kg/m ³ , HHV = 1041 Btu/scf (39 MJ/m ³); Propane: Density = 1.845 kg/m ³ , HHV = 2538 Btu/scf (95 MJ/m ³); LPG (60-40): Density = 2.060 kg/m ³ , HHV = 2817 Btu/scf (105 MJ/m ³)	

Noise Ratings	
@ 0% PRP	
Average dB @ 1m	88.1
Average dB @ 7m	76.7
@ 100% PRP	
Average dB @ 1m	90.4
Average dB @ 7m	79.8
Tested per ISO 11200	

Control System	
Controller Type	Deep Sea Electronics 8610MKII Generator Set Controller
Remote Start/Stop	Remote Start Capable Through Dry Contact or Modbus
Synchronizing & Load Sharing	Automatic w/sync check (ANSI 25)
Telemetry & Remote Monitoring	Dual mode 4G and SATCOM Remote Monitoring
Voltage Regulator	Digital, DSE A109

Engine Information

Engine (Universal)	
Engine Manufacturer	Mesa Solutions/ HD Hyundai Infracore
Engine Controller Type	Woodward PG+
Engine Oil Capacity	10.65 gal (40L)
Coolant Operating Temp.	The thermostat cracking at 71°C, full open at 85°C
Engine Coolant Capacity	12 gal (45L)
Radiator Coolant Capacity	20 gal (76L)
Total Coolant Capacity	42 gal (189L)
Fuel Quality Limits	700-1800 BTU Natural gas, 2500 BTU for propane
Bore / in (mm)	5 (127)
Direction of Rotation	Counter-Clockwise At Flywheel

60Hz Engine Specs	
Combustion Air Required	1547 kg/hr
Engine Prime Power Rating NG	390 kW
Engine Prime Power Rating LP, electrical	315 kW
Coolant flow rate (60Hz)	151 GPM (572 L/min)
Coolant Heat Rejection Rate	TBD
Max fan speed	1780 rpm
Max fan power	43HP (32kW)
Exhaust gas temp, max	1244°F (673°C)
Exhaust heat rejection rate	22373 BTU/min
Exhaust gas mass flow	1642 kg/hr
Max backpressure	15 kPa

Oil System	
Lube Oil Specifications	SAE 15W-40 Low Ash Gas Engine Oil (.25 - .5% by wt), API CD/CF or Higher
Engine Oil Capacity / gal (L)	10.65 (40)
Daytank Oil Capacity / gal (L)	26 (98)
Total Oil Capacity / gal (L)	36.65 (139)

Exhaust System	
Exhaust Stack - Single/ Dual	Dual
Exhaust Stack Height / in (cm)	120 (305)
Exhaust Stack Diameter / in (cm)	4 (10.2)

Cooling System	
Coolant Specifications	Havoline Universal Antifreeze/Coolant - Premixed 50/50
Coolant Operating Temperature / °F (°C)	160 (71)
Engine Coolant Capacity / gal (L)	12 (45)
Radiator Coolant Capacity / gal (L)	39 (148)
Total Coolant Capacity / gal (L)	51 (193)
Coolant Flow Rate (60Hz) / gpm (L/min)	151 (572)
Coolant Heat Rejection Rate (60Hz) / BTU/min (kJ/min)	25,653 (27,065)
Cooling Fan Air Flow (60Hz) / cfm (m3/min)	30,000 (850)
Max Fan Speed (60Hz)	1440 RPM
Max Fan Power (60Hz) / hp (kW)	33 (25)

Emissions Control	
AFR Controller	Yes, w/No Customer Interface
NSCR Catalyst	Yes
Emissions Certification	EPA Certification

Fuel System	
Fuel Type(s)	Natural Gas, Propane (HD5)
Fuel Quality Limits	750 - 2,500 BTU
Fuel Water Content	Saturated fuel is acceptable. Water condensation in the fuel lines or engine is not acceptable
Fuel Supply Connection(s)	2" NPT Female for NG, #6 SAE Male for LP
Min Fuel Supply Pressure / psi (kPa)	4 (28) PRELIMINARY
Max Fuel Supply Pressure / psi (kPa)	100 (690)
Natural Gas Engine Fuel Pressure / inWC (kPa)	14 (3.5)
Liquid Propane Engine Fuel Pressure / inWC (kPa)	14 (3.5)

Battery	
Voltage	12 V
Group Size	31
Cold Cranking Amps	950 A

Battery	
Required Quantity	2
Connection	Series (24V)

Alternator Information

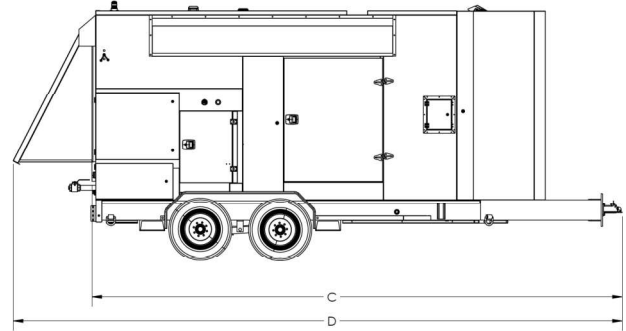
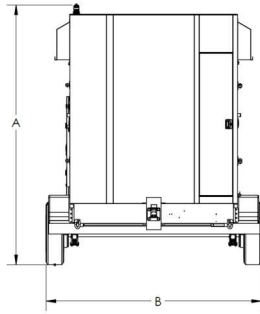
Alternator Manufacturer	WEG
Alternator Model	AG10-280MN70AI
Alternator Phase	3 -phase
Insulation Class	H
Stator Winding	2/3 Pitch
Temp. Rise / Ambient	125/40°C
Alternator Style	Single Bearing, Weatherproof, IP23
Excitation Type	Auxiliary Winding, Permanent Magnet
Coupling System	Close Coupled, Flex Plate
Overspeed Capability	2,250 RPM
PF at rated kW	0.8 pf
Alternator Real Power Rating	456 kW
Alternator Apparent Power Rating	570 kVA

Termination Information

Camlock			
	L1/L2/L3	N	G
Ampacity	400 A	400 A	400 A
Quantity	3	3	3
Polarity	Female		

Mechanical Lug			
	L1/L2/L3	N	G
Connections	4	4	4
Conductor Range	2AWG-600MC M	2AWG-600MCM	2AWG-600MC M
Tightening Torque / in-lb (Nm)	375 (42)		

Dimensions and Weights



Dim "A"	Dim "B"	Dim "C"	Dim "D"	Dry Weight	Wet Weight
in (cm)	in (cm)	in (cm)	in (cm)	lb (kg)	lb (kg)
124 (315)	103 (262)	260 (660)	291 (739)	16,196 (7,345)	16,989 (7,705)

Dry Weight	Wet Weight
17,440 lbs.	17,939 lbs

Derates

1. Turbocharged GAS Generator Engine

TEMP.(°C) ALTITUDE(M)	0°C	10°C	20°C	30°C	40°C	50°C
0	1.00	1.00	1.00	1.00	1.00	0.98
100	1.00	1.00	1.00	1.00	1.00	0.98
200	1.00	1.00	1.00	1.00	1.00	0.98
300	1.00	1.00	1.00	1.00	1.00	0.98
400	1.00	1.00	1.00	1.00	1.00	0.98
500	1.00	1.00	1.00	1.00	1.00	0.98
600	1.00	1.00	1.00	1.00	1.00	0.98
700	1.00	1.00	1.00	1.00	1.00	0.98
800	1.00	1.00	1.00	1.00	1.00	0.98
900	1.00	1.00	1.00	1.00	1.00	0.98
1,000	0.99	0.99	0.99	0.99	0.99	0.97
1,100	0.98	0.98	0.98	0.98	0.98	0.96
1,200	0.97	0.97	0.97	0.97	0.97	0.95
1,300	0.96	0.96	0.96	0.96	0.96	0.94
1,400	0.95	0.95	0.95	0.95	0.95	0.93
1,500	0.94	0.94	0.94	0.94	0.94	0.92
1,600	0.93	0.93	0.93	0.93	0.93	0.91
1,700	0.92	0.92	0.92	0.92	0.92	0.90
1,800	0.91	0.91	0.91	0.91	0.91	0.89
1,900	0.90	0.90	0.90	0.90	0.90	0.88
2,000	0.89	0.89	0.89	0.89	0.89	0.87
2,100	0.88	0.88	0.88	0.88	0.88	0.86
2,200	0.87	0.87	0.87	0.87	0.87	0.85
2,300	0.86	0.86	0.86	0.86	0.86	0.84
2,400	0.85	0.85	0.85	0.85	0.85	0.83
2,500	0.84	0.84	0.84	0.84	0.84	0.82
2,600	0.83	0.83	0.83	0.83	0.83	0.81
2,700	0.82	0.82	0.82	0.82	0.82	0.80
2,800	0.81	0.81	0.81	0.81	0.81	0.79
2,900	0.80	0.80	0.80	0.80	0.80	0.78
3,000	0.79	0.79	0.79	0.79	0.79	0.77



Ariel Performance



7.7.1.0

Company: Ariel Corporation
Quote: Unit 1210
Case 1:

Customer:
Inquiry:
Project: Regent Power

Compressor Data:

Elevation,ft:	2500.00	Barmtr,psia:	13.400	Ambient,°F:	95.00
Frame:	JGA/2	Stroke, in:	3.00	Rod Dia, in:	1.125
Max RL Tot, lbf:	20000	Max RL Tens, lbf:	10000	Max RL Comp, lbf:	11000
Rated RPM:	1800	Rated BHP:	280.0	Rated PS FPM:	900.0
Calc RPM:	1800.0	BHP:	207	Calc PS FPM:	900.0

Driver Data:

Type: Nat. Gas
Mfg: Caterpillar
Model: G3406-NA
BHP: 215
Avail: 207 (8)

Services

Gas Model

Service 1

VMG

Stage Data:

1 (SG)

2

3

Target Flow, MMSCFD	1.061	1.061	1.061
Flow Calc, MMSCFD	1.165	1.152	1.131
BHP per Stage	70.2	77.8	53.0
Specific Gravity	<u>0.8290</u>	<u>0.8291</u>	<u>0.8233</u>
Ratio of Sp Ht (N)	1.2091	1.2164	1.2443
Comp Suct (Zs)	0.9820	0.9587	0.8905
Comp Disch (Zd)	0.9737	0.9421	0.8817
Pres Suct Line, psig	60.00	N/A	N/A
Pres Suct Flg, psig	59.27	167.00	504.03
Pres Disch Flg, psig	172.00	512.99	1111.13
Pres Disch Line, psig	N/A	N/A	1100.00
Pres Ratio F/F	2.551	2.918	2.173
Temp Suct, °F	110.00	120.00	120.00
Temp Clr Disch, °F	120.00	120.00	120.00

Cylinder Data:

Throw 1

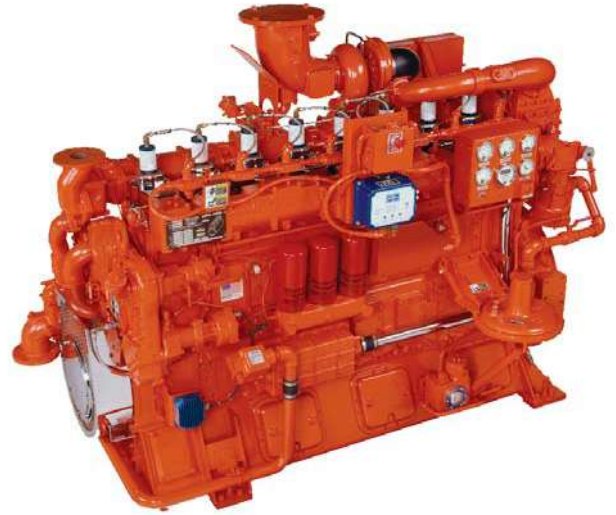
Throw 2

Throw 2

Cyl Model	8-7/8JG	6-1/2JG-CE	3-5/8JG-HE
Cyl Bore, in	8.875	6.500	3.375
Cyl RDP (API), psig	340.9	577.3	1154.5
Cyl MAWP, psig	375.0	635.0	1270.0
Cyl Action	DBL	CE	HE
Cyl Disp, CFM	383.5	100.6	28.0
Pres Suct Intl, psig	53.81	153.87	466.29
Temp Suct Intl, °F	115	125	123
Pres Disch Intl, psig	186.52	550.95	1191.61
Temp Disch Intl, °F	234	266	239
HE Suct Gas Vel, FPM	8088	N/A	7693
HE Disch Gas Vel, FPM	7530	N/A	6918
HE Spcrs Used/Max	2/4	N/A	0/2
HE Vol Pkt Avail, %	1.71+81.82	N/A	1.34+57.16
Vol Pkt Used, %	8.50 (V)	N/A	0.00 (V)
HE Min Clr, %	18.43	N/A	16.71
HE Total Clr, %	41.32	N/A	18.05
CE Suct Gas Vel, FPM	7958	7901	N/A
CE Disch Gas Vel, FPM	7409	7238	N/A
CE Spcrs Used/Max	3/4	0/4	N/A
CE Min Clr, %	18.98	16.85	N/A
CE Total Clr, %	40.68	16.85	N/A
Suct Vol Eff HE/CE, %	45.6/46.3	N/A/69.3	79.3/N/A
Disch Event HE/CE, ms	4.7/5.6	N/A/6.5	7.0/N/A
Suct Pseudo-Q HE/CE	8.8/8.6	N/A/7.7	7.4/N/A
Gas Rod Ld Comp, %	75.2 C	88.7 C	88.7 C
Gas Rod Ld Tens, %	80.2 T	95.2 T	95.2 T
Gas Rod Ld Total, %	81.4	96.4	96.4
Xhd Pin Deg/%RvrsI lbf	134/97.4	175/71.5	175/71.5
Flow Calc, MMSCFD	1.165	1.152	1.131
Cyl BHP	70.2	77.8	53.0

Waukesha* gas engine VGF* H24GSI

415 - 530 BHP (310 - 400 kWb)



The VGF series of high-speed engines are built with the durability expected from a medium-speed engine. This series of engines is designed for a wide range of stationary, spark-ignited, gaseous fuel applications and has a high power-to-weight ratio operating up to 1800 RPM.

The VGF Series simplifies maintenance procedures. The engine design allows easy access to the oil pump, main bearings and rod bearings—without the need to lower the oil pan. Commonality of parts between VGF models reduces the amount of inventory needed for servicing a fleet. Standard design features, such as independent heads, simplify maintenance work.

technical data

Cylinders	Inline 8	
Piston displacement	1462 cu. in. (24 L)	
Compression ratio	8.6:1	
Bore & stroke	5.98" x 6.5" (152 x 165 mm)	
Jacket water system capacity	20 gal. (75 L)	
Lube oil capacity	56 gal. (212 L)	
Fuel Pressure Range	25 - 50 psi (1.72 - 3.45 bar)	
Starting system	150 psi max. air/gas 24V DC electric	
Cooling Water Flow at	1500 rpm	1800 rpm
Jacket Water gpm (l/m)	103 (390)	130 (492)
Aux. Water gpm (l/m)	25 (95)	35 (133)

Dimensions l x w x h inch (mm)

94.5 (2450) x 50 (1264) x 68 (1727)

Weights lb (kg)

7500 (3400)



imagination at work

*Trademark of General Electric Company

performance data

Intercooler Water Temperature 130°F (54°C)

1800 RPM

1500 RPM

	Power bhp (kWb)	530 (395)	445 (330)
	BSFC (LHV) Btu/bhp-hr (kJ/kWh)	7496 (10611)	7318 (10414)
	Fuel Consumption Btu/hr x 1000 (kW)	3973 (1164)	3257 (955)
Emissions	NOx g/bhp-hr (mg/Nm ³ @ 5% O ₂)	16.00 (5926)	16.00 (5926)
	CO g/bhp-hr (mg/Nm ³ @ 5% O ₂)	8.00 (2963)	8.00 (2963)
	NMHC g/bhp-hr (mg/Nm ³ @ 5% O ₂)	0.25 (93)	0.25 (93)
	THC g/bhp-hr (mg/Nm ³ @ 5% O ₂)	1.50 (556)	1.50 (556)
Heat Balance	Heat to Jacket Water Btu/hr x 1000 (kW)	1200 (352)	1006 (295)
	Heat to Lube Oil Btu/hr x 1000 (kW)	221 (65)	167 (49)
	Heat to Intercooler Btu/hr x 1000 (kW)	85 (25)	57 (17)
	Heat to Radiation Btu/hr x 1000 (kW)	129 (38)	120 (35)
	Total Exhaust Heat Btu/hr x 1000 (kW)	1067 (313)	836 (245)
Intake/ Exhaust System	Induction Air Flow scfm (Nm ³ /hr)	780 (1198)	639 (982)
	Exhaust Flow lb/hr (kg/hr)	3470 (1574)	2844 (1290)
	Exhaust Temperature °F (°C)	1114 (601)	1074 (579)

All data according to full load and subject to technical development and modification.

Consult your local GE Energy's representative for system application assistance. The manufacturer reserves the right to change or modify without notice, the design or equipment specifications as herein set forth without incurring any obligation either with respect to equipment previously sold or in the process of construction except where otherwise specifically guaranteed by the manufacturer.



imagination at work

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Waukesha, WI 53188-4999
P: 262.547.3311
F: 262.549.2759

Visit us online at:
www.waukeshaengine.com

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7014 1211 GEA-18917



Prepared For

Steve Watson

Full Moose

Date

October 4, 2024

APPLICATION INFORMATION

DRIER

Make: Waukesha
Model: H24GSI
Horsepower: 475
RPM: 1800
Compression Ratio: 8.6
Exhaust Flow Rate: 2565
Exhaust Temperature: 1202
Reference: H24GSI EngCalc
Fuel: Fredericks Fuel
Annual Operating Hours: 8760

UNCONTROLLED EMISSIONS DATA

	<u>g/bhp-hr</u>	<u>lb/hr</u>	<u>Tons/Year</u>
NO _x :	15.52	16.25	71.19
CO:	7.76	8.13	35.59
THC:	1.46	1.53	6.70
NMHC:	0.80	0.84	3.67
NMNEHC:	0.37	0.39	1.70
HCHO:	0.04	0.04	0.18
Oxygen:	0.35%		

CATALYST ELEMENT

Model: RE-2150-T
Catalyst Type: NSCR, Standard Precious Metals Group
Substrate Type: ☐ra^{ed}
Element Size: Round, 21.5"x 3.5"
Element Quantity: 1

POST CATALYST EMISSIONS DATA

	<u>g/bhp-hr</u>	<u>lb/hr</u>	<u>Tons/Year</u>
NO _x :	☐ 1.00	1.05	4.59
CO	☐ 2.00	2.09	9.17
OC	☐ 0.70	0.73	3.21

POST CATALYST EMISSIONS ARE ONLY GUARANTEED
FOR CATALYST ELEMENTS SUPPLIED BY EMIT



ARRANT

EMIT Technologies, Inc. warrants that the goods supplied will be free from defects in workmanship by EMIT Technologies, Inc. for a period of one (1) year from date of shipment. EMIT Technologies, Inc. will not be responsible for any defects which result from improper use, neglect, failure to properly maintain or which are attributable to defects, errors or omissions in any drawings, specifications, plans or descriptions, whether written or oral, supplied to EMIT Technologies, Inc. by Buyer.

Catalyst performance using an EMIT Air/Fuel ratio controller is dependent upon properly defined set-points, variable with engine and fuel gas composition. Air/fuel ratio controller performance is guaranteed, but not limited, to fuel gas with an HHV content of 1400 BTU/SCF.

Catalyst performance will be guaranteed for a period of 2 years from installation, or 17,000 operating hours, whichever comes first. The catalyst shall be operated with an automatic air/fuel ratio controller. The performance guarantee shall not cover the effects of excessive ash masking due to operation at low load, improper engine maintenance, or inappropriate lubrication oil. The performance guarantee shall not cover the effects of continuous engine misfires (cylinder or ignition) exposing the catalyst to excessive exothermic reaction temperatures.

Unless otherwise stated the exhaust temperature operating range at the converter inlet is 600°F minimum for oxidation catalyst and 750°F for NSCR catalyst and 1250°F maximum.

If a high temperature shut down switch is not installed, thermal deactivation of catalyst at temperatures above 1300 °F is not covered.

The catalyst conversion efficiencies (% reduction) will be guaranteed for engine loads of 50 to 100 percent.

Engine lubrication oil shall contain less than 0.6% ash (by weight) with a maximum allowable specific oil consumption of 0.01 gal/bhp-hr. The maximum ash loading on the catalyst shall be limited to 350 g/m³. Phosphorous and Zinc additives are limited to 0.03% (by weight).

The catalyst must not be exposed to the following known poisoning agents, including: iron, nickel, sodium, chromium, arsenic, Zinc, lead, phosphorous, silicon, potassium, magnesium, copper, tin, and mercury. Total poison concentrations in the gas are limited to 0.3 ppm.

Shipment - Promised shipping dates are approximate and are not guaranteed and are from the point of manufacture. EMIT Technologies, Inc. will not be liable for any loss, damage or delay in manufacture or delivery resulting from any cause beyond its control including, but not limited to a period equal to the time lost by reason of that delay. All products will be crated as per best practice to prevent any damage during shipment. Unless otherwise specified, Buyer will pay for any special packing and shipping requirements. Acceptance of goods by common carrier constitutes delivery to Buyer. EMIT Technologies, Inc. shall not be responsible for goods damaged or lost in transit.

PAYMENT TERMS AND ADVANCE PAYMENT REQUIREMENT

Terms: Credit is extended to purchaser for net 30 time period. If payment is not received in the net 30 timeframe, interest on the unpaid balance will accrue at a rate of 1.5% per month from the invoice date.

Advance Payment Requirement: Proposals with a project value of \$100,000 or greater, and 60 days or greater time to completion, will require an advance payment of 30% of the total value. The advance payment will be invoiced to the customer upon receipt of the customer's purchase order. Advance payment is due 30 days after the date of the invoice. If payment is not received in the net 30 timeframe, interest on the unpaid balance will accrue at the rate of 1.5% per month from the invoice date. Failure to pay this invoice may delay completion of the project outlined in this proposal.

Order Cancellation Terms: Upon cancellation of an order once submittal of a Purchase Order has occurred, the customer will pay a 25% restocking fee for Catalyst Housings, Catalyst Elements, and Air/Fuel Ratio Controllers; 50% restocking fee for Cooler Top Solutions, Exhaust System Accessories, and other Custom Built Products; 100% of all associated shipping costs incurred by EMIT; 100% of all project expenses incurred by EMIT for Field Services.

GV22PU Zero-Hour Emissions



GRAMS PER kW-HR

EPA Engine Family	RMSAB22.0V22		
Model/Fuel	LPG	NG	NG
Emission Cycle	D2	D2	D1
Rated Prime Power (kW) @ 1800 RPM ¹	379	460	460
Rated Standby Power (kW) @ 1800 RPM ¹	420	510	510
	g/kW-hr	g/kW-hr	g/kW-hr
BSCO	0.160	0.410	0.310
BSCO ₂	764.5	645.8	597.7
BSCH ₄	0.005	0.006	0.011
BSTHC	0.008	0.095	0.099
BSNMHC ²	0.005	0.003	0.003
BSNO _x	0.001	0.003	0.007
BSTHC+NO _x	0.009	0.098	0.106
BSNMHC+NO _x	0.006	0.006	0.010
BSFC (g/kw-hr) ³	254.2	238.0	235.4

NOTES:

- (1) Mechanical power
- (2) For NG, NMHC is reported in place of VOC for this report
- (3) Bsfc is the weighted composite fuel consumption over the emission test cycle
- (4) Weighted composite emission from ISO 8178 D2 (LPG) & D1 (NG) test cycles



GV22PU Zero-Hour Emissions (cont.)



GRAMS PER HP-HR

EPA Engine Family	RMSAB22.0V22		
Model/Fuel	LPG	NG	NG
Rated Prime Power (HP) @ 1800 RPM ¹	508	617	617
Rated Standby Power (HP) @ 1800 RPM ¹	563	684	684
	g/HP-hr	g/HP-hr	g/HP-hr
BSCO	0.119	0.306	0.231
BSCO ₂	570.1	481.6	445.7
BSCH ₄	0.004	0.004	0.008
BSTHC	0.006	0.071	0.074
BSNMHC ²	0.004	0.002	0.002
BSNO _x	0.001	0.002	0.005
BSTHC+NO _x	0.007	0.073	0.079
BSNMHC+NO _x	0.004	0.004	0.007
BSFC (g/HP-hr) ³	189.5	177.5	175.6

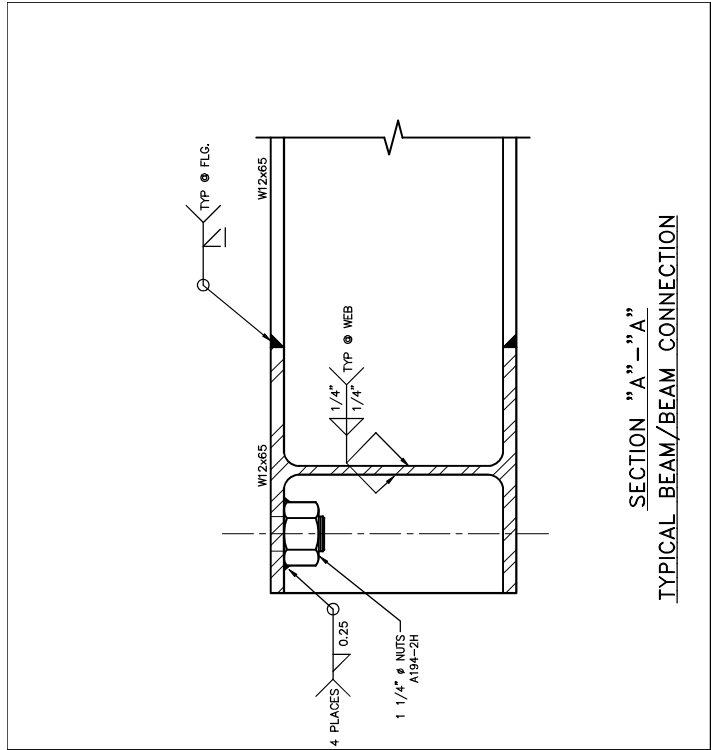
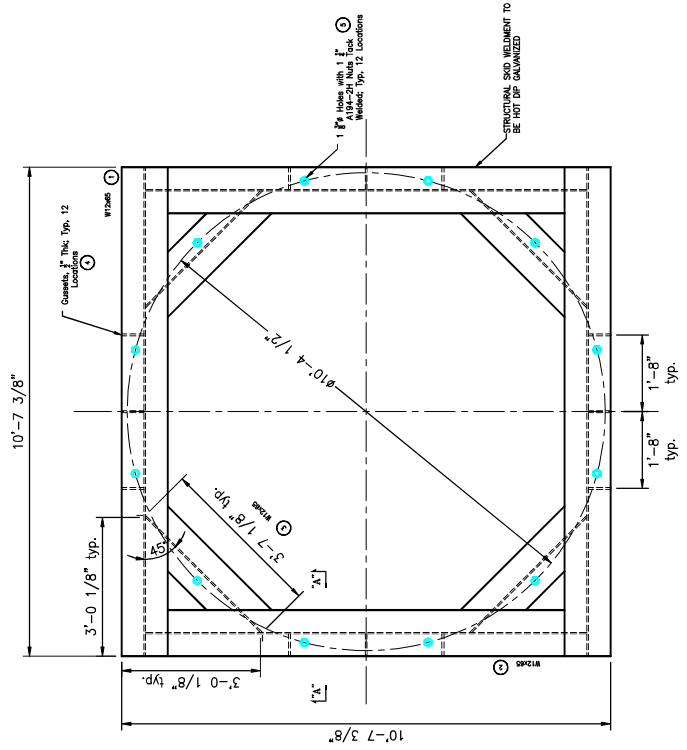
NOTES:

- (1) Mechanical power
- (2) For NG, NMHC is reported in place of VOC for this report
- (3) Bsfc is the weighted composite fuel consumption over the emission test cycle
- (4) Weighted composite emission from ISO 8178 D2 (LPG) & D1 (NG) test cycles



BILL OF MATERIAL			
ITEM	QTY	PART NO.	DESCRIPTION
1	2	-	W12 x 65 BEAM x 10'-7 3/8" LG
2	2	-	W12 x 65 BEAM x 9'-7" LG (TRIM TO FIT)
3	4	-	W12 x 65 BEAM x 3'-7 1/8" LG (TRIM TO FIT)
4	12	-	5 13/16" x 10 7/8" PLATE x 1/2" THK (TRIM TO FIT)
5	12	-	1 1/4" x 8 x 45" LG STUD BOLTS, W/2 2H NUTS (ZINC COATED)

MATERIAL
A992
A992
A992
A992
A-36
A-193-B7



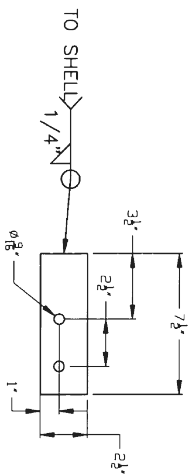
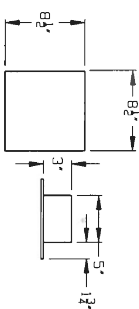
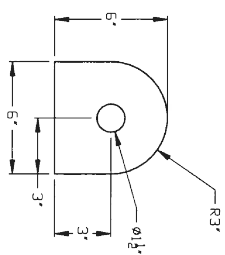
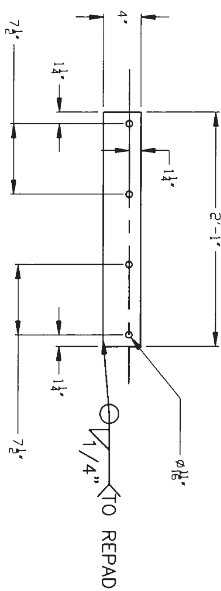
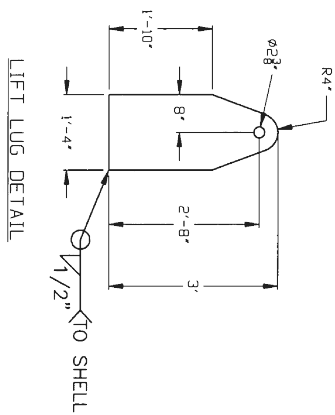
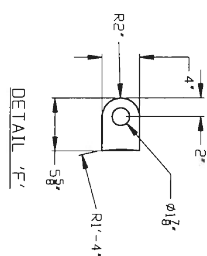
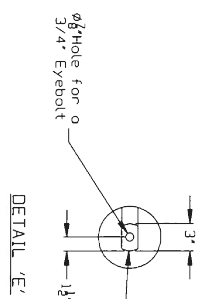
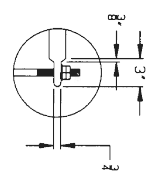
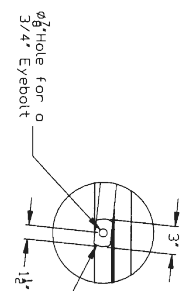
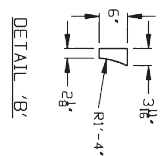
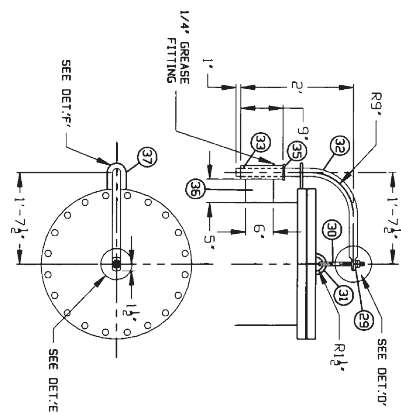
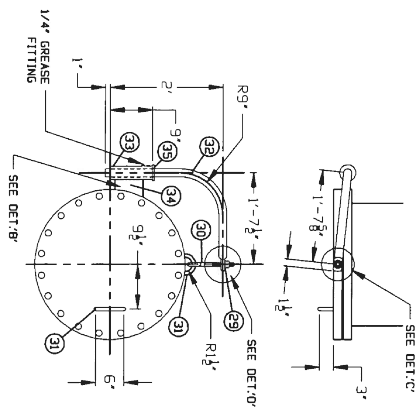
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TYPICAL BEAM/BEAM CONNECTION

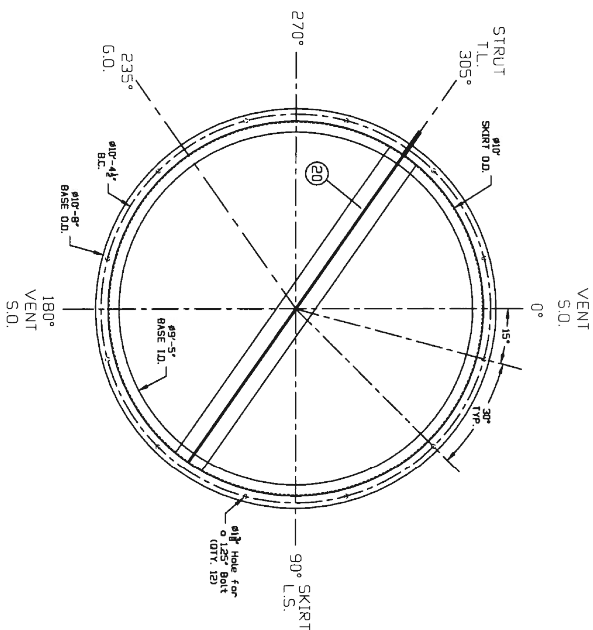
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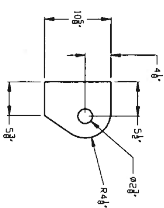
PREPARATION & REVISION HISTORY
OT-1651070-W.DTL-005

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TITLE	GAS TREATMENT VESSEL
DWG No.	SKID DETAILS
SHEET	10F1
REV.	1

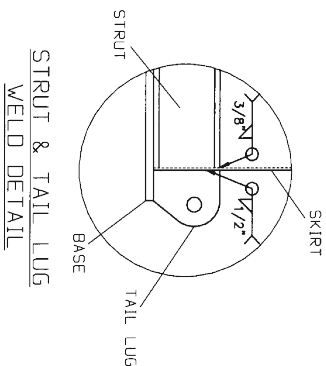
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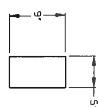
BASE & SKIRT DETAILS
TOP VIEW



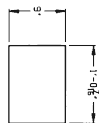
TAIL LUG DETAIL



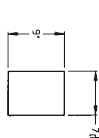
STRUT & TAIL LUG
WELD DETAIL



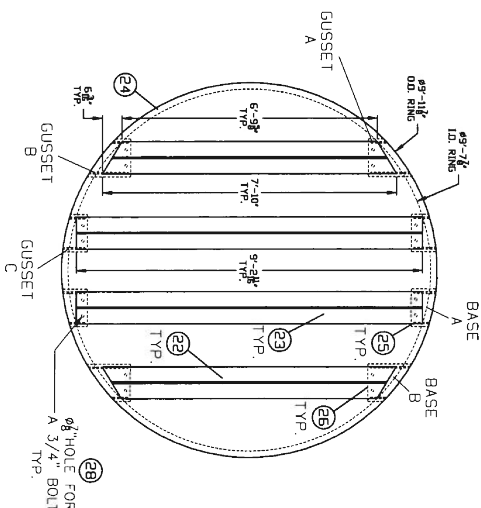
GUSSET A DETAIL



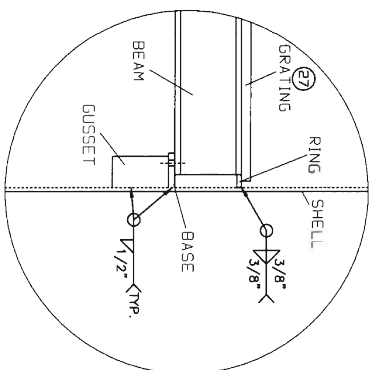
GUSSET B DETAIL



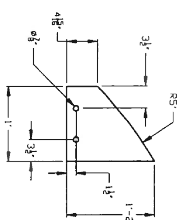
GUSSET C DETAIL



BED SUPP DETAIL



BASE A DETAIL

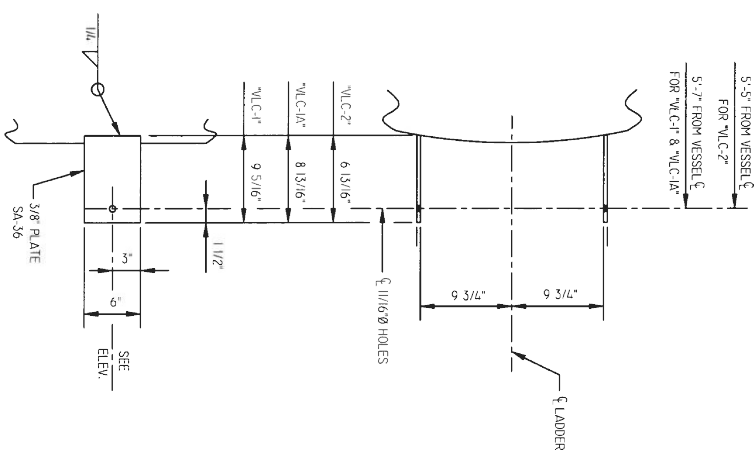
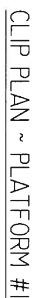


BASE B DETAIL

BED SUPP. WELD DETAIL

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0	ADDED CLIPS, N/A/B ORIENTATION	R.F.	J.D.	1/25/71	0	ADDED CLIPS, N/A/B ORIENTATION	R.F.	J.D.	1/25/71	0	ADDED CLIPS, N/A/B ORIENTATION
0	ISSUED FOR CONSTRUCTION	R.F.	J.D.	1/25/71	0	ISSUED FOR CONSTRUCTION	R.F.	J.D.	1/25/71	0	ISSUED FOR CONSTRUCTION

120\"/>



ONE (1) SET * REQ'D MK "VLC-IB"

* ONE (1) SET = TWO (2) CLIPS

		CUSTOMER			
		P.O.#			
		PROJECT:			
		LAST ORDER DOWNSHIPED			
		DOCUMENT #			
		DATE			
		BY			
		APPROVED			
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		NO.			
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		DATE			
		BY			
		APPROVED			
		DATE			
		SCALE			
		NONE			
		JOB NUMBER			
		Dwg No.			
		V-1651070-1			
		SHEET			
		NO.			
		REV.			
		DATE			
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		APPROVED			
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		SCALE			
		NONE			
		JOB NUMBER			
		Dwg No.			
		V-1651070-1			
		SHEET			
		NO.			
		REV.			



Prepared For ☐
Steve Watson
☐ull Moose

Date ☐

October 4, 2024

APPLICATION INFORMATION ☐ATION

DRI ☐ER

Make: Waukesha
Model: H24GSI
Horsepower: 475
RPM: 1800
Compression Ratio: 8.6
Exhaust Flow Rate: 2565
Exhaust Temperature: 1202
Reference: H24GSI EngCalc
Fuel: Fredericks Fuel
Annual Operating Hours: 8760

☐NCONTROLLED E ☐MISSIONS DATA

	g/bhp-hr	lb/hr	Tons/ear
NO _x :	15.52	16.25	71.19
CO:	7.76	8.13	35.59
THC:	1.46	1.53	6.70
NMHC:	0.80	0.84	3.67
NMNEHC:	0.37	0.39	1.70
HCHO:	0.04	0.04	0.18
Oxygen:	0.35%		

CATAL ☐ST ELE ☐ENT

Model: RE-2150-T
Catalyst Type: NSCR, Standard Precious Metals Group
Substrate Type: ☐ra ☐ed
Element Size: Round, 21.5 ☐x 3.5 ☐
Element ☐quantity: 1

POST CATAL ☐ST E ☐MISSIONS DATA

	g/bhp-hr	lb/hr	Tons/ear
NO _x :	☐ 1.00	1.05	4.59
CO	☐ 2.00	2.09	9.17
☐ OC	☐ 0.70	0.73	3.21

☐POST CATAL ☐ST E ☐MISSIONS ARE ONLY ☐ ☐ARANTEED
FOR CATAL ☐ST ELE ☐MENTS ☐PLIED ☐ ☐E ☐IT



☐ **ARRANT**

EMIT Technologies, Inc. warrants that the goods supplied will be free from defects in workmanship by EMIT Technologies, Inc. for a period of one (1) year from date of shipment. EMIT Technologies, Inc. will not be responsible for any defects which result from improper use, neglect, failure to properly maintain or which are attributable to defects, errors or omissions in any drawings, specifications, plans or descriptions, whether written or oral, supplied to EMIT Technologies, Inc. by ☐uyer.

Catalyst performance using an EMIT Air/Fuel ratio controller is dependent upon properly defined set-points, variable with engine and fuel gas composition. Air/fuel ratio controller performance is guaranteed, but not limited, to fuel gas with an HH₂ content of 1400 ☐T₂/SCF.

Catalyst performance will be guaranteed for a period of 2 years from installation, or 17,000 operating hours, whichever comes first. The catalyst shall be operated with an automatic air/fuel ratio controller. The performance guarantee shall not cover the effects of excessive ash masking due to operation at low load, improper engine maintenance, or inappropriate lubrication oil. The performance guarantee shall not cover the effects of continuous engine misfires (cylinder or ignition) exposing the catalyst to excessive exothermic reaction temperatures.

☐nless otherwise stated the exhaust temperature operating range at the converter inlet is 600°F minimum for oxidation catalyst and 750°F for NSCR catalyst and 1250°F maximum.

If a high temperature shut down switch is not installed, thermal deactivation of catalyst at temperatures above 1300 °F is not covered.

The catalyst conversion efficiencies (% reduction) will be guaranteed for engine loads of 50 to 100 percent.

Engine lubrication oil shall contain less than 0.6% ash (by weight) with a maximum allowable specific oil consumption of 0.01 gal/bhp-hr. The maximum ash loading on the catalyst shall be limited to 350 g/m³. Phosphorous and ☐nc additives are limited to 0.03% (by weight).

The catalyst must not be exposed to the following known poisoning agents, including: iron, nickel, sodium, chromium, arsenic, ☐nc, lead, phosphorous, silicon, potassium, magnesium, copper, tin, and mercury. Total poison concentrations in the gas are limited to 0.3 ppm.

Shipment - Promised shipping dates are approximate and are not guaranteed and are from the point of manufacture. EMIT Technologies, Inc. will not be liable for any loss, damage or delay in manufacture or delivery resulting from any cause beyond its control including, but not limited to a period equal to the time lost by reason of that delay. All products will be crated as per best practice to prevent any damage during shipment. ☐nless otherwise specified, ☐uyer will pay for any special packing and shipping re_uirements. Acceptance of goods by common carrier constitutes delivery to ☐uyer. EMIT Technologies, Inc. shall not be responsible for goods damaged or lost in transit.

PA_YMENT TERMS AND ADVANCE PAYMENT REQUIREMENT

Terms: Credit is extended to purchaser for net 30 time period. If payment is not received in the net 30 timeframe, interest on the unpaid balance will accrue at a rate of 1.5% per month from the invoice date.

Advance Payment Re_uirement: Proposals with a project value of ☐100,000 or greater, and 60 days or greater time to completion, will re_uire an advance payment of 30% of the total value. The advance payment will be invoiced to the customer upon receipt of the customer's purchase order. Advance payment is due 30 days after the date of the invoice. If payment is not received in the net 30 timeframe, interest on the unpaid balance will accrue at teh rate of 1.5% per month from the invoice date. Failure to pay this invoice may delay completion of the project outlined in this proposal.

Order Cancellation Terms: ☐pon cancellation of an order once submittal of a Purchase Order has occurred, the customer will pay a 25% restocking fee for Catalyst Housings, Catalyst Elements, and Air/Fuel Ratio Controllers; 50% restocking fee for Cooler Top Solutions, Exhaust System Accessories, and other Custom ☐uilt Products; 100% of all associated shipping costs incurred by EMIT; 100% of all project expenses incurred by EMIT for Field Services.

Appendix F

Highlighted 40 CFR Part 60 Subpart JJJJ

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

Title 40 —Protection of Environment

Chapter I —Environmental Protection Agency

Subchapter C —Air Programs

Part 60 —Standards of Performance for New Stationary Sources

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

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

Subpart JJJJ Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

What This Subpart Covers

§ 60.4230 Am I subject to this subpart?

Emission Standards for Manufacturers

§ 60.4231 What emission standards must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing such engines?

§ 60.4232 How long must my engines meet the emission standards if I am a manufacturer of stationary SI internal combustion engines?

Emission Standards for Owners and Operators

§ 60.4233 What emission standards must I meet if I am an owner or operator of a stationary SI internal combustion engine?

§ 60.4234 How long must I meet the emission standards if I am an owner or operator of a stationary SI internal combustion engine?

Other Requirements for Owners and Operators

§ 60.4235 What fuel requirements must I meet if I am an owner or operator of a stationary SI gasoline fired internal combustion engine subject to this subpart?

§ 60.4236 What is the deadline for importing or installing stationary SI ICE produced in previous model years?

§ 60.4237 What are the monitoring requirements if I am an owner or operator of an emergency stationary SI internal combustion engine?

Compliance Requirements for Manufacturers

§ 60.4238 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines ≤19 KW (25 HP) or a manufacturer of equipment containing such engines?

§ 60.4239 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that use gasoline or a manufacturer of equipment containing such engines?

§ 60.4240 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that are rich burn engines that use LPG or a manufacturer of equipment containing such engines?

§ 60.4241 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines participating in the voluntary certification program or a manufacturer of equipment containing such engines?

§ 60.4242 What other requirements must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

Compliance Requirements for Owners and Operators

§ 60.4243 What are my compliance requirements if I am an owner or operator of a stationary SI internal combustion engine?

Testing Requirements for Owners and Operators

§ 60.4244 What test methods and other procedures must I use if I am an owner or operator of a stationary SI internal combustion engine?

Notification, Reports, and Records for Owners and Operators

§ 60.4245 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?

General Provisions

§ 60.4246 What General Provisions and confidential information provisions apply to me?

Mobile Source Provisions

§ 60.4247 What parts of the mobile source provisions apply to me if I am a manufacturer of stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

Definitions

§ 60.4248 What definitions apply to this subpart?

Table 1 to Subpart JJJJ of Part 60

NO_x, CO, and VOC Emission Standards for Stationary Non-Emergency SI Engines ≥100 HP (Except Gasoline and Rich Burn LPG), Stationary SI Landfill/Digester Gas Engines, and Stationary Emergency Engines >25 HP

Table 2 to Subpart JJJJ of Part 60

Requirements for Performance Tests

Table 3 to Subpart JJJJ of Part 60

Applicability of General Provisions to Subpart JJJJ

Table 4 to Subpart JJJJ of Part 60

Applicability of Mobile Source Provisions for Manufacturers Participating in the Voluntary Certification Program and Certifying Stationary SI ICE to Emission Standards in Table 1 of Subpart JJJJ

Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

Source: 73 FR 3591, Jan. 18, 2008, unless otherwise noted.

WHAT THIS SUBPART COVERS

§ 60.4230 Am I subject to this subpart?

- (a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (6) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.
- (1) Manufacturers of stationary SI ICE with a maximum engine power less than or equal to 19 kilowatt (KW) (25 horsepower (HP)) that are manufactured on or after July 1, 2008.
 - (2) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are gasoline fueled or that are rich burn engines fueled by liquefied petroleum gas (LPG), where the date of manufacture is:
 - (i) On or after July 1, 2008; or
 - (ii) On or after January 1, 2009, for emergency engines.
 - (3) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are not gasoline fueled and are not rich burn engines fueled by LPG, where the manufacturer participates in the voluntary manufacturer certification program described in this subpart and where the date of manufacture is:
 - (i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);
 - (ii) On or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;
 - (iii) On or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or
 - (iv) On or after January 1, 2009, for emergency engines.
 - (4) Owners and operators of stationary SI ICE that commence construction after June 12, 2006, where the stationary SI ICE are manufactured:
 - (i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);
 - (ii) on or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;
 - (iii) on or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or

- (iv) on or after January 1, 2009, for emergency engines with a maximum engine power greater than 19 KW (25 HP).
- (5) Owners and operators of stationary SI ICE that are modified or reconstructed after June 12, 2006, and any person that modifies or reconstructs any stationary SI ICE after June 12, 2006.
- (6) The provisions of § 60.4236 of this subpart are applicable to all owners and operators of stationary SI ICE that commence construction after June 12, 2006.
- (b) The provisions of this subpart are not applicable to stationary SI ICE being tested at an engine test cell/stand.
- (c) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.
- (d) For the purposes of this subpart, stationary SI ICE using alcohol-based fuels are considered gasoline engines.
- (e) Stationary SI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C (or the exemptions described in 40 CFR parts 1048 and 1054, for engines that would need to be certified to standards in those parts), except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.
- (f) Owners and operators of facilities with internal combustion engines that are acting as temporary replacement units and that are located at a stationary source for less than 1 year and that have been properly certified as meeting the standards that would be applicable to such engine under the appropriate nonroad engine provisions, are not required to meet any other provisions under this subpart with regard to such engines.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37972, June 28, 2011; 86 FR 34360, June 29, 2021]

EMISSION STANDARDS FOR MANUFACTURERS

§ 60.4231 What emission standards must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing such engines?

- (a) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) manufactured on or after July 1, 2008 to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1054, as follows:

If engine displacement is . . .	and manufacturing dates are . . .	the engine must meet the following non-handheld emission standards identified in 40 CFR part 1054 and related requirements:
(1) Below 225	July 1, 2008 to	Phase 2.

If engine displacement is . . .	and manufacturing dates are . . .	the engine must meet the following non-handheld emission standards identified in 40 CFR part 1054 and related requirements:
cc	December 31, 2011	
(2) Below 225 cc	January 1, 2012 or later	Phase 3.
(3) At or above 225 cc	July 1, 2008 to December 31, 2010	Phase 2.
(4) At or above 225 cc	January 1, 2011 or later	Phase 3.

- (b) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) (except emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that use gasoline and that are manufactured on or after the applicable date in § 60.4230(a)(2), or manufactured on or after the applicable date in § 60.4230(a)(4) for emergency stationary ICE with a maximum engine power greater than or equal to 130 HP, to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers must certify their emergency stationary SI ICE with a maximum engine power greater than 25 HP and less than 130 HP that use gasoline and that are manufactured on or after the applicable date in § 60.4230(a)(4) to the Phase 1 emission standards in 40 CFR part 1054, appendix I, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 1054. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cubic centimeters (cc) that use gasoline to the certification emission standards and other requirements as appropriate for new nonroad SI engines in 40 CFR part 1054.
- (c) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) (except emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that are rich burn engines that use LPG and that are manufactured on or after the applicable date in § 60.4230(a)(2), or manufactured on or after the applicable date in § 60.4230(a)(4) for emergency stationary ICE with a maximum engine power greater than or equal to 130 HP, to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers must certify their emergency stationary SI ICE greater than 25 HP and less than 130 HP that are rich burn engines that use LPG and that are manufactured on or after the applicable date in § 60.4230(a)(4) to the Phase 1 emission standards in 40 CFR part 1054, appendix I, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 1054. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc that are rich burn engines that use LPG to the certification emission standards and other requirements as appropriate for new nonroad SI engines in 40 CFR part 1054.

- (d) Stationary SI internal combustion engine manufacturers who choose to certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) under the voluntary manufacturer certification program described in this subpart must certify those engines to the certification emission standards for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers who choose to certify their emergency stationary SI ICE greater than 25 HP and less than 130 HP (except gasoline and rich burn engines that use LPG), must certify those engines to the Phase 1 emission standards in 40 CFR part 1054, appendix I, applicable to class II engines, for new nonroad SI engines in 40 CFR part 1054. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc (except gasoline and rich burn engines that use LPG) to the certification emission standards and other requirements as appropriate for new nonroad SI engines in 40 CFR part 1054. For stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) manufactured prior to January 1, 2011, manufacturers may choose to certify these engines to the standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP.
- (e) Stationary SI internal combustion engine manufacturers who choose to certify their stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) under the voluntary manufacturer certification program described in this subpart must certify those engines to the emission standards in Table 1 to this subpart. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) that are lean burn engines that use LPG to the certification emission standards for new nonroad SI engines in 40 CFR part 1048. For stationary SI ICE with a maximum engine power greater than or equal to 100 HP (75 KW) and less than 500 HP (373 KW) manufactured prior to January 1, 2011, and for stationary SI ICE with a maximum engine power greater than or equal to 500 HP (373 KW) manufactured prior to July 1, 2010, manufacturers may choose to certify these engines to the certification emission standards for new nonroad SI engines in 40 CFR part 1048 applicable to engines that are not severe duty engines.
- (f) Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, to the extent they apply to equipment manufacturers.
- (g) Notwithstanding the requirements in paragraphs (a) through (c) of this section, stationary SI internal combustion engine manufacturers are not required to certify reconstructed engines; however manufacturers may elect to do so. The reconstructed engine must be certified to the emission standards specified in paragraphs (a) through (e) of this section that are applicable to the model year, maximum engine power and displacement of the reconstructed stationary SI ICE.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59175, Oct. 8, 2008; 76 FR 37973, June 28, 2011; 78 FR 6697, Jan. 30, 2013; 86 FR 34360, June 29, 2021]

§ 60.4232 How long must my engines meet the emission standards if I am a manufacturer of stationary SI internal combustion engines?

Engines manufactured by stationary SI internal combustion engine manufacturers must meet the emission standards as required in § 60.4231 during the certified emissions life of the engines.

EMISSION STANDARDS FOR OWNERS AND OPERATORS

§ 60.4233 What emission standards must I meet if I am an owner or operator of a stationary SI internal combustion engine?

- (a) Owners and operators of stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) manufactured on or after July 1, 2008, must comply with the emission standards in § 60.4231(a) for their stationary SI ICE.
- (b) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) manufactured on or after the applicable date in § 60.4230(a)(4) that use gasoline must comply with the emission standards in § 60.4231(b) for their stationary SI ICE.
- (c) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) manufactured on or after the applicable date in § 60.4230(a)(4) that are rich burn engines that use LPG must comply with the emission standards in § 60.4231(c) for their stationary SI ICE.
- (d) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards for field testing in 40 CFR 1048.101(c) for their non-emergency stationary SI ICE and with the emission standards in Table 1 to this subpart for their emergency stationary SI ICE. Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) manufactured prior to January 1, 2011, that were certified to the standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP, may optionally choose to meet those standards.
- (e) Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE. For owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 100 HP (except gasoline and rich burn engines that use LPG) manufactured prior to January 1, 2011 that were certified to the certification emission standards in 40 CFR part 1048 applicable to engines that are not severe duty engines, if such stationary SI ICE was certified to a carbon monoxide (CO) standard above the standard in Table 1 to this subpart, then the owners and operators may meet the CO certification (not field testing) standard for which the engine was certified.
- (f) Owners and operators of any modified or reconstructed stationary SI ICE subject to this subpart must meet the requirements as specified in paragraphs (f)(1) through (5) of this section.
 - (1) Owners and operators of stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with emission standards in § 60.4231(a) for their stationary SI ICE. Engines with a date of manufacture prior to July 1, 2008 must comply with the emission standards specified in § 60.4231(a) applicable to engines manufactured on July 1, 2008.

- (2) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are gasoline engines and are modified or reconstructed after June 12, 2006, must comply with the emission standards in § 60.4231(b) for their stationary SI ICE. Engines with a date of manufacture prior to July 1, 2008 (or January 1, 2009 for emergency engines) must comply with the emission standards specified in § 60.4231(b) applicable to engines manufactured on July 1, 2008 (or January 1, 2009 for emergency engines).
- (3) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are rich burn engines that use LPG, that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in § 60.4231(c). Engines with a date of manufacture prior to July 1, 2008 (or January 1, 2009 for emergency engines) must comply with the emission standards specified in § 60.4231(c) applicable to engines manufactured on July 1, 2008 (or January 1, 2009 for emergency engines).
- (4) Owners and operators of stationary SI natural gas and lean burn LPG engines with a maximum engine power greater than 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (d) or (e) of this section, except that such owners and operators of non-emergency engines and emergency engines greater than or equal to 130 HP must meet a nitrogen oxides (NO_x) emission standard of 3.0 grams per HP-hour (g/HP-hr), a CO emission standard of 4.0 g/HP-hr (5.0 g/HP-hr for non-emergency engines less than 100 HP), and a volatile organic compounds (VOC) emission standard of 1.0 g/HP-hr, or a NO_x emission standard of 250 ppmvd at 15 percent oxygen (O₂), a CO emission standard 540 ppmvd at 15 percent O₂ (675 ppmvd at 15 percent O₂ for non-emergency engines less than 100 HP), and a VOC emission standard of 86 ppmvd at 15 percent O₂, where the date of manufacture of the engine is:
 - (i) Prior to July 1, 2007, for non-emergency engines with a maximum engine power greater than or equal to 500 HP (except lean burn natural gas engines and LPG engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);
 - (ii) Prior to July 1, 2008, for non-emergency engines with a maximum engine power less than 500 HP;
 - (iii) Prior to January 1, 2009, for emergency engines;
 - (iv) Prior to January 1, 2008, for non-emergency lean burn natural gas engines and LPG engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP.
- (5) Owners and operators of stationary SI landfill/digester gas ICE engines with a maximum engine power greater than 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (e) of this section for stationary landfill/digester gas engines. Engines with maximum engine power less than 500 HP and a date of manufacture prior to July 1, 2008 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE with a maximum engine power less than 500 HP manufactured on July 1, 2008. Engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines greater than or equal to 500 HP and less than 1,350 HP) and a date of manufacture prior to July 1, 2007 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE with a maximum engine power greater than or equal to 500 HP (except lean burn engines greater than or equal to 500 HP and less than 1,350 HP) manufactured on July 1, 2007. Lean burn engines greater than or equal to 500 HP and less than 1,350 HP with a date of manufacture prior to January 1, 2008 must comply

with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE that are lean burn engines greater than or equal to 500 HP and less than 1,350 HP and manufactured on January 1, 2008.

- (g) Owners and operators of stationary SI wellhead gas ICE engines may petition the Administrator for approval on a case-by-case basis to meet emission standards no less stringent than the emission standards that apply to stationary emergency SI engines greater than 25 HP and less than 130 HP due to the presence of high sulfur levels in the fuel, as specified in Table 1 to this subpart. The request must, at a minimum, demonstrate that the fuel has high sulfur levels that prevent the use of aftertreatment controls and also that the owner has reasonably made all attempts possible to obtain an engine that will meet the standards without the use of aftertreatment controls. The petition must request the most stringent standards reasonably applicable to the engine using the fuel.
- (h) Owners and operators of stationary SI ICE that are required to meet standards that reference 40 CFR 1048.101 must, if testing their engines in use, meet the standards in that section applicable to field testing, except as indicated in paragraph (e) of this section.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37973, June 28, 2011]

§ 60.4234 How long must I meet the emission standards if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in § 60.4233 over the entire life of the engine.

OTHER REQUIREMENTS FOR OWNERS AND OPERATORS

§ 60.4235 What fuel requirements must I meet if I am an owner or operator of a stationary SI gasoline fired internal combustion engine subject to this subpart?

Owners and operators of stationary SI ICE subject to this subpart that use gasoline must use gasoline that meets the per gallon sulfur limit in 40 CFR 1090.205.

[73 FR 3591, Jan. 18, 2008, as amended at 85 FR 78463, Dec. 4, 2020]

§ 60.4236 What is the deadline for importing or installing stationary SI ICE produced in previous model years?

- (a) After July 1, 2010, owners and operators may not install stationary SI ICE with a maximum engine power of less than 500 HP that do not meet the applicable requirements in § 60.4233.
- (b) After July 1, 2009, owners and operators may not install stationary SI ICE with a maximum engine power of greater than or equal to 500 HP that do not meet the applicable requirements in § 60.4233, except that lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP that do not meet the applicable requirements in § 60.4233 may not be installed after January 1, 2010.
- (c) For emergency stationary SI ICE with a maximum engine power of greater than 19 KW (25 HP), owners and operators may not install engines that do not meet the applicable requirements in § 60.4233 after January 1, 2011.

- (d) In addition to the requirements specified in §§ 60.4231 and 60.4233, it is prohibited to import stationary SI ICE less than or equal to 19 KW (25 HP), stationary rich burn LPG SI ICE, and stationary gasoline SI ICE that do not meet the applicable requirements specified in paragraphs (a), (b), and (c) of this section, after the date specified in paragraph (a), (b), and (c) of this section.
- (e) The requirements of this section do not apply to owners and operators of stationary SI ICE that have been modified or reconstructed, and they do not apply to engines that were removed from one existing location and reinstalled at a new location.

§ 60.4237 What are the monitoring requirements if I am an owner or operator of an emergency stationary SI internal combustion engine?

- (a) Starting on July 1, 2010, if the emergency stationary SI internal combustion engine that is greater than or equal to 500 HP that was built on or after July 1, 2010, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.
- (b) Starting on January 1, 2011, if the emergency stationary SI internal combustion engine that is greater than or equal to 130 HP and less than 500 HP that was built on or after January 1, 2011, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.
- (c) If you are an owner or operator of an emergency stationary SI internal combustion engine that is less than 130 HP, was built on or after July 1, 2008, and does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter upon startup of your emergency engine.

COMPLIANCE REQUIREMENTS FOR MANUFACTURERS

§ 60.4238 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines ≤19 KW (25 HP) or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in § 60.4231(a) must certify their stationary SI ICE using the certification and testing procedures required in 40 CFR part 1054, subparts C and F. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

[86 FR 34361, June 29, 2021]

§ 60.4239 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that use gasoline or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in § 60.4231(b) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must test their engines as specified in that part. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1054, and manufacturers of stationary SI emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 emission standards in 40 CFR part

1054, appendix I, applicable to class II engines, must certify their stationary SI ICE using the certification and testing procedures required in 40 CFR part 1054, subparts C and F. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

[86 FR 34361, June 29, 2021]

§ 60.4240 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that are rich burn engines that use LPG or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in § 60.4231(c) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must test their engines as specified in that part. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1054, and manufacturers of stationary SI emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 emission standards in 40 CFR part 1054, appendix I, applicable to class II engines, must certify their stationary SI ICE using the certification and testing procedures required in 40 CFR part 1054, subparts C and F. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

[86 FR 34361, June 29, 2021]

§ 60.4241 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines participating in the voluntary certification program or a manufacturer of equipment containing such engines?

- (a) Manufacturers of stationary SI internal combustion engines with a maximum engine power greater than 19 KW (25 HP) that do not use gasoline and are not rich burn engines that use LPG can choose to certify their engines to the emission standards in § 60.4231(d) or (e), as applicable, under the voluntary certification program described in this subpart. Manufacturers who certify their engines under the voluntary certification program must meet the requirements as specified in paragraphs (b) through (g) of this section. In addition, manufacturers of stationary SI internal combustion engines who choose to certify their engines under the voluntary certification program, must also meet the requirements as specified in § 60.4247. Manufacturers of stationary SI internal combustion engines who choose not to certify their engines under this section must notify the ultimate purchaser that testing requirements apply as described in § 60.4243(b)(2); manufacturers must keep a copy of this notification for five years after shipping each engine and make those documents available to EPA upon request.
- (b) Manufacturers of engines other than those certified to standards in 40 CFR part 1054 must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must follow the same test procedures that apply to Large SI nonroad engines under 40 CFR part 1048, but must use the D-1 cycle of International Organization for Standardization 8178-4: 1996(E) (incorporated by reference, see § 60.17) or the test cycle requirements specified in Table 3 to 40 CFR 1048.505, except that Table 3 of 40 CFR 1048.505 applies to high load engines only. Manufacturers of any size may certify their stationary emergency engines at or above 130 hp using assigned deterioration factors established by

EPA, consistent with 40 CFR 1048.240. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1054, and manufacturers of emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 standards in 40 CFR part 1054, appendix I, applicable to class II engines, must certify their stationary SI ICE using the certification and testing procedures required in 40 CFR part 1054, subparts C and F. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

- (c) Certification of stationary SI ICE to the emission standards specified in § 60.4231(d) or (e), as applicable, is voluntary, but manufacturers who decide to certify are subject to all of the requirements indicated in this subpart with regard to the engines included in their certification. Manufacturers must clearly label their stationary SI engines as certified or non-certified engines.
- (d) Manufacturers of natural gas fired stationary SI ICE who conduct voluntary certification of stationary SI ICE to the emission standards specified in § 60.4231(d) or (e), as applicable, must certify their engines for operation using fuel that meets the definition of pipeline-quality natural gas. The fuel used for certifying stationary SI natural gas engines must meet the definition of pipeline-quality natural gas as described in § 60.4248. In addition, the manufacturer must provide information to the owner and operator of the certified stationary SI engine including the specifications of the pipeline-quality natural gas to which the engine is certified and what adjustments the owner or operator must make to the engine when installed in the field to ensure compliance with the emission standards.
- (e) Manufacturers of stationary SI ICE that are lean burn engines fueled by LPG who conduct voluntary certification of stationary SI ICE to the emission standards specified in § 60.4231(d) or (e), as applicable, must certify their engines for operation using fuel that meets the specifications in 40 CFR 1065.720.
- (f) Manufacturers may certify their engines for operation using gaseous fuels in addition to pipeline-quality natural gas; however, the manufacturer must specify the properties of that fuel and provide testing information showing that the engine will meet the emission standards specified in § 60.4231(d) or (e), as applicable, when operating on that fuel. The manufacturer must also provide instructions for configuring the stationary engine to meet the emission standards on fuels that do not meet the pipeline-quality natural gas definition. The manufacturer must also provide information to the owner and operator of the certified stationary SI engine regarding the configuration that is most conducive to reduced emissions where the engine will be operated on gaseous fuels with different quality than the fuel that it was certified to.
- (g) A stationary SI engine manufacturer may certify an engine family solely to the standards applicable to landfill/digester gas engines as specified in § 60.4231(d) or (e), as applicable, but must certify their engines for operation using landfill/digester gas and must add a permanent label stating that the engine is for use only in landfill/digester gas applications. The label must be added according to the labeling requirements specified in 40 CFR 1048.135(b).
- (h) For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.
- (i) For engines being certified to the voluntary certification standards in Table 1 of this subpart, the VOC measurement shall be made by following the procedures in 40 CFR part 1065, subpart C, to determine the total NMHC emissions. As an alternative, manufacturers may measure ethane, as well as methane, for excluding such levels from the total VOC measurement.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59176, Oct. 8, 2008; 76 FR 37974, June 28, 2011; 86 FR 34361, June 29, 2021]

§ 60.4242 What other requirements must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

- (a) Stationary SI internal combustion engine manufacturers must meet the provisions of 40 CFR parts 1048, 1054, and 1068, as applicable, except that engines certified pursuant to the voluntary certification procedures in § 60.4241 are subject only to the provisions indicated in § 60.4247 and are permitted to provide instructions to owners and operators allowing for deviations from certified configurations, if such deviations are consistent with the provisions of § 60.4241(c) through (f). Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, as applicable. Labels on engines certified to 40 CFR part 1048 must refer to stationary engines, rather than or in addition to nonroad engines, as appropriate.
- (b) An engine manufacturer certifying an engine family or families to standards under this subpart that are identical to standards identified in 40 CFR part 1048 or 1054 for that model year may certify any such family that contains both nonroad and stationary engines as a single engine family and/or may include any such family containing stationary engines in the averaging, banking and trading provisions applicable for such engines under those parts. This paragraph (b) also applies to equipment or component manufacturers certifying to standards under 40 CFR part 1060.
- (c) Manufacturers of engine families certified to 40 CFR part 1048 may meet the labeling requirements referred to in paragraph (a) of this section for stationary SI ICE by either adding a separate label containing the information required in paragraph (a) of this section or by adding the words "and stationary" after the word "nonroad" to the label.
- (d) For all engines manufactured on or after January 1, 2011, and for all engines with a maximum engine power greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, a stationary SI engine manufacturer that certifies an engine family solely to the standards applicable to emergency engines must add a permanent label stating that the engines in that family are for emergency use only. The label must be added according to the labeling requirements specified in 40 CFR 1048.135(b).
- (e) All stationary SI engines subject to mandatory certification that do not meet the requirements of this subpart must be labeled and exported according to 40 CFR 1068.230. Manufacturers of stationary engines with a maximum engine power greater than 25 HP that are not certified to standards and other requirements under 40 CFR part 1048 are subject to the labeling provisions of 40 CFR 1048.20 pertaining to excluded stationary engines.
- (f) For manufacturers of gaseous-fueled stationary engines required to meet the warranty provisions in 40 CFR 1054.120, we may establish an hour-based warranty period equal to at least the certified emissions life of the engines (in engine operating hours) if we determine that these engines are likely to operate for a number of hours greater than the applicable useful life within 24 months. We will not approve an alternate warranty under this paragraph (f) for nonroad engines. An alternate warranty period approved under this paragraph (f) will be the specified number of engine operating hours or two years, whichever comes first. The engine manufacturer shall request this alternate warranty period in its application for certification or in an earlier submission. We may approve an alternate warranty period for an engine family subject to the following conditions:
 - (1) The engines must be equipped with non-resettable hour meters.

- (2) The engines must be designed to operate for a number of hours substantially greater than the applicable certified emissions life.
- (3) The emission-related warranty for the engines may not be shorter than any published warranty offered by the manufacturer without charge for the engines. Similarly, the emission-related warranty for any component shall not be shorter than any published warranty offered by the manufacturer without charge for that component.

[86 FR 34362, June 29, 2021]

COMPLIANCE REQUIREMENTS FOR OWNERS AND OPERATORS

§ 60.4243 What are my compliance requirements if I am an owner or operator of a stationary SI internal combustion engine?

- (a) If you are an owner or operator of a stationary SI internal combustion engine that is manufactured after July 1, 2008, and must comply with the emission standards specified in § 60.4233(a) through (c), you must comply by purchasing an engine certified to the emission standards in § 60.4231(a) through (c), as applicable, for the same engine class and maximum engine power. In addition, you must meet one of the requirements specified in (a)(1) and (2) of this section.
 - (1) If you operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, you must keep records of conducted maintenance to demonstrate compliance, but no performance testing is required if you are an owner or operator. You must also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply to you. If you adjust engine settings according to and consistent with the manufacturer's instructions, your stationary SI internal combustion engine will not be considered out of compliance.
 - (2) If you do not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, your engine will be considered a non-certified engine, and you must demonstrate compliance according to (a)(2)(i) through (iii) of this section, as appropriate.
 - (i) If you are an owner or operator of a stationary SI internal combustion engine less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions, but no performance testing is required if you are an owner or operator.
 - (ii) If you are an owner or operator of a stationary SI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup to demonstrate compliance.
 - (iii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air

pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

- (b) If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in § 60.4233(d) or (e), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) and (2) of this section.
 - (1) Purchasing an engine certified according to procedures specified in this subpart, for the same model year and demonstrating compliance according to one of the methods specified in paragraph (a) of this section.
 - (2) Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in § 60.4233(d) or (e) and according to the requirements specified in § 60.4244, as applicable, and according to paragraphs (b)(2)(i) and (ii) of this section.
 - (i) If you are an owner or operator of a stationary SI internal combustion engine greater than 25 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance.
 - (ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.
- (c) If you are an owner or operator of a stationary SI internal combustion engine that must comply with the emission standards specified in § 60.4233(f), you must demonstrate compliance according paragraph (b)(2)(i) or (ii) of this section, except that if you comply according to paragraph (b)(2)(i) of this section, you demonstrate that your non-certified engine complies with the emission standards specified in § 60.4233(f).
- (d) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (d)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (d)(1) through (3), is prohibited. If you do not operate the engine according to the requirements in paragraphs (d)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.
 - (1) There is no time limit on the use of emergency stationary ICE in emergency situations.
 - (2) You may operate your emergency stationary ICE for the purpose specified in paragraph (d)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (d)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (d)(2).

(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

(ii)-(iii) [Reserved]

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

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

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

(ii) [Reserved]

(e) Owners and operators of stationary SI natural gas fired engines may operate their engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the owners and operators are required to conduct a performance test to demonstrate compliance with the emission standards of § 60.4233.

(f) If you are an owner or operator of a stationary SI internal combustion engine that is less than or equal to 500 HP and you purchase a non-certified engine or you do not operate and maintain your certified stationary SI internal combustion engine and control device according to the manufacturer's written emission-related instructions, you are required to perform initial performance testing as indicated in this

section, but you are not required to conduct subsequent performance testing unless the stationary engine undergoes rebuild, major repair or maintenance. Engine rebuilding means to overhaul an engine or to otherwise perform extensive service on the engine (or on a portion of the engine or engine system). For the purpose of this paragraph (f), perform extensive service means to disassemble the engine (or portion of the engine or engine system), inspect and/or replace many of the parts, and reassemble the engine (or portion of the engine or engine system) in such a manner that significantly increases the service life of the resultant engine.

- (g) It is expected that air-to-fuel ratio controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times.
- (h) If you are an owner/operator of an stationary SI internal combustion engine with maximum engine power greater than or equal to 500 HP that is manufactured after July 1, 2007 and before July 1, 2008, and must comply with the emission standards specified in sections 60.4233(b) or (c), you must comply by one of the methods specified in paragraphs (h)(1) through (h)(4) of this section.
 - (1) Purchasing an engine certified according to 40 CFR part 1048. The engine must be installed and configured according to the manufacturer's specifications.
 - (2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.
 - (3) Keeping records of engine manufacturer data indicating compliance with the standards.
 - (4) Keeping records of control device vendor data indicating compliance with the standards.
- (i) If you are an owner or operator of a modified or reconstructed stationary SI internal combustion engine and must comply with the emission standards specified in § 60.4233(f), you must demonstrate compliance according to one of the methods specified in paragraphs (i)(1) or (2) of this section.
 - (1) Purchasing, or otherwise owning or operating, an engine certified to the emission standards in § 60.4233(f), as applicable.
 - (2) Conducting a performance test to demonstrate initial compliance with the emission standards according to the requirements specified in § 60.4244. The test must be conducted within 60 days after the engine commences operation after the modification or reconstruction.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37974, June 28, 2011; 78 FR 6697, Jan. 30, 2013; 86 FR 34362, June 29, 2021; 87 FR 48606, Aug. 10, 2022]

TESTING REQUIREMENTS FOR OWNERS AND OPERATORS

§ 60.4244 What test methods and other procedures must I use if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (f) of this section.

- (a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in § 60.8 and under the specific conditions that are specified by Table 2 to this subpart.
- (b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.
- (c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.
- (d) To determine compliance with the NO_x mass per unit output emission limitation, convert the concentration of NO_x in the engine exhaust using Equation 1 of this section:

$$ER = \frac{C_d \times 1.912 \times 10^{-1} \times Q \times T}{HP - hr} \quad (Eq. 1)$$

Where:

ER = Emission rate of NO_x in g/HP-hr.

C_d = Measured NO_x concentration in parts per million by volume (ppmv).

1.912 × 10⁻³ = Conversion constant for ppm NO_x to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, horsepower-hour (HP-hr).

- (e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of this section:

$$ER = \frac{C_d \times 1.164 \times 10^{-1} \times Q \times T}{HP - hr} \quad (Eq. 2)$$

Where:

ER = Emission rate of CO in g/HP-hr.

C_d = Measured CO concentration in ppmv.

1.164 × 10⁻³ = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

- (f) For purposes of this subpart, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of this section:

$$ER = \frac{C_d \times 1.833 \times 10^{-3} \times Q \times T}{HP-hr} \quad (Eq. 3)$$

Where:

ER = Emission rate of VOC in g/HP-hr.

C_d = VOC concentration measured as propane in ppmv.

1.833×10^{-3} = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

- (g) If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.

$$RF_i = \frac{C_{vi}}{C_{Ai}} \quad (Eq. 4)$$

Where:

RF_i = Response factor of compound i when measured with EPA Method 25A.

C_{Mi} = Measured concentration of compound i in ppmv as carbon.

C_{Ai} = True concentration of compound i in ppmv as carbon.

$$C_{Mi} = RF_i \times C_{Ai} \quad (Eq. 5)$$

Where:

$C_{i\text{corr}}$ = Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon.

$C_{i\text{meas}}$ = Concentration of compound i measured by EPA Method 320, ppmv as carbon.

$$C_{\text{Peq}} = 0.6098 \times C_{i\text{corr}} \quad (\text{Eq. 6})$$

Where:

C_{Peq} = Concentration of compound i in mg of propane equivalent per DSCM.

NOTIFICATION, REPORTS, AND RECORDS FOR OWNERS AND OPERATORS

§ 60.4245 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?

Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.

- (a) Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of this section.
 - (1) All notifications submitted to comply with this subpart and all documentation supporting any notification.
 - (2) Maintenance conducted on the engine.
 - (3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 1048, 1054, and 1060, as applicable.
 - (4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to § 60.4243(a)(2), documentation that the engine meets the emission standards.
- (b) For all stationary SI emergency ICE greater than or equal to 500 HP manufactured on or after July 1, 2010, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than or equal to 130 HP and less than 500 HP manufactured on or after July 1, 2011 that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.

- (c) Owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in § 60.4231 must submit an initial notification as required in § 60.7(a)(1). The notification must include the information in paragraphs (c)(1) through (5) of this section. Beginning on February 26, 2025 submit the notification electronically according to paragraph (g) of this section.
 - (1) Name and address of the owner or operator;
 - (2) The address of the affected source;
 - (3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;
 - (4) Emission control equipment; and
 - (5) Fuel used.
- (d) Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in § 60.4244 within 60 days after the test has been completed. Performance test reports using EPA Method 18, EPA Method 320, or ASTM D6348-03 (incorporated by reference—see 40 CFR 60.17) to measure VOC require reporting of all QA/QC data. For Method 18, report results from sections 8.4 and 11.1.1.4; for Method 320, report results from sections 8.6.2, 9.0, and 13.0; and for ASTM D6348-03 report results of all QA/QC procedures in Annexes 1-7. Beginning on February 26, 2025, performance tests must be reported electronically according to paragraph (f) of this section.
- (e) If you own or operate an emergency stationary SI ICE with a maximum engine power more than 100 HP that operates for the purpose specified in § 60.4243(d)(3)(i), you must submit an annual report according to the requirements in paragraphs (e)(1) through (3) of this section.
 - (1) The report must contain the following information:
 - (i) Company name and address where the engine is located.
 - (ii) Date of the report and beginning and ending dates of the reporting period.
 - (iii) Engine site rating and model year.
 - (iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
 - (v)-(vi) [Reserved]
 - (vii) Hours spent for operation for the purposes specified in § 60.4243(d)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in § 60.4243(d)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.
 - (2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.
 - (3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). However, if the reporting form specific to this subpart is

not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 60.4. Beginning on February 26, 2025, submit annual report electronically according to paragraph (g) of this section.

- (f) Beginning on February 26, 2025, within 60 days after the date of completing each performance test, you must submit the results following the procedures specified in paragraph (g) of this section. Data collected using test methods that are supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test must be included as an attachment in the ERT or an alternate electronic file.
- (g) If you are required to submit notifications or reports following the procedure specified in this paragraph (g), you must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (g)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (g).
 - (1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described in paragraph (g) of this section, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Stationary Spark Ignition Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link.
 - (2) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711. ERT files should be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should be sent to the attention of the Stationary Spark Ignition Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

- (h) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (h)(1) through (7) of this section.
 - (1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.
 - (2) The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due.
 - (3) The outage may be planned or unplanned.
 - (4) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
 - (5) You must provide to the Administrator a written description identifying:
 - (i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;
 - (ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;
 - (iii) A description of measures taken or to be taken to minimize the delay in reporting; and
 - (iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.
 - (6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.
 - (7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.
- (i) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (i)(1) through (5) of this section.
 - (1) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).
 - (2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
 - (3) You must provide to the Administrator:

- (i) A written description of the force majeure event;
 - (ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;
 - (iii) A description of measures taken or to be taken to minimize the delay in reporting; and
 - (iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.
- (4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.
- (5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.
- (j) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008; 78 FR 6697, Jan. 30, 2013; 81 FR 59809, Aug. 30, 2016; 86 FR 34362, June 29, 2021; 87 FR 48606, Aug. 10, 2022; 89 FR 70514, Aug. 30, 2024]

GENERAL PROVISIONS

§ 60.4246 What General Provisions and confidential information provisions apply to me?

- (a) Table 3 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.
- (b) The provisions of 40 CFR 1068.10 and 1068.11 apply for engine manufacturers. For others, the general confidential business information (CBI) provisions apply as described in 40 CFR part 2.

[88 FR 4471, Jan. 24, 2023]

MOBILE SOURCE PROVISIONS

§ 60.4247 What parts of the mobile source provisions apply to me if I am a manufacturer of stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

- (a) Manufacturers certifying to emission standards in 40 CFR part 1054 must meet the provisions of 40 CFR part 1054. Note that 40 CFR part 1054, appendix I, describes various provisions that do not apply for engines meeting Phase 1 standards in 40 CFR part 1054. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060 to the extent they apply to equipment manufacturers.
- (b) Manufacturers required to certify to emission standards in 40 CFR part 1048 must meet the provisions of 40 CFR part 1048. Manufacturers certifying to emission standards in 40 CFR part 1048 pursuant to the voluntary certification program must meet the requirements in Table 4 to this subpart as well as the standards in 40 CFR 1048.101.

- (c) For manufacturers of stationary SI internal combustion engines participating in the voluntary certification program and certifying engines to Table 1 to this subpart, Table 4 to this subpart shows which parts of the mobile source provisions in 40 CFR parts 1048, 1065, and 1068 apply to you. Compliance with the deterioration factor provisions under 40 CFR 1048.205(n) and 1048.240 will be required for engines built new on and after January 1, 2010. Prior to January 1, 2010, manufacturers of stationary internal combustion engines participating in the voluntary certification program have the option to develop their own deterioration factors based on an engineering analysis.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008; 86 FR 34362, June 29, 2021]

DEFINITIONS

§ 60.4248 What definitions apply to this subpart?

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

Certified emissions life means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or calendar years, whichever comes first. The values for certified emissions life for stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) are given in 40 CFR 1054.107 and 1060.101, as appropriate. The values for certified emissions life for stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) certified to 40 CFR part 1048 are given in 40 CFR 1048.101(g). The certified emissions life for stationary SI ICE with a maximum engine power greater than 75 KW (100 HP) certified under the voluntary manufacturer certification program of this subpart is 5,000 hours or 7 years, whichever comes first. You may request in your application for certification that we approve a shorter certified emissions life for an engine family. We may approve a shorter certified emissions life, in hours of engine operation but not in years, if we determine that these engines will rarely operate longer than the shorter certified emissions life. If engines identical to those in the engine family have already been produced and are in use, your demonstration must include documentation from such in-use engines. In other cases, your demonstration must include an engineering analysis of information equivalent to such in-use data, such as data from research engines or similar engine models that are already in production. Your demonstration must also include any overhaul interval that you recommend, any mechanical warranty that you offer for the engine or its components, and any relevant customer design specifications. Your demonstration may include any other relevant information. The certified emissions life value may not be shorter than any of the following:

- (1) 1,000 hours of operation.
- (2) Your recommended overhaul interval.
- (3) Your mechanical warranty for the engine.

Certified stationary internal combustion engine means an engine that belongs to an engine family that has a certificate of conformity that complies with the emission standards and requirements in this part, or of 40 CFR part 1048 or 1054, as appropriate.

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

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

Date of manufacture means one of the following things:

- (1) For freshly manufactured engines and modified engines, date of manufacture means the date the engine is originally produced.
- (2) For reconstructed engines, date of manufacture means the date the engine was originally produced, except as specified in paragraph (3) of this definition.
- (3) Reconstructed engines are assigned a new date of manufacture if the fixed capital cost of the new and refurbished components exceeds 75 percent of the fixed capital cost of a comparable entirely new facility. An engine that is produced from a previously used engine block does not retain the date of manufacture of the engine in which the engine block was previously used if the engine is produced using all new components except for the engine block. In these cases, the date of manufacture is the date of reconstruction or the date the new engine is produced.

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

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and carbon dioxide (CO₂).

Emergency stationary internal combustion engine means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary ICE must comply with the requirements specified in § 60.4243(d) in order to be considered emergency stationary ICE. If the engine does not comply with the requirements specified in § 60.4243(d), then it is not considered to be an emergency stationary ICE under this subpart.

- (1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc.
- (2) The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 60.4243(d).
- (3) The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 60.4243(d)(3)(i).

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

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

Freshly manufactured engine means an engine that has not been placed into service. An engine becomes freshly manufactured when it is originally produced.

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

Installed means the engine is placed and secured at the location where it is intended to be operated.

Landfill gas means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO₂.

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

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

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

Maximum engine power means maximum engine power as defined in 40 CFR 1048.801.

Model year means the calendar year in which an engine is manufactured (see "date of manufacture"), except as follows:

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

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

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

Pipeline-quality natural gas means a naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions, and which is provided by a supplier through a pipeline. Pipeline-quality natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1,100 British thermal units per standard cubic foot.

Rich burn engine means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to June 12, 2006, with passive emission control technology for NO_x (such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

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

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

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

Stationary internal combustion engine test cell/stand means an engine test cell/stand, as defined in 40 CFR part 63, subpart P, that tests stationary ICE.

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

Subpart means 40 CFR part 60, subpart JJJJ.

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

Volatile organic compounds means volatile organic compounds as defined in 40 CFR 51.100(s).

Voluntary certification program means an optional engine certification program that manufacturers of stationary SI internal combustion engines with a maximum engine power greater than 19 KW (25 HP) that do not use gasoline and are not rich burn engines that use LPG can choose to participate in to certify their engines to the emission standards in § 60.4231(d) or (e), as applicable.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008; 76 FR 37974, June 28, 2011; 78 FR 6698, Jan. 30, 2013; 86 FR 34363, June 29, 2021; 87 FR 48606, Aug. 10, 2022]

Table 1 to Subpart JJJJ of Part 60—NO_x, CO, and VOC Emission Standards for Stationary Non-Emergency SI Engines ≥100 HP (Except Gasoline and Rich Burn LPG), Stationary SI Landfill/Digester Gas Engines, and Stationary Emergency Engines >25 HP

Engine type and fuel	Maximum engine power	Manufacture date	Emission standards ^a					
			g/HP-hr			ppmvd at 15% O ₂		
			NO _x	CO	VOC ^d	NO _x	CO	VOC ^d
Non-Emergency SI Natural Gas ^b and Non-Emergency SI Lean Burn LPG ^b	100≤HP<500	7/1/2008	2.0	4.0	1.0	160	540	86
		1/1/2011	1.0	2.0	0.7	82	270	60
Non-Emergency SI Lean Burn Natural Gas and LPG	500≤HP<1,350	1/1/2008	2.0	4.0	1.0	160	540	86
		7/1/2010	1.0	2.0	0.7	82	270	60
Non-Emergency SI Natural Gas and Non-Emergency SI Lean Burn LPG (except lean burn 500≤HP<1,350)	HP≥500	7/1/2007	2.0	4.0	1.0	160	540	86
		7/1/2010	1.0	2.0	0.7	82	270	60
Landfill/Digester Gas (except lean burn 500≤HP<1,350)	HP<500	7/1/2008	3.0	5.0	1.0	220	610	80
		1/1/2011	2.0	5.0	1.0	150	610	80
	HP≥500	7/1/2007	3.0	5.0	1.0	220	610	80
		7/1/2010	2.0	5.0	1.0	150	610	80
Landfill/Digester Gas Lean Burn	500≤HP<1,350	1/1/2008	3.0	5.0	1.0	220	610	80
		7/1/2010	2.0	5.0	1.0	150	610	80
Emergency	25<HP<130	1/1/2009	^c 10	387	N/A	N/A	N/A	N/A
	HP≥130		2.0	4.0	1.0	160	540	86

^a Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent O₂.

^b Owners and operators of new or reconstructed non-emergency lean burn SI stationary engines with a site rating of greater than or equal to 250 brake HP located at a major source that are meeting the requirements of 40 CFR part 63, subpart ZZZZ, Table 2a do not have to comply with the CO emission standards of Table 1 of this subpart.

^c The emission standards applicable to emergency engines between 25 HP and 130 HP are in terms of NO_x + HC.

^d For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

[76 FR 37975, June 28, 2011]

Table 2 to Subpart JJJJ of Part 60—Requirements for Performance Tests

As stated in § 60.4244, you must comply with the following requirements for performance tests within 10 percent of 100 percent peak (or the highest achievable) load].

For each	Complying with the requirement to	You must	Using	According to the following requirements
1. Stationary SI internal combustion engine demonstrating compliance according to § 60.4244	a. Limit the concentration of NO _x in the stationary SI internal combustion engine exhaust	i. Select the sampling port location and the number/ location of traverse points at the exhaust of the stationary internal combustion engine; ii. Determine the O₂	(1) Method 1 or 1A of 40 CFR part 60, appendix A-1, if measuring flow rate (2) Method 3, 3A, or 3B^b of	(a) Alternatively, for NO_x, O₂, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, Appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, Appendix A. (b) Measurements to determine O₂ concentration must be made at the

^a Also, you may petition the Administrator for approval to use alternative methods for portable analyzer.

^b You may use ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses, for measuring the O₂ content of the exhaust gas as an alternative to EPA Method 3B. AMSE PTC 19.10-1981 incorporated by reference, see 40 CFR 60.17

^c You may use EPA Method 18 of 40 CFR part 60, appendix A-6, provided that you conduct an adequate pre-survey test prior to the emissions test, such as the one described in OTM 11 on EPA's website (<http://www.epa.gov/ttn/emc/prelim/otm11.pdf>).

^d Incorporated by reference; see 40 CFR 60.17.

^e You must meet the requirements in § 60.4245(d).

For each	Complying with the requirement to	You must	Using	According to the following requirements
		concentration of the stationary internal combustion engine exhaust at the sampling port location; iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust; iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location;	40 CFR part 60, appendix A-2 or ASTM Method D6522-00 (Reapproved 2005) ^{a d} (3) Method 2 or 2C of 40 CFR part 60, appendix A-1 or Method 19 of 40 CFR part 60, appendix A-7 (4) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A, ^e or ASTM Method D6348-03 ^{d e}	same time as the measurements for NO _x concentration. (c) Measurements to determine the exhaust flowrate must be made (1) at the same time as the measurement for NO _x concentration or, alternatively (2) according to the option in Section 11.1.2 of Method 1A of 40 CFR part 60, Appendix A-1, if applicable. (d) Measurements to determine moisture must be made at the same time as the measurement for NO _x concentration.

^a Also, you may petition the Administrator for approval to use alternative methods for portable analyzer.

^b You may use ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses, for measuring the O₂ content of the exhaust gas as an alternative to EPA Method 3B. AMSE PTC 19.10-1981 incorporated by reference, see 40 CFR 60.17

^c You may use EPA Method 18 of 40 CFR part 60, appendix A-6, provided that you conduct an adequate pre-survey test prior to the emissions test, such as the one described in OTM 11 on EPA's website (<http://www.epa.gov/ttn/emc/prelim/otm11.pdf>).

^d Incorporated by reference; see 40 CFR 60.17.

^e You must meet the requirements in § 60.4245(d).

For each	Complying with the requirement to	You must	Using	According to the following requirements
		and v. Measure NO _x at the exhaust of the stationary internal combustion engine; if using a control device, the sampling site must be located at the outlet of the control device	(5) Method 7E of 40 CFR part 60, appendix A-4, ASTM Method D6522-00 (Reapproved 2005), ^{a d} Method 320 of 40 CFR part 63, appendix A, ^e or ASTM Method D6348-03 ^{d e}	(e) Results of this test consist of the average of the three 1-hour or longer runs.
	b. Limit the concentration of CO in the stationary SI internal combustion engine exhaust	i. Select the sampling port location and the number/ location of traverse points at the exhaust of the stationary internal combustion engine;	(1) Method 1 or 1A of 40 CFR part 60, appendix A-1, if measuring flow rate	(a) Alternatively, for CO, O ₂ , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60,

^a Also, you may petition the Administrator for approval to use alternative methods for portable analyzer.

^b You may use ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses, for measuring the O₂ content of the exhaust gas as an alternative to EPA Method 3B. AMSE PTC 19.10-1981 incorporated by reference, see 40 CFR 60.17

^c You may use EPA Method 18 of 40 CFR part 60, appendix A-6, provided that you conduct an adequate pre-survey test prior to the emissions test, such as the one described in OTM 11 on EPA's website (<http://www.epa.gov/ttn/emc/prelim/otm11.pdf>).

^d Incorporated by reference; see 40 CFR 60.17.

^e You must meet the requirements in § 60.4245(d).

For each	Complying with the requirement to	You must	Using	According to the following requirements
		ii. Determine the O₂ concentration of the stationary internal combustion engine exhaust at the sampling port location; iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust; iv. If necessary, measure	(2) Method 3, 3A, or 3B^b of 40 CFR part 60, appendix A-2 or ASTM Method D6522-00 (Reapproved 2005)^{a d} (3) Method 2 or 2C of 40 CFR 60, appendix A-1 or Method 19 of 40 CFR part 60, appendix A-7 (4) Method 4 of 40 CFR part 60,	Appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, Appendix A. (b) Measurements to determine O₂ concentration must be made at the same time as the measurements for CO concentration. (c) Measurements to determine the exhaust flowrate must be made (1) at the same time as the measurement for CO concentration or, alternatively (2) according to the option in Section 11.1.2 of Method 1A of 40 CFR part 60, Appendix A-1, if applicable. (d) Measurements to determine moisture must be made at the same time as the measurement for

^a Also, you may petition the Administrator for approval to use alternative methods for portable analyzer.

^b You may use ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses, for measuring the O₂ content of the exhaust gas as an alternative to EPA Method 3B. AMSE PTC 19.10-1981 incorporated by reference, see 40 CFR 60.17

^c You may use EPA Method 18 of 40 CFR part 60, appendix A-6, provided that you conduct an adequate pre-survey test prior to the emissions test, such as the one described in OTM 11 on EPA's website (<http://www.epa.gov/ttn/emc/prelim/otm11.pdf>).

^d Incorporated by reference; see 40 CFR 60.17.

^e You must meet the requirements in § 60.4245(d).

For each	Complying with the requirement to	You must	Using	According to the following requirements
		moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	appendix A-3, Method 320 of 40 CFR part 63, appendix A, ^e or ASTM Method D6348-03 ^{d e}	CO concentration.
		v. Measure CO at the exhaust of the stationary internal combustion engine; if using a control device, the sampling site must be located at the outlet of the control device	(5) Method 10 of 40 CFR part 60, appendix A4, ASTM Method D6522-00 (Reapproved 2005), ^{a d e} Method 320 of 40 CFR part 63, appendix A, ^e or ASTM Method D6348-03 ^{d e}	(e) Results of this test consist of the average of the three 1-hour or longer runs.
	c. Limit the concentration of VOC in the stationary SI internal	i. Select the sampling port location and the number/	(1) Method 1 or 1A of 40 CFR part 60, appendix A-1, if measuring	(a) Alternatively, for VOC, O ₂ , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12

^a Also, you may petition the Administrator for approval to use alternative methods for portable analyzer.

^b You may use ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses, for measuring the O₂ content of the exhaust gas as an alternative to EPA Method 3B. AMSE PTC 19.10-1981 incorporated by reference, see 40 CFR 60.17

^c You may use EPA Method 18 of 40 CFR part 60, appendix A-6, provided that you conduct an adequate pre-survey test prior to the emissions test, such as the one described in OTM 11 on EPA's website (<http://www.epa.gov/ttn/emc/prelim/otm11.pdf>).

^d Incorporated by reference; see 40 CFR 60.17.

^e You must meet the requirements in § 60.4245(d).

For each	Complying with the requirement to	You must	Using	According to the following requirements
	combustion engine exhaust	location of traverse points at the exhaust of the stationary internal combustion engine;	flow rate	inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, Appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, Appendix A.
		ii. Determine the O ₂ concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B ^b of 40 CFR part 60, appendix A-2 or ASTM Method D6522-00 (Reapproved 2005) ^{a d}	(b) Measurements to determine O ₂ concentration must be made at the same time as the measurements for VOC concentration.
		iii. If necessary, determine the exhaust	(3) Method 2 or 2C of 40 CFR 60, appendix A-1	(c) Measurements to determine the exhaust flowrate must be made (1) at the same time as the measurement for VOC

^a Also, you may petition the Administrator for approval to use alternative methods for portable analyzer.

^b You may use ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses, for measuring the O₂ content of the exhaust gas as an alternative to EPA Method 3B. AMSE PTC 19.10-1981 incorporated by reference, see 40 CFR 60.17

^c You may use EPA Method 18 of 40 CFR part 60, appendix A-6, provided that you conduct an adequate pre-survey test prior to the emissions test, such as the one described in OTM 11 on EPA's website (<http://www.epa.gov/ttn/emc/prelim/otm11.pdf>).

^d Incorporated by reference; see 40 CFR 60.17.

^e You must meet the requirements in § 60.4245(d).

For each	Complying with the requirement to	You must	Using	According to the following requirements
		flowrate of the stationary internal combustion engine exhaust; iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and v. Measure VOC at the exhaust of the stationary internal combustion engine; if using a control device, the sampling site must be	or Method 19 of 40 CFR part 60, appendix A-7 (4) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A,^e or ASTM Method D6348-03^{d e} (5) Methods 25A and 18 of 40 CFR part 60, appendices A-6 and A-7, Method 25A with the use of a hydrocarbon cutter as described in	concentration or, alternatively (2) according to the option in Section 11.1.2 of Method 1A of 40 CFR part 60, Appendix A-1, if applicable. (d) Measurements to determine moisture must be made at the same time as the measurement for VOC concentration. (e) Results of this test consist of the average of the three 1-hour or longer runs.

^a Also, you may petition the Administrator for approval to use alternative methods for portable analyzer.

^b You may use ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses, for measuring the O₂ content of the exhaust gas as an alternative to EPA Method 3B. AMSE PTC 19.10-1981 incorporated by reference, see 40 CFR 60.17

^c You may use EPA Method 18 of 40 CFR part 60, appendix A-6, provided that you conduct an adequate pre-survey test prior to the emissions test, such as the one described in OTM 11 on EPA's website (<http://www.epa.gov/ttn/emc/prelim/otm11.pdf>).

^d Incorporated by reference; see 40 CFR 60.17.

^e You must meet the requirements in § 60.4245(d).

For each	Complying with the requirement to	You must	Using	According to the following requirements
		located at the outlet of the control device	40 CFR 1065.265, Method 18 of 40 CFR part 60, appendix A-6, ^{c e} Method 320 of 40 CFR part 63, appendix A, ^e or ASTM Method D6348-03 ^{d e}	

^a Also, you may petition the Administrator for approval to use alternative methods for portable analyzer.

^b You may use ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses, for measuring the O₂ content of the exhaust gas as an alternative to EPA Method 3B. AMSE PTC 19.10-1981 incorporated by reference, see 40 CFR 60.17

^c You may use EPA Method 18 of 40 CFR part 60, appendix A-6, provided that you conduct an adequate pre-survey test prior to the emissions test, such as the one described in OTM 11 on EPA's website (<http://www.epa.gov/ttn/emc/prelim/otm11.pdf>).

^d Incorporated by reference; see 40 CFR 60.17.

^e You must meet the requirements in § 60.4245(d).

[85 FR 63408, Oct. 7, 2020]

Table 3 to Subpart JJJJ of Part 60—Applicability of General Provisions to Subpart JJJJ

[AS STATED IN § 60.4246, YOU MUST COMPLY WITH THE FOLLOWING APPLICABLE GENERAL PROVISIONS]

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 60.1	General applicability of the General Provisions	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 60.2	Definitions	Yes	Additional terms defined in § 60.4248.
§ 60.3	Units and abbreviations	Yes	
§ 60.4	Address	Yes	
§ 60.5	Determination of construction or modification	Yes	
§ 60.6	Review of plans	Yes	
§ 60.7	Notification and Recordkeeping	Yes	Except that § 60.7 only applies as specified in § 60.4245.
§ 60.8	Performance tests	Yes	Except that § 60.8 only applies to owners and operators who are subject to performance testing in subpart JJJJ.
§ 60.9	Availability of information	Yes	Requirements are specified in subpart JJJJ.
§ 60.10	State Authority	Yes	
§ 60.11	Compliance with standards and maintenance requirements	Yes	
§ 60.12	Circumvention	Yes	
§ 60.13	Monitoring requirements	No	
§ 60.14	Modification	Yes	
§ 60.15	Reconstruction	Yes	
§ 60.16	Priority list	Yes	
§ 60.17	Incorporations by reference	Yes	
§ 60.18	General control device requirements	No	
§ 60.19	General notification and reporting requirements	Yes	

Table 4 to Subpart JJJJ of Part 60—Applicability of Mobile Source Provisions for Manufacturers Participating in the Voluntary Certification Program and Certifying Stationary SI ICE to Emission Standards in Table 1 of Subpart JJJJ

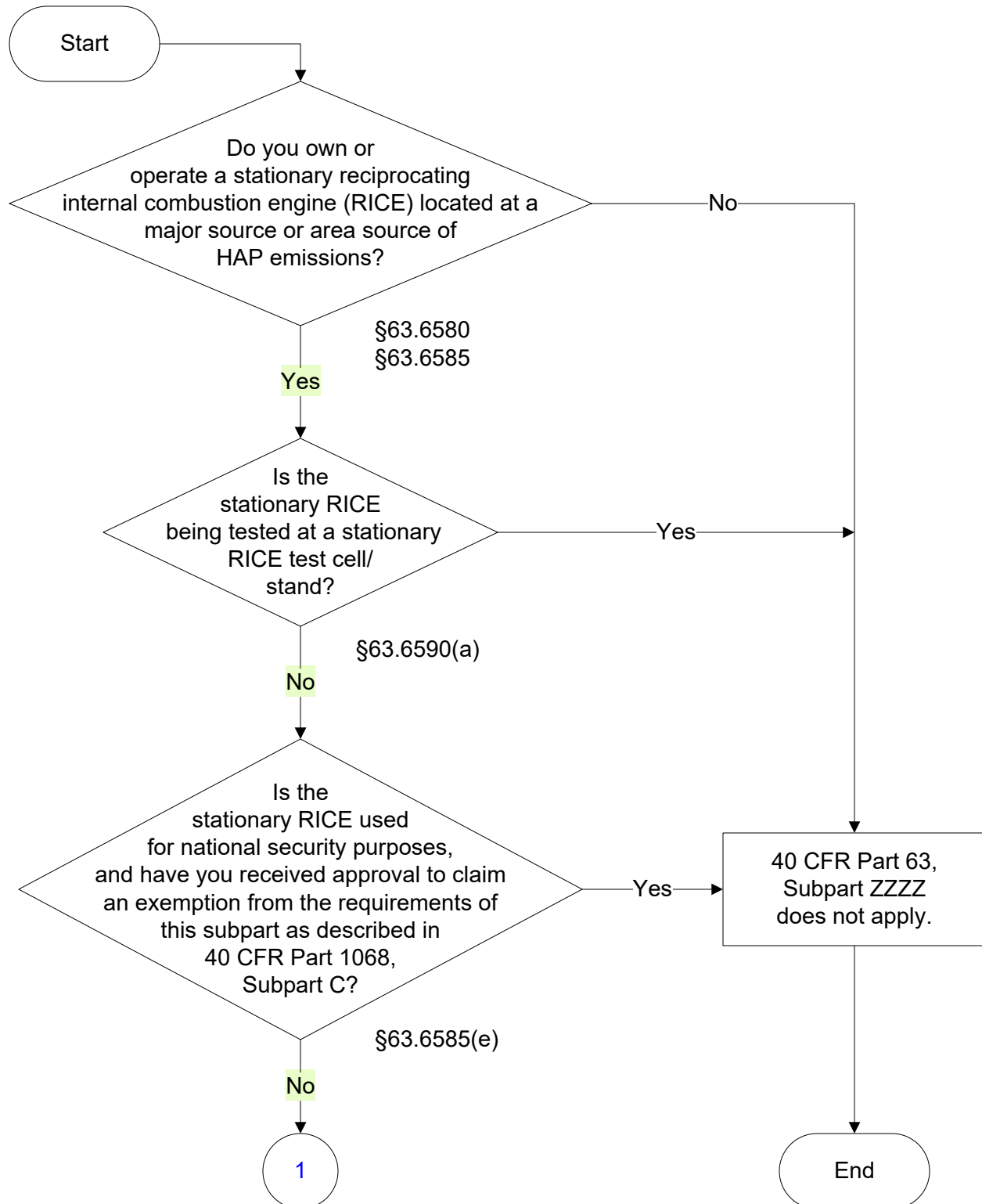
[AS STATED IN § 60.4247, YOU MUST COMPLY WITH THE FOLLOWING APPLICABLE MOBILE SOURCE PROVISIONS IF YOU ARE A MANUFACTURER PARTICIPATING IN THE VOLUNTARY CERTIFICATION PROGRAM AND CERTIFYING STATIONARY SI ICE TO EMISSION STANDARDS IN TABLE 1 OF SUBPART JJJJ]

Mobile source provisions citation	Subject of citation	Applies to subpart	Explanation
1048 subpart A	Overview and Applicability	Yes	Except for the specific sections below.
1048 subpart B	Emission Standards and Related Requirements	Yes	
1048.101	Exhaust Emission Standards	No	
1048.105	Evaporative Emission Standards	No	
1048.110	Diagnosing Malfunctions	No	
1048.140	Certifying Blue Sky Series Engines	No	
1048.145	Interim Provisions	No	Except for the specific sections below.
1048 subpart C	Certifying Engine Families	Yes	
1048.205(b)	AECD reporting	Yes	
1048.205(c)	OBD Requirements	No	
1048.205(n)	Deterioration Factors	Yes	
1048.205(p)(1)	Deterioration Factor Discussion	Yes	Except as indicated in 60.4247(c).
1048.205(p)(2)	Liquid Fuels as they require	No	
1048.240(b)(c)(d)	Deterioration Factors	Yes	
1048 subpart D	Testing Production-Line Engines	Yes	
1048 subpart E	Testing In-Use Engines	No	
1048 subpart F	Test Procedures	Yes	
1065.5(a)(4)	Raw sampling (refers reader back to the specific emissions regulation for guidance)	Yes	
1048 subpart G	Compliance Provisions	Yes	
1048 subpart H	Reserved		
1048 subpart I	Definitions and Other Reference Information	Yes	
1048 appendix I	Yes		

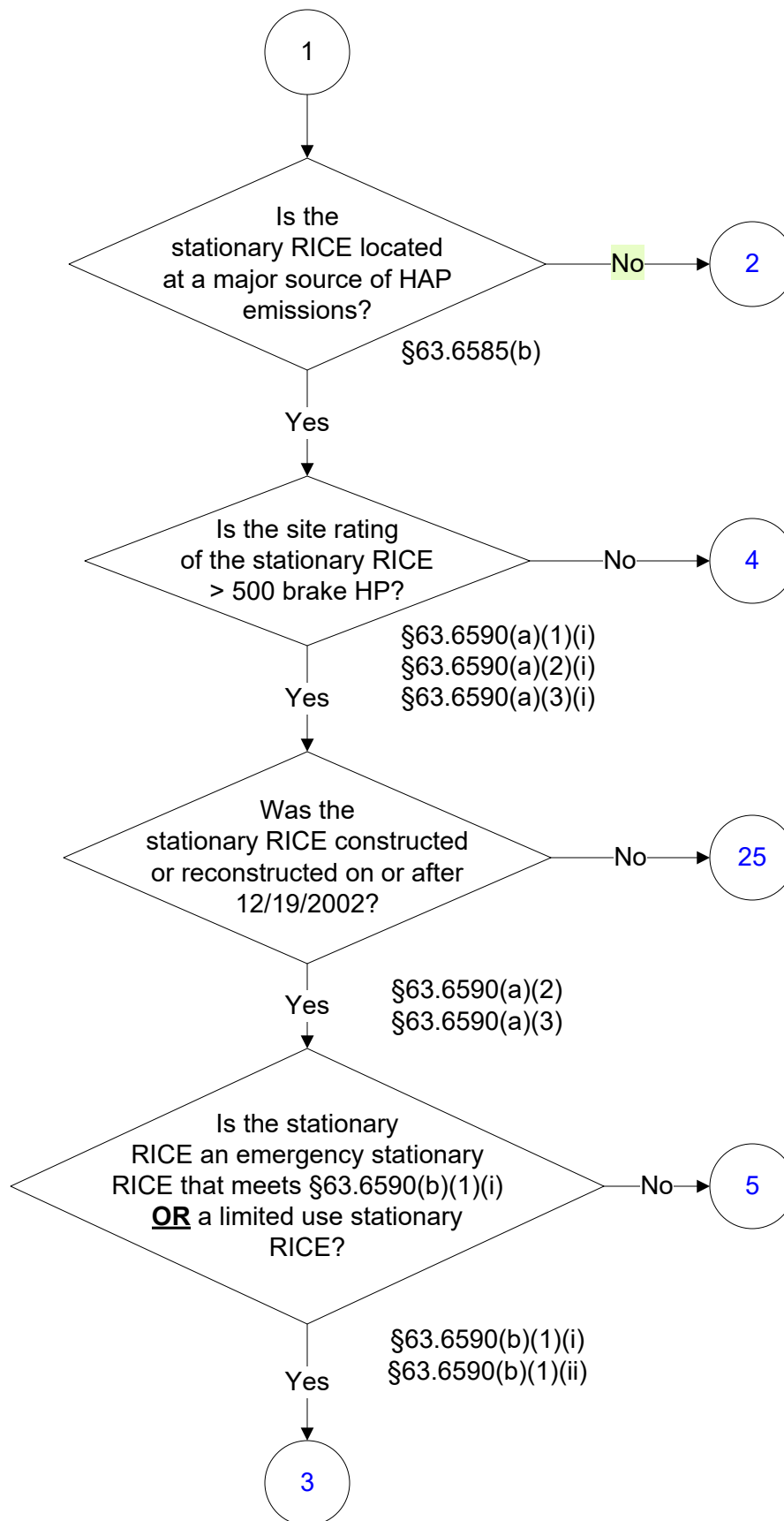
Mobile source provisions citation	Subject of citation	Applies to subpart	Explanation
and II			
1065 (all subparts)	Engine Testing Procedures	Yes	Except for the specific section below.
1065.715	Test Fuel Specifications for Natural Gas	No	
1068 (all subparts)	General Compliance Provisions for Nonroad Programs	Yes	Except for the specific sections below.
1068.245	Hardship Provisions for Unusual Circumstances	No	
1068.250	Hardship Provisions for Small-Volume Manufacturers	No	
1068.255	Hardship Provisions for Equipment Manufacturers and Secondary Engine Manufacturers	No	

Appendix G

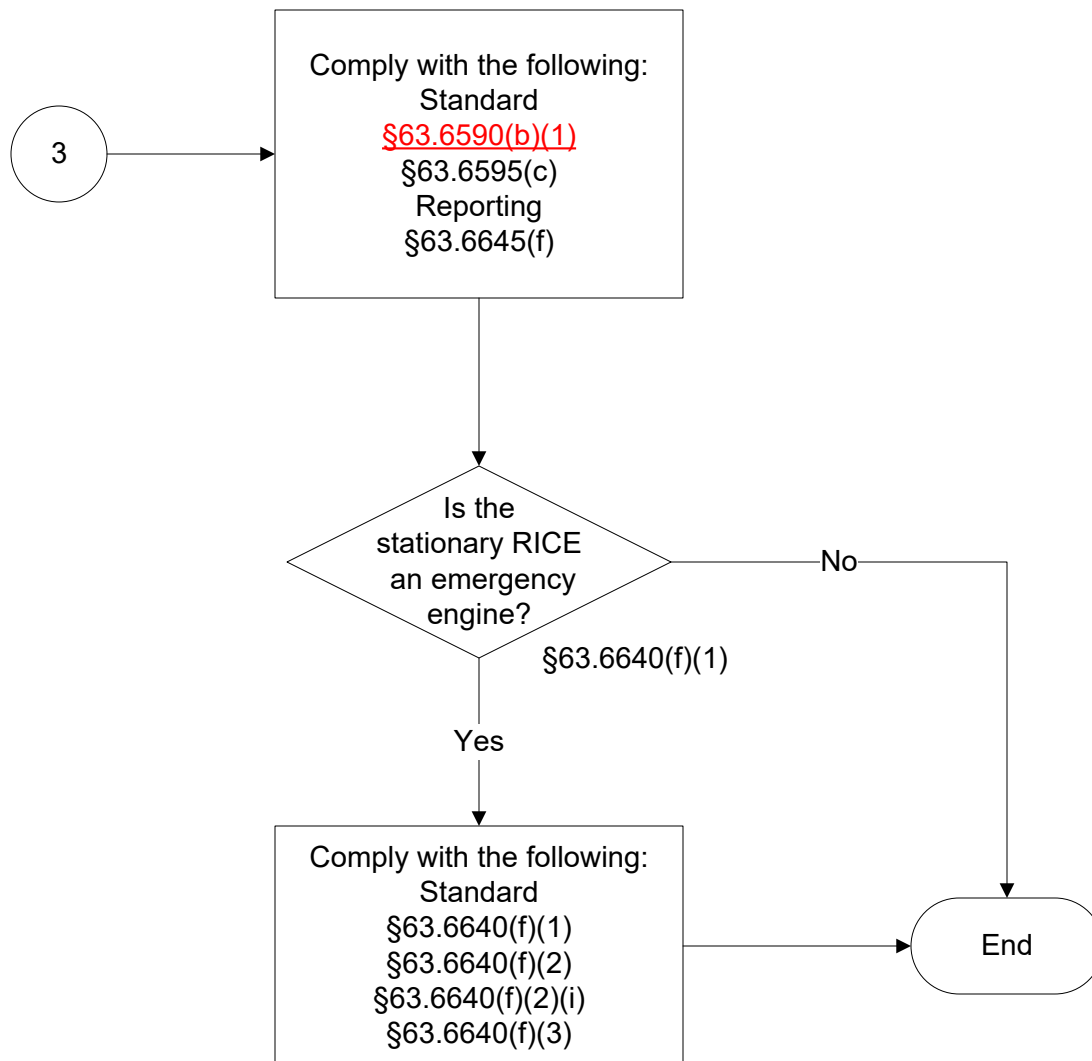
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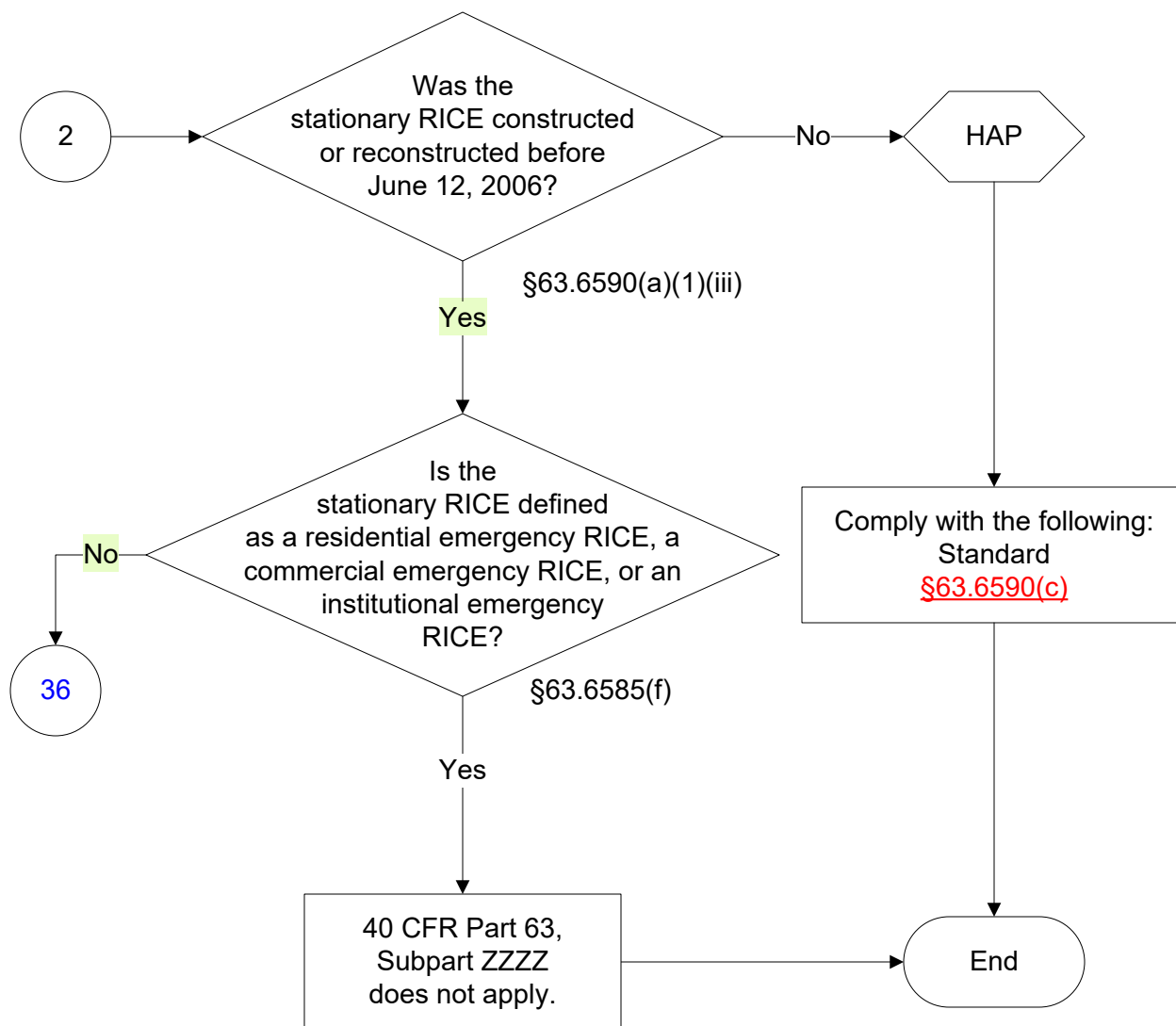
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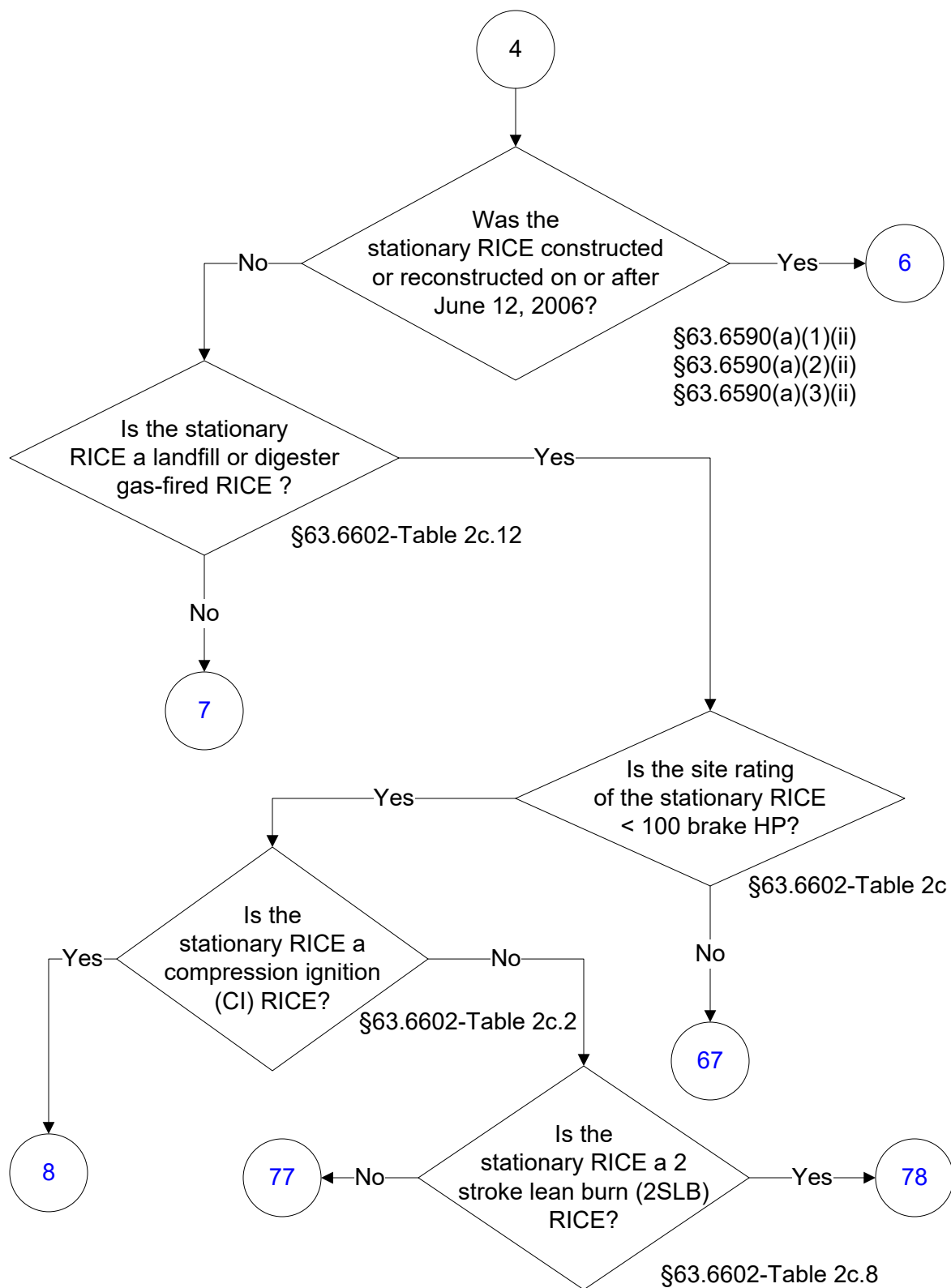
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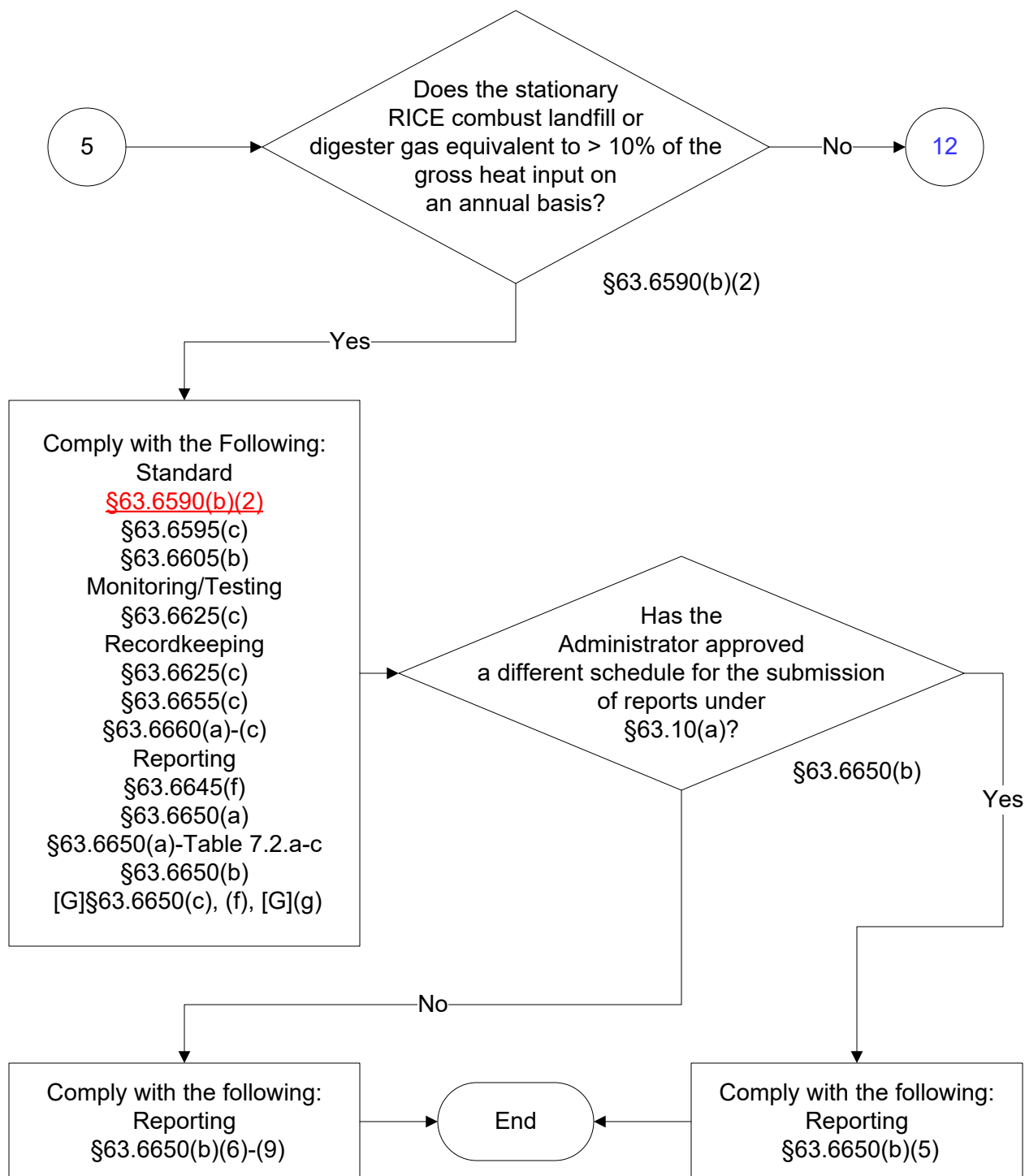
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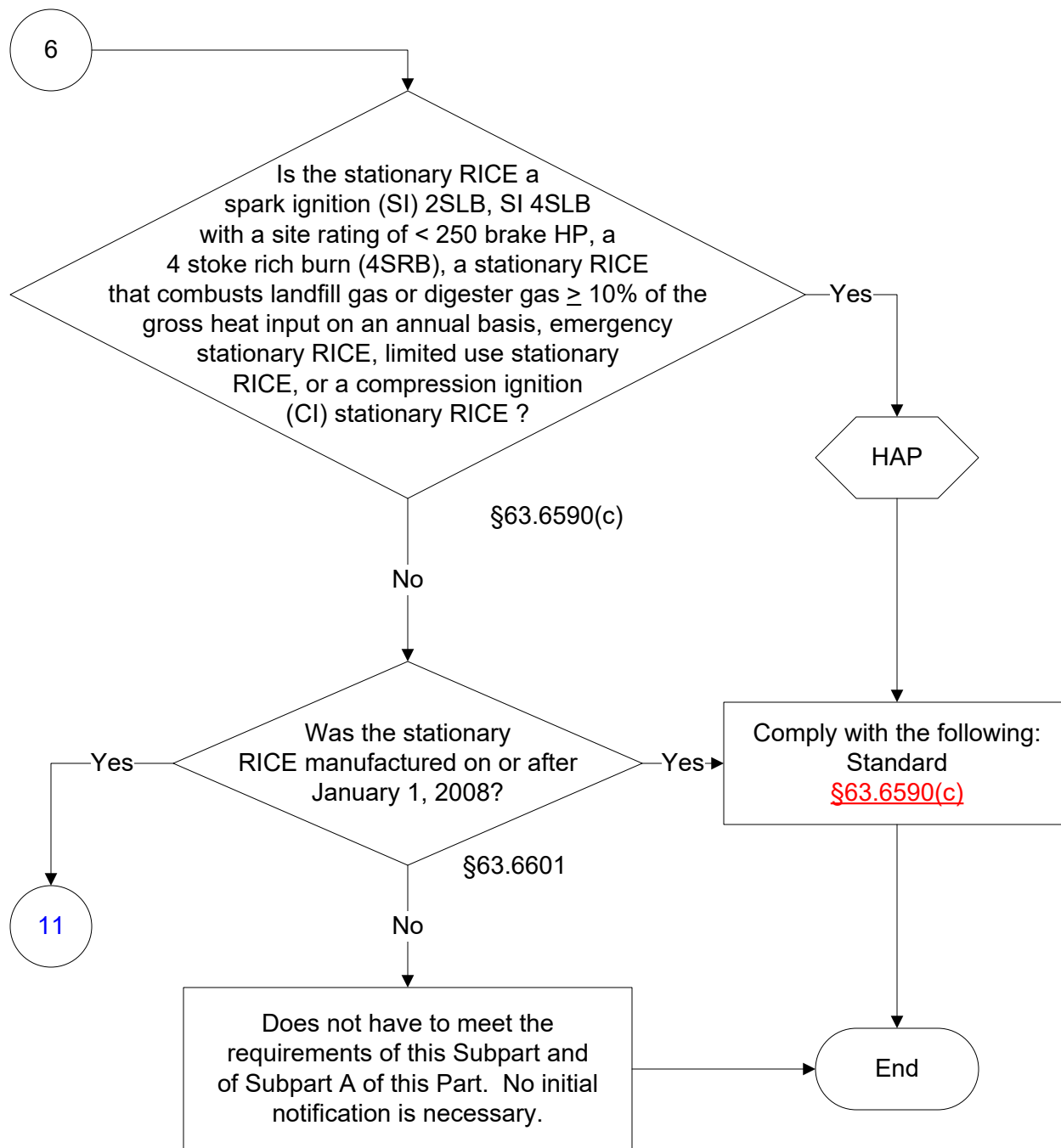
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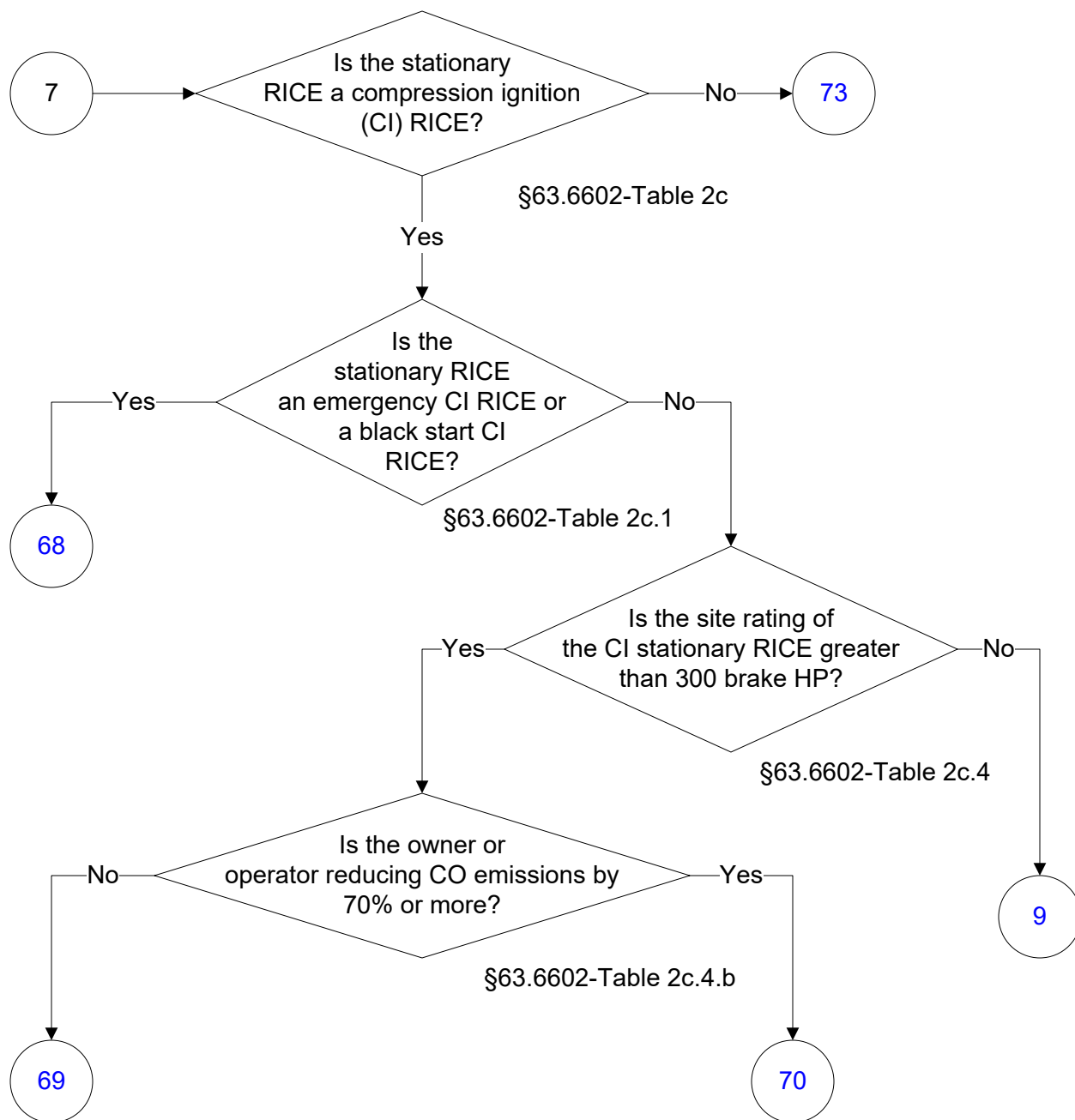
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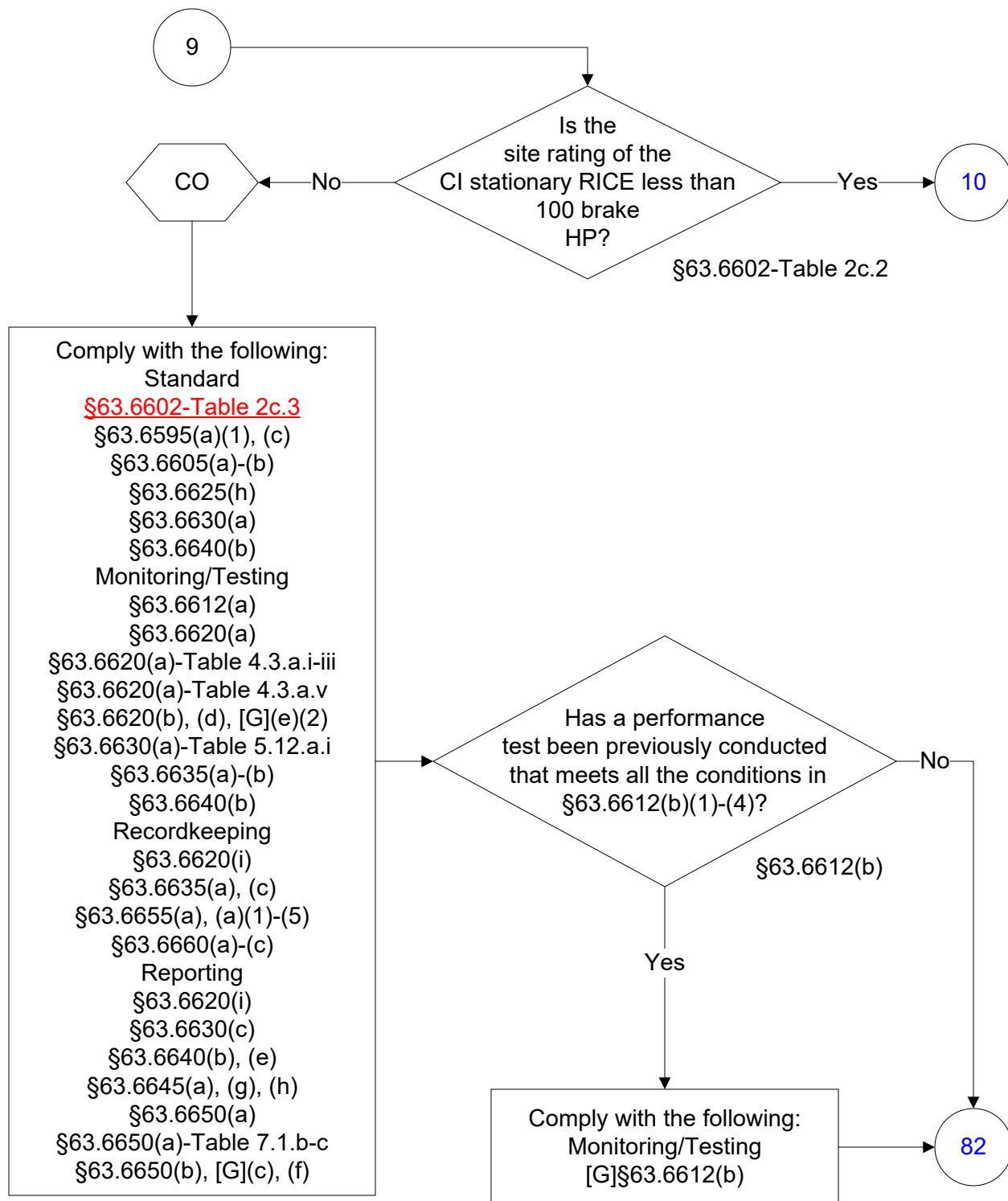
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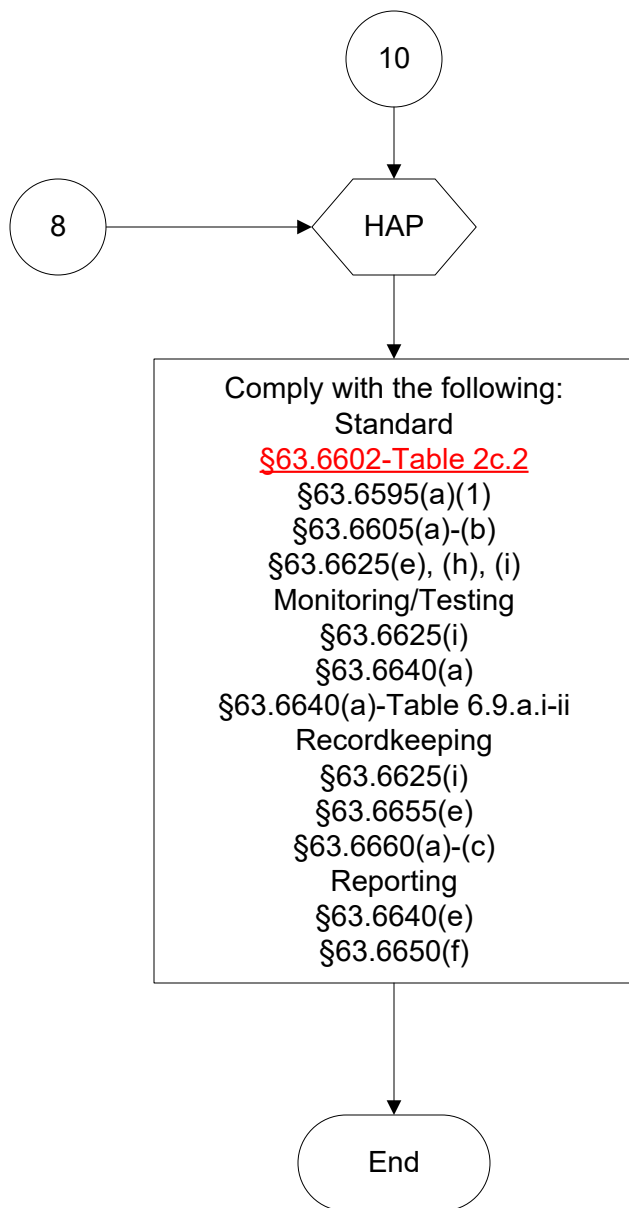
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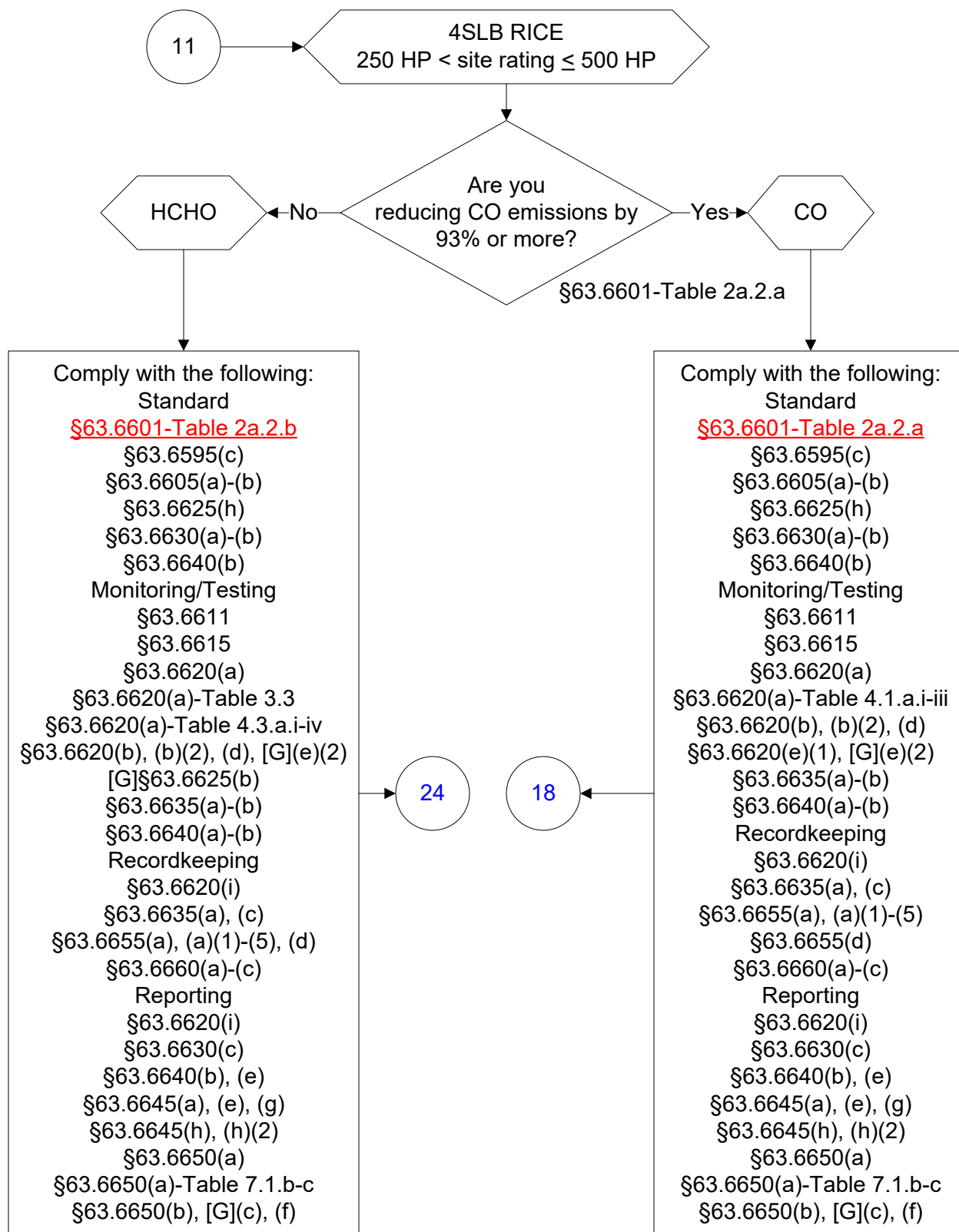
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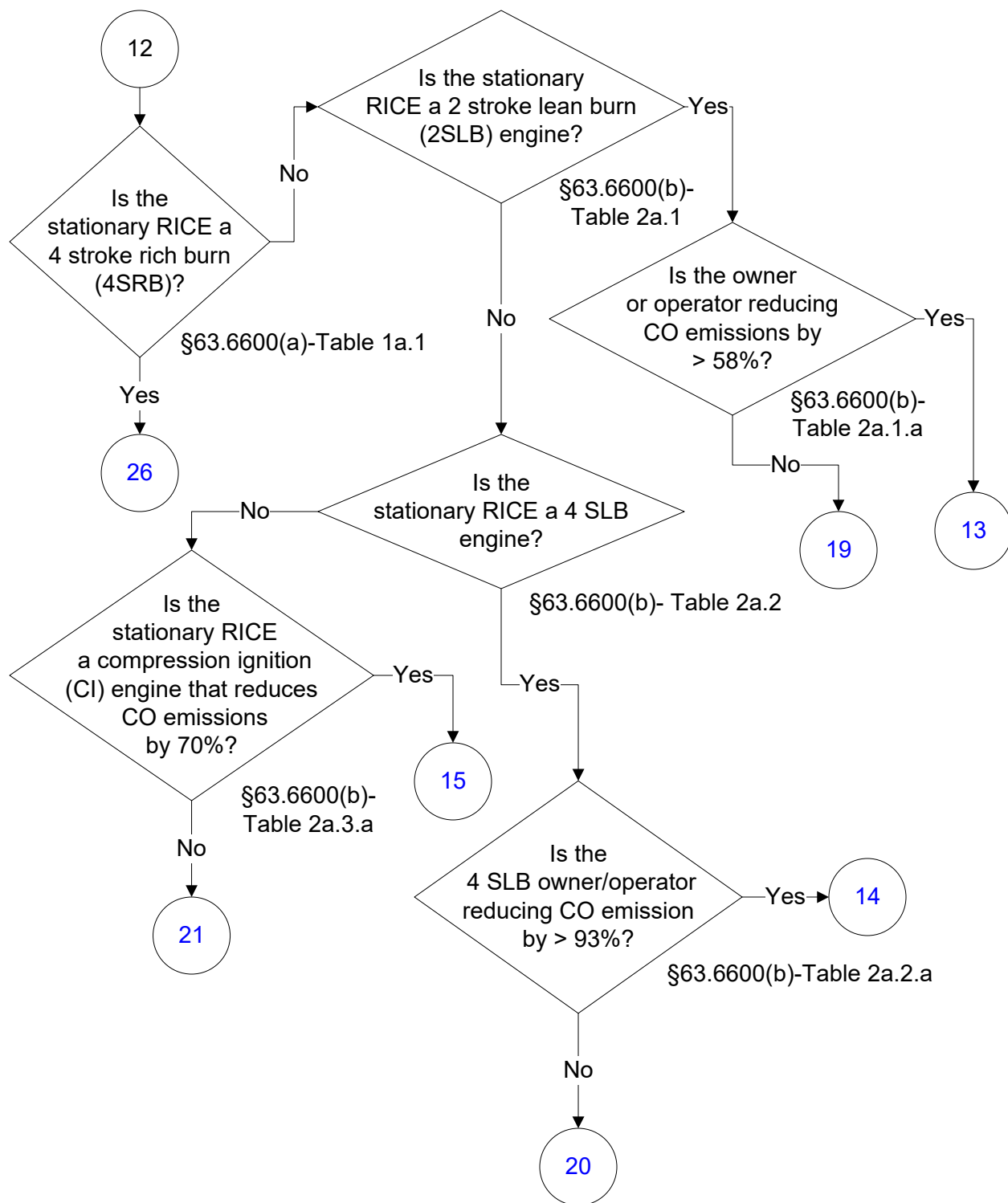
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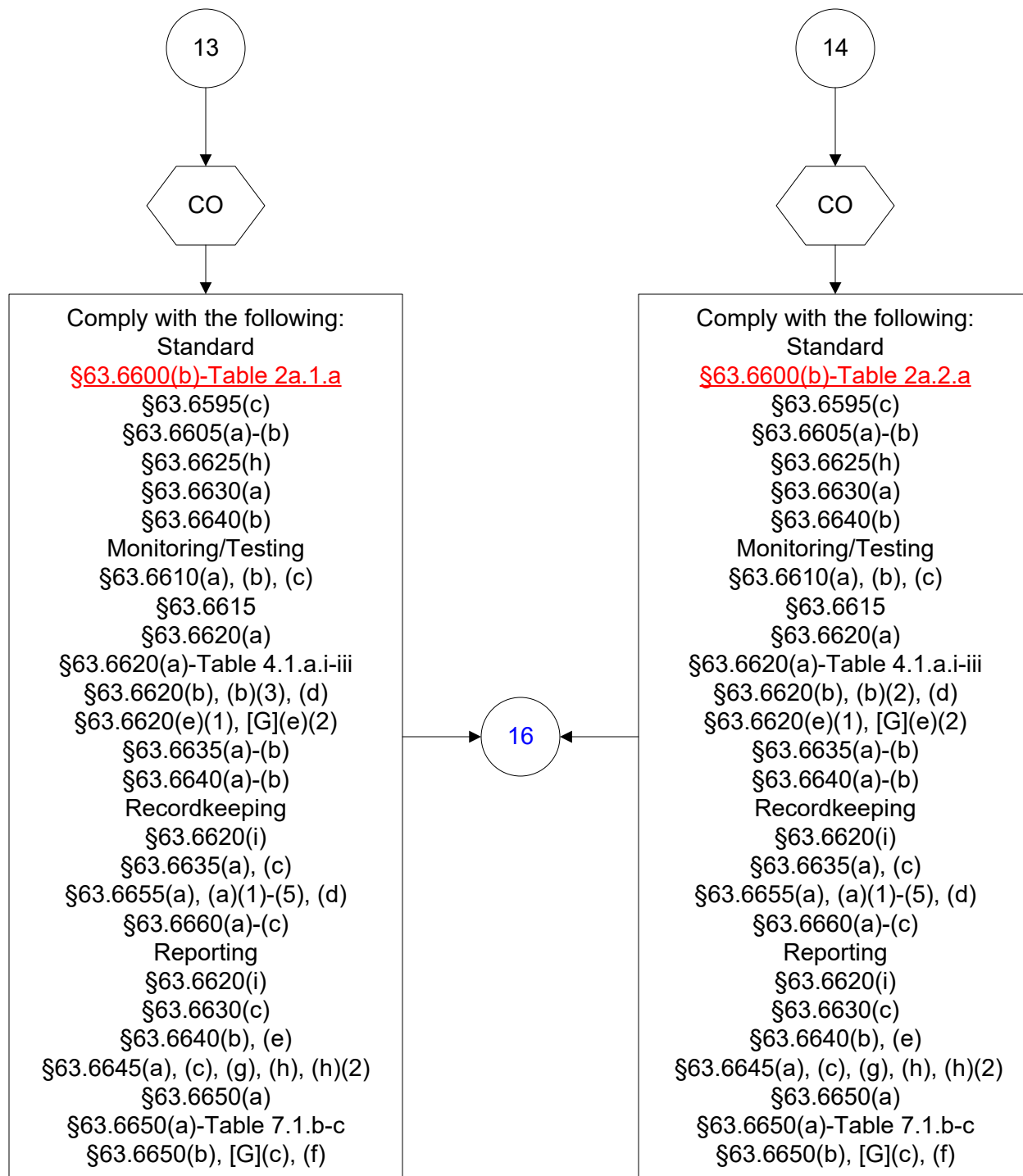
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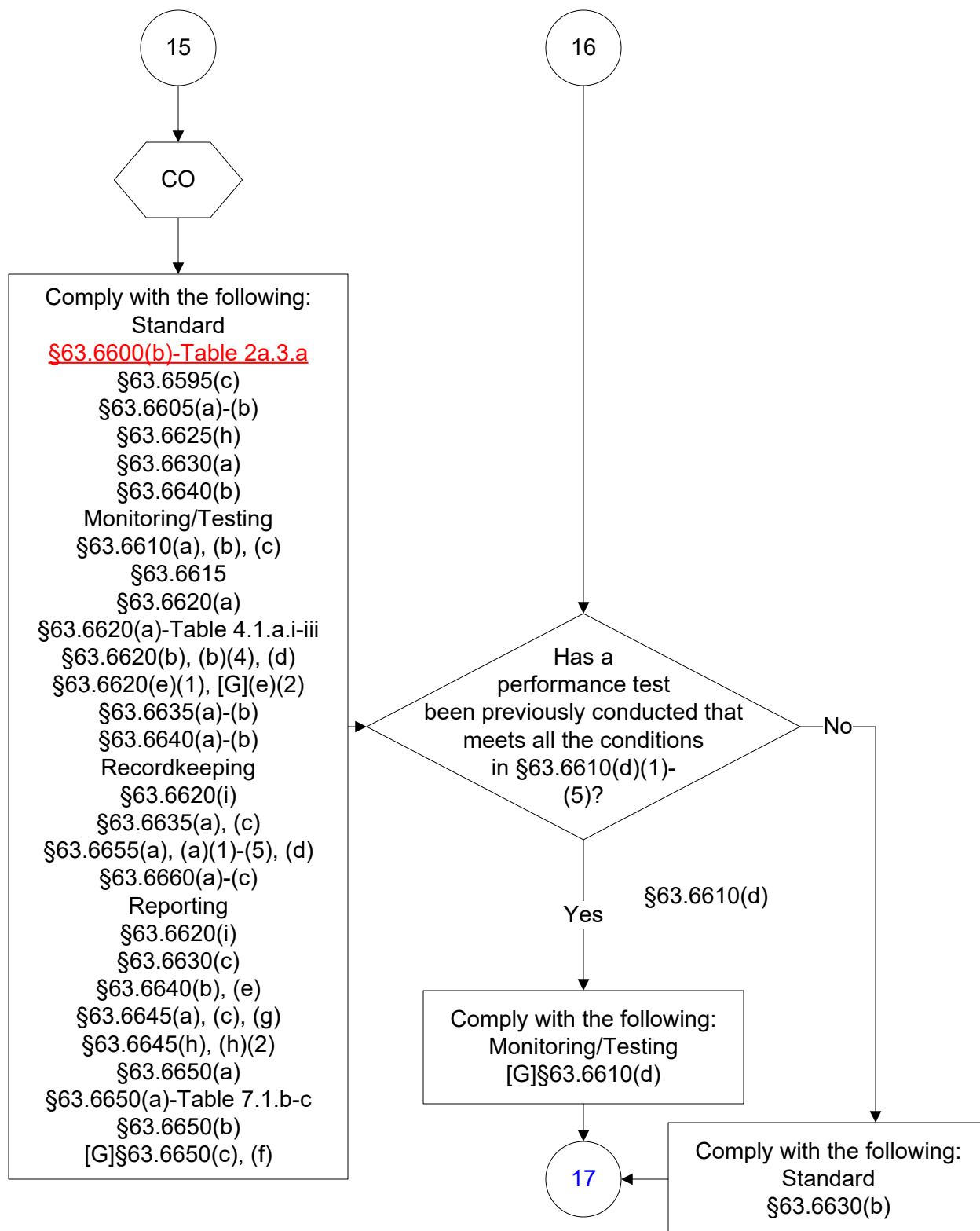
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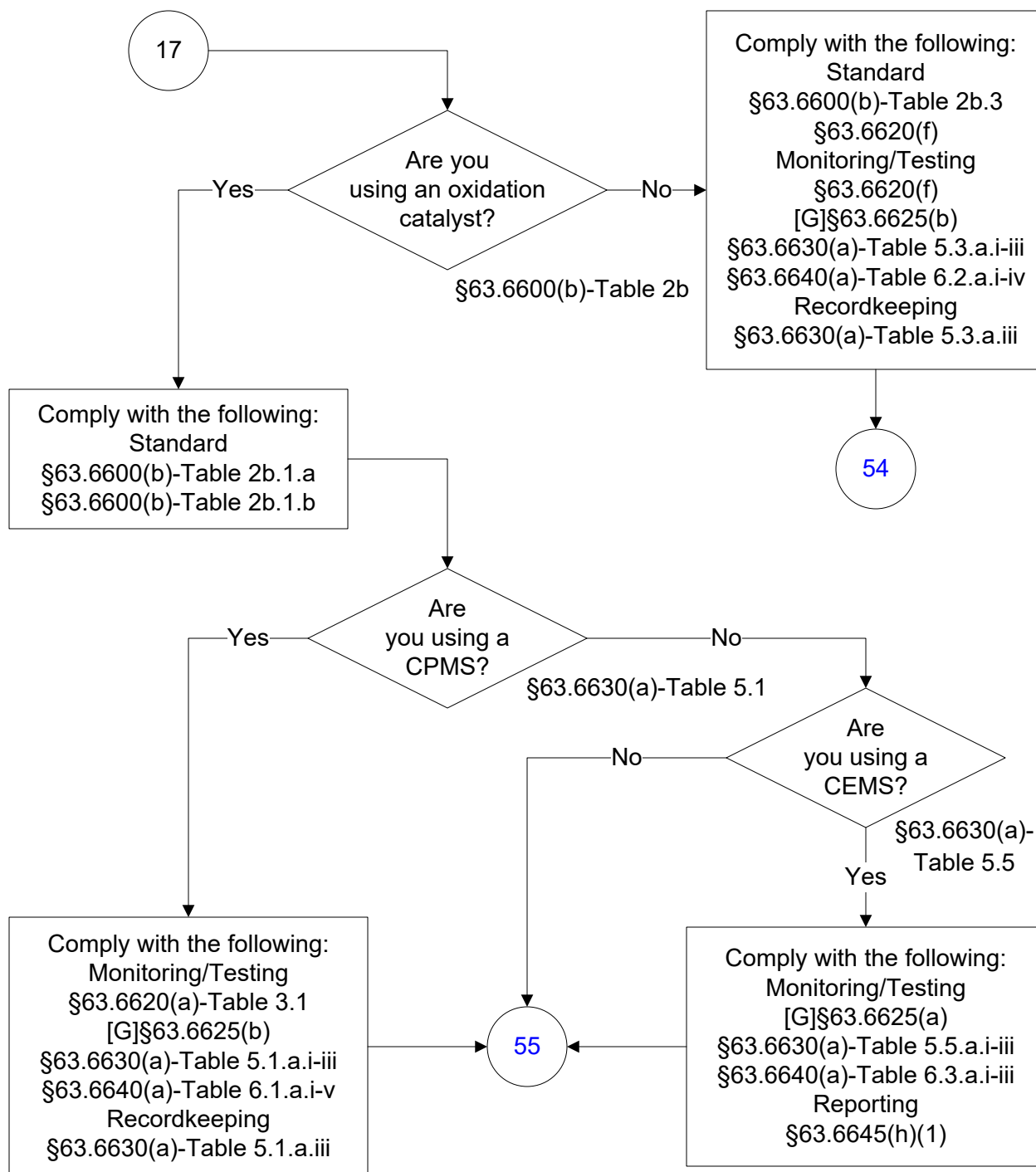
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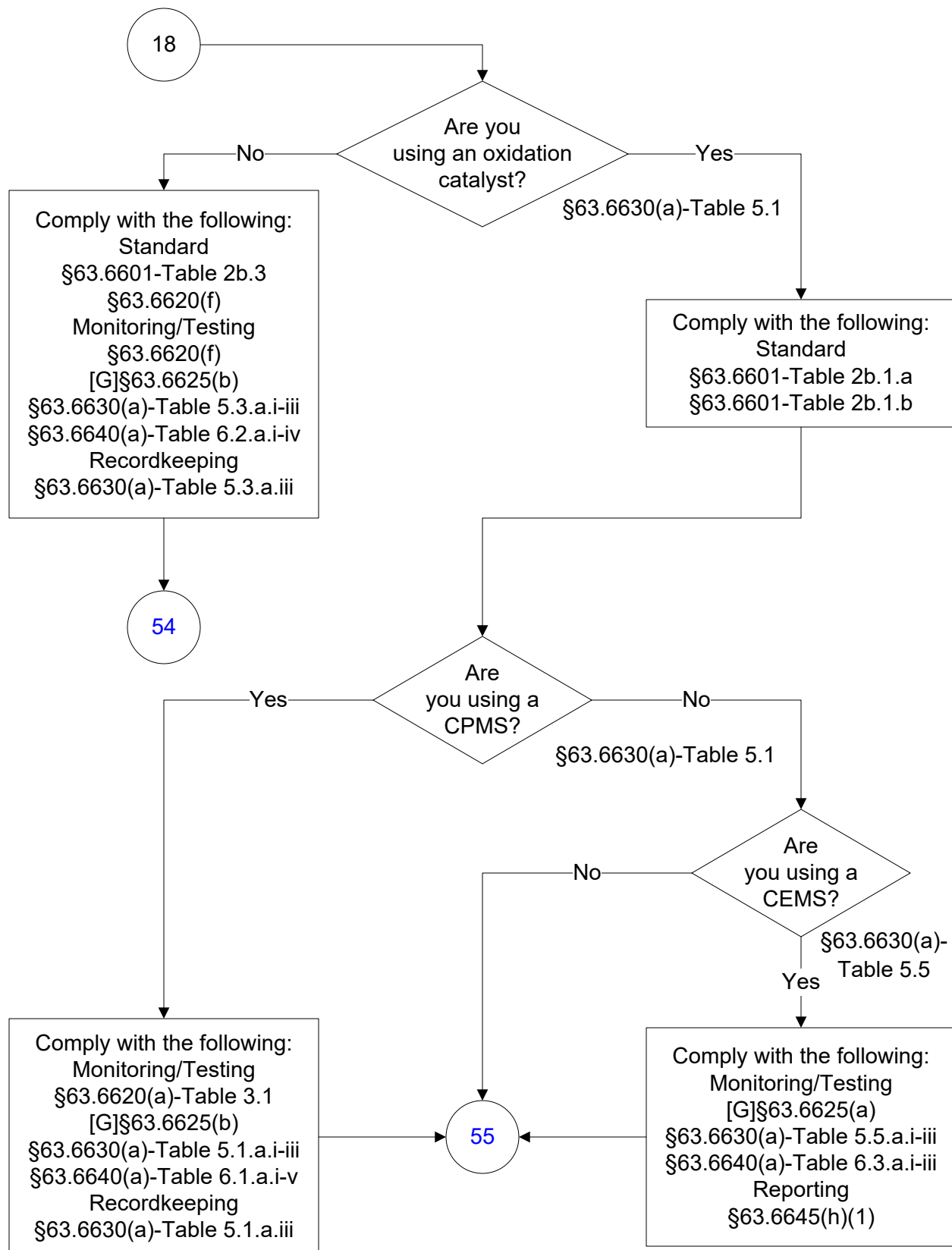
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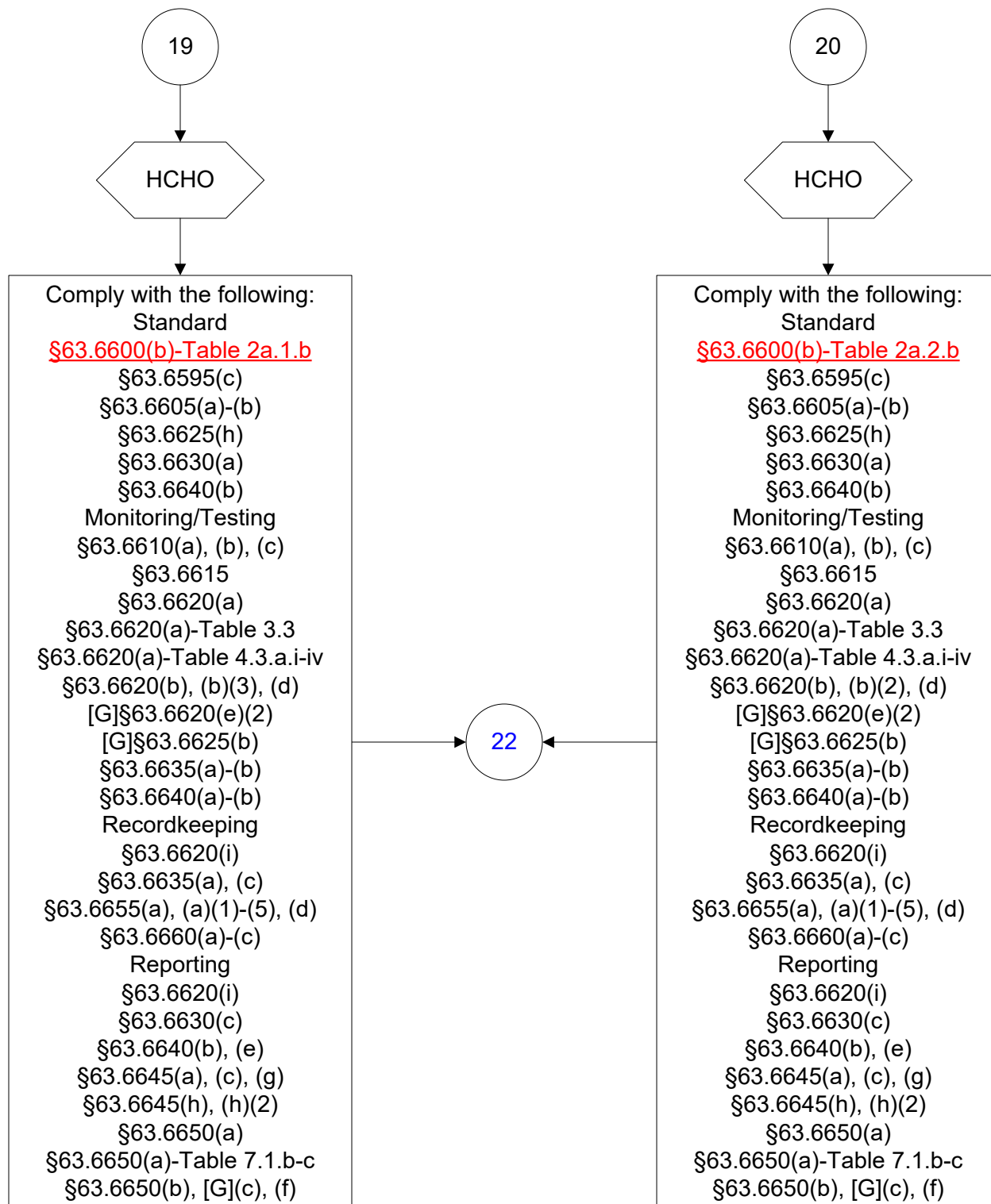
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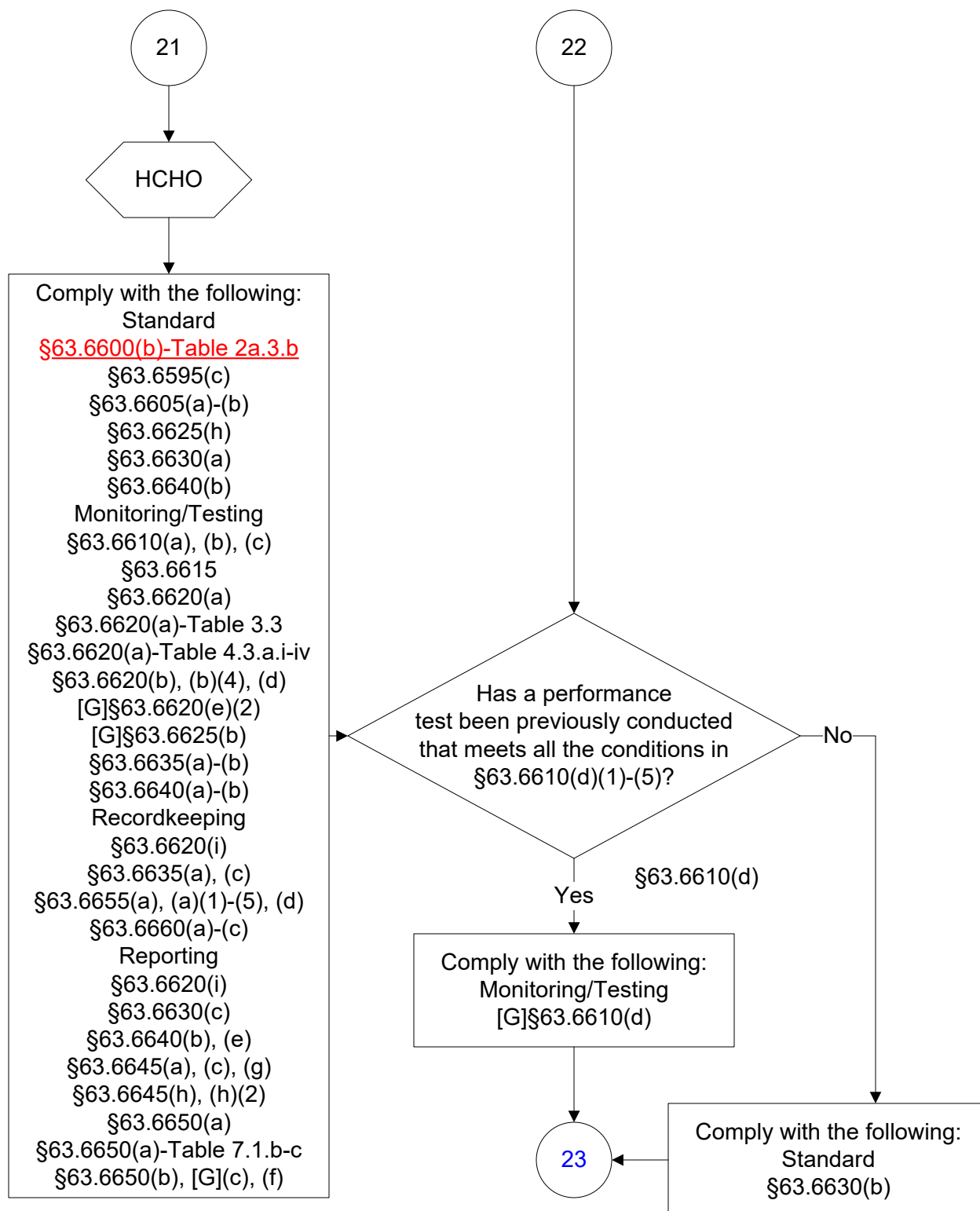
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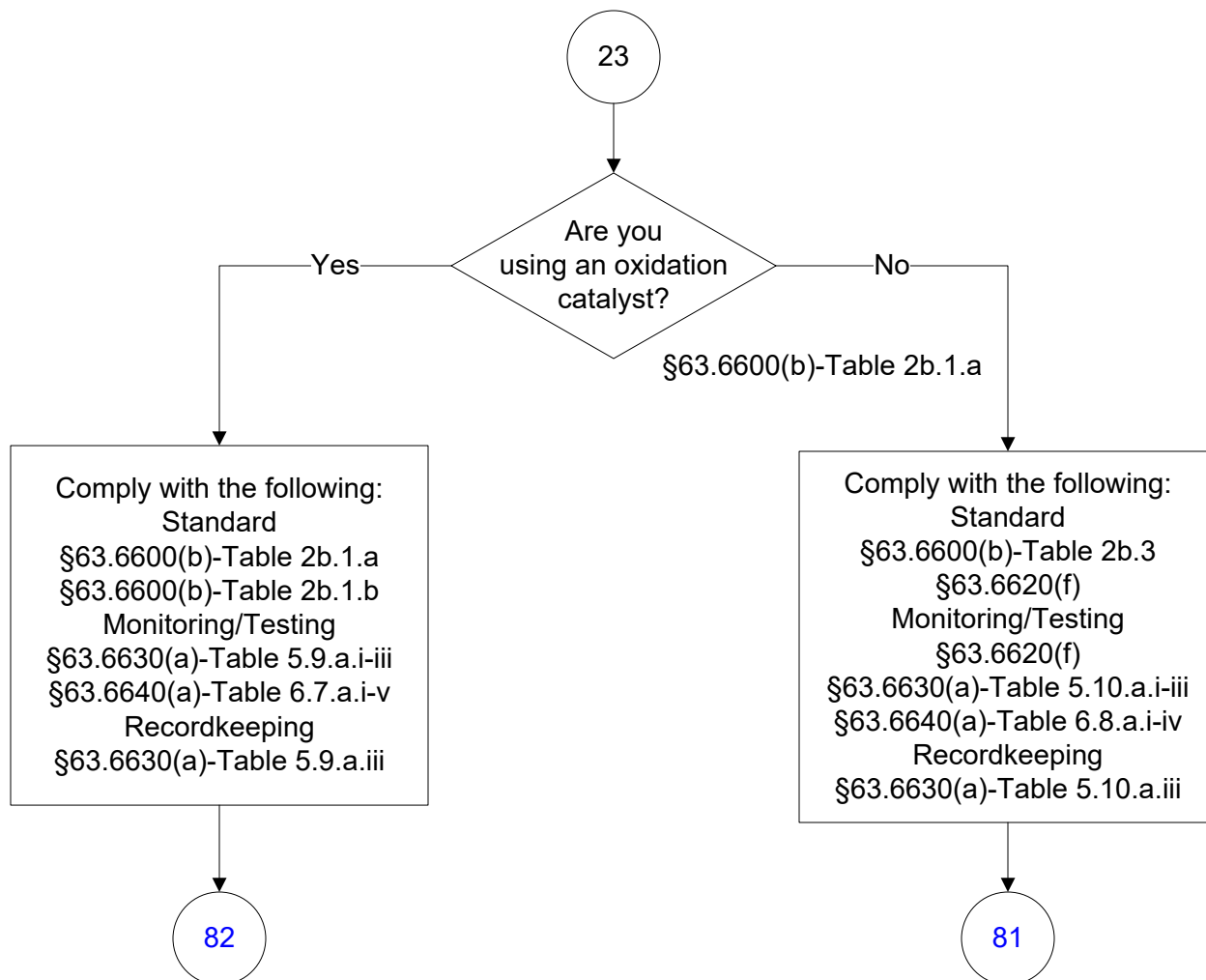
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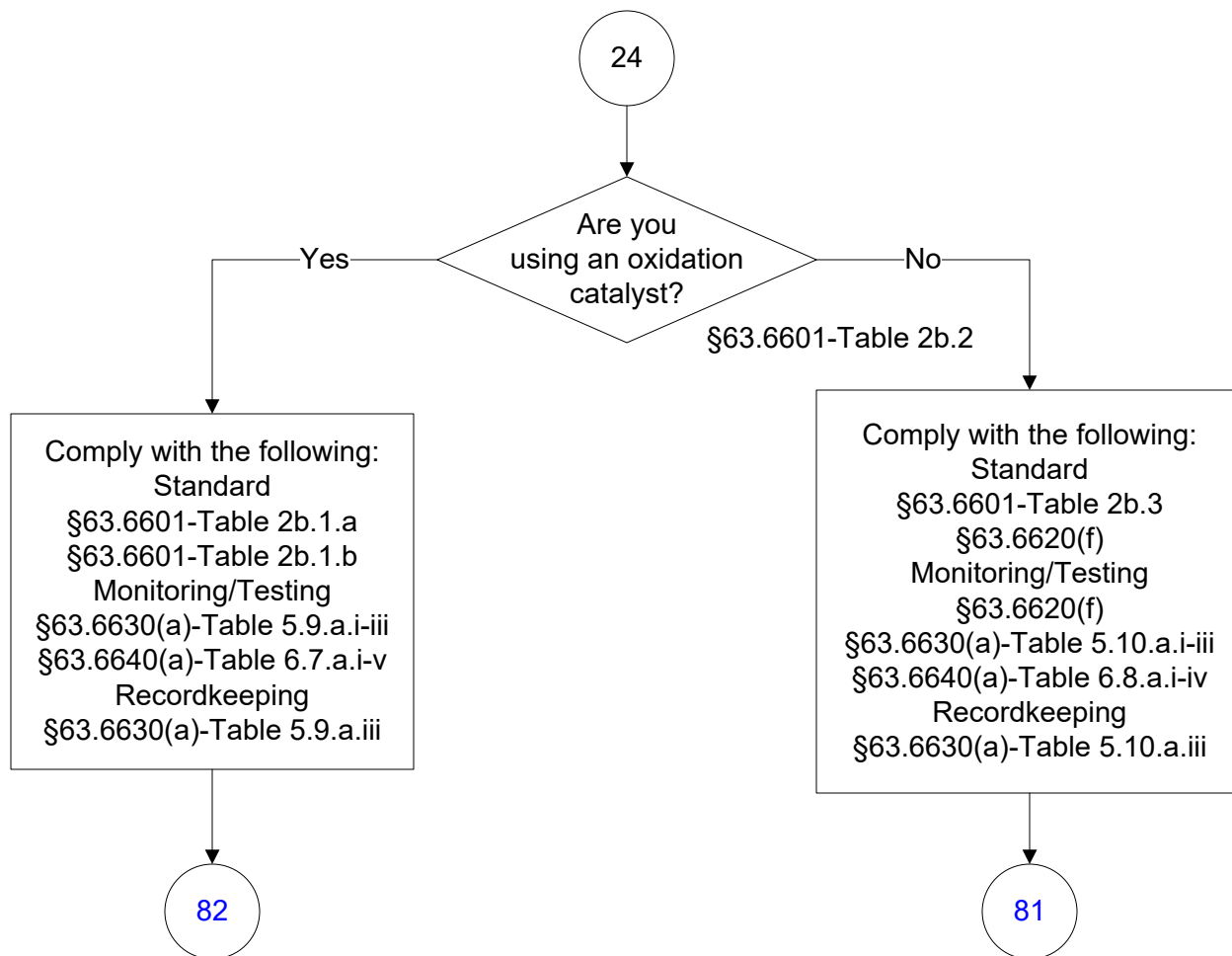
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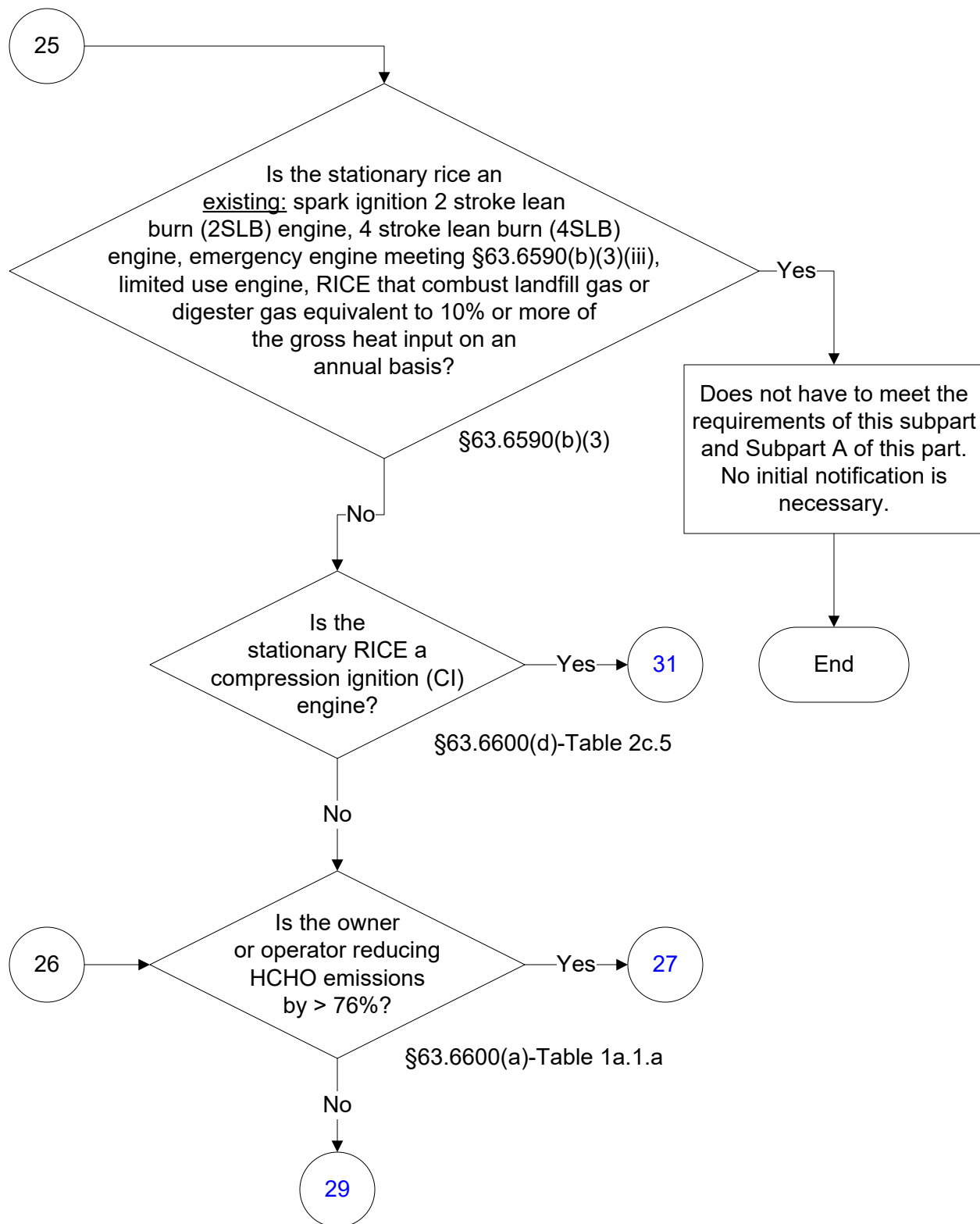
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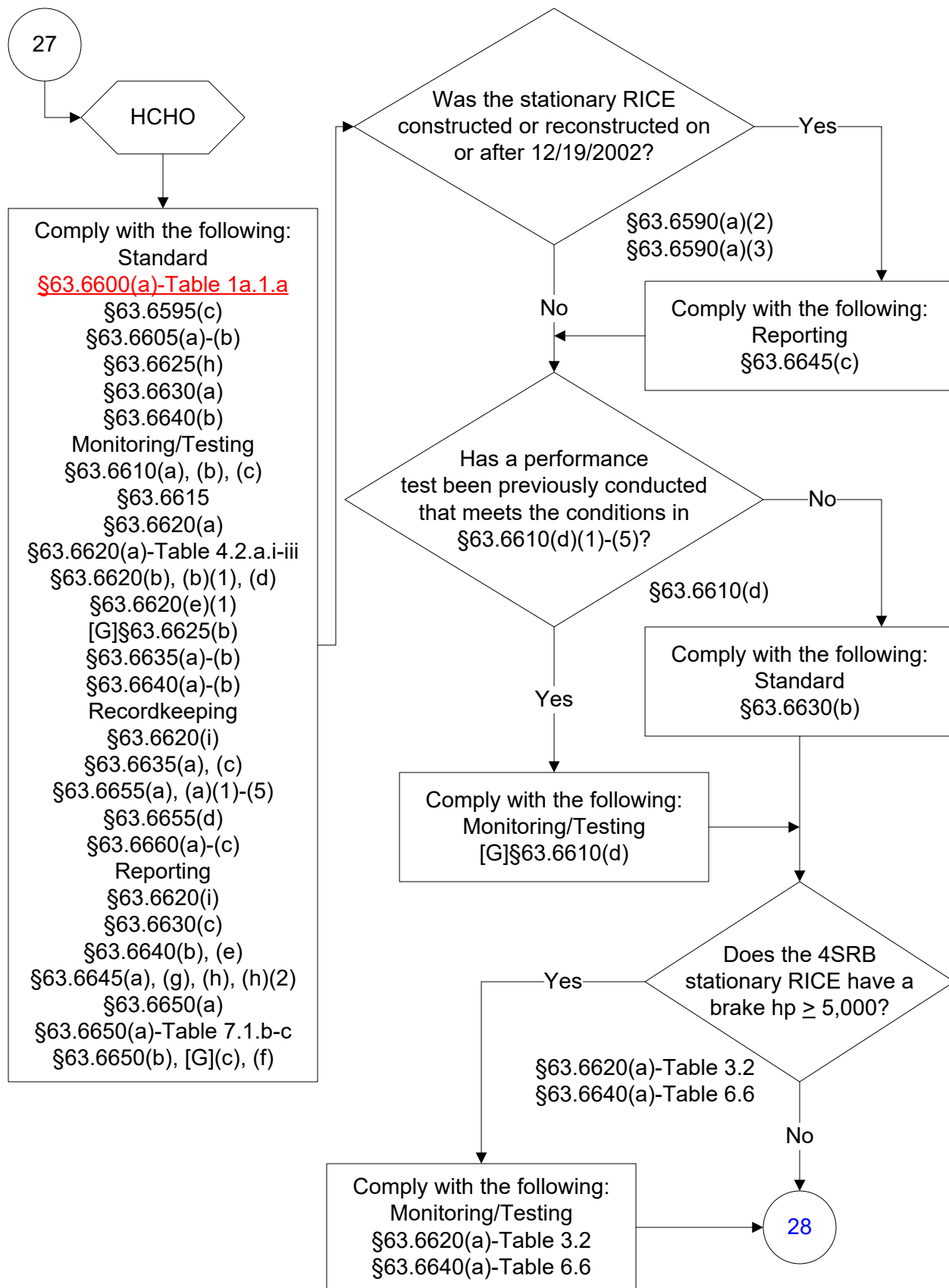
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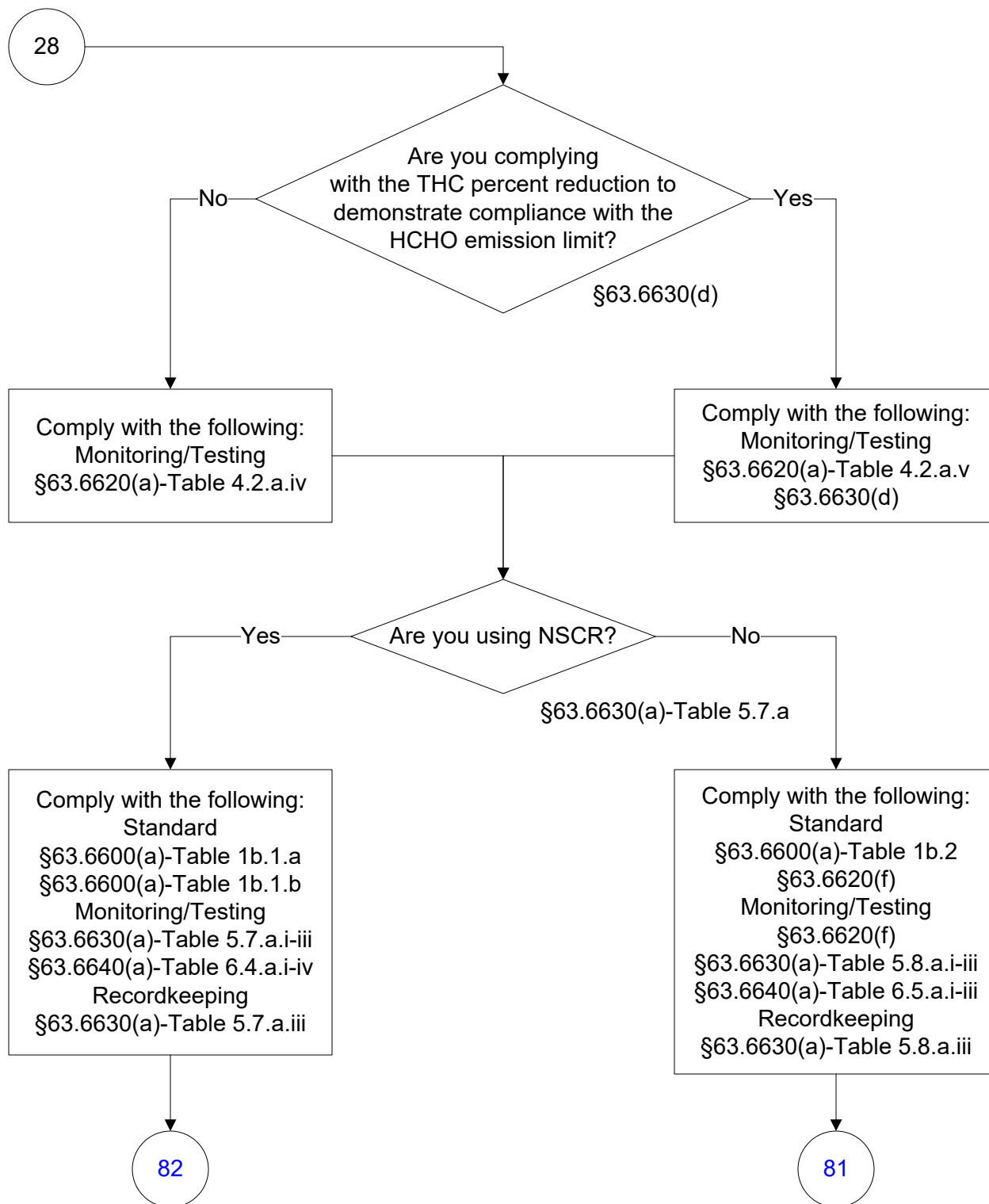
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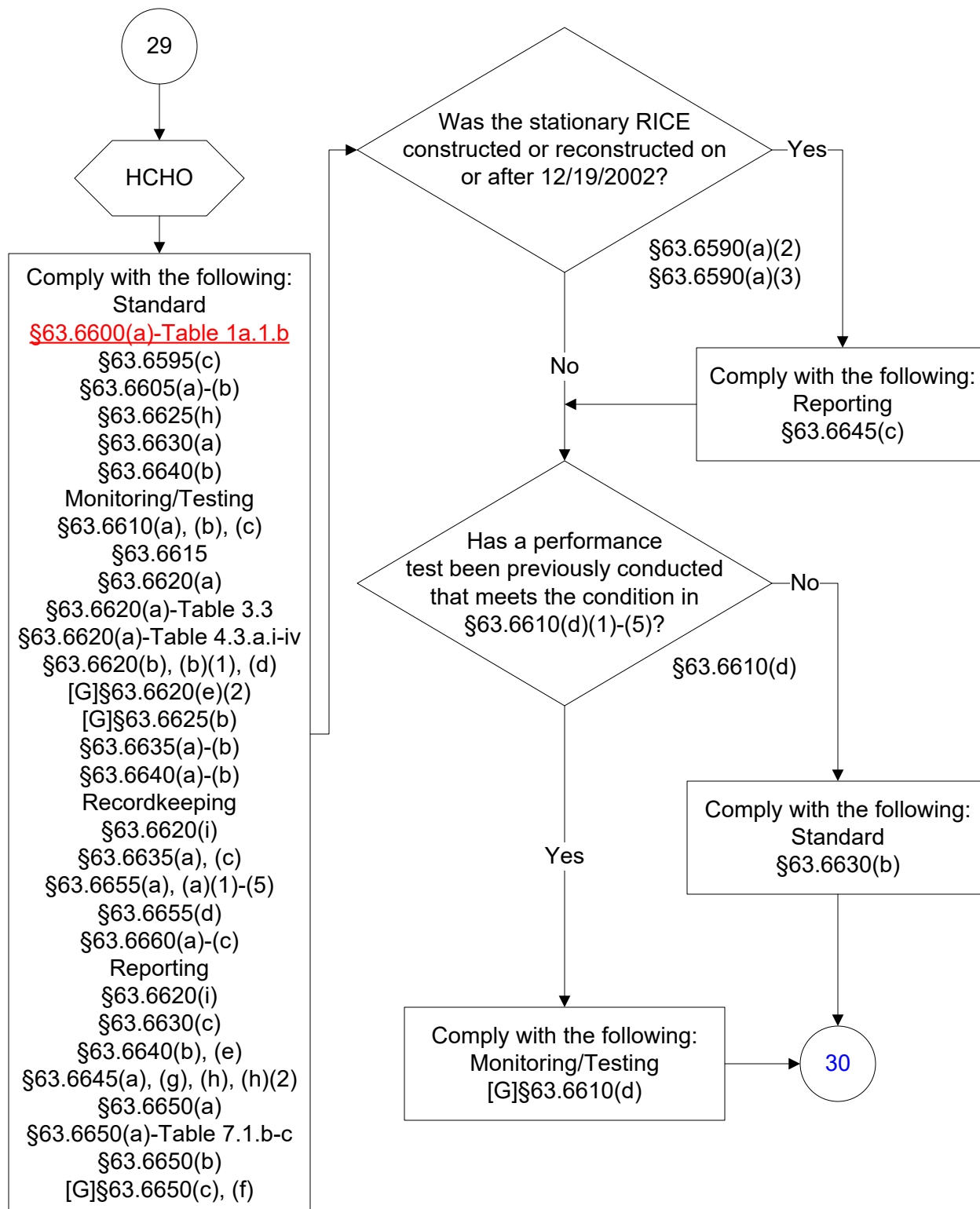
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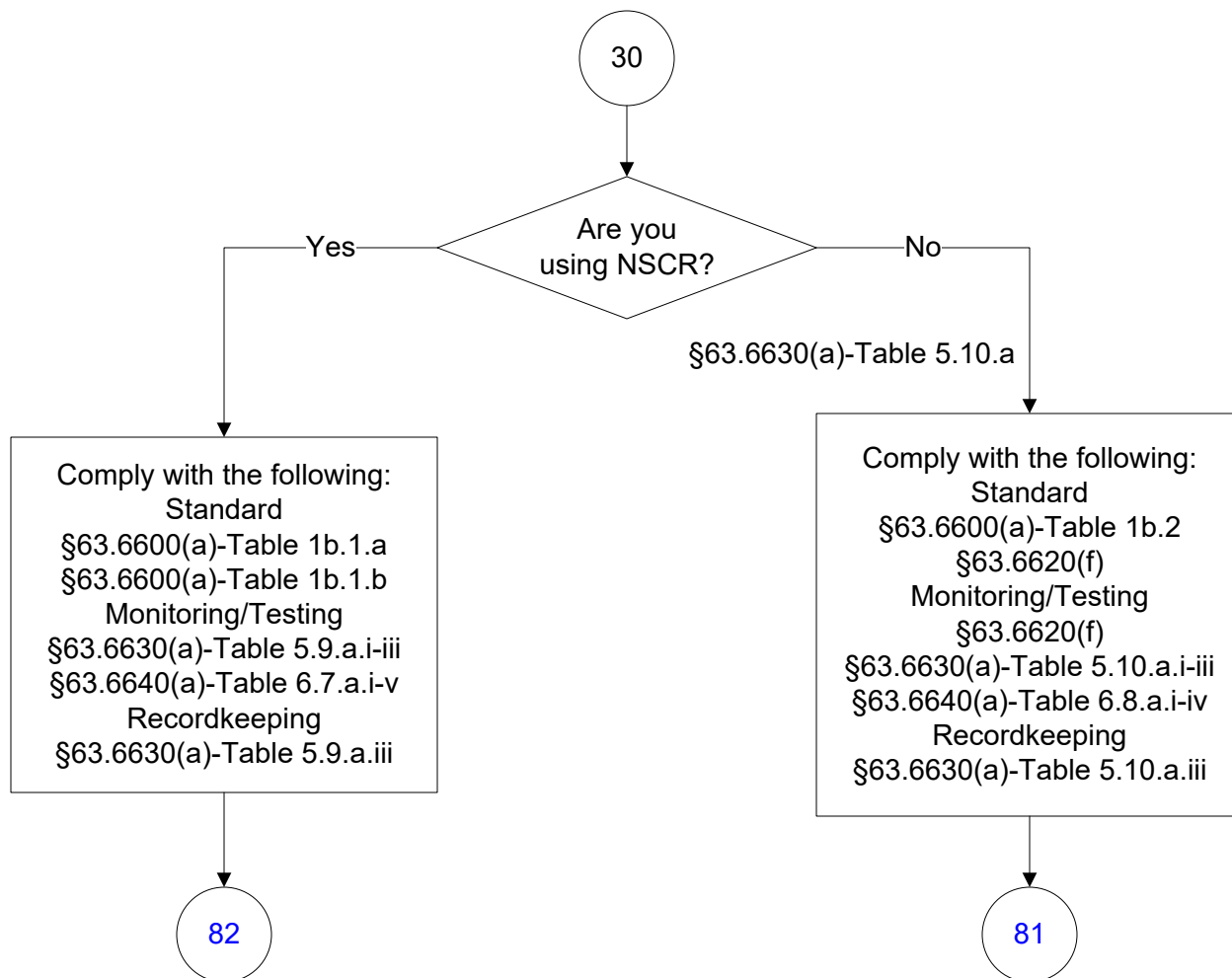
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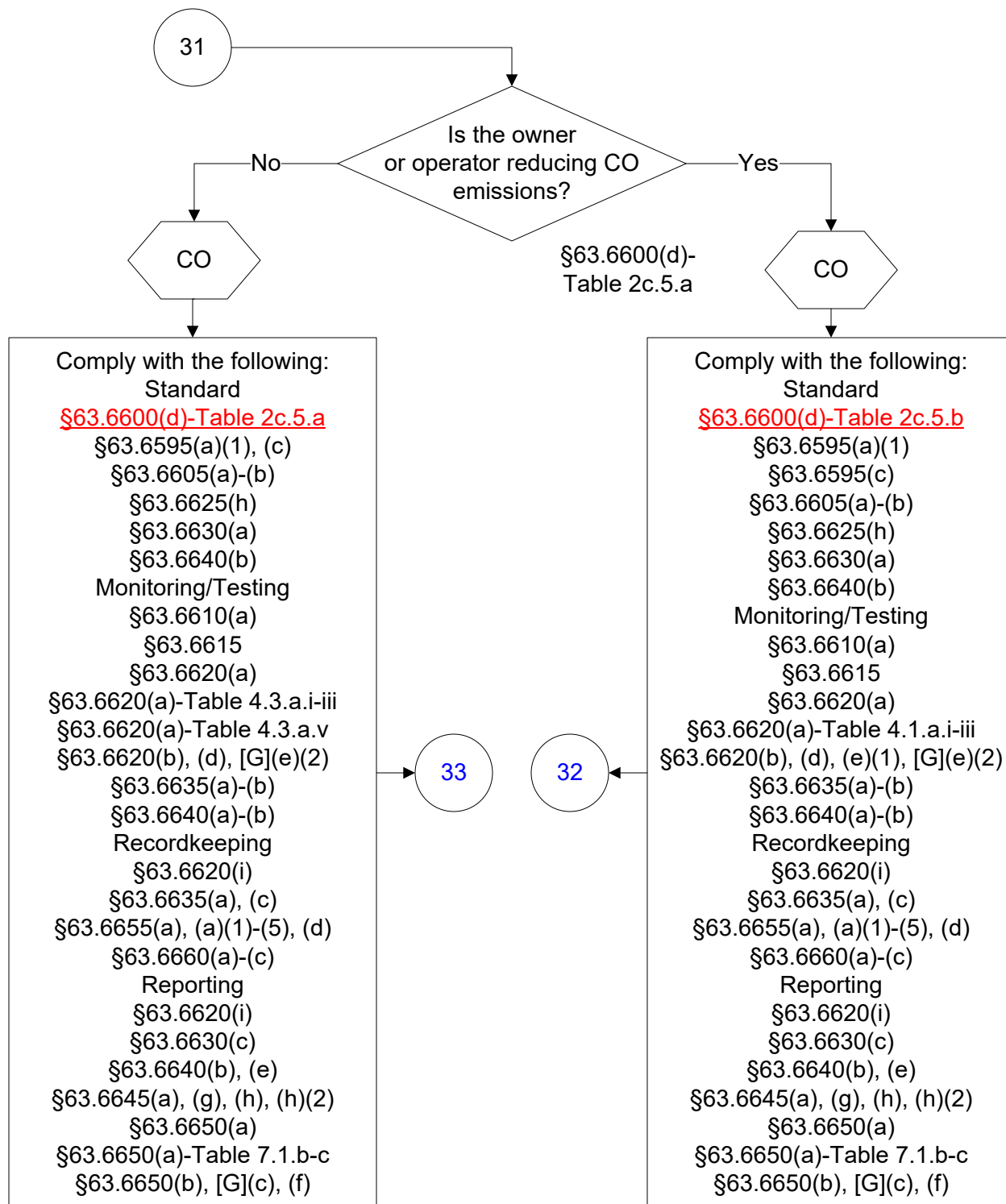
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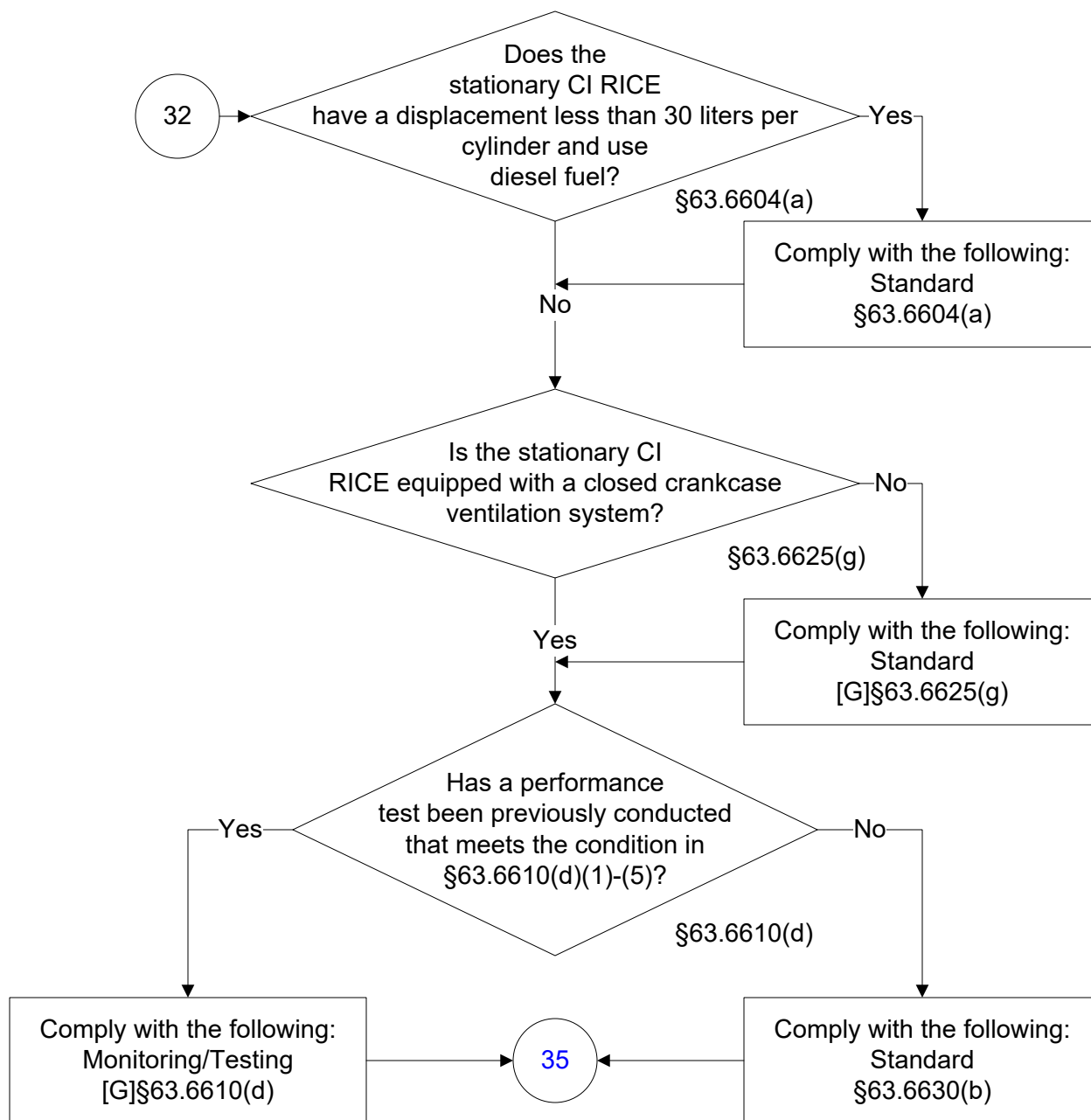
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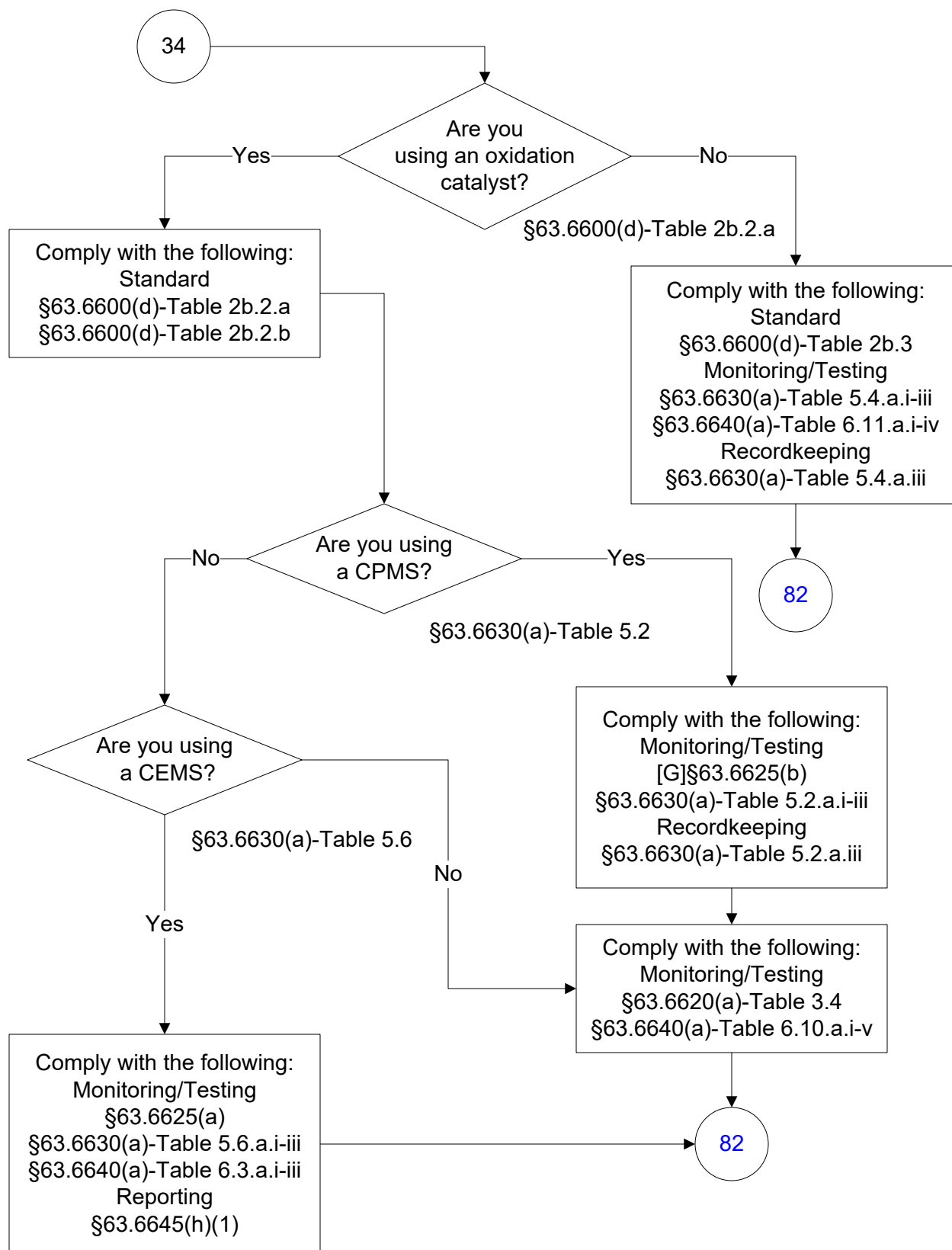
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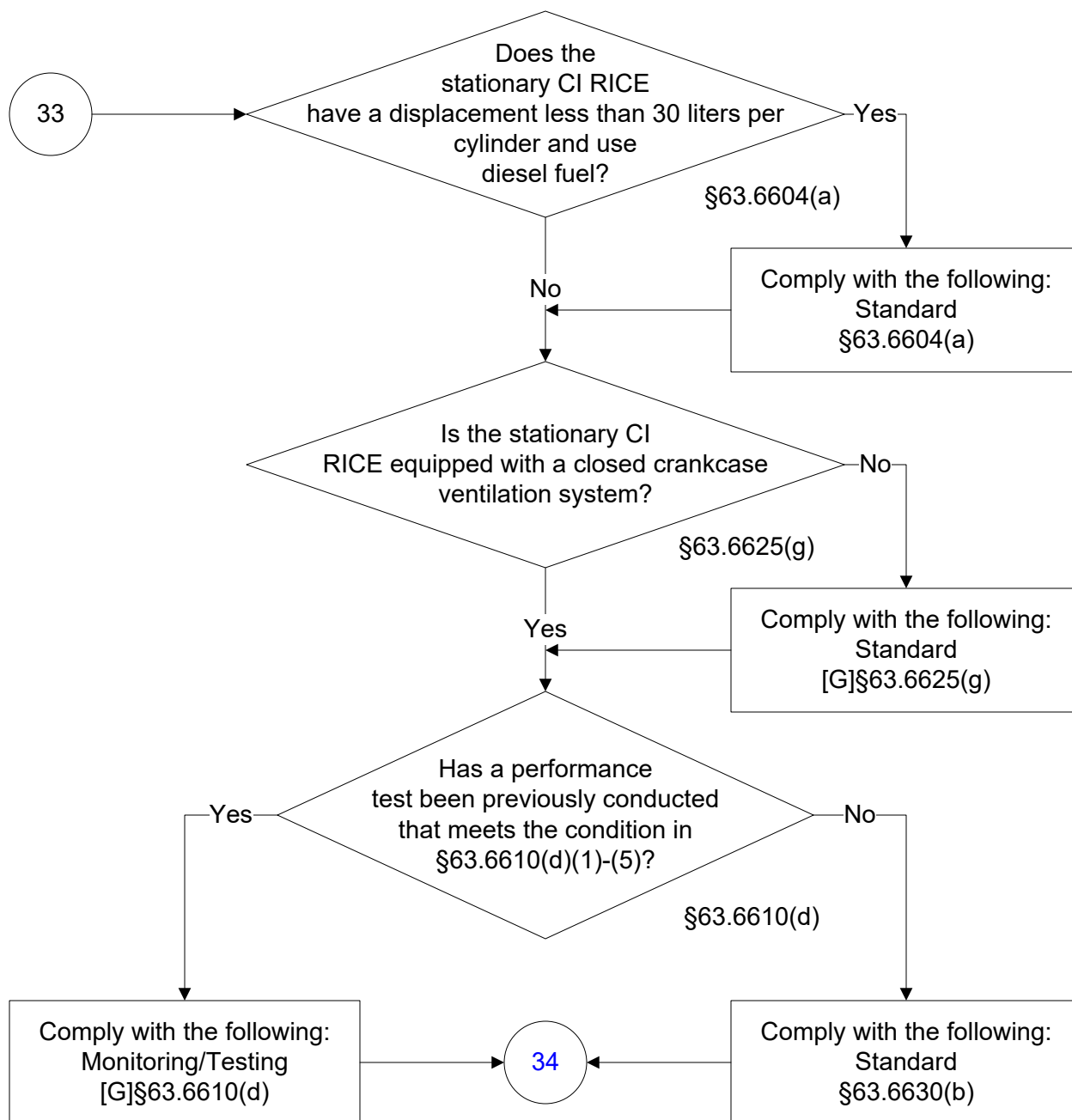
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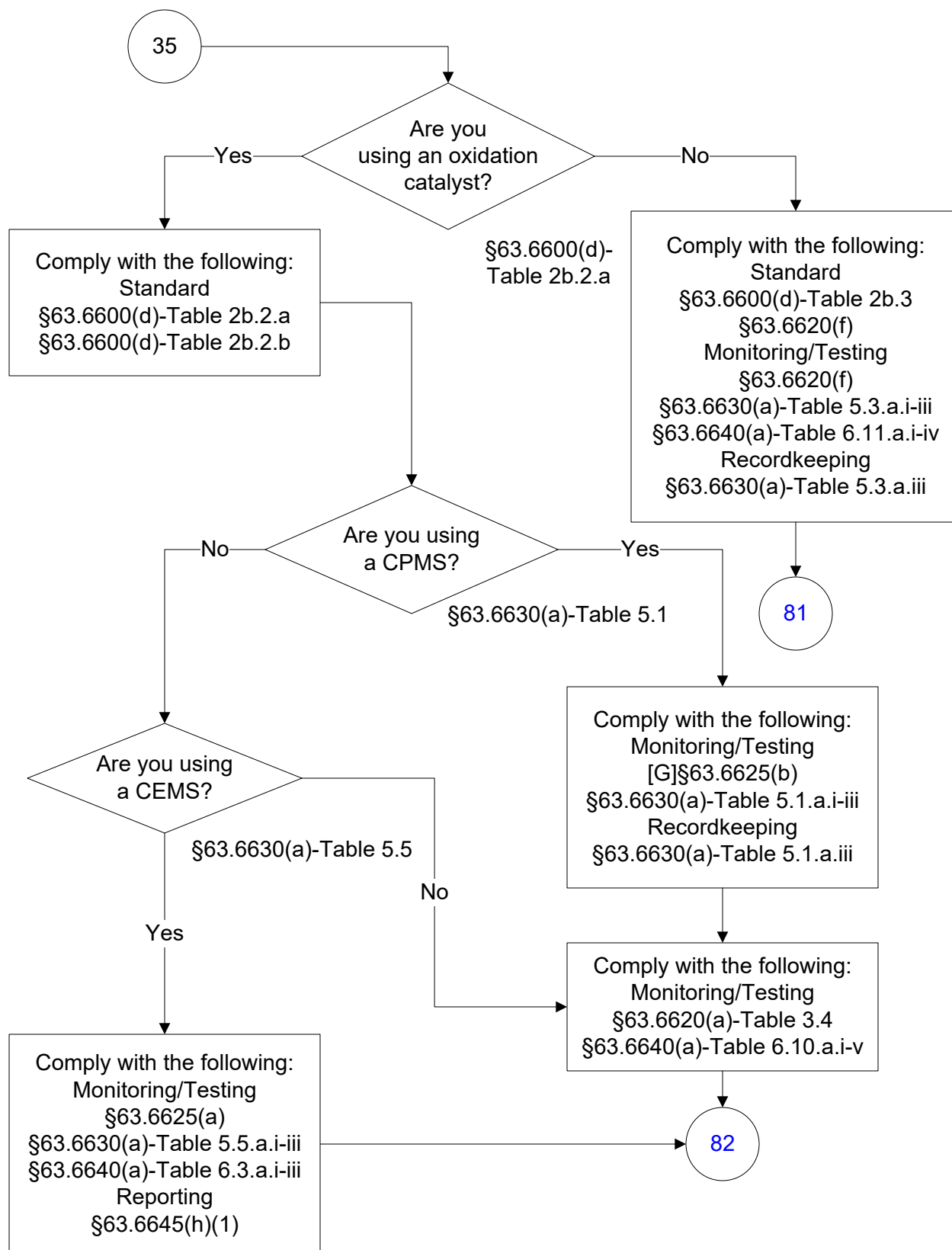
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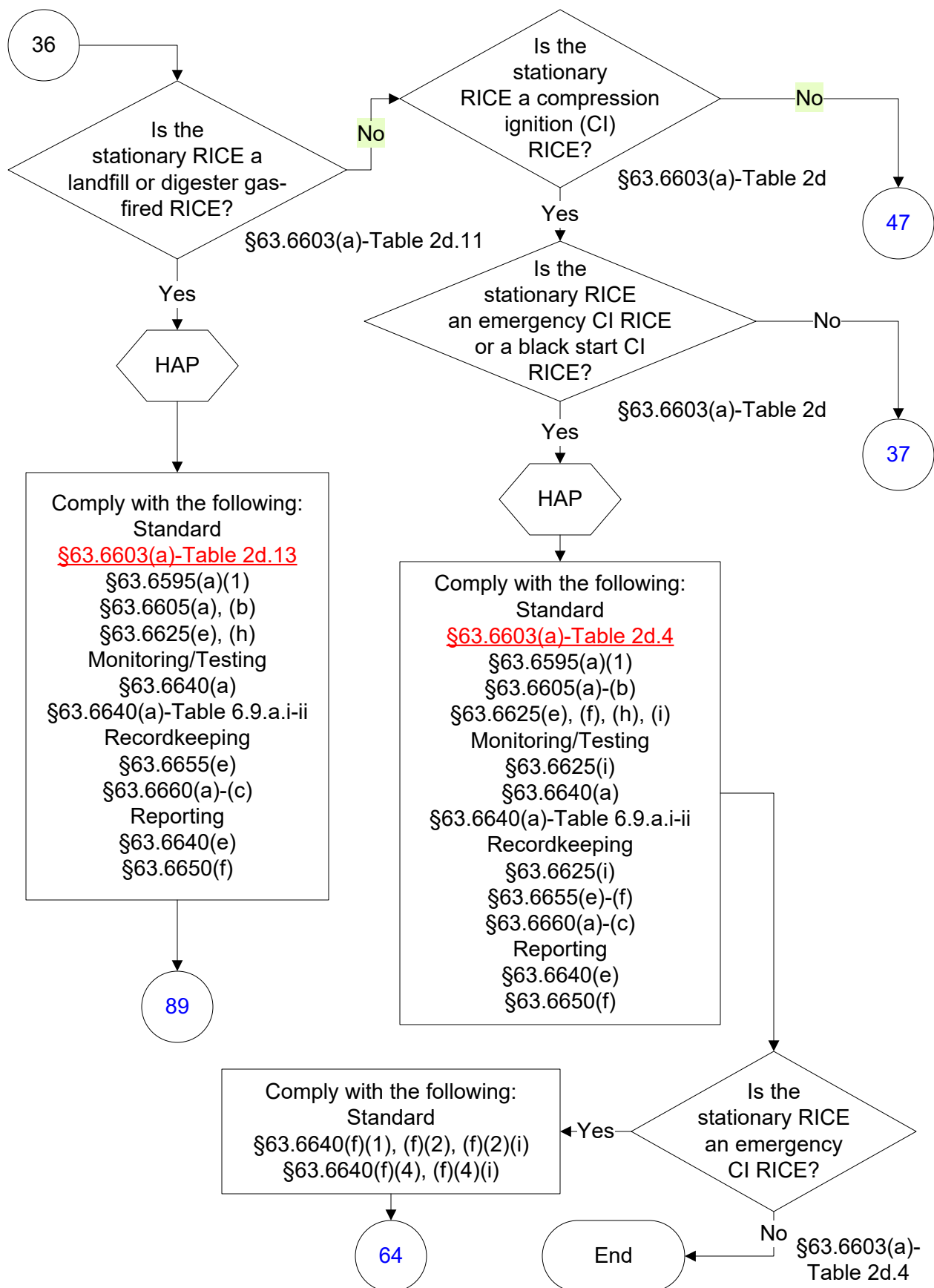
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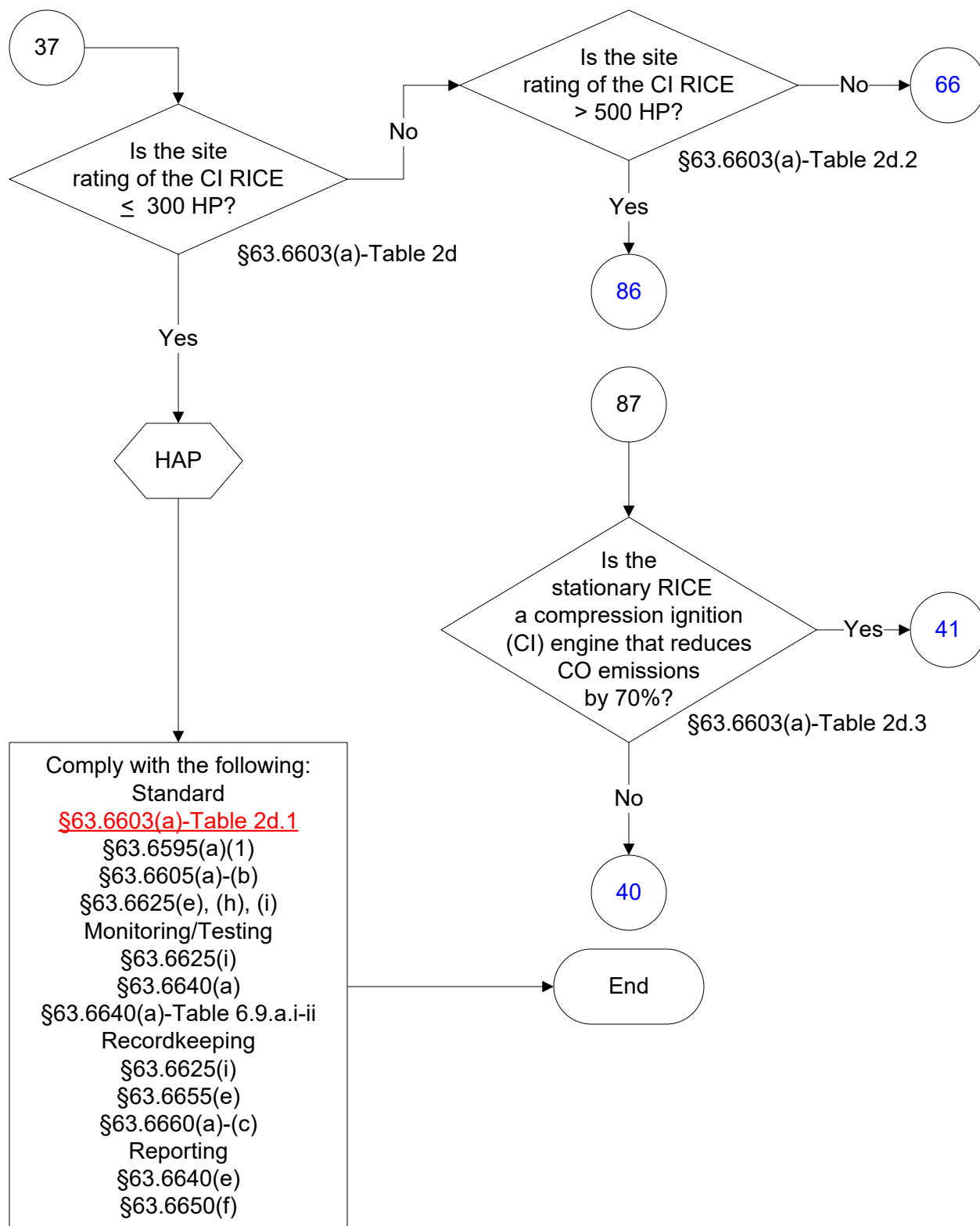
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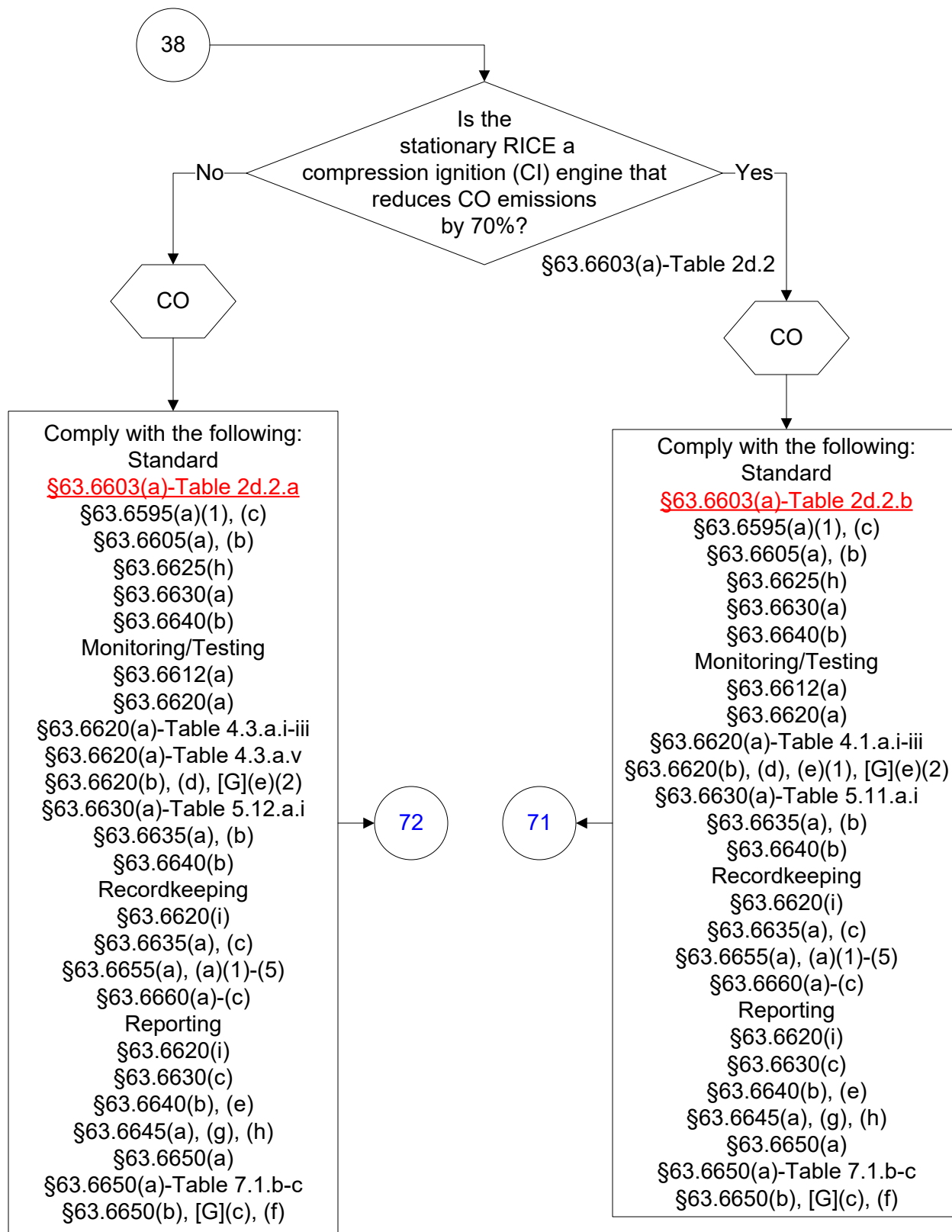
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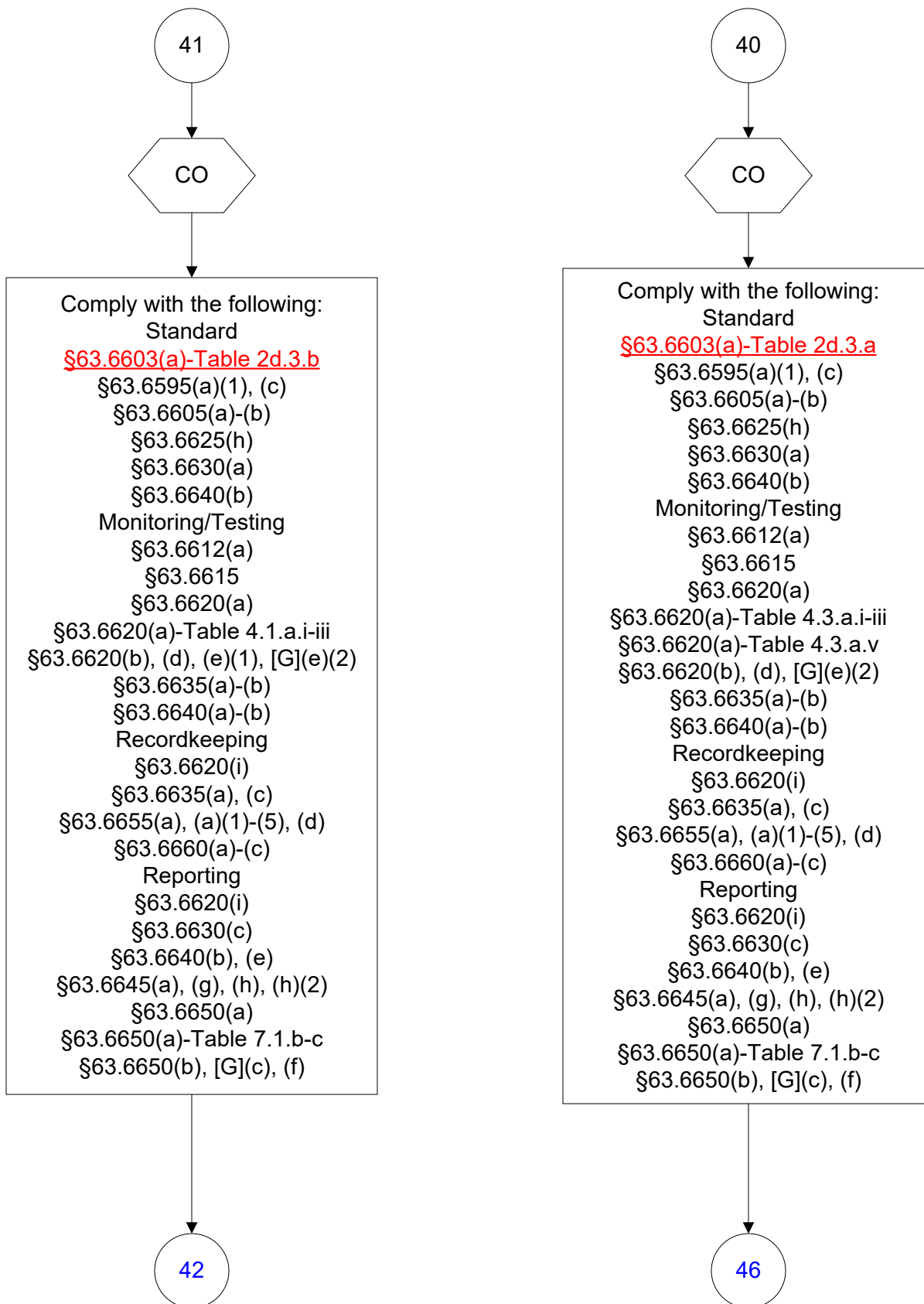
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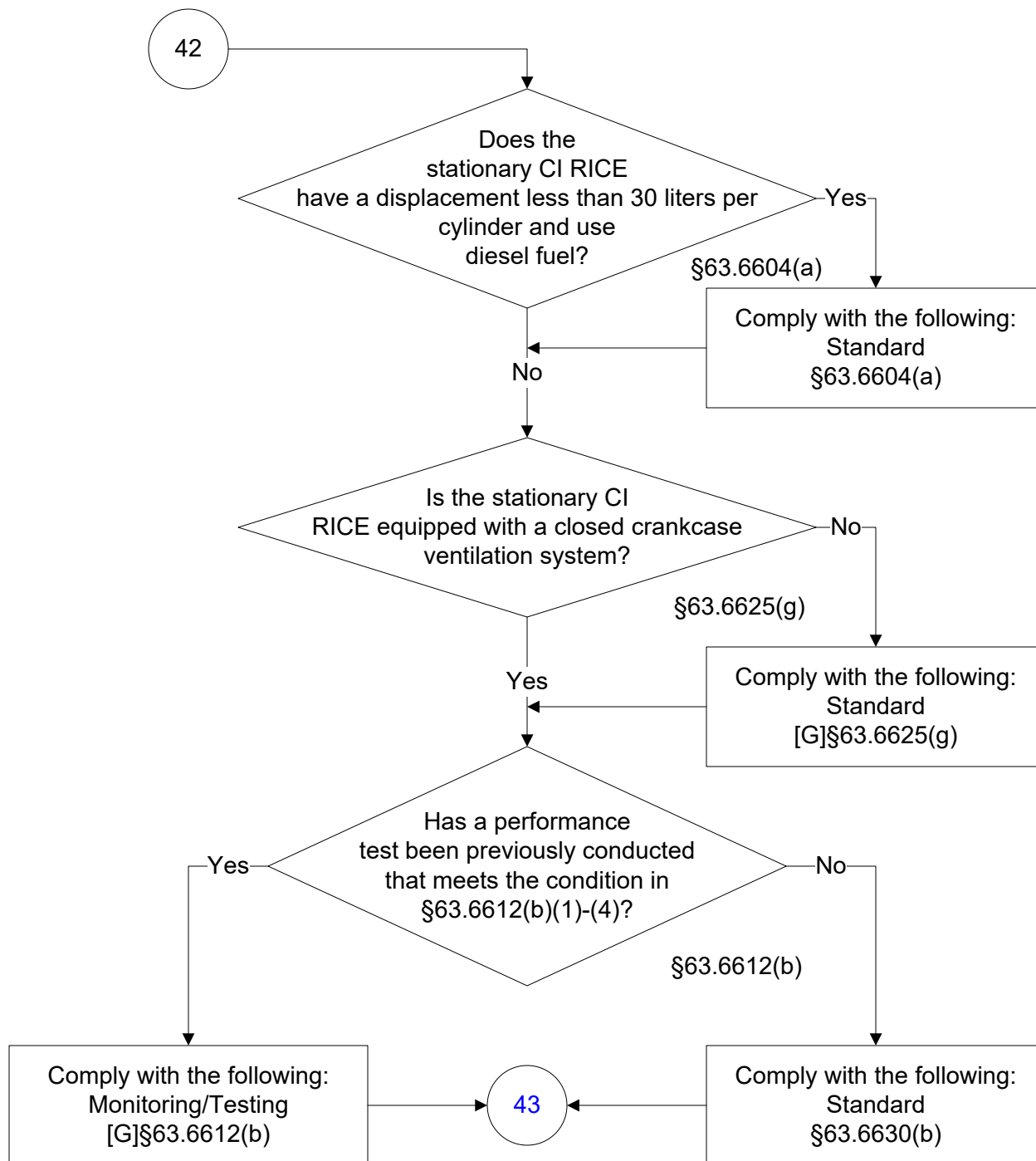
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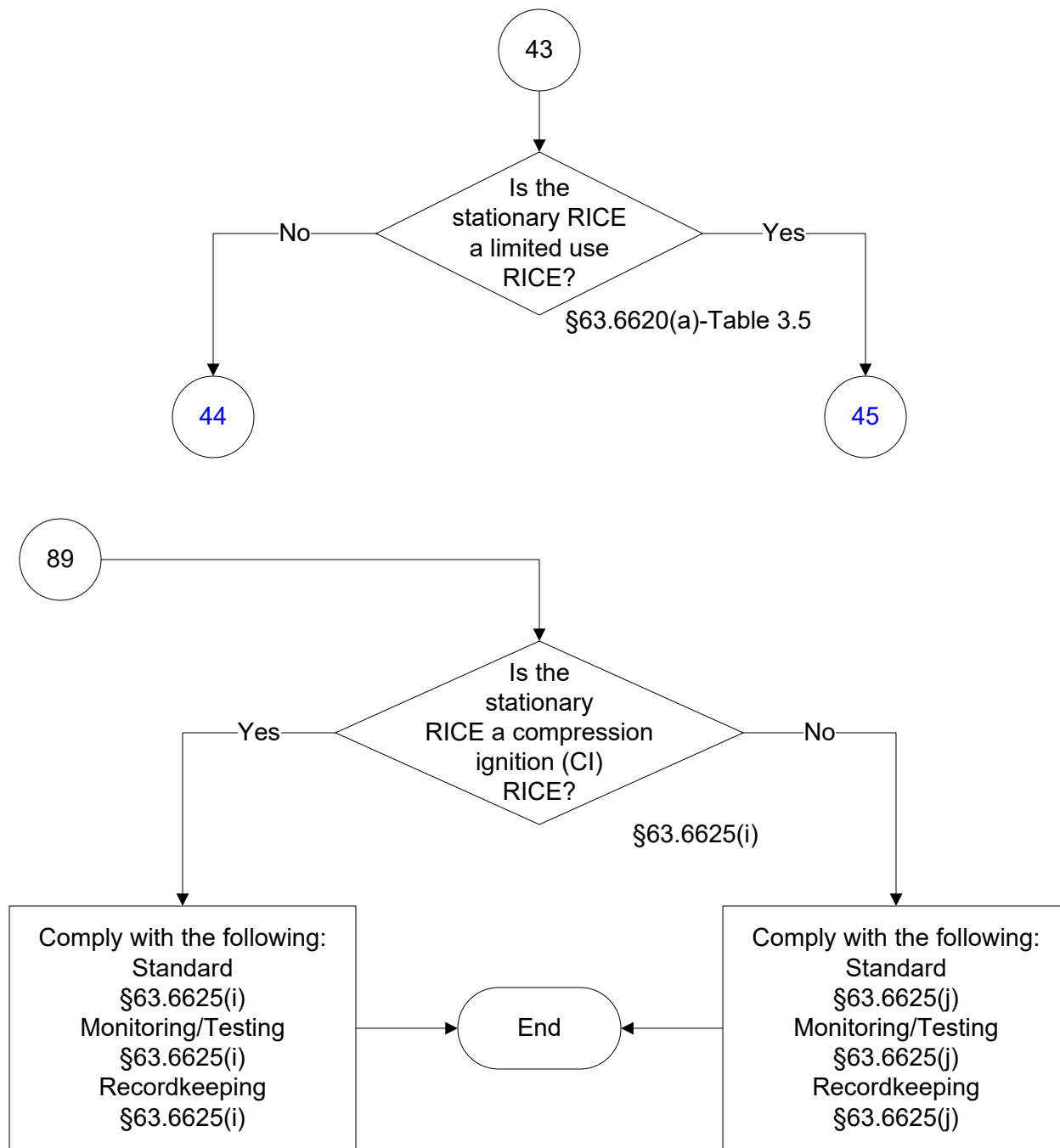
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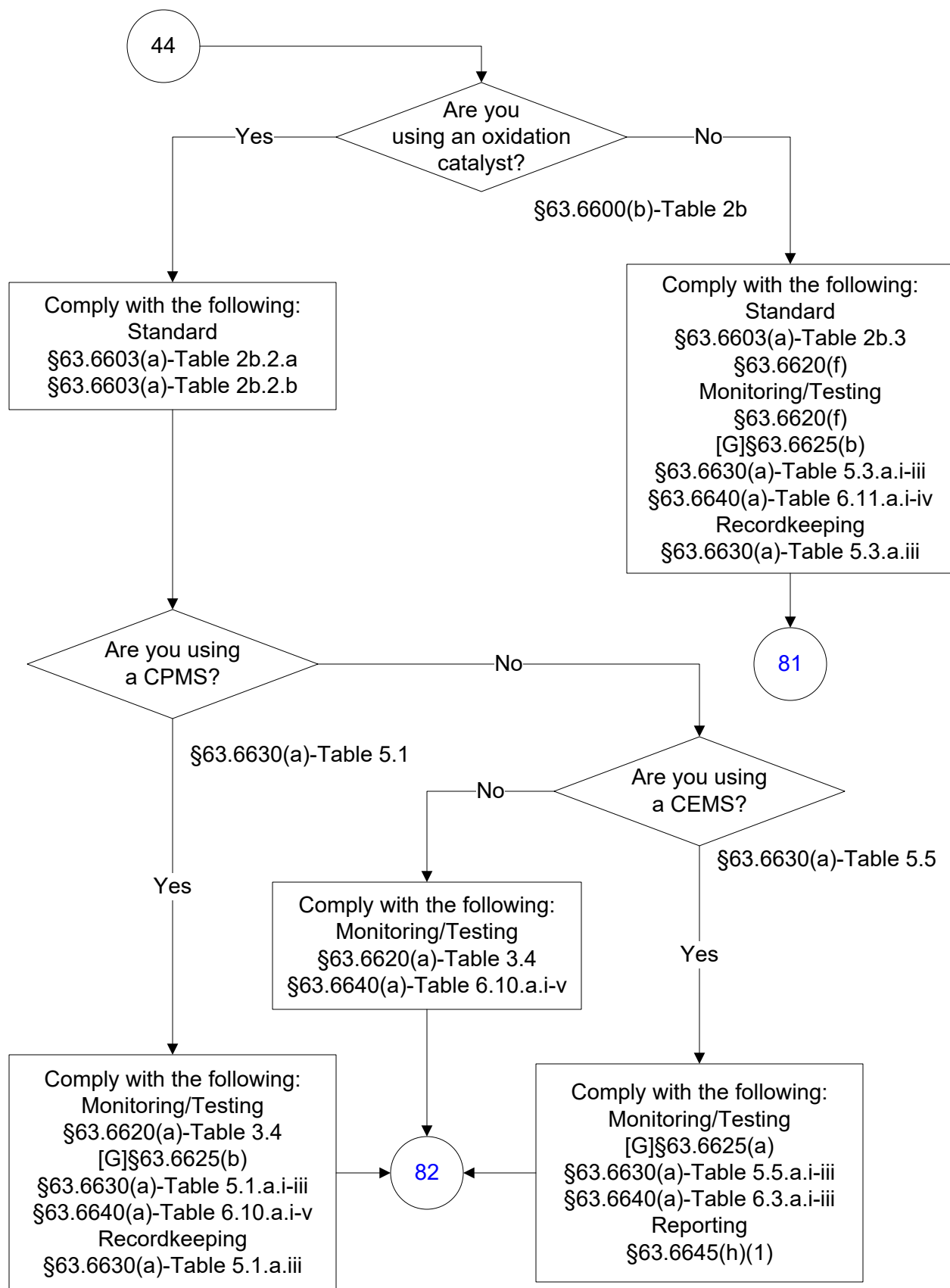
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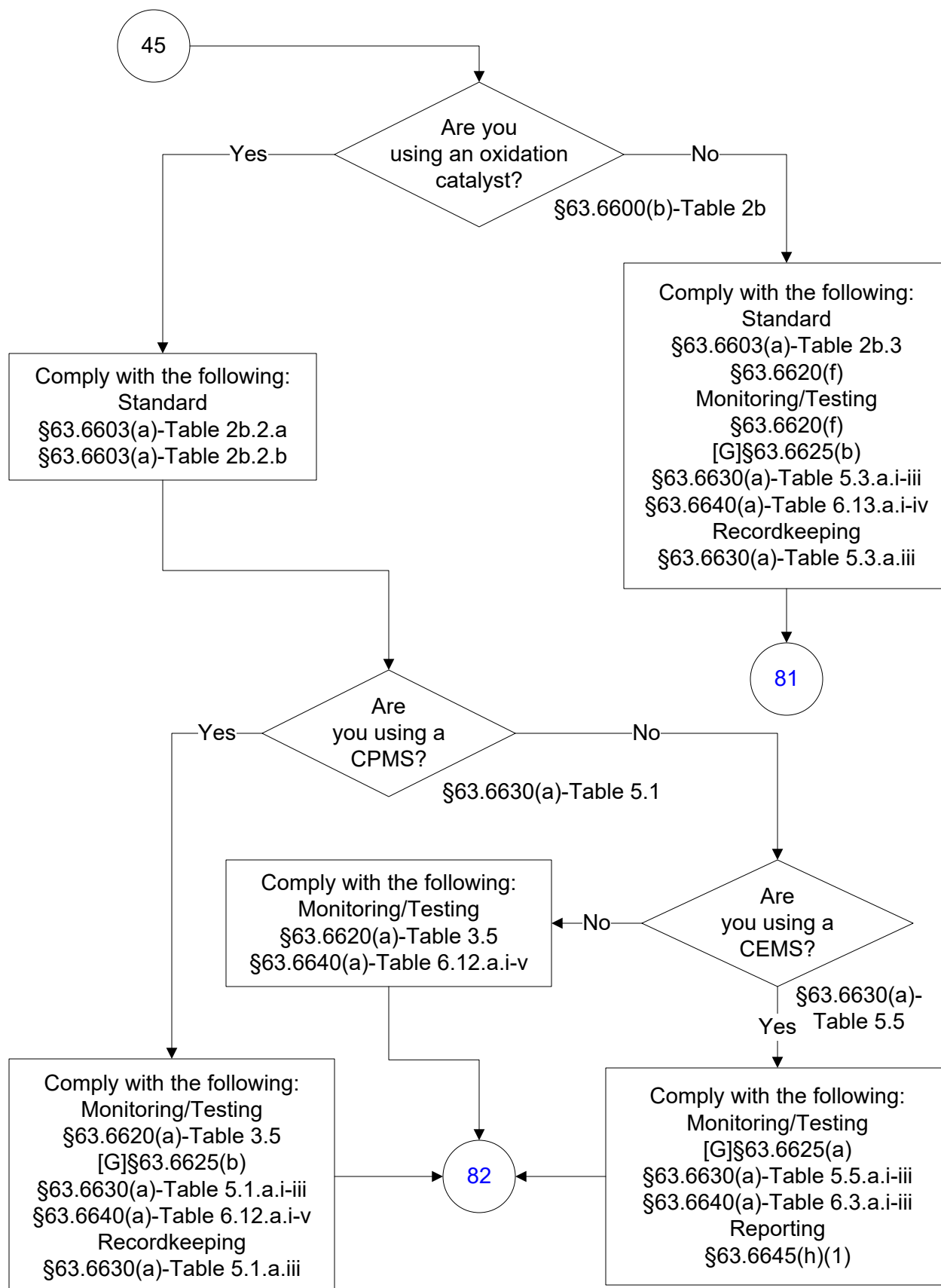
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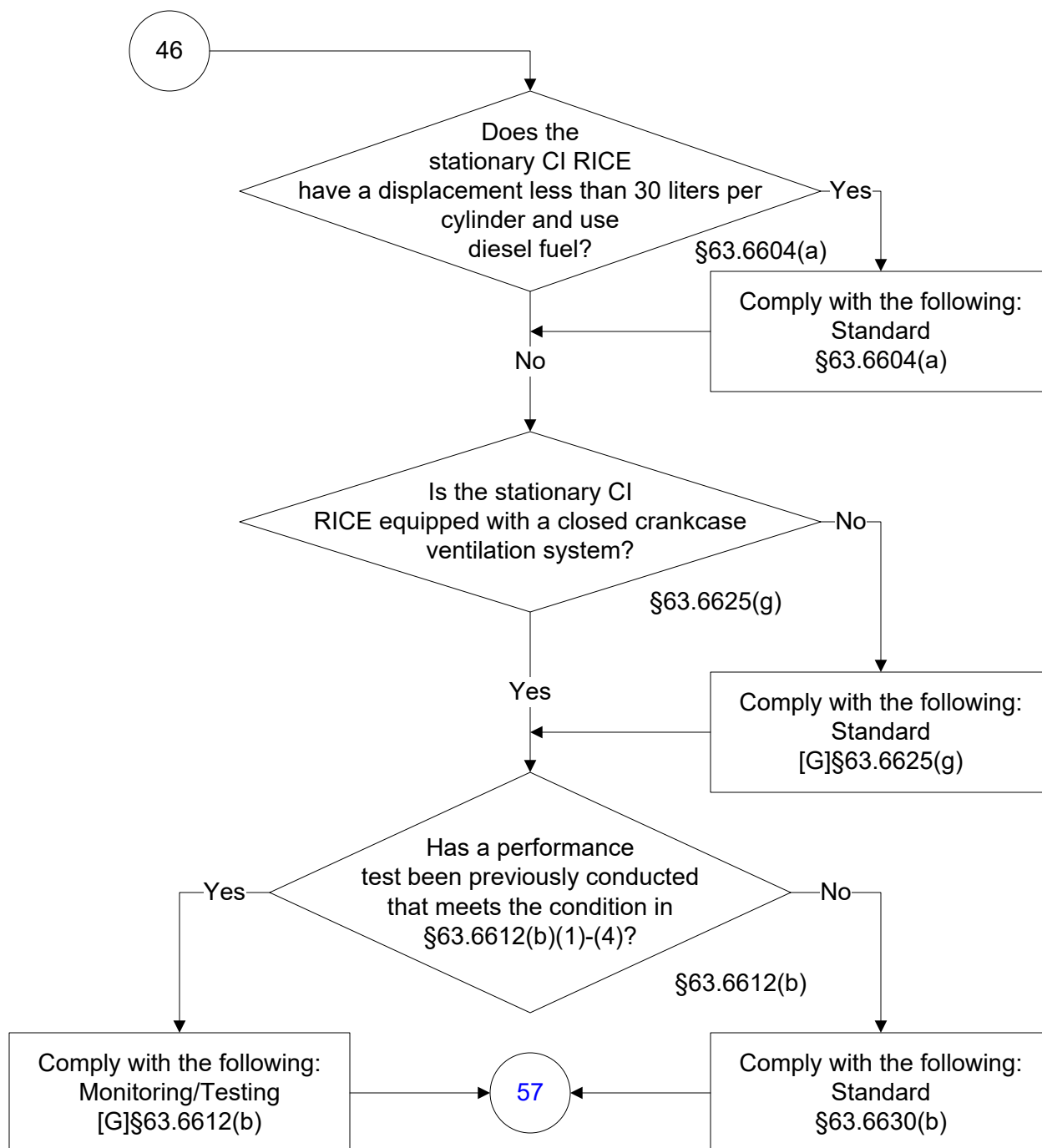
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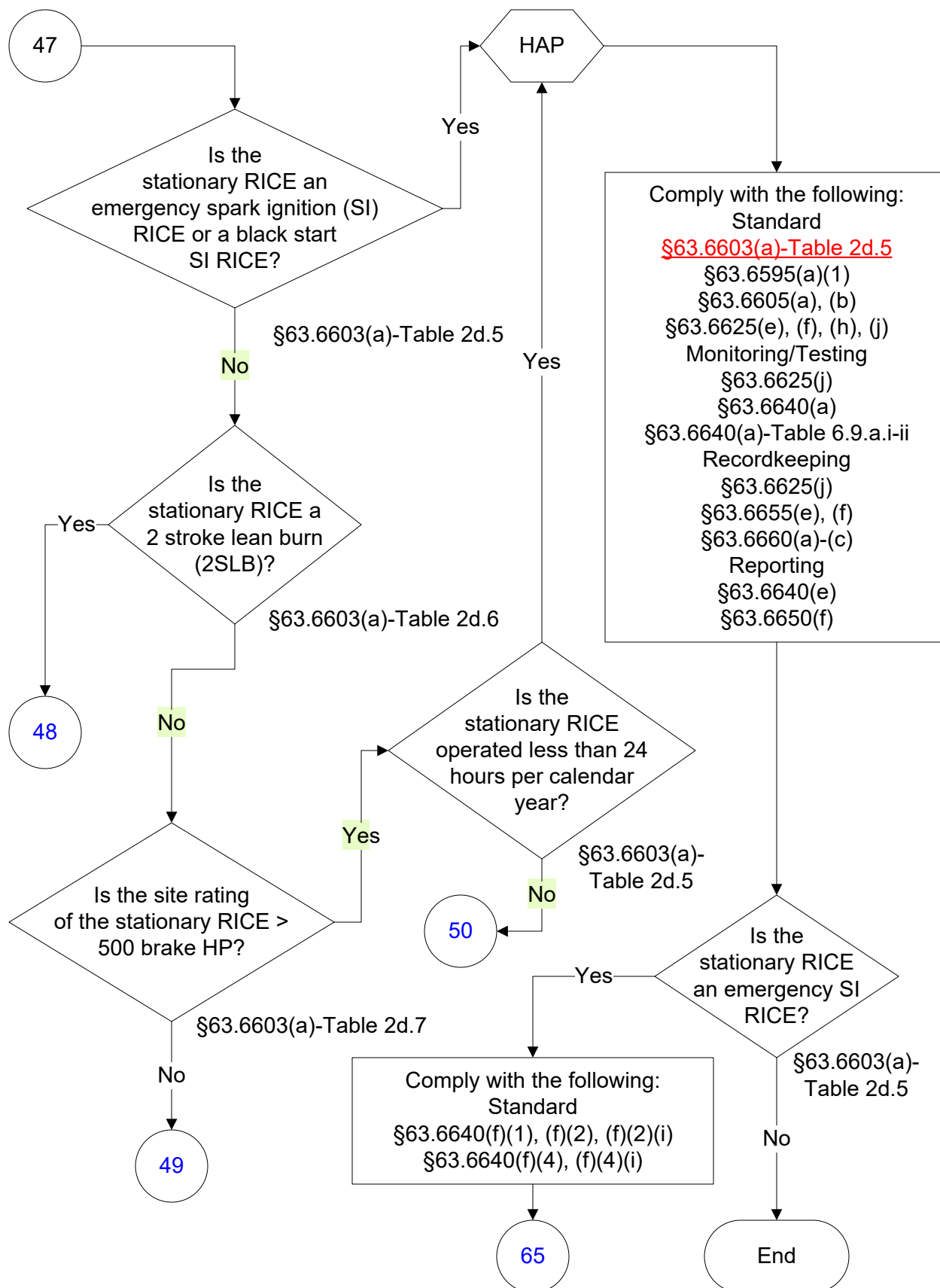
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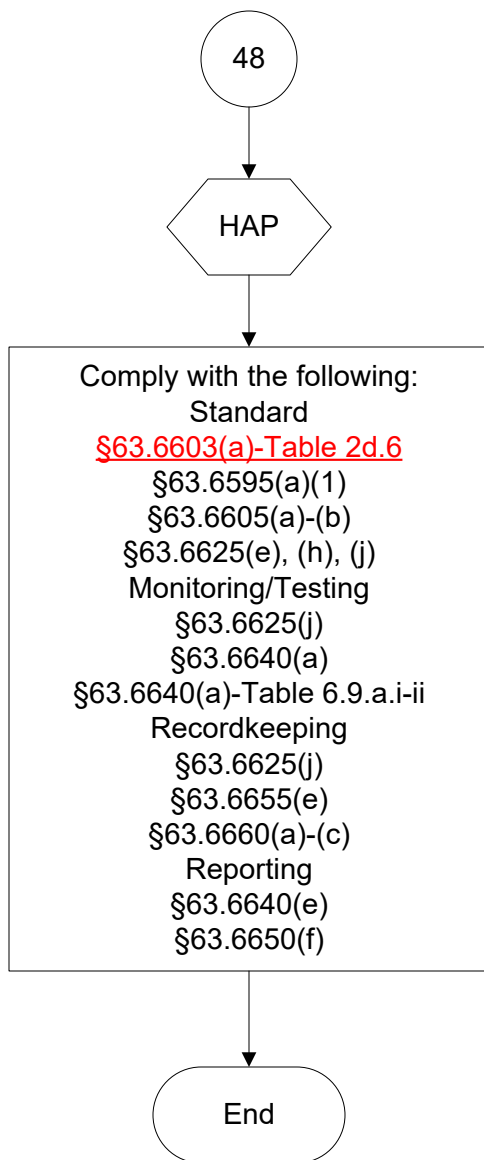
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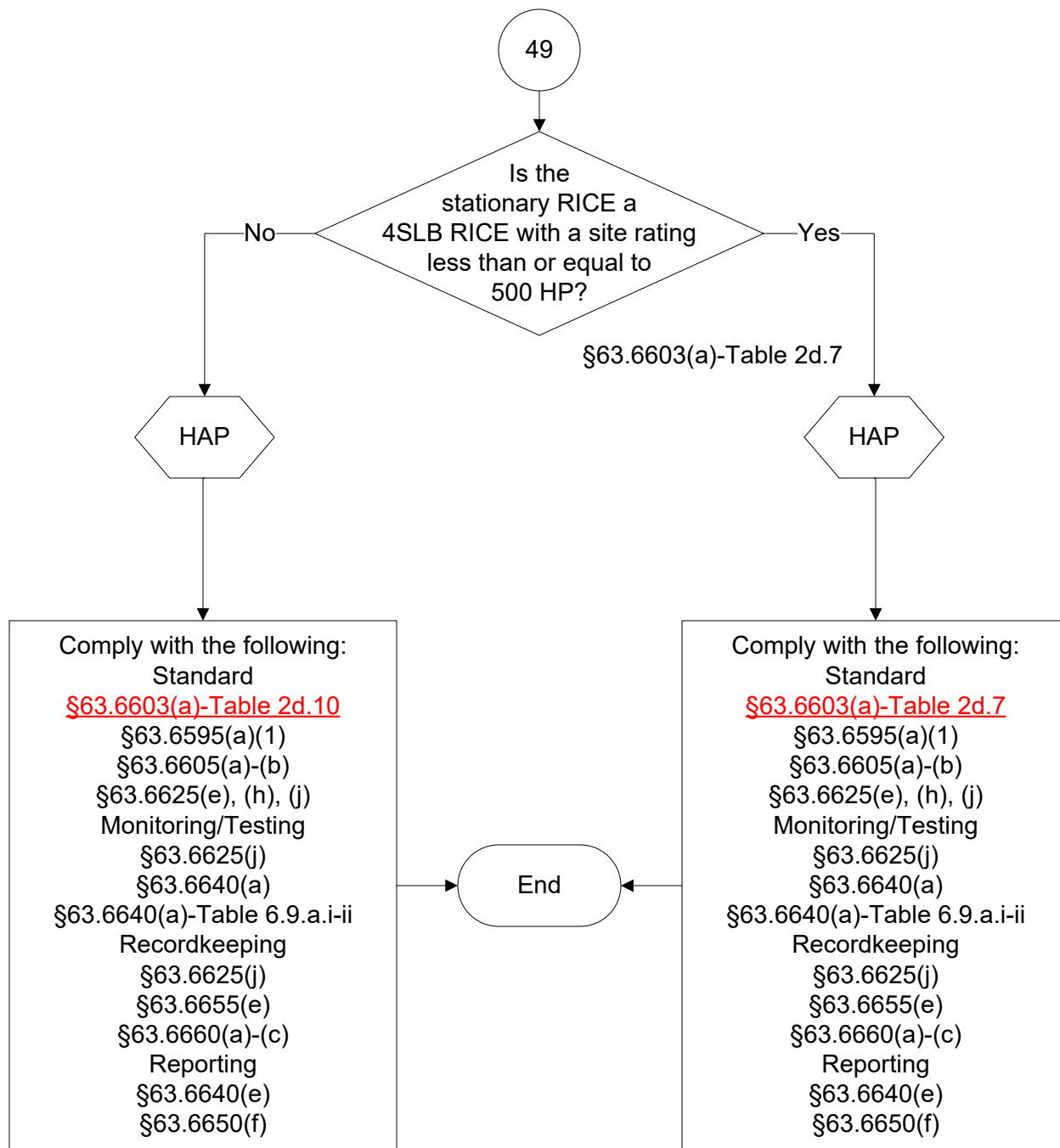
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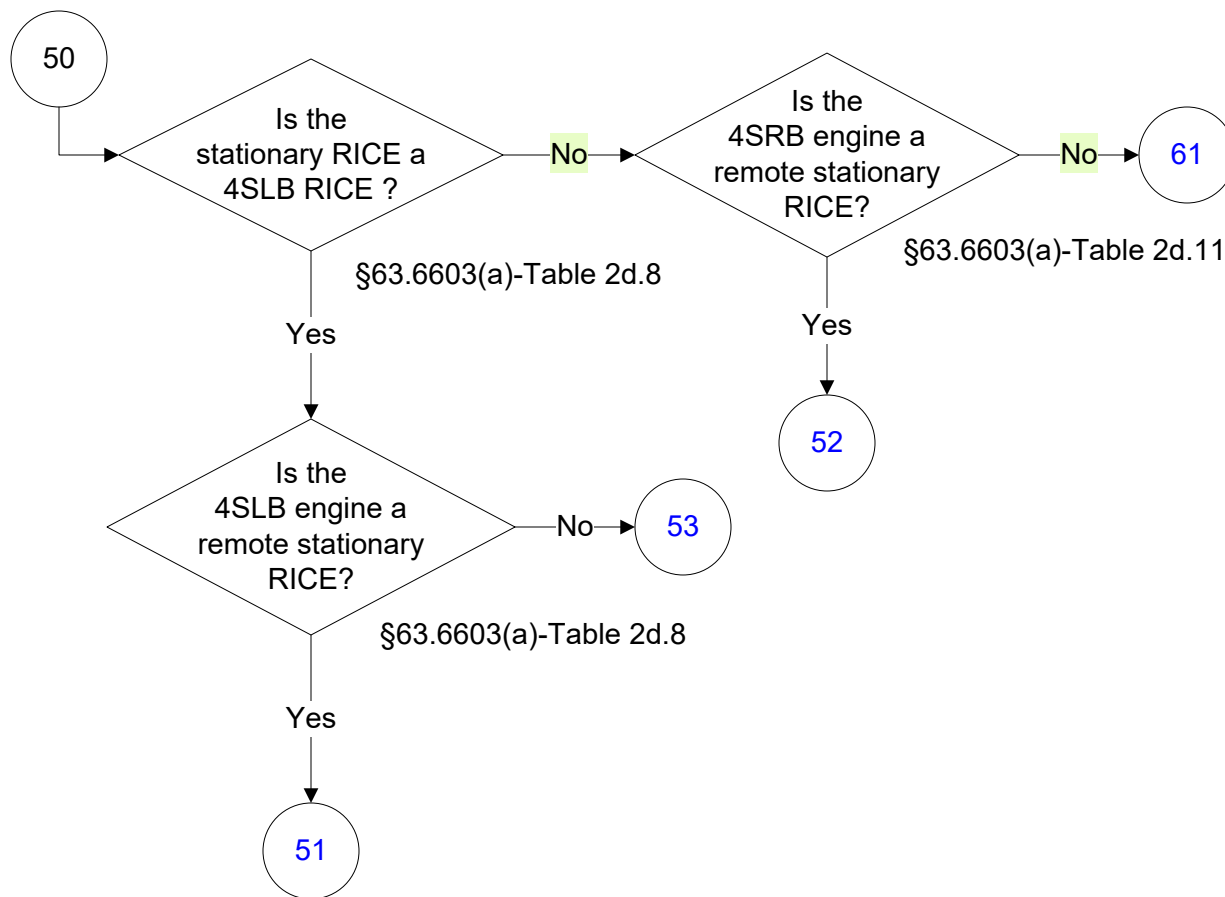
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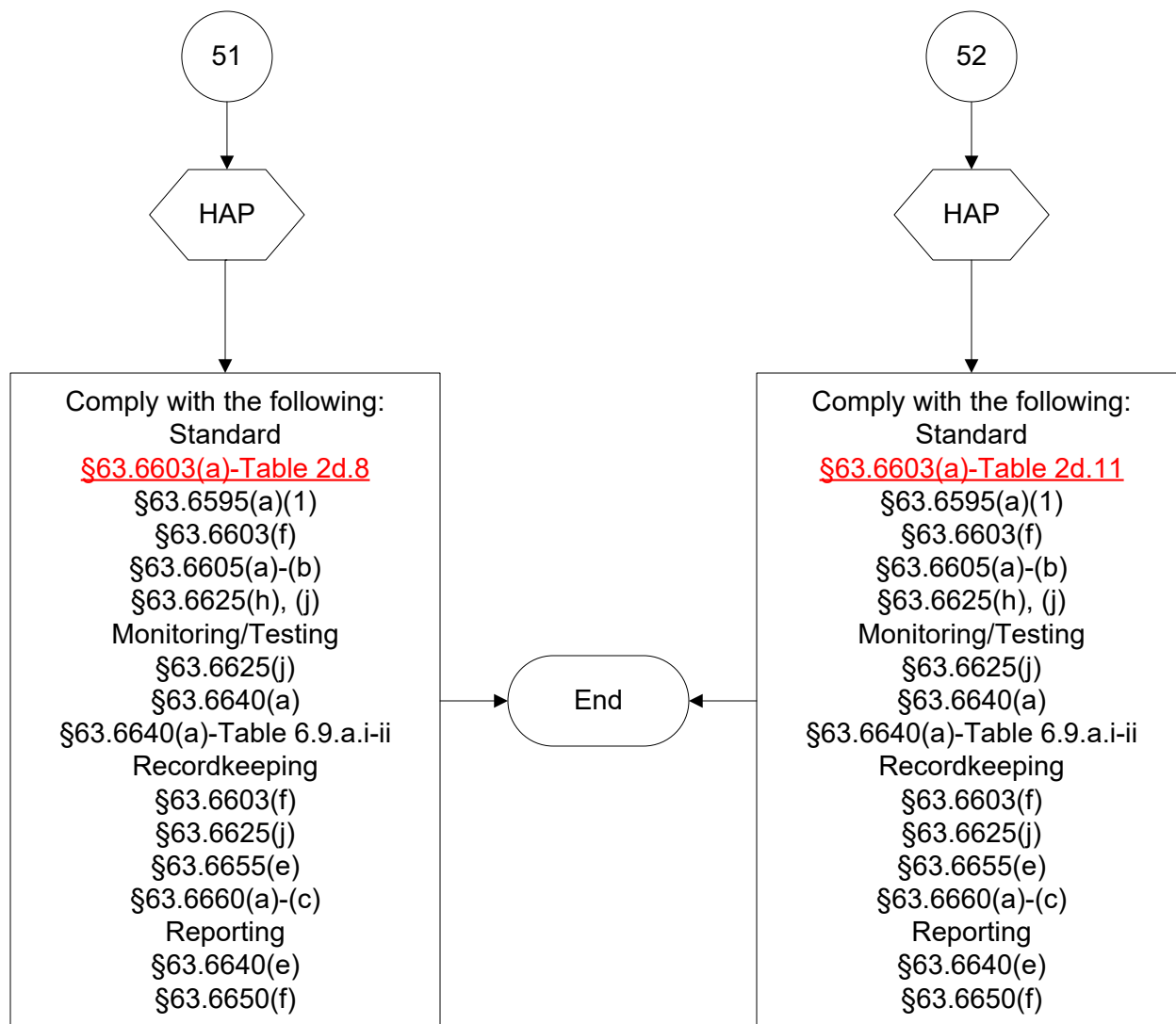
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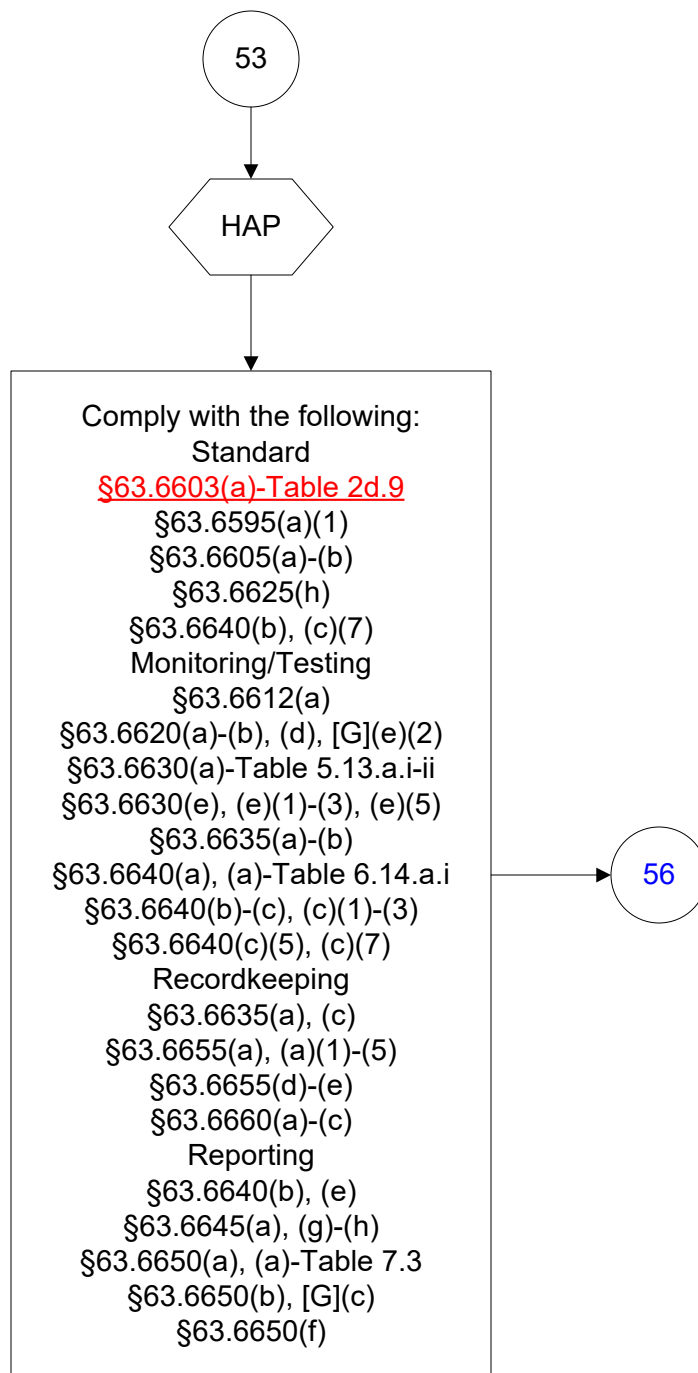
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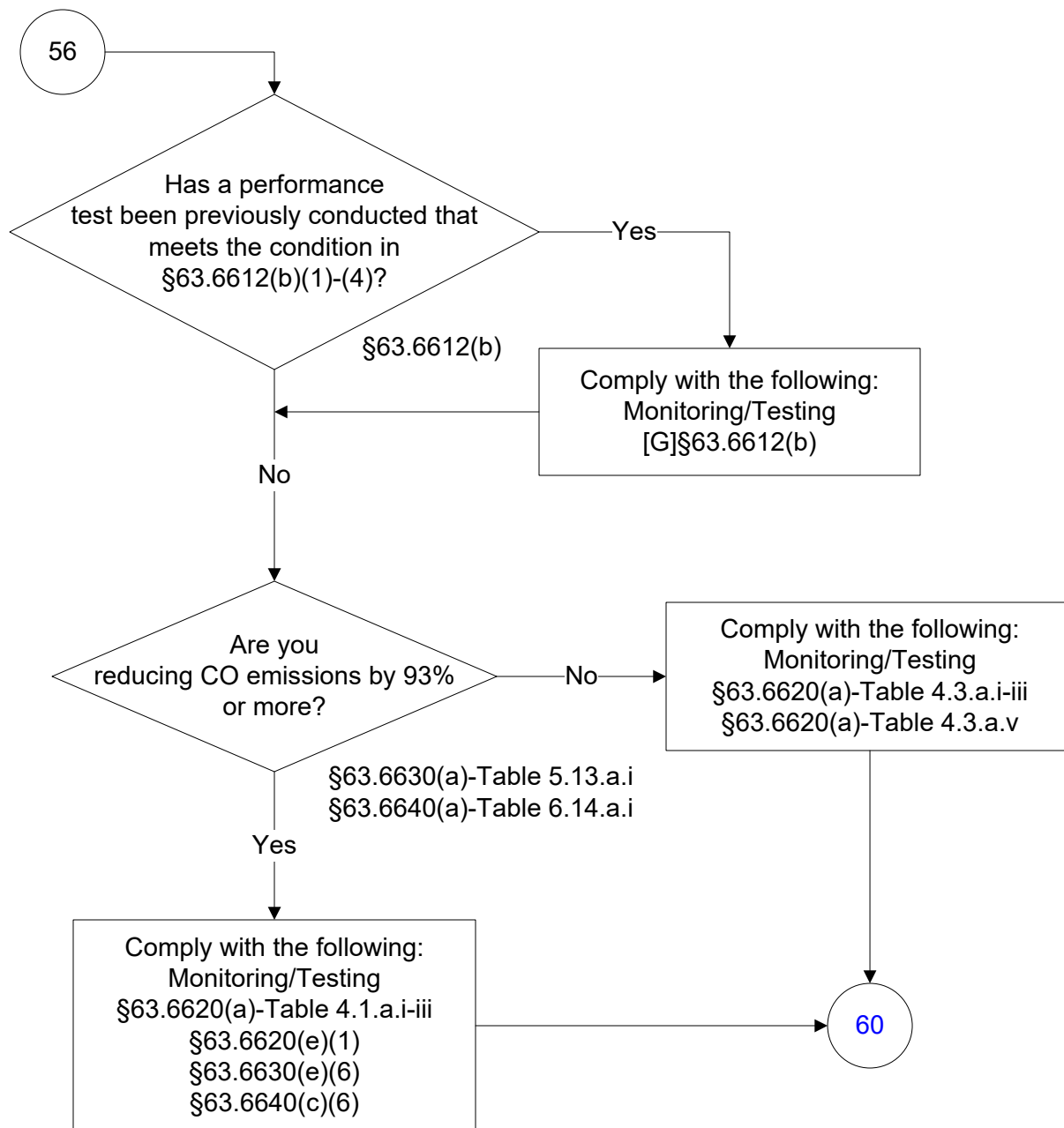
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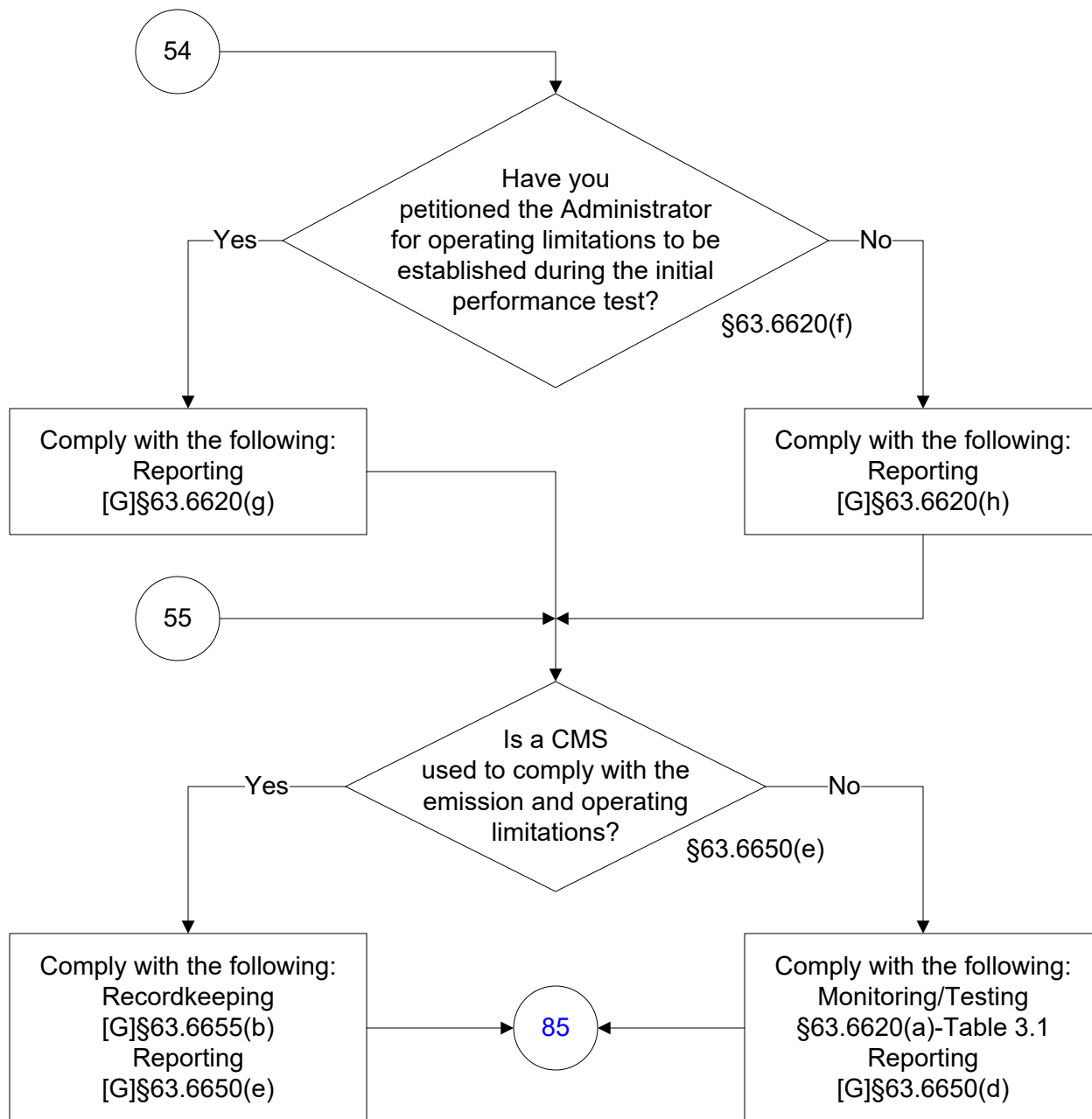
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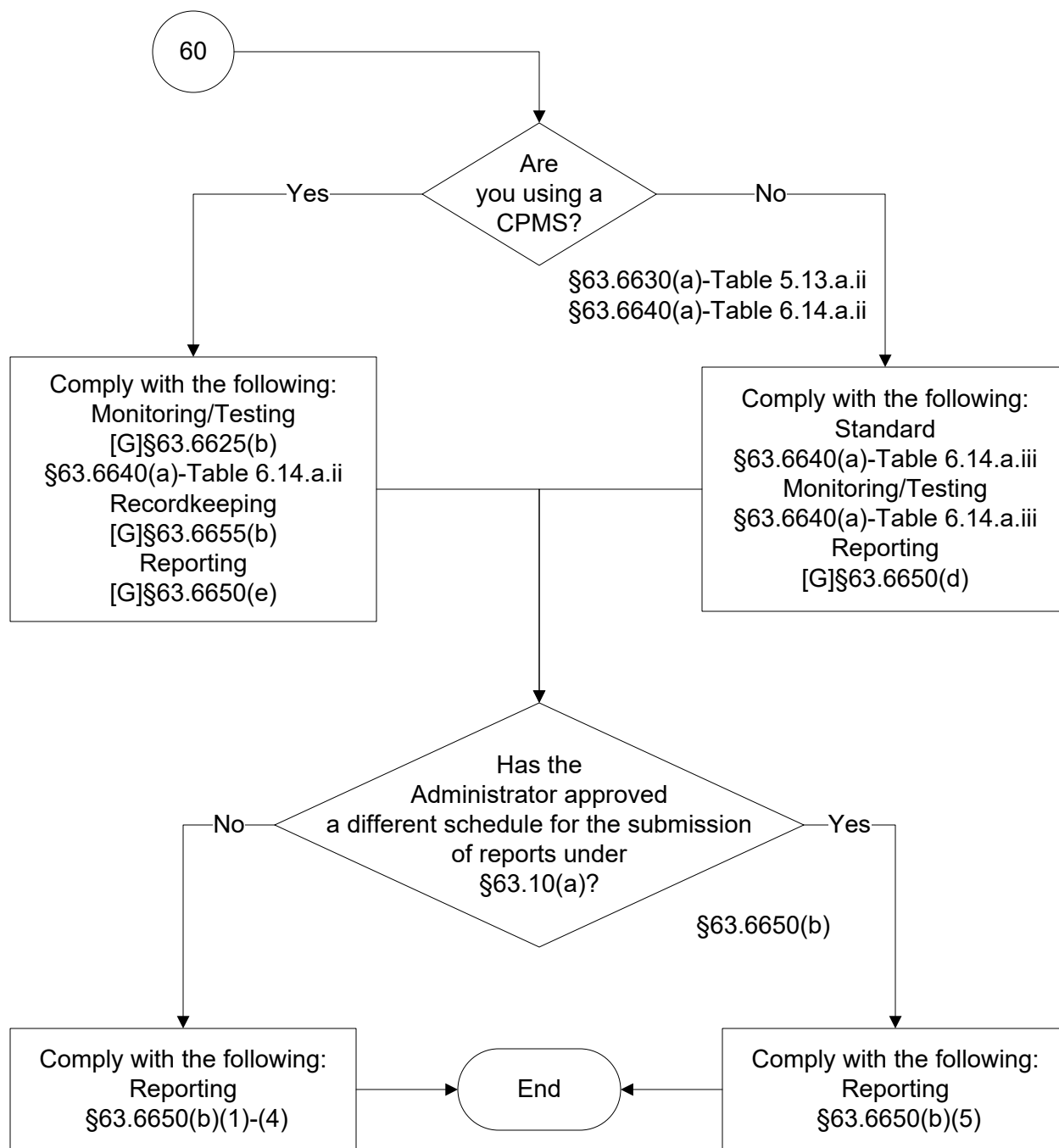
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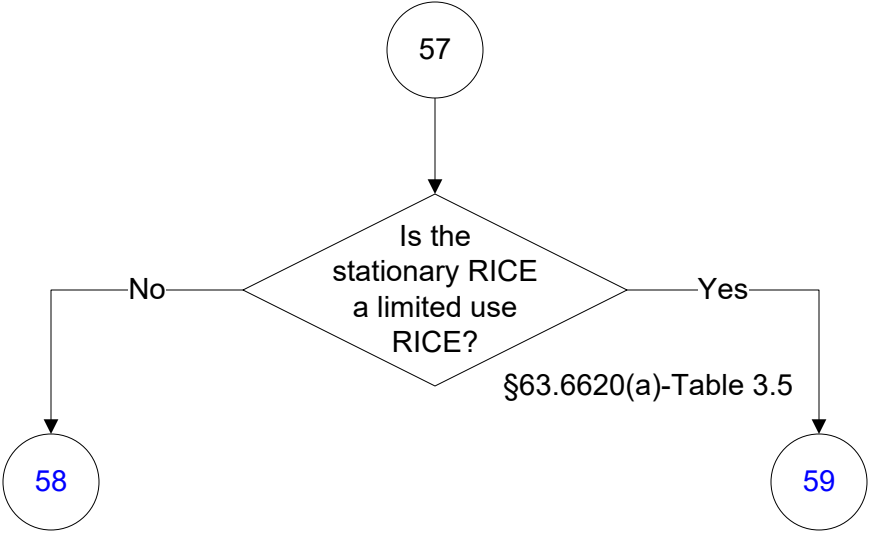
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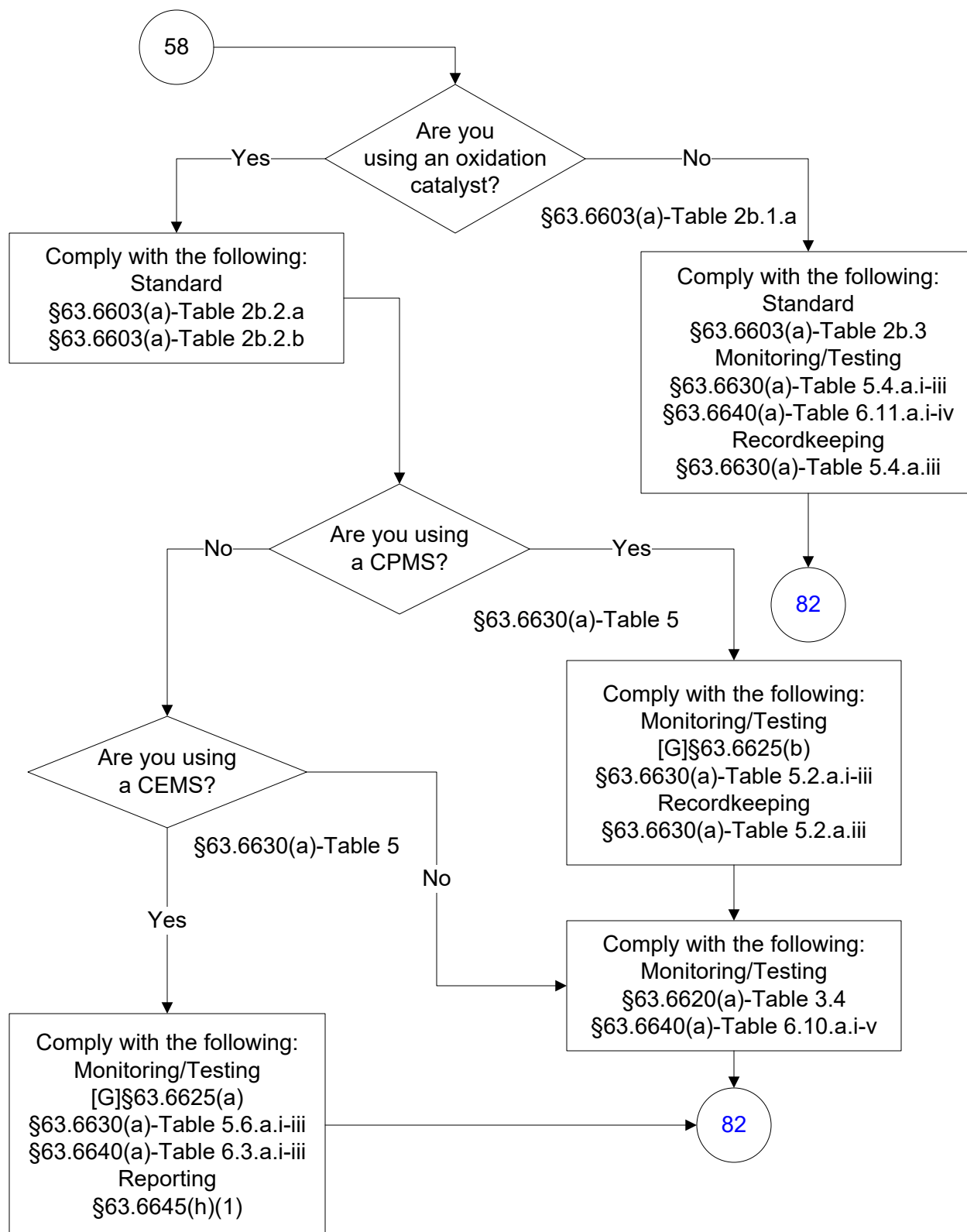
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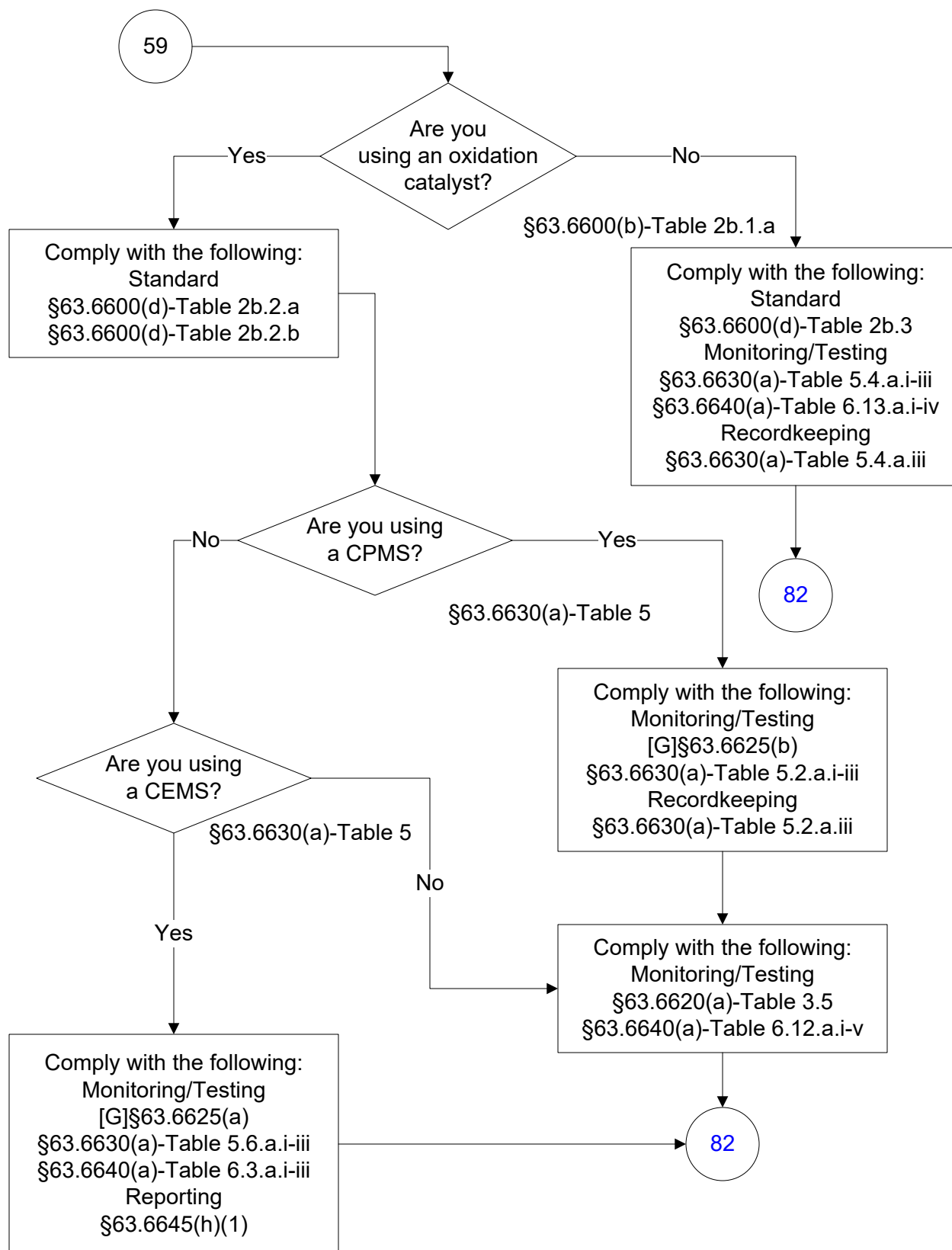
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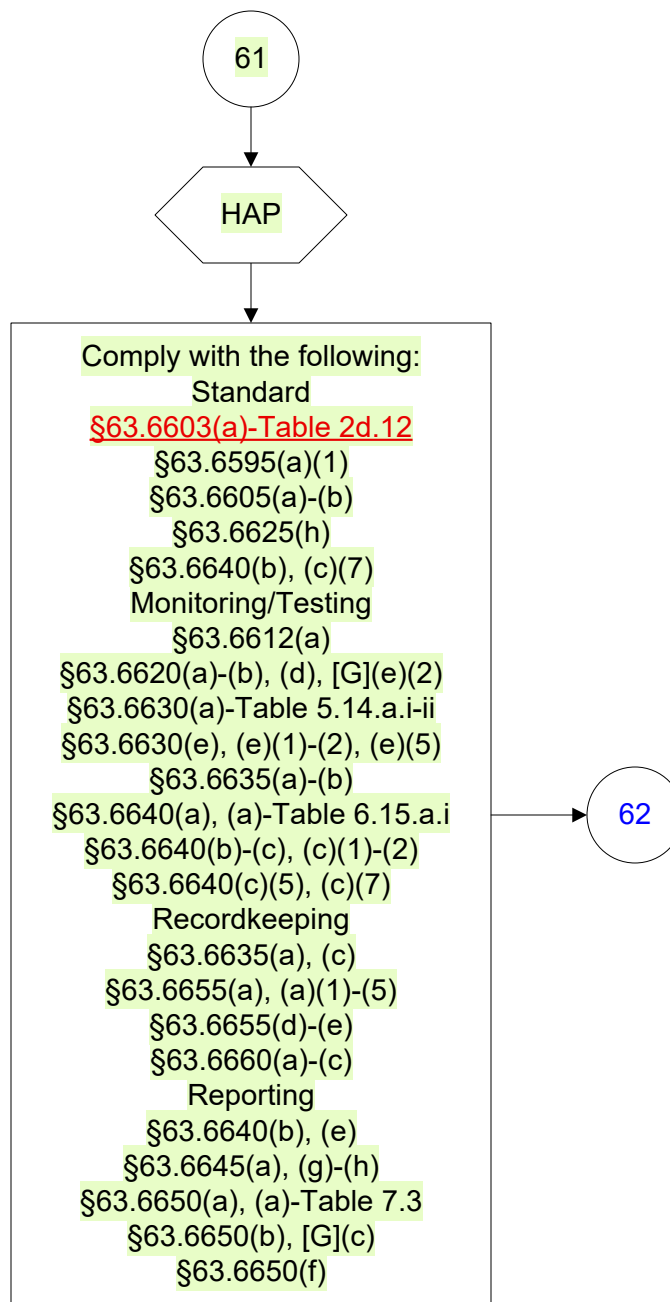
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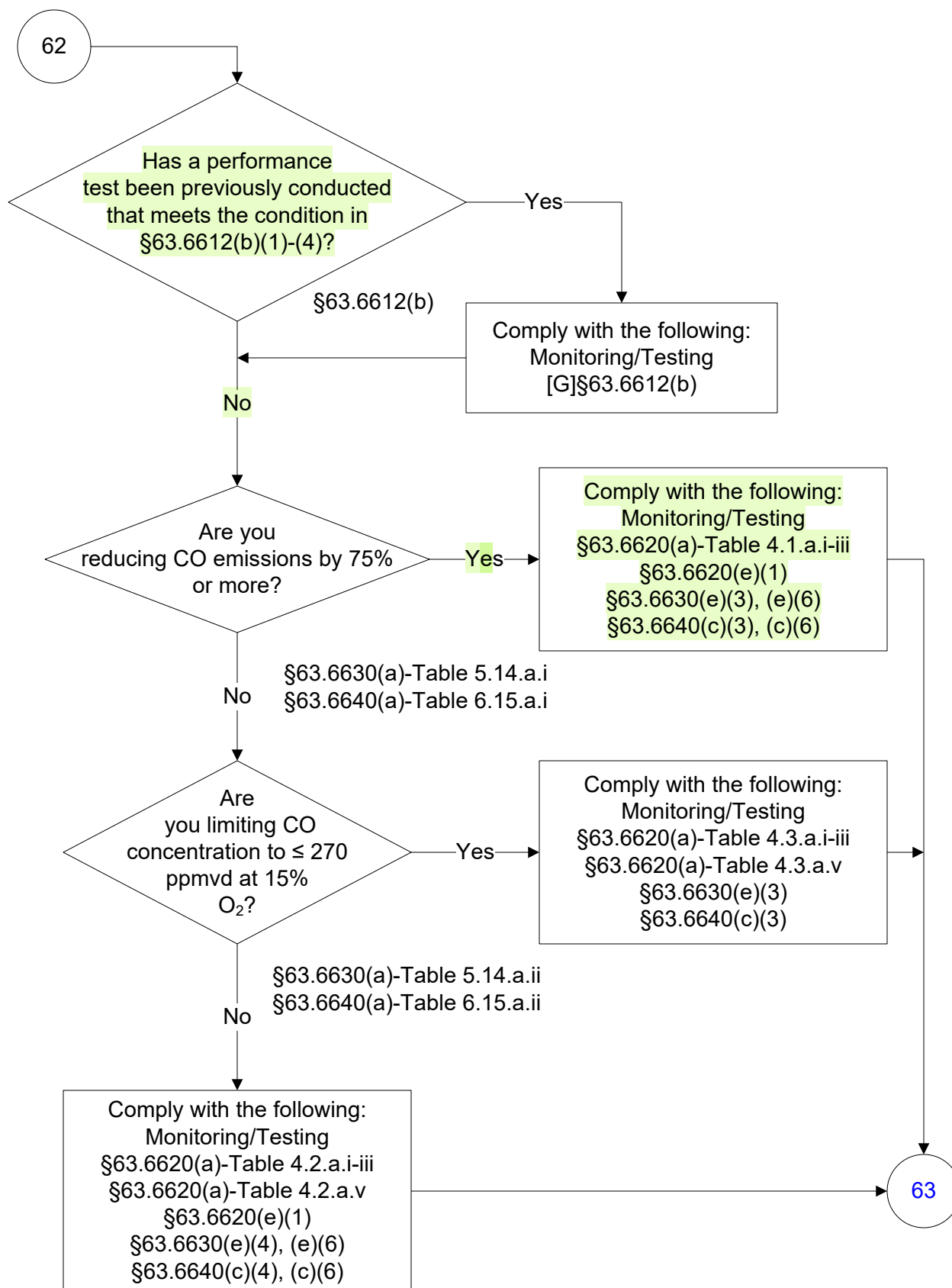
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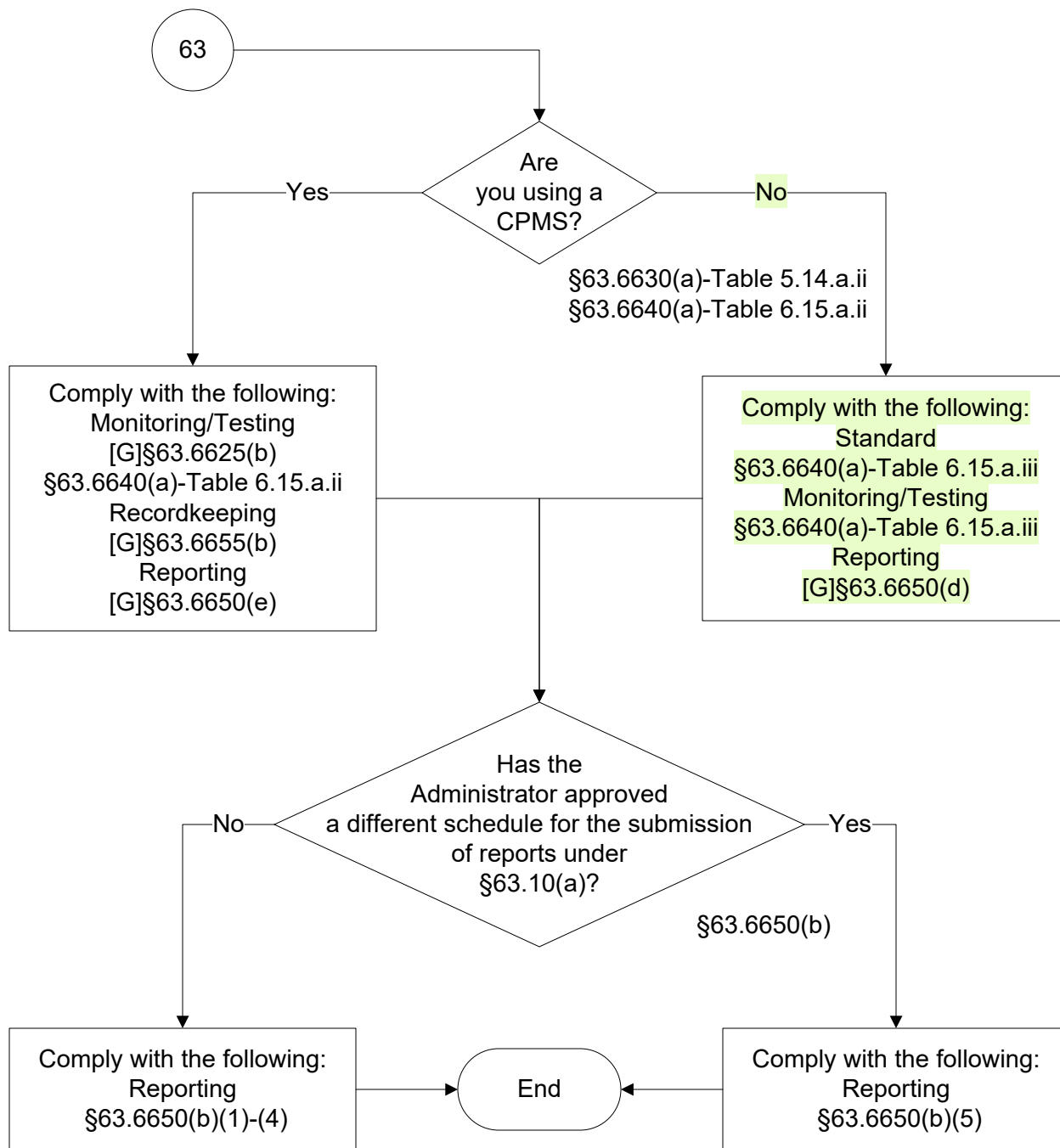
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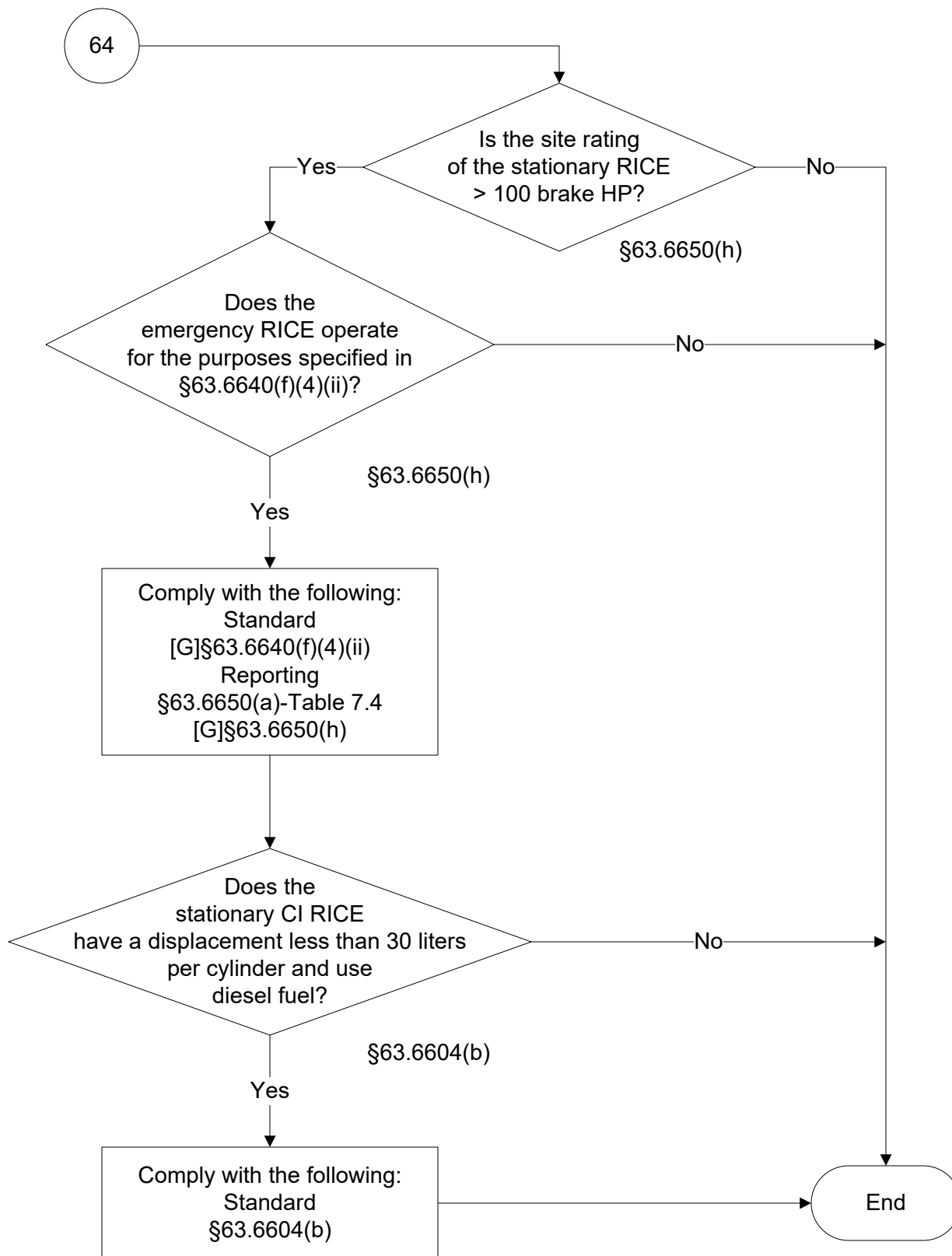
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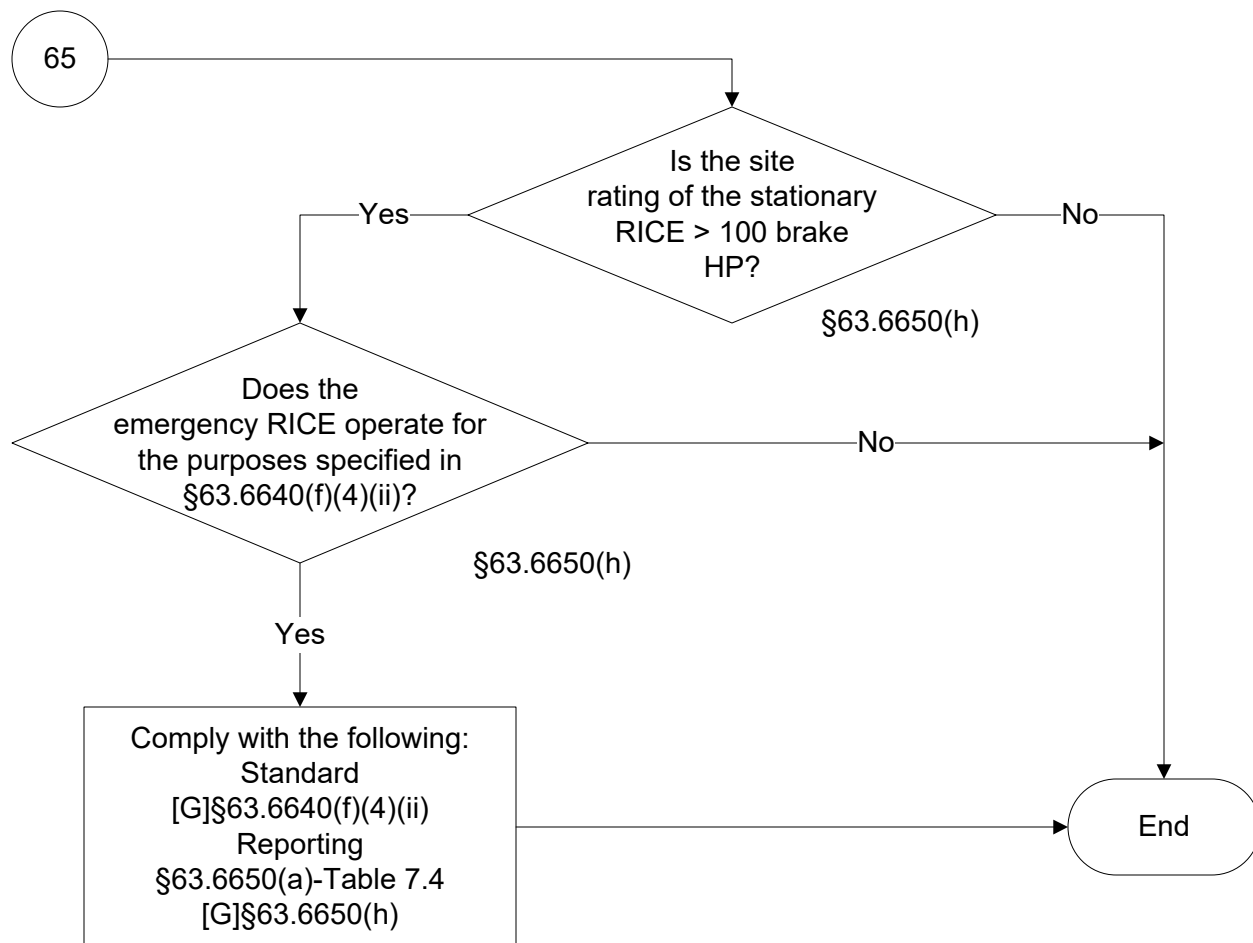
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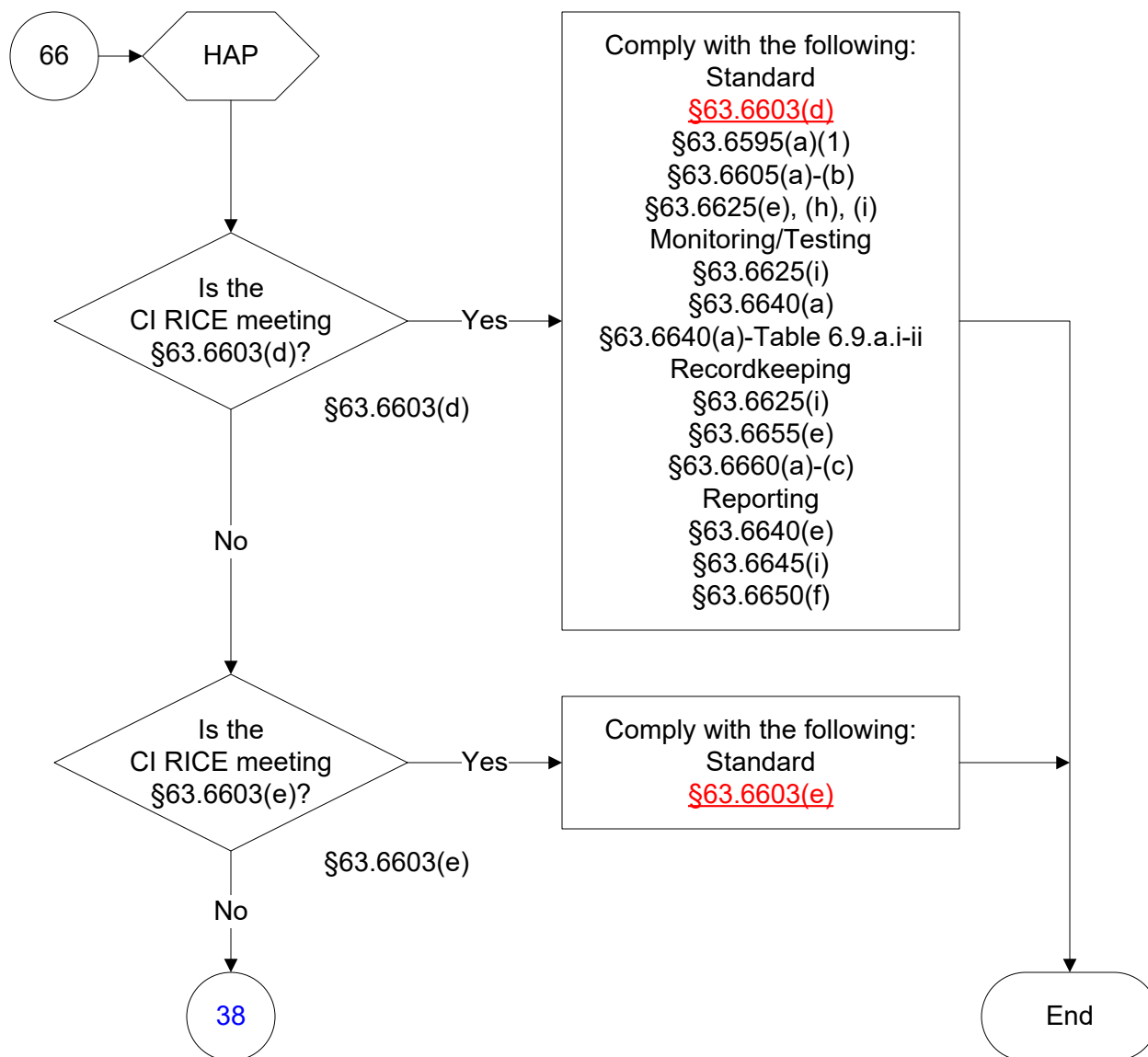
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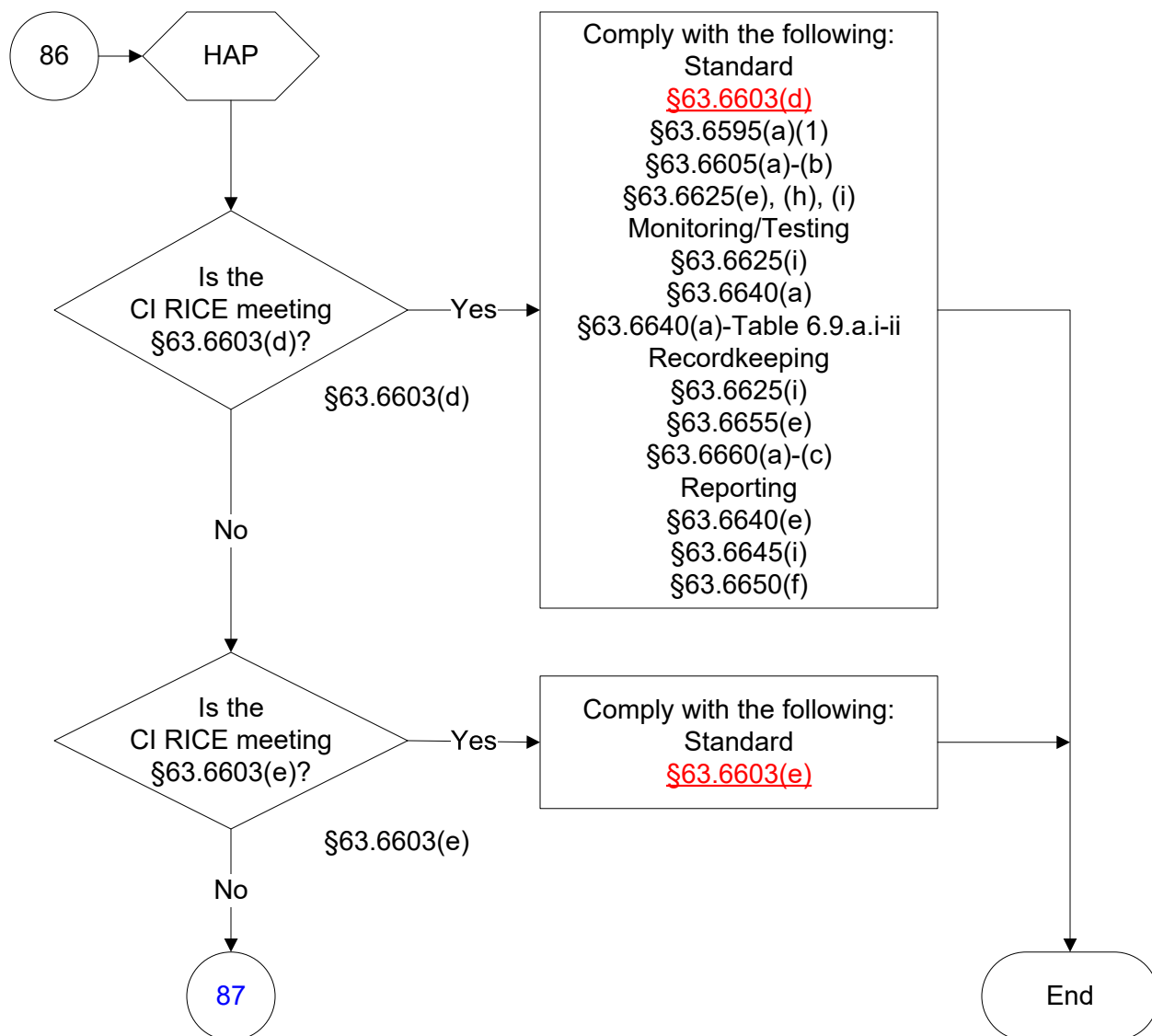
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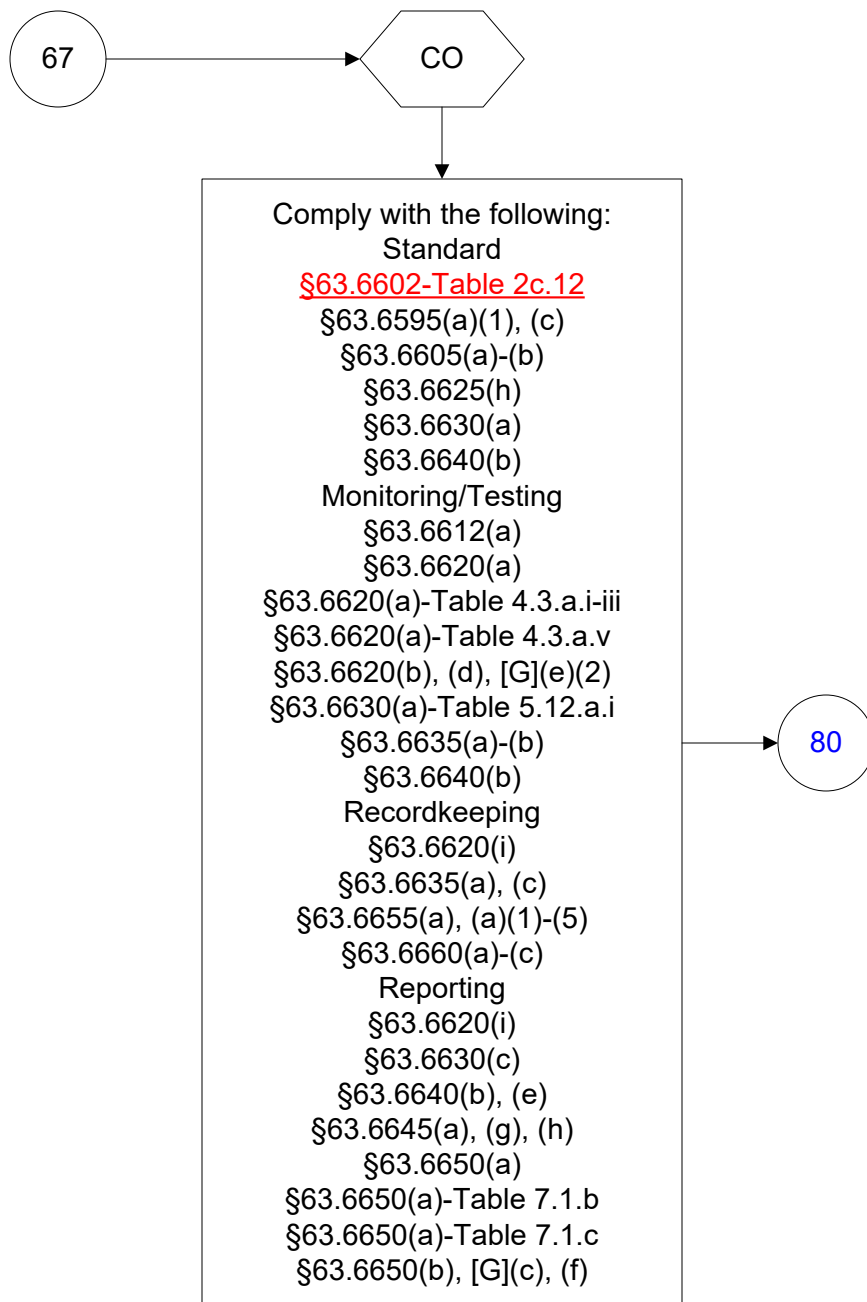
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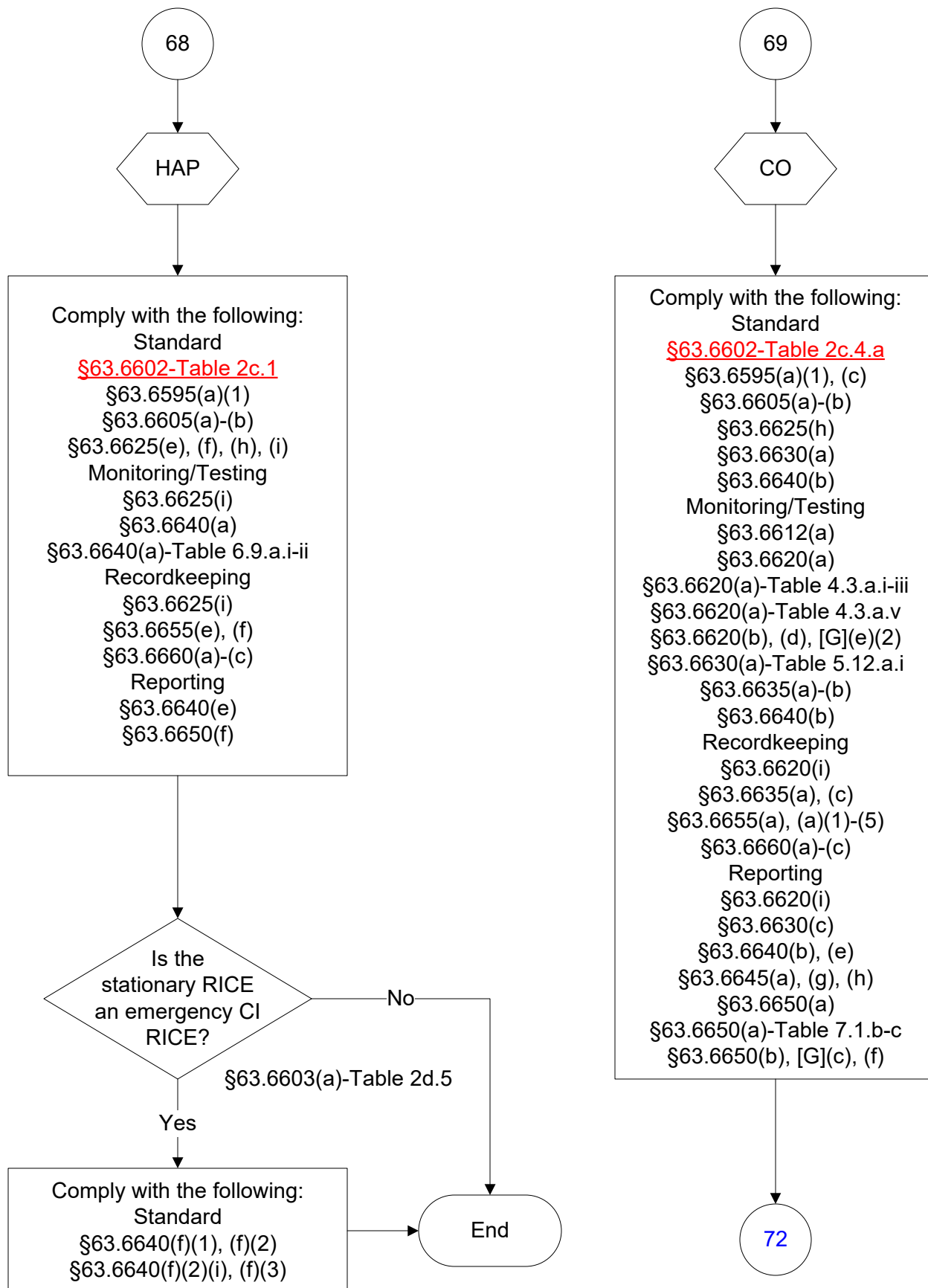
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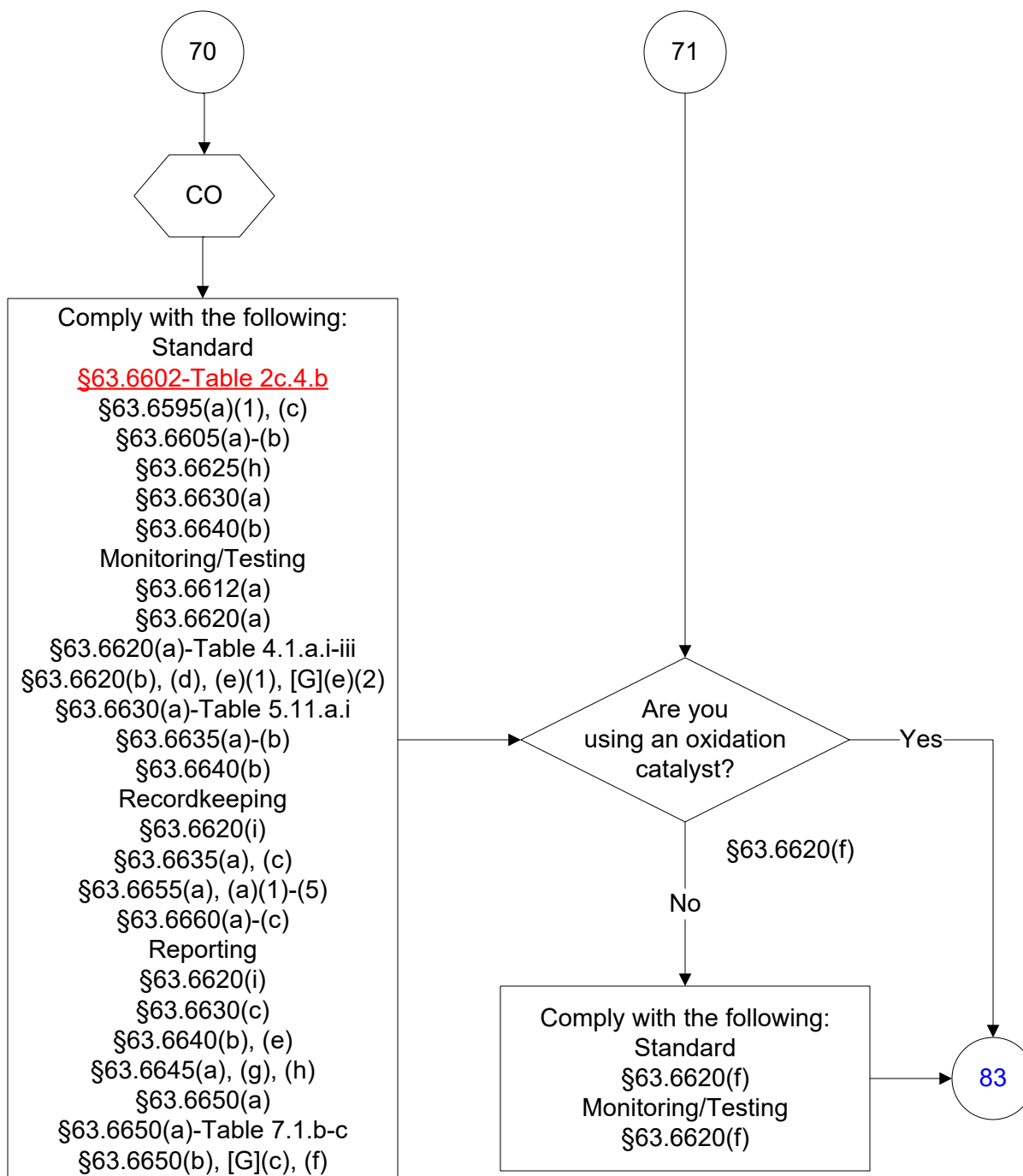
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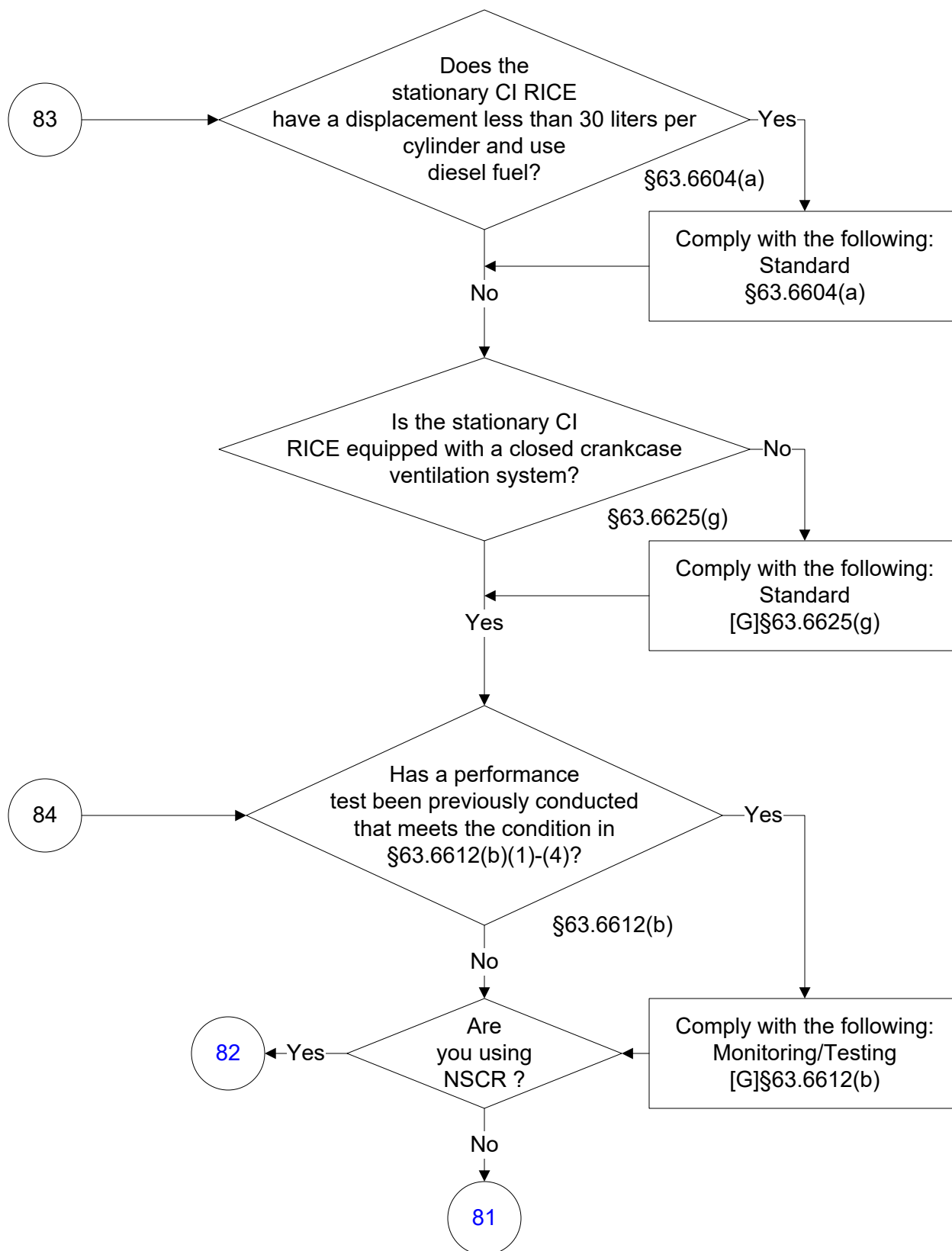
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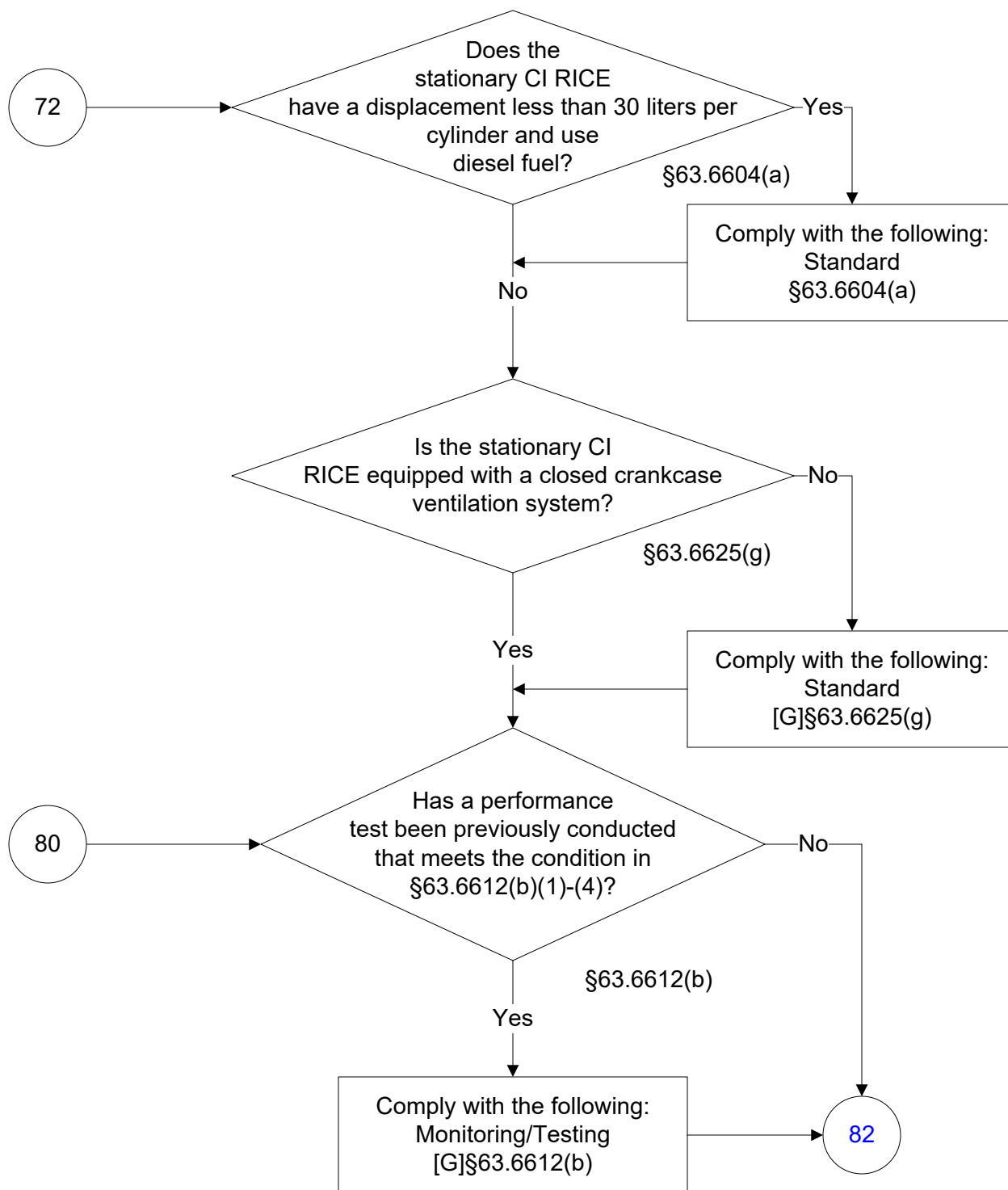
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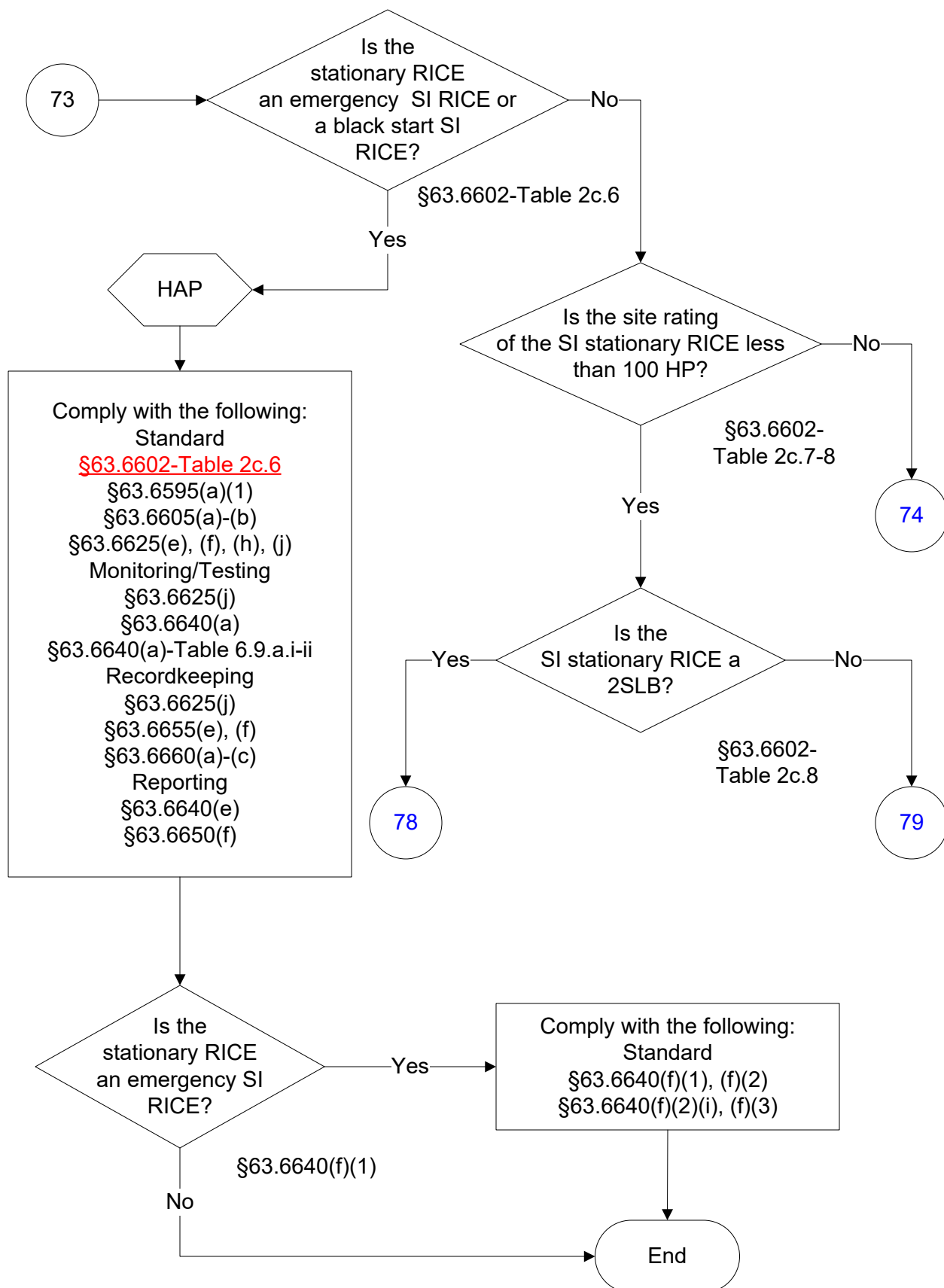
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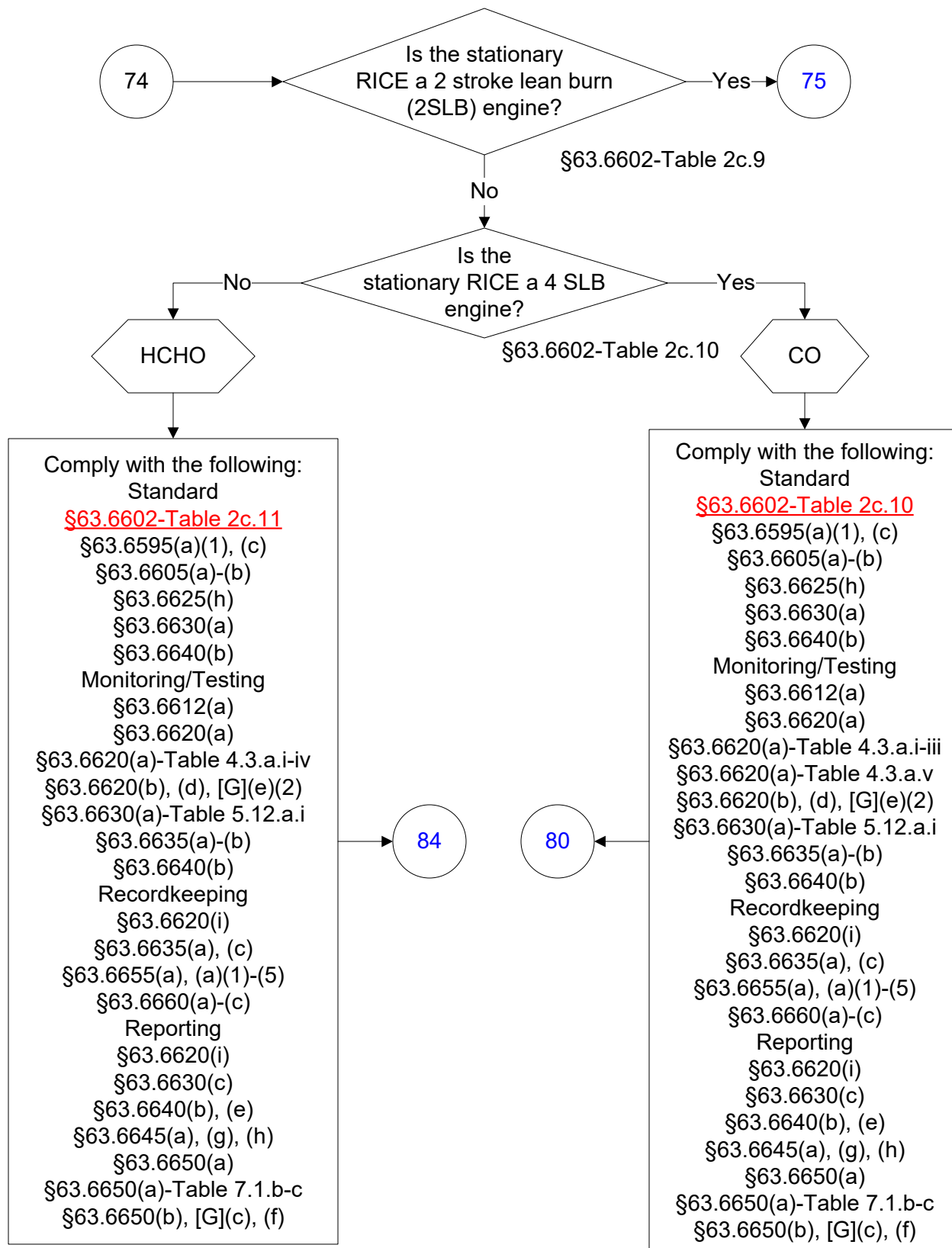
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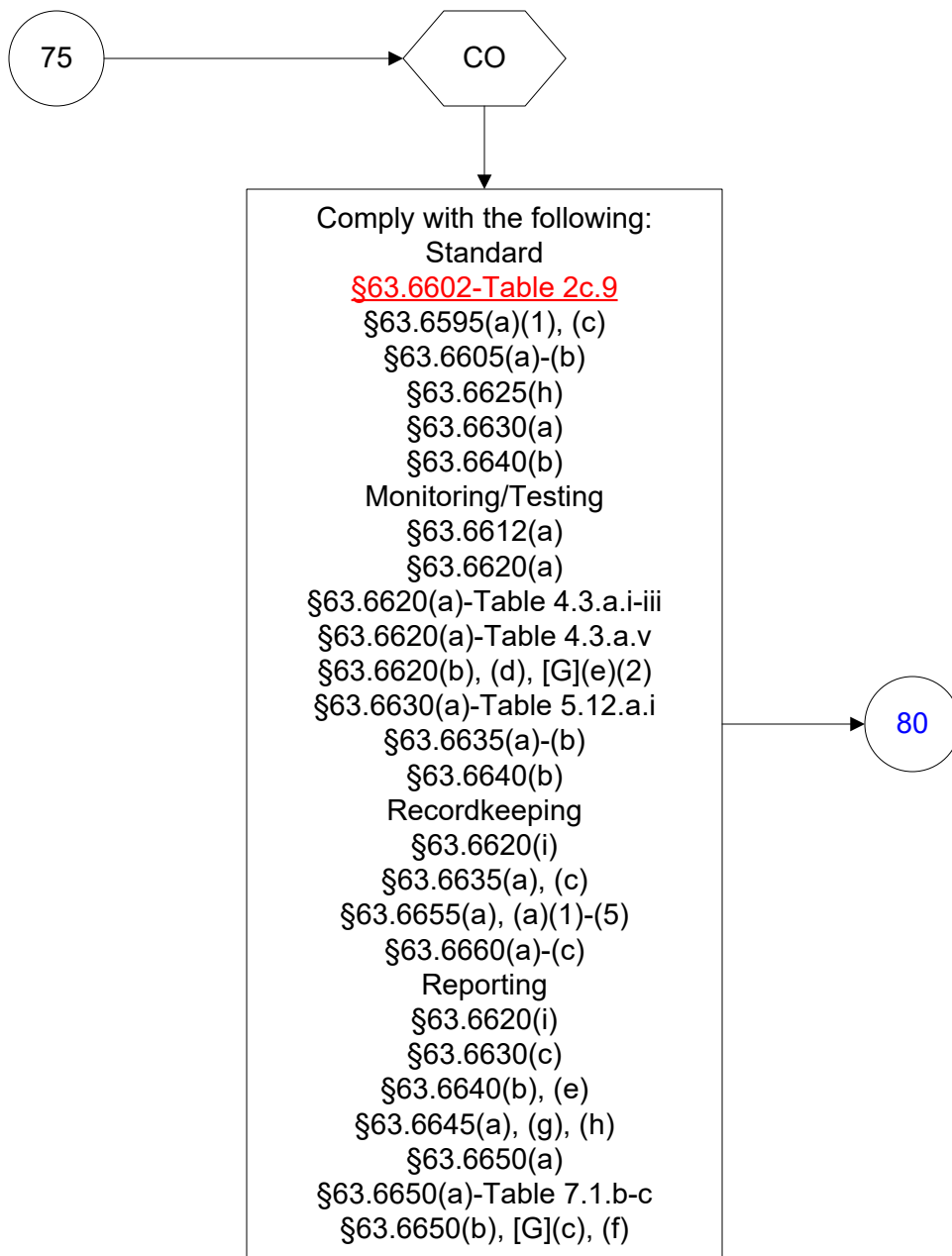
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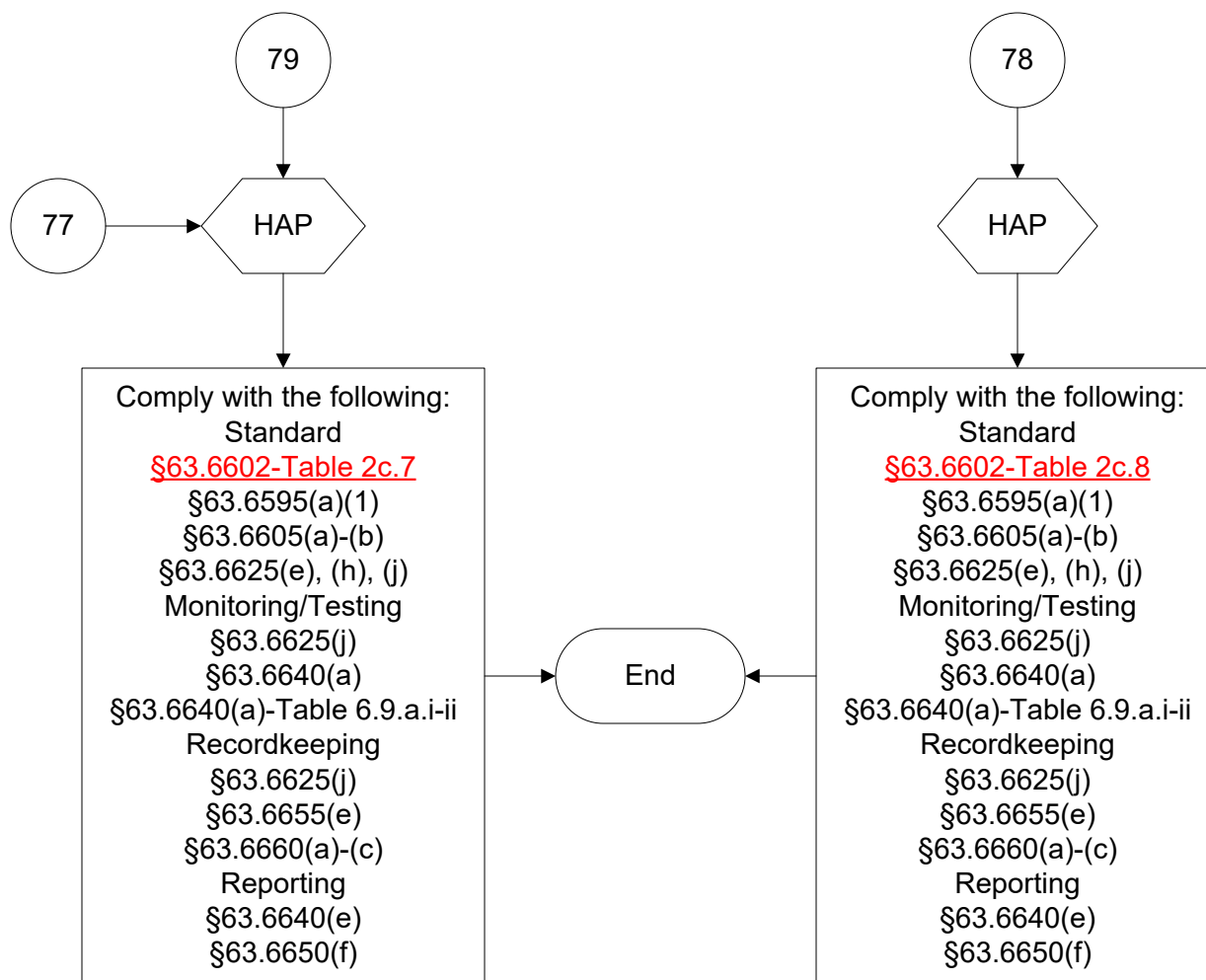
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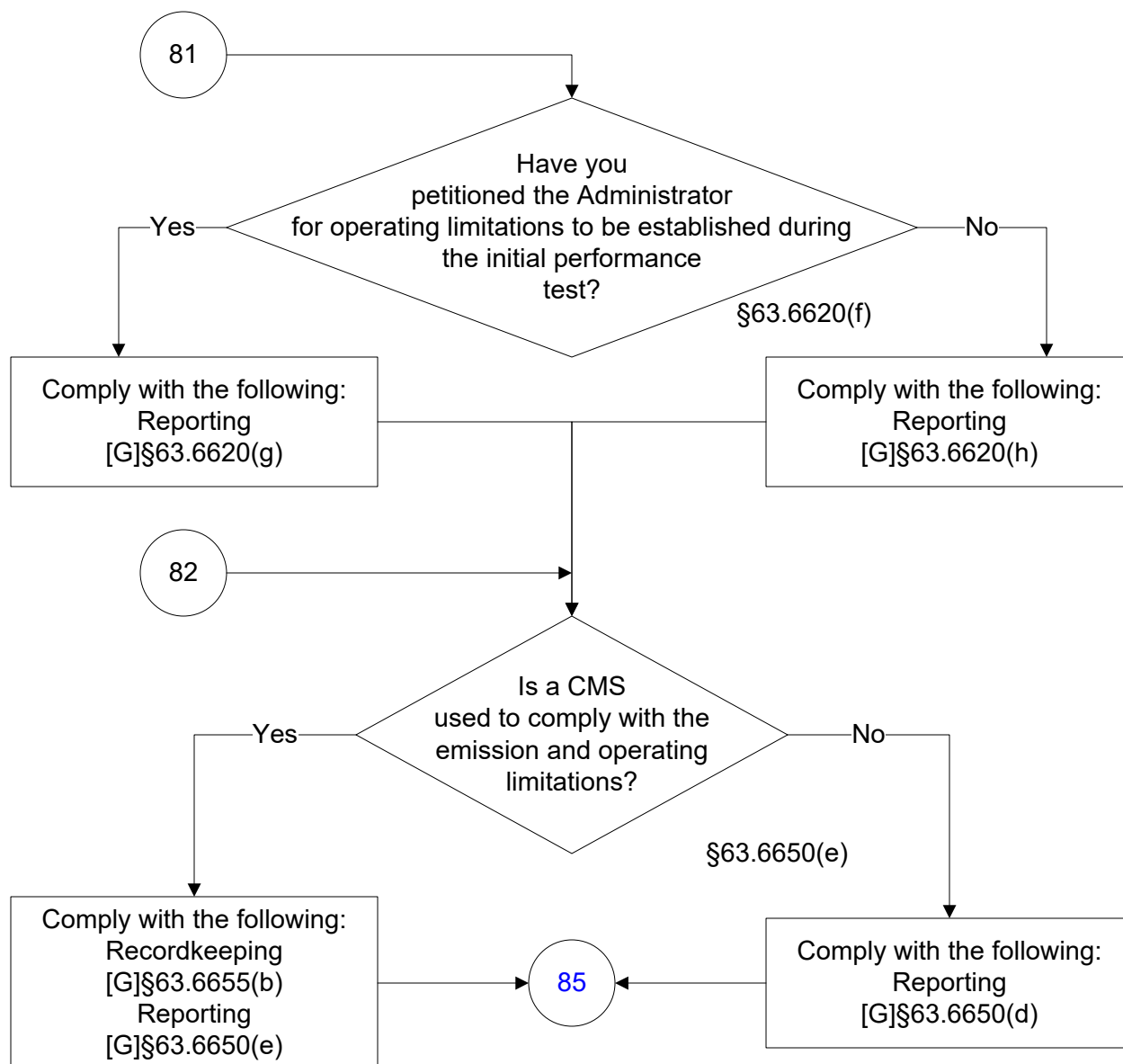
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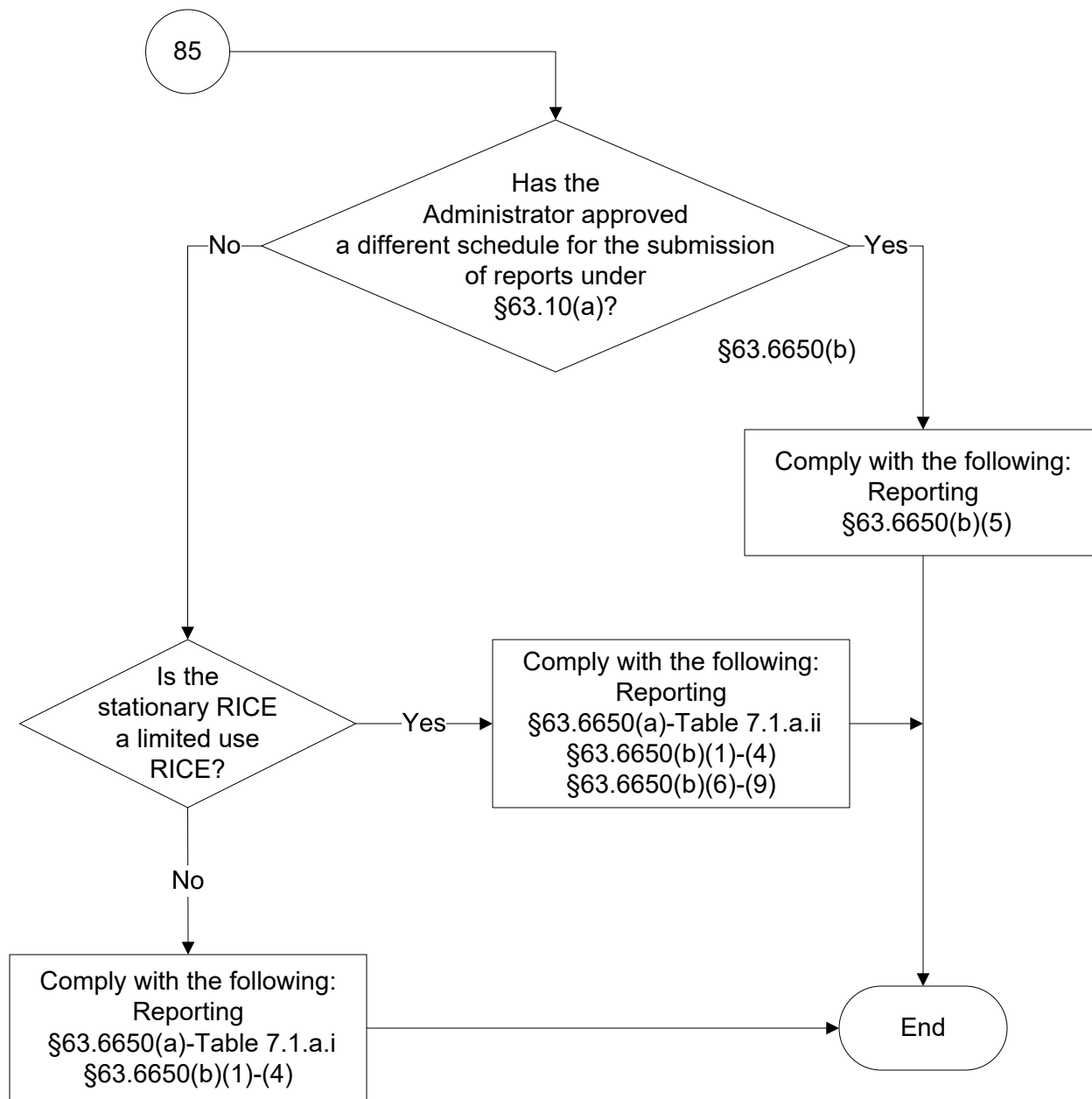
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Title 40 —Protection of Environment

Chapter I —Environmental Protection Agency

Subchapter C —Air Programs

Part 63 —National Emission Standards for Hazardous Air Pollutants for Source Categories

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

Source: 57 FR 61992, Dec. 29, 1992, unless otherwise noted.

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

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Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

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

WHAT THIS SUBPART COVERS

§ 63.6580 What is the purpose of subpart ZZZZ?

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

[73 FR 3603, Jan. 18, 2008]

§ 63.6585 Am I subject to this subpart?

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

- (a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.
- (b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.
- (c) An area source of HAP emissions is a source that is not a major source.
- (d) If you are an owner or operator of an area source subject to this subpart, your status as an entity subject to a standard or other requirements under this subpart does not subject you to the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.
- (e) If you are an owner or operator of a stationary RICE used for national security purposes, you may be eligible to request an exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C.
- (f) The emergency stationary RICE listed in paragraphs (f)(1) through (3) of this section are not subject to this subpart. The stationary RICE must meet the definition of an emergency stationary RICE in § 63.6675, which includes operating according to the provisions specified in § 63.6640(f).
 - (1) Existing residential emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).
 - (2) Existing commercial emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).
 - (3) Existing institutional emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

[69 FR 33506, June 15, 2004, as amended at 73 FR 3603, Jan. 18, 2008; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

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

This subpart applies to each affected source.

- (a) **Affected source.** An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.
 - (1) **Existing stationary RICE.**
 - (i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.
 - (ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.
 - (iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.
 - (iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.
 - (2) **New stationary RICE.**
 - (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.
 - (ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.
 - (iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.
 - (3) **Reconstructed stationary RICE.**
 - (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after December 19, 2002.
 - (ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.
 - (iii) A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.
- (b) **Stationary RICE subject to limited requirements.**

- (1) An affected source which meets either of the criteria in paragraphs (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of § 63.6645(f).
 - (i) The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
 - (ii) The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
- (2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of § 63.6645(f) and the requirements of §§ 63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.
- (3) The following stationary RICE do not have to meet the requirements of this subpart and of subpart A of this part, including initial notification requirements:
 - (i) Existing spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;
 - (ii) Existing spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;
 - (iii) Existing emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
 - (iv) Existing limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;
 - (v) Existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;
- (c) **Stationary RICE subject to Regulations under 40 CFR Part 60.** An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.
 - (1) A new or reconstructed stationary RICE located at an area source;
 - (2) A new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;
 - (3) A new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake HP located at a major source of HAP emissions;
 - (4) A new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;
 - (5) A new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

- (6) A new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;
- (7) A new or reconstructed compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010; 75 FR 51588, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

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

(a) Affected sources.

- (1) If you have an existing stationary RICE, excluding existing non-emergency CI stationary RICE, with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations, operating limitations and other requirements no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013. If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than October 19, 2013.
- (2) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart no later than August 16, 2004.
- (3) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.
- (4) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.
- (5) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.
- (6) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

- (7) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.
- (b) **Area sources that become major sources.** If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, the compliance dates in paragraphs (b)(1) and (2) of this section apply to you.
 - (1) Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source.
 - (2) Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.
- (c) If you own or operate an affected source, you must meet the applicable notification requirements in § 63.6645 and in 40 CFR part 63, subpart A.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 78 FR 6701, Jan. 30, 2013]

EMISSION AND OPERATING LIMITATIONS

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

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

- (a) If you own or operate an existing, new, or reconstructed spark ignition 4SRB stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 1a to this subpart and the operating limitations in Table 1b to this subpart which apply to you.
- (b) If you own or operate a new or reconstructed 2SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, a new or reconstructed 4SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, or a new or reconstructed CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.
- (c) If you own or operate any of the following stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the emission limitations in Tables 1a, 2a, 2c, and 2d to this subpart or operating limitations in Tables 1b and 2b to this subpart: an

existing 2SLB stationary RICE; an existing 4SLB stationary RICE; a stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis; an emergency stationary RICE; or a limited use stationary RICE.

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

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

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

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

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010]

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

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

[78 FR 6701, Jan. 30, 2013]

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

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

- (a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart that apply to you.
- (b) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meets either paragraph (b)(1) or (2) of this section, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. Existing stationary

non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meet either paragraph (b)(1) or (2) of this section must meet the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart.

- (1) The area source is located in an area of Alaska that is not accessible by the Federal Aid Highway System (FAHS).
- (2) The stationary RICE is located at an area source that meets paragraphs (b)(2)(i), (ii), and (iii) of this section.
 - (i) The only connection to the FAHS is through the Alaska Marine Highway System (AMHS), or the stationary RICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.
 - (ii) At least 10 percent of the power generated by the stationary RICE on an annual basis is used for residential purposes.
 - (iii) The generating capacity of the area source is less than 12 megawatts, or the stationary RICE is used exclusively for backup power for renewable energy.
- (c) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located on an offshore vessel that is an area source of HAP and is a nonroad vehicle that is an Outer Continental Shelf (OCS) source as defined in 40 CFR 55.2, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. You must meet all of the following management practices:
 - (1) Change oil every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first. Sources have the option to utilize an oil analysis program as described in § 63.6625(i) in order to extend the specified oil change requirement.
 - (2) Inspect and clean air filters every 750 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.
 - (3) Inspect fuel filters and belts, if installed, every 750 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.
 - (4) Inspect all flexible hoses every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.
- (d) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and that is subject to an enforceable state or local standard that requires the engine to be replaced no later than June 1, 2018, you may until January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018, choose to comply with the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart instead of the applicable emission limitations in Table 2d, operating limitations in Table 2b, and crankcase ventilation system requirements in § 63.6625(g). You must comply with the emission limitations in Table 2d and operating limitations in Table 2b that apply for non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than

June 1, 2018. You must also comply with the crankcase ventilation system requirements in § 63.6625(g) by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018.

- (e) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 3 (Tier 2 for engines above 560 kilowatt (kW)) emission standards in Table 1 of 40 CFR 89.112, you may comply with the requirements under this part by meeting the requirements for Tier 3 engines (Tier 2 for engines above 560 kW) in 40 CFR part 60 subpart IIII instead of the emission limitations and other requirements that would otherwise apply under this part for existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions.
- (f) An existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP must meet the definition of remote stationary RICE in § 63.6675 on the initial compliance date for the engine, October 19, 2013, in order to be considered a remote stationary RICE under this subpart. Owners and operators of existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that meet the definition of remote stationary RICE in § 63.6675 of this subpart as of October 19, 2013 must evaluate the status of their stationary RICE every 12 months. Owners and operators must keep records of the initial and annual evaluation of the status of the engine. If the evaluation indicates that the stationary RICE no longer meets the definition of remote stationary RICE in § 63.6675 of this subpart, the owner or operator must comply with all of the requirements for existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that are not remote stationary RICE within 1 year of the evaluation.

[75 FR 9675, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6701, Jan. 30, 2013; 89 FR 70515, Aug. 30, 2024]

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

- (a) If you own or operate an existing non-emergency, non-black start CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel.
- (b) Beginning January 1, 2015, if you own or operate an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates for the purpose specified in § 63.6640(f)(4)(ii), you must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.
- (c) [Reserved]
- (d) Existing CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2), or are on offshore vessels that meet § 63.6603(c) are exempt from the requirements of this section.

[78 FR 6702, Jan. 30, 2013, as amended at 85 FR 78463, Dec. 4, 2020; 87 FR 48607, Aug. 10, 2022]

GENERAL COMPLIANCE REQUIREMENTS

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

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

[75 FR 9675, Mar. 3, 2010, as amended at 78 FR 6702, Jan. 30, 2013]

TESTING AND INITIAL COMPLIANCE REQUIREMENTS

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

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

- (a) You must conduct the initial performance test or other initial compliance demonstrations in Table 4 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).
- (b) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must demonstrate initial compliance with either the proposed emission limitations or the promulgated emission limitations no later than February 10, 2005 or no later than 180 days after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).
- (c) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, and you chose to comply with the proposed emission limitations when demonstrating initial compliance, you must conduct a second performance test to demonstrate compliance with the promulgated emission limitations by December 13, 2007 or after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).
- (d) An owner or operator is not required to conduct an initial performance test on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (d)(1) through (5) of this section.
 - (1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.
 - (2) The test must not be older than 2 years.

- (3) The test must be reviewed and accepted by the Administrator.
- (4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.
- (5) The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

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

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

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

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 51589, Aug. 20, 2010]

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

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

- (a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).
- (b) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) of this section.
 - (1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.
 - (2) The test must not be older than 2 years.
 - (3) The test must be reviewed and accepted by the Administrator.
 - (4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

[75 FR 9676, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010]

§ 63.6615 When must I conduct subsequent performance tests?

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

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

- (a) You must conduct each performance test in Tables 3 and 4 of this subpart that applies to you.
- (b) Each performance test must be conducted according to the requirements that this subpart specifies in Table 4 to this subpart. If you own or operate a non-operational stationary RICE that is subject to performance testing, you do not need to start up the engine solely to conduct the performance test. Owners and operators of a non-operational engine can conduct the performance test when the engine is started up again. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load for the stationary RICE listed in paragraphs (b)(1) through (4) of this section.
 - (1) Non-emergency 4SRB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.
 - (2) New non-emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP located at a major source of HAP emissions.
 - (3) New non-emergency 2SLB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.
 - (4) New non-emergency CI stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.
- (c) [Reserved]
- (d) You must conduct three separate test runs for each performance test required in this section, as specified in § 63.7(e)(3). Each test run must last at least 1 hour, unless otherwise specified in this subpart.
- (e)
 - (1) You must use Equation 1 of this section to determine compliance with the percent reduction requirement:

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

Where:

C_i = concentration of carbon monoxide (CO), total hydrocarbons (THC), or formaldehyde at the control device inlet,

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

R = percent reduction of CO, THC, or formaldehyde emissions.

- (2) You must normalize the CO, THC, or formaldehyde concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide (CO₂). If pollutant concentrations are to be corrected to 15 percent oxygen and CO₂ concentration is measured in lieu of oxygen concentration measurement, a CO₂ correction factor is needed. Calculate the CO₂ correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.

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

$$F_O = \frac{0.209 F_d}{F_C} \quad (Eq. 2)$$

Where:

F_O = Fuel factor based on the ratio of oxygen volume to the ultimate CO₂ volume produced by the fuel at zero percent excess air.

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

F_d = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm³/J (dscf/10⁶ Btu).

F_C = Ratio of the volume of CO₂ produced to the gross calorific value of the fuel from Method 19, dsm³/J (dscf/10⁶ Btu)

- (ii) Calculate the CO₂ correction factor for correcting measurement data to 15 percent O₂, as follows:

$$X_{CO2} = \frac{5.9}{F_O} \quad (Eq. 3)$$

Where:

X_{CO2} = CO₂ correction factor, percent.

5.9 = 20.9 percent O₂—15 percent O₂, the defined O₂ correction value, percent.

- (iii) Calculate the CO, THC, and formaldehyde gas concentrations adjusted to 15 percent O₂ using CO₂ as follows:

$$C_{adj} = C_d \frac{X_{CO2}}{\%CO_2} \quad (Eq. 4)$$

Where:

C_{adj} = Calculated concentration of CO, THC, or formaldehyde adjusted to 15 percent O₂.

C_d = Measured concentration of CO, THC, or formaldehyde, uncorrected.

X_{CO_2} = CO₂ correction factor, percent.

%CO₂ = Measured CO₂ concentration measured, dry basis, percent.

- (f) If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitation to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or NSCR, you must petition the Administrator for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Administrator.
- (g) If you petition the Administrator for approval of operating limitations, your petition must include the information described in paragraphs (g)(1) through (5) of this section.
 - (1) Identification of the specific parameters you propose to use as operating limitations;
 - (2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters, and how limitations on these parameters will serve to limit HAP emissions;
 - (3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;
 - (4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and
 - (5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.
- (h) If you petition the Administrator for approval of no operating limitations, your petition must include the information described in paragraphs (h)(1) through (7) of this section.
 - (1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally (e.g., operator adjustment, automatic controller adjustment, etc.) or unintentionally (e.g., wear and tear, error, etc.) on a routine basis or over time;
 - (2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;
 - (3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;
 - (4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;
 - (5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;
 - (6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

- (7) A discussion of why, from your point of view, it is infeasible or unreasonable to adopt the parameters as operating limitations.
- (i) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided.
- (j) Beginning on February 26, 2025, within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test following the procedure specified in § 63.9(k). Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test must be included as an attachment in the ERT or alternate electronic file.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9676, Mar. 3, 2010; 78 FR 6702, Jan. 30, 2013; 89 FR 70516, Aug. 30, 2024]

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

- (a) If you elect to install a CEMS as specified in Table 5 of this subpart, you must install, operate, and maintain a CEMS to monitor CO and either O₂ or CO₂ according to the requirements in paragraphs (a)(1) through (4) of this section. If you are meeting a requirement to reduce CO emissions, the CEMS must be installed at both the inlet and outlet of the control device. If you are meeting a requirement to limit the concentration of CO, the CEMS must be installed at the outlet of the control device.
 - (1) Each CEMS must be installed, operated, and maintained according to the applicable performance specifications of 40 CFR part 60, appendix B.
 - (2) You must conduct an initial performance evaluation and an annual relative accuracy test audit (RATA) of each CEMS according to the requirements in § 63.8 and according to the applicable performance specifications of 40 CFR part 60, appendix B as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.
 - (3) As specified in § 63.8(c)(4)(ii), each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. You must have at least two data points, with each representing a different 15-minute period, to have a valid hour of data.
 - (4) The CEMS data must be reduced as specified in § 63.8(g)(2) and recorded in parts per million or parts per billion (as appropriate for the applicable limitation) at 15 percent oxygen or the equivalent CO₂ concentration.

(5) Beginning on February 26, 2025, within 60 days after the date of completing each continuous emissions monitoring system (CEMS) performance evaluation (as defined in § 63.2) that includes a relative accuracy test audit (RATA), you must submit the results of the performance evaluation following the procedures specified in § 63.9(k). The results of performance evaluations of CEMS measuring RATA pollutants that are supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the XML schema listed on the EPA's ERT website. The results of performance evaluations of CEMS measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be included as an attachment in the ERT or alternate electronic file.

(b) If you are required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of this subpart, you must install, operate, and maintain each CPMS according to the requirements in paragraphs (b)(1) through (6) of this section. For an affected source that is complying with the emission limitations and operating limitations on March 9, 2011, the requirements in paragraph (b) of this section are applicable September 6, 2011.

(1) You must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of this section and in § 63.8(d). As specified in § 63.8(f)(4), you may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs (b)(1) through (5) of this section in your site-specific monitoring plan.

(i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;

(ii) Sampling interface (e.g., thermocouple) location such that the monitoring system will provide representative measurements;

(iii) Equipment performance evaluations, system accuracy audits, or other audit procedures;

(iv) Ongoing operation and maintenance procedures in accordance with provisions in § 63.8(c)(1)(ii) and (c)(3); and

(v) Ongoing reporting and recordkeeping procedures in accordance with provisions in § 63.10(c), (e)(1), and (e)(2)(i).

(2) You must install, operate, and maintain each CPMS in continuous operation according to the procedures in your site-specific monitoring plan.

(3) The CPMS must collect data at least once every 15 minutes (see also § 63.6635).

(4) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.

(5) You must conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in your site-specific monitoring plan at least annually.

(6) You must conduct a performance evaluation of each CPMS in accordance with your site-specific monitoring plan.

- (c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your stationary RICE in a manner which reasonably minimizes HAP emissions.
- (d) If you are operating a new or reconstructed emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must install a non-resettable hour meter prior to the startup of the engine.
- (e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:
 - (1) An existing stationary RICE with a site rating of less than 100 HP located at a major source of HAP emissions;
 - (2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions;
 - (3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;
 - (4) An existing non-emergency, non-black start stationary CI RICE with a site rating less than or equal to 300 HP located at an area source of HAP emissions;
 - (5) An existing non-emergency, non-black start 2SLB stationary RICE located at an area source of HAP emissions;
 - (6) An existing non-emergency, non-black start stationary RICE located at an area source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.
 - (7) An existing non-emergency, non-black start 4SLB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;
 - (8) An existing non-emergency, non-black start 4SRB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;
 - (9) An existing, non-emergency, non-black start 4SLB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and
 - (10) An existing, non-emergency, non-black start 4SRB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year.
- (f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.
- (g) If you own or operate an existing non-emergency, non-black start CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (2) of this section. Owners and operators must follow the manufacturer's

specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2) do not have to meet the requirements of this paragraph (g). Existing CI engines located on offshore vessels that meet § 63.6603(c) do not have to meet the requirements of this paragraph (g).

- (1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or
 - (2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates and metals.
- (h) If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.
- (i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of table 2c to this subpart or in items 1 or 4 of table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil and filter change requirement in tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil and filter in table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil and filter within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil and filter changes for the engine. The analysis program must be part of the maintenance plan for the engine.
- (j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of table 2c to this subpart or in items 5, 6, 7, 8, 10, 11, or 13 of table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil and filter change requirement in tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil and filter in table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil and filter within 2 business days or before

commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil and filter changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6703, Jan. 30, 2013; 89 FR 70516, Aug. 30, 2024]

§ 63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?

- (a) You must demonstrate initial compliance with each emission limitation, operating limitation, and other requirement that applies to you according to Table 5 of this subpart.
- (b) During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of this subpart that applies to you.
- (c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in § 63.6645.
- (d) Non-emergency 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more can demonstrate initial compliance with the formaldehyde emission limit by testing for THC instead of formaldehyde. The testing must be conducted according to the requirements in Table 4 of this subpart. The average reduction of emissions of THC determined from the performance test must be equal to or greater than 30 percent.
- (e) The initial compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:
 - (1) The compliance demonstration must consist of at least three test runs.
 - (2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.
 - (3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.
 - (4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.
 - (5) You must measure O₂ using one of the O₂ measurement methods specified in Table 4 of this subpart. Measurements to determine O₂ concentration must be made at the same time as the measurements for CO or THC concentration.
 - (6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O₂ emissions simultaneously at the inlet and outlet of the control device.

[69 FR 33506, June 15, 2004, as amended at 78 FR 6704, Jan. 30, 2013]

CONTINUOUS COMPLIANCE REQUIREMENTS

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

- (a) If you must comply with emission and operating limitations, you must monitor and collect data according to this section.
- (b) Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, you must monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
- (c) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods.

[69 FR 33506, June 15, 2004, as amended at 76 FR 12867, Mar. 9, 2011]

§ 63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?

- (a) You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.
- (b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in § 63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.
- (c) The annual compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:
 - (1) The compliance demonstration must consist of at least one test run.
 - (2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.
 - (3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.
 - (4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

- (5) You must measure O₂ using one of the O₂ measurement methods specified in Table 4 of this subpart. Measurements to determine O₂ concentration must be made at the same time as the measurements for CO or THC concentration.
- (6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O₂ emissions simultaneously at the inlet and outlet of the control device.
- (7) If the results of the annual compliance demonstration show that the emissions exceed the levels specified in Table 6 of this subpart, the stationary RICE must be shut down as soon as safely possible, and appropriate corrective action must be taken (e.g., repairs, catalyst cleaning, catalyst replacement). The stationary RICE must be retested within 7 days of being restarted and the emissions must meet the levels specified in Table 6 of this subpart. If the retest shows that the emissions continue to exceed the specified levels, the stationary RICE must again be shut down as soon as safely possible, and the stationary RICE may not operate, except for purposes of startup and testing, until the owner/operator demonstrates through testing that the emissions do not exceed the levels specified in Table 6 of this subpart.
- (d) For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations. Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR 94.11(a).
- (e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.
- (f) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.
- (1) There is no time limit on the use of emergency stationary RICE in emergency situations.

- (2) You may operate your emergency stationary RICE for the purpose specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).
 - (i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.
 - (ii)-(iii) [Reserved]
- (3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.
- (4) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. Except as provided in paragraphs (f)(4)(i) and (ii) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.
 - (i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system.
 - (ii) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:
 - (A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.
 - (B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.
 - (C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

- (D) The power is provided only to the facility itself or to support the local transmission and distribution system.
- (E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6704, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

NOTIFICATIONS, REPORTS, AND RECORDS

§ 63.6645 What notifications must I submit and when?

- (a) You must submit all of the notifications in §§ 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following:
 - (1) An existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.
 - (2) An existing stationary RICE located at an area source of HAP emissions.
 - (3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
 - (4) A new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 HP located at a major source of HAP emissions.
 - (5) This requirement does not apply if you own or operate an existing stationary RICE less than 100 HP, an existing stationary emergency RICE, or an existing stationary RICE that is not subject to any numerical emission standards.
- (b) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart, you must submit an initial notification not later than December 13, 2004, or no later than 120 days after the source becomes subject to this subpart, whichever is later. Beginning on February 26, 2025, submit the notification electronically in portable document format (PDF) consistent with § 63.9(k).
- (c) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions on or after August 16, 2004, you must submit an initial notification not later than 120 days after you become subject to this subpart. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).
- (d) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart and you are required to submit an initial notification, you must submit an initial notification not later than July 16, 2008, or no later than 120 days after the source becomes subject to this subpart, whichever is later. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).

- (e) If you start up your new or reconstructed stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions on or after March 18, 2008, and you are required to submit an initial notification, you must submit an initial notification not later than 120 days after you become subject to this subpart. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).
- (f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with § 63.6590(b), your notification should include the information in § 63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions).
- (g) If you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in § 63.7(b)(1).
- (h) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to this subpart, you must submit a Notification of Compliance Status according to § 63.9(h)(2)(ii).
 - (1) For each initial compliance demonstration required in Table 5 to this subpart that does not include a performance test, you must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration.
 - (2) Before February 26, 2025, for each initial compliance demonstration required in table 5 to this subpart that includes a performance test conducted according to the requirements in table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to § 63.10(d)(2). Beginning on February 26, 2025, for each initial compliance demonstration required in table 5 to this subpart that includes a performance test conducted according to the requirements in table 3 to this subpart, you must submit the Notification of Compliance Status, including a summary of the performance test results, in PDF to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), before the close of business on the 60th day following the completion of the performance test following the procedure specified in § 63.9(k), except any Confidential Business Information (CBI) is to be submitted according to paragraphs (h)(2)(i) and (ii) of this section. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report, you must submit a complete file, including information claimed to be CBI, to the EPA following the procedures in paragraphs (h)(2)(i) and (ii) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (h)(2).

- (i) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described in paragraph (h)(2) of this section, should include clear CBI markings and be flagged to the attention of the Reciprocating Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link.
 - (ii) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711, Attention Reciprocating Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.
- (i) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and subject to an enforceable state or local standard requiring engine replacement and you intend to meet management practices rather than emission limits, as specified in § 63.6603(d), you must submit a notification by March 3, 2013, stating that you intend to use the provision in § 63.6603(d) and identifying the state or local regulation that the engine is subject to.

[73 FR 3606, Jan. 18, 2008, as amended at 75 FR 9677, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6705, Jan. 30, 2013; 85 FR 73912, Nov. 19, 2020; 89 FR 70516, Aug. 30, 2024]

§ 63.6650 What reports must I submit and when?

- (a) You must submit each report in Table 7 of this subpart that applies to you.
- (b) Unless the Administrator has approved a different schedule for submission of reports under § 63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.
 - (1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in § 63.6595.
 - (2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in § 63.6595.
 - (3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.
 - (4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

- (5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (b)(4) of this section.
 - (6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on December 31.
 - (7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in § 63.6595.
 - (8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.
 - (9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.
- (c) The Compliance report must contain the information in paragraphs (c)(1) through (8) of this section.
- (1) Company name and address.
 - (2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.
 - (3) Date of report and beginning and ending dates of the reporting period.
 - (4) If you had a malfunction during the reporting period, the compliance report must include the starting and ending date and time, the duration (in hours), and a brief description for each malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with § 63.6605(b), including actions taken to correct a malfunction.
 - (5) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.
 - (6) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.
 - (7) Engine site rating in brake HP, year construction of the engine commenced (as defined in § 63.2, where the exact year is not known, provide the best estimate), and type of engine (CI, SI 2SLB, SI 4SLB, or SI 4SRB).
 - (8) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
 - (9) An engine can be claimed as exempt from reporting coordinates (latitude/longitude) via CEDRI if:
 - (i) During the reporting period, the engine will be owned by, or operated by or for, an agency of the Federal Government responsible for national defense; and
 - (ii) The agency determines that disclosing the coordinates to the general public would be a threat to national security.

- (d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (8) of this section and the information in paragraphs (d)(1) and (2) of this section.
 - (1) The total operating time (in hours) of the stationary RICE at which the deviation occurred during the reporting period.
 - (2) Information on the number, duration (in hours), and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.
 - (3) A description of any changes in processes, or controls since the last reporting period.
- (e) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in this subpart, you must include information in paragraphs (c)(1) through (8) and (e)(1) through (13) of this section.
 - (1) The date and time that each malfunction started and stopped.
 - (2) The start and end date and time and the duration (in hours) that each CMS was inoperative, except for zero (low-level) and high-level checks.
 - (3) The start and end date and time and the duration (in hours) that each CMS was out-of-control, including the information in § 63.8(c)(8).
 - (4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period.
 - (5) A summary of the total duration (in hours) of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.
 - (6) A breakdown of the total duration (in hours) of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.
 - (7) A summary of the total duration (in hours) of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.
 - (8) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.
 - (9) [Reserved]
 - (10) A brief description of the CMS.
 - (11) The date of the latest CMS certification or audit.
 - (12) A description of any changes in CMS, processes, or controls since the last reporting period.
 - (13) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.
- (f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant

to table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. Beginning on February 26, 2025, the semiannual and annual compliance report required in table 7 of this subpart must be submitted according to paragraph (i) of this section. Only those elements required under this subpart are required to be submitted according to paragraph (i) of this section.

- (g) If you are operating as a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must submit an annual report according to Table 7 of this subpart by the date specified unless the Administrator has approved a different schedule, according to the information described in paragraphs (b)(1) through (b)(5) of this section. You must report the data specified in (g)(1) through (g)(3) of this section.
 - (1) Fuel flow rate of each fuel and the heating values that were used in your calculations. You must also demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10 percent or more of the total fuel consumption on an annual basis.
 - (2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.
 - (3) Any problems or errors suspected with the meters.
- (h) If you own or operate an emergency stationary RICE with a site rating of more than 100 brake HP that operates for the purpose specified in § 63.6640(f)(4)(ii), you must submit an annual report according to the requirements in paragraphs (h)(1) through (3) of this section.
 - (1) The report must contain the following information:
 - (i) Company name and address where the engine is located.
 - (ii) Date of the report and beginning and ending dates of the reporting period.
 - (iii) Engine site rating in brake HP, year construction of the engine commenced (as defined in § 63.2, where the exact year is not known, provide the best estimate), and type of engine (CI, SI 2SLB, SI 4SLB, or SI 4SRB).
 - (iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
 - (v)-(vi) [Reserved]
 - (vii) Hours spent for operation for the purpose specified in § 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in § 63.6640(f)(4)(ii). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.
 - (viii) If there were no deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.

- (ix) If there were deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), information on the number, duration (in hours), and cause of deviations, and the corrective action taken.
- (2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.
- (3) Before February 26, 2025, the annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 63.13. Beginning on February 26, 2025, the annual report must be submitted according to paragraph (i) of this section.
- (i) Beginning on February 26, 2025 for the annual report specified in § 63.6650(h) and February 26, 2025 or one year after the report becomes available in CEDRI, whichever is later for all other semiannual or annual reports, submit all semiannual and annual subsequent compliance reports using the appropriate electronic report template on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/cedri>) for this subpart and following the procedure specified in § 63.9(k), except any CBI must be submitted according to the procedures in § 63.6645(h). The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010; 78 FR 6705, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70517, Aug. 30, 2024]

§ 63.6655 What records must I keep?

- (a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.
 - (1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in § 63.10(b)(2)(xiv).
 - (2) Records of the occurrence and duration (in hours) of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.
 - (3) Records of performance tests and performance evaluations as required in § 63.10(b)(2)(viii).
 - (4) Records of all required maintenance performed on the air pollution control and monitoring equipment.
 - (5) Records of actions taken during periods of malfunction to minimize emissions in accordance with § 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
- (b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.
 - (1) Records described in § 63.10(b)(2)(vi) through (xi).

- (2) Previous (i.e., superseded) versions of the performance evaluation plan as required in § 63.8(d)(3).
- (3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in § 63.8(f)(6)(i), if applicable.
- (c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.
- (d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.
- (e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;
 - (1) An existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.
 - (2) An existing stationary emergency RICE.
 - (3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.
- (f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purpose specified in § 63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.
 - (1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.
 - (2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 78 FR 6706, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70518, Aug. 30, 2024]

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

- (a) Your records must be in a form suitable and readily available for expeditious review according to § 63.10(b)(1).
- (b) As specified in § 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
- (c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1).

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

OTHER REQUIREMENTS AND INFORMATION

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

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

[75 FR 9678, Mar. 3, 2010]

§ 63.6670 Who implements and enforces this subpart?

- (a) This subpart is implemented and enforced by the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out whether this subpart is delegated to your State, local, or tribal agency.
- (b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.
- (c) The authorities that will not be delegated to State, local, or tribal agencies are:
 - (1) Approval of alternatives to the non-opacity emission limitations and operating limitations in § 63.6600 under § 63.6(g).
 - (2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f) and as defined in § 63.90.
 - (3) Approval of major alternatives to monitoring under § 63.8(f) and as defined in § 63.90.
 - (4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f) and as defined in § 63.90.
 - (5) Approval of a performance test which was conducted prior to the effective date of the rule, as specified in § 63.6610(b).
 - (6) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

[69 FR 33506, June 15, 2004, as amended at 89 FR 70518, Aug. 30, 2024]

§ 63.6675 What definitions apply to this subpart?

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

Alaska Railbelt Grid means the service areas of the six regulated public utilities that extend from Fairbanks to Anchorage and the Kenai Peninsula. These utilities are Golden Valley Electric Association; Chugach Electric Association; Matanuska Electric Association; Homer Electric Association; Anchorage Municipal Light & Power; and the City of Seward Electric System.

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

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

Backup power for renewable energy means an engine that provides backup power to a facility that generates electricity from renewable energy resources, as that term is defined in Alaska Statute 42.45.045(l)(5) (incorporated by reference, see § 63.14).

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

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

Commercial emergency stationary RICE means an emergency stationary RICE used in commercial establishments such as office buildings, hotels, stores, telecommunications facilities, restaurants, financial institutions such as banks, doctor's offices, and sports and performing arts facilities.

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

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

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

- (1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation or operating limitation;
- (2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or
- (3) Fails to meet any emission limitation or operating limitation in this subpart during malfunction, regardless or whether or not such failure is permitted by this subpart.
- (4) Fails to satisfy the general duty to minimize emissions established by § 63.6(e)(1)(i).

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

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

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and CO₂.

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

Emergency stationary RICE means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary RICE must comply with the requirements specified in § 63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in § 63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.

- (1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc.
- (2) The stationary RICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 63.6640(f).
- (3) The stationary RICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 63.6640(f)(4)(i) or (ii).

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

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

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

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

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

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

Institutional emergency stationary RICE means an emergency stationary RICE used in institutional establishments such as medical centers, nursing homes, research centers, institutions of higher education, correctional facilities, elementary and secondary schools, libraries, religious establishments, police stations, and fire stations.

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

Landfill gas means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO₂.

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

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

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

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

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

- (1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;
- (2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated;
- (3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and
- (4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated.

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

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

Non-selective catalytic reduction (NSCR) means an add-on catalytic nitrogen oxides (NO_x) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, NO_x, CO, and volatile organic compounds (VOC) into CO₂, nitrogen, and water.

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

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

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

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

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

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

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

Propane means a colorless gas derived from petroleum and natural gas, with the molecular structure C₃H₈.

Remote stationary RICE means stationary RICE meeting any of the following criteria:

- (1) Stationary RICE located in an offshore area that is beyond the line of ordinary low water along that portion of the coast of the United States that is in direct contact with the open seas and beyond the line marking the seaward limit of inland waters.

- (2) Stationary RICE located on a pipeline segment that meets both of the criteria in paragraphs (2)(i) and (ii) of this definition.
 - (i) A pipeline segment with 10 or fewer buildings intended for human occupancy and no buildings with four or more stories within 220 yards (200 meters) on either side of the centerline of any continuous 1-mile (1.6 kilometers) length of pipeline. Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.
 - (ii) The pipeline segment does not lie within 100 yards (91 meters) of either a building or a small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12-month period. The days and weeks need not be consecutive. The building or area is considered occupied for a full day if it is occupied for any portion of the day.
 - (iii) For purposes of this paragraph (2), the term pipeline segment means all parts of those physical facilities through which gas moves in transportation, including but not limited to pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies. Stationary RICE located within 50 yards (46 meters) of the pipeline segment providing power for equipment on a pipeline segment are part of the pipeline segment. Transportation of gas means the gathering, transmission, or distribution of gas by pipeline, or the storage of gas. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.
- (3) Stationary RICE that are not located on gas pipelines and that have 5 or fewer buildings intended for human occupancy and no buildings with four or more stories within a 0.25 mile radius around the engine. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

Residential emergency stationary RICE means an emergency stationary RICE used in residential establishments such as homes or apartment buildings.

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

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

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

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

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

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

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

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

Subpart means 40 CFR part 63, subpart ZZZZ.

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

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

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3607, Jan. 18, 2008; 75 FR 9679, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 76 FR 12867, Mar. 9, 2011; 78 FR 6706, Jan. 30, 2013; 87 FR 48608, Aug. 10, 2022]

Table 1a to Subpart ZZZZ of Part 63—Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600 and 63.6640, you must comply with the following emission limitations at 100 percent load plus or minus 10 percent for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

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

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

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
	b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O ₂	

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

[75 FR 9679, Mar. 3, 2010, as amended at 75 FR 51592, Aug. 20, 2010]

Table 1b to Subpart ZZZZ of Part 63—Operating Limitations for Existing, New, and Reconstructed SI 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600, 63.6603, 63.6630 and 63.6640, you must comply with the following operating limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
1. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and using NSCR; or existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O ₂ and using NSCR;	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 750 °F and less than or equal to 1250 °F. ¹
2. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and not using NSCR; or existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP	Comply with any operating limitations approved by the Administrator.

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

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O ₂ and not using NSCR.	

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

[78 FR 6706, Jan. 30, 2013]

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

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

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

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

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
	b. Limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbvd or less at 15 percent O ₂	

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

[75 FR 9680, Mar. 3, 2010]

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

As stated in §§ 63.6600, 63.6601, 63.6603, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions; new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions; and existing CI stationary RICE >500 HP:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
1. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and using an oxidation catalyst; and New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and using an oxidation catalyst.	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. ¹
2. Existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and using an	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of

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

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
oxidation catalyst 3. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and not using an oxidation catalyst; and New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst; and existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and not using an oxidation catalyst.	a. water from the pressure drop across the catalyst that was measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.¹ Comply with any operating limitations approved by the Administrator.

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

[78 FR 6707, Jan. 30, 2013]

Table 2c to Subpart ZZZZ of Part 63—Requirements for Existing Compression Ignition Stationary RICE Located at a Major Source of HAP Emissions and Existing Spark Ignition Stationary RICE ≤500 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600, 63.6602, and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE located at a major source of HAP emissions and existing spark ignition stationary RICE ≤500 HP located at a major source of HAP emissions

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Emergency stationary CI RICE and black start stationary CI RICE ¹	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first ². b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary ³	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. ³

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
2. Non-Emergency, non-black start stationary CI RICE <100 HP	a. Change oil and filter every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first ². b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary ³	
3. Non-Emergency, non-black start CI stationary RICE 100≤HP≤300 HP	Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent O ₂	
4. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent O ₂ ; or	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
5. Non-Emergency, non-black start stationary CI RICE >500 HP 6. Emergency stationary SI RICE and black start stationary SI RICE.¹	b. Reduce CO emissions by 70 percent or more a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent O₂; or b. Reduce CO emissions by 70 percent or more a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;² b. Inspect spark plugs every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary³	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
7. Non-Emergency, non-black start stationary SI RICE <100 HP that are not 2SLB stationary RICE	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;² b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary³	
8. Non-Emergency, non-black start 2SLB stationary SI RICE <100 HP	a. Change oil and filter every 4,320 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;² b. Inspect spark plugs every 4,320 hours of	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary ³	
9. Non-emergency, non-black start 2SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 225 ppmvd or less at 15 percent O ₂	
10. Non-emergency, non-black start 4SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd or less at 15 percent O ₂	
11. Non-emergency, non-black start 4SRB stationary RICE 100≤HP≤500	Limit concentration of formaldehyde in the stationary RICE exhaust to 10.3 ppmvd or less at 15 percent O ₂	
12. Non-emergency, non-black start stationary RICE 100≤HP≤500 which	Limit concentration of CO in the stationary RICE exhaust to 177 ppmvd or	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	less at 15 percent O ₂	

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

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

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

[89 FR 70518, Aug. 30, 2024]

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

As stated in §§ 63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
2. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O ₂ ; or b. Reduce CO emissions by 70 percent or more	
3. Non-Emergency, non-black start CI stationary RICE >500 HP	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O ₂ ; or b. Reduce CO emissions by 70 percent or more	
4. Emergency stationary CI RICE and black start stationary CI RICE. ²	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; ¹ b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
5. Emergency stationary SI RICE; black start stationary SI RICE; non-emergency, non-black start 4SLB stationary RICE >500 HP that operate 24 hours or less per calendar year; non-emergency, non-black start 4SRB stationary RICE >500 HP that operate 24 hours or less per calendar year.²	first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
6. Non-emergency, non-black start 2SLB stationary RICE	within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary a. Change oil and filter every 4,320 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
7. Non-emergency, non-black start 4SLB stationary RICE ≤500 HP	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; ¹ b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
8. Non-emergency, non-black start 4SLB remote stationary RICE >500 HP	a. Change oil and filter every 2,160 hours of operation or within 1 year + 30 days of the previous	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
9. Non-emergency, non-black start 4SLB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year 10. Non-emergency, non-black start 4SRB stationary RICE ≤500 HP	change, whichever comes first;¹ b. Inspect spark plugs every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary Install an oxidation catalyst to reduce HAP emissions from the stationary RICE a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
11. Non-emergency, non-black start 4SRB remote stationary RICE >500 HP	change, whichever comes first;¹ b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary a. Change oil and filter every 2,160 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 2,160 hours of operation or	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
12. Non-emergency, non-black start 4SRB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year 13. Non-emergency, non-black start stationary RICE which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary Install NSCR to reduce HAP emissions from the stationary RICE a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 1,440 hours of operation or	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	

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

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

[89 FR 70520, Aug. 30, 2024]

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

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

For each . . .	Complying with the requirement to . . .	You must . . .
1. New or reconstructed 2SLB stationary RICE >500 HP located at major sources; new or reconstructed 4SLB stationary RICE $\geq$ 250 HP located at major sources; and new or reconstructed CI stationary RICE >500 HP located at major sources	Reduce CO emissions and not using a CEMS	Conduct subsequent performance tests semiannually. ¹
2. 4SRB stationary RICE $\geq$ 5,000 HP located at major sources	Reduce formaldehyde emissions	Conduct subsequent performance tests semiannually. ¹
3. Stationary RICE >500 HP located at major sources and new or reconstructed 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at major sources	Limit the concentration of formaldehyde in the stationary RICE exhaust	Conduct subsequent performance tests semiannually. ¹
4. Existing non-emergency, non-black start CI stationary RICE >500 HP that are not limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours or 3 years, whichever comes first.
5. Existing non-emergency, non-black start CI stationary RICE >500 HP that are limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours or 5 years, whichever comes first.

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

[78 FR 6711, Jan. 30, 2013]

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

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

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
1. 2SLB, 4SLB, and CI stationary RICE	a. Reduce CO emissions	i. Select the sampling port location and the number/ location of traverse points at the inlet and outlet of the control device; and ii. Measure the O₂ at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005)^{1 3} (heated probe not necessary)	(a) For CO, O₂, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A-4. (b) Measurements to determine O₂ must be made at the same time as the measurements for CO concentration.

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . ..	Complying with the requirement to ...	You must ...	Using ...	According to the following requirements ...
		iii. Measure the CO at the inlet and the outlet of the control device; and	(2) ASTM D6522-00 (Reapproved 2005) ^{1 2 3} (heated probe not necessary) or method 10 of 40 CFR part 60, appendix A-4	(c) The CO concentration must be at 15 percent O ₂ , dry basis.
		iv. Measure moisture content at the inlet and outlet of the control device as needed to determine CO and O ₂ concentrations on a dry basis	(3) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03 ^{1 3}	(d) Measurements to determine moisture content must be made at the same time and location as the measurements for CO concentration.
2. 4SRB stationary RICE	a. Reduce formaldehyde or THC emissions	i. Select the sampling port location and the number/ location of traverse points at the inlet and outlet of the control device; and		(a) For formaldehyde, THC, O ₂ , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter and the sampling port location meets the two and half-diameter criterion of section 11.1.1 of

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		ii. Measure O₂ at the inlet and outlet of the control device; and iii. Measure moisture content at the inlet and outlet of the control device as needed to determine formaldehyde or THC and O₂ concentrations on a dry basis; and iv. If demonstrating compliance	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005)^{1 3} (heated probe not necessary) (2) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03^{1 3} (3) Method 320 or 323 of 40 CFR	method 1 of 40 CFR part 60, appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A. (b) Measurements to determine O₂ concentration must be made at the same time as the measurements for formaldehyde or THC concentration. (c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or THC concentration. (d) Formaldehyde concentration must be at 15 percent O₂, dry basis. Results of this test consist of the average of the

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		with the formaldehyde percent reduction requirement, measure formaldehyde at the inlet and the outlet of the control device	part 63, appendix A; or ASTM D6348-03, ^{1 3} provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130	three 1-hour or longer runs.
		v. If demonstrating compliance with the THC percent reduction requirement, measure THC at the inlet and the outlet of the control device	(4) (1) Method 25A, reported as propane, of 40 CFR part 60, appendix A-7	(e) THC concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
3. Stationary RICE	a. Limit the concentration of formaldehyde or CO in the stationary	i. Select the sampling port location and the number/location of traverse points		(a) For formaldehyde, CO, O ₂ , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
	RICE exhaust	at the exhaust of the stationary RICE; and		points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter and the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A. If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O ₂ concentration of the stationary RICE exhaust at the sampling port location; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005) ^{1 3} (heated probe not necessary)	(b) Measurements to determine O ₂ concentration must be made at the same time and location as the measurements for formaldehyde or CO concentration.
		iii. Measure moisture content of the stationary RICE exhaust at the sampling port location as	(2) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63,	(c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or CO concentration.

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		needed to determine formaldehyde or CO and O₂ concentrations on a dry basis; and iv. Measure formaldehyde at the exhaust of the stationary RICE; or v. Measure CO at the exhaust of the stationary RICE	appendix A, or ASTM D6348-03^{1 3} (3) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348-03,^{1 3} provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130 (4) Method 10 of 40 CFR part 60, appendix A-4, ASTM D6522-00 (2005),^{1 3} method 320	(d) Formaldehyde concentration must be at 15 percent O₂, dry basis. Results of this test consist of the average of the three 1-hour or longer runs. (e) CO concentration must be at 15 percent O₂, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ *Incorporated by reference, see § 63.14.*

For each . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
			of 40 CFR part 63, appendix A, or ASTM D6348-03 ¹ ₃	

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

[88 FR 18413, Mar. 29, 2023]

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

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

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions and using oxidation catalyst, and using a CPMS	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
2. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, using oxidation catalyst, and using a CPMS	i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions and not using oxidation catalyst	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.
4. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, and not using oxidation catalyst	i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
5. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions, and using a CEMS	operating parameters (if any) during the initial performance test. i. You have installed a CEMS to continuously monitor CO and either O₂ or CO₂ at both the inlet and outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and iii. The average reduction of CO calculated using § 63.6620 equals or exceeds the required percent reduction. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved during the 4-hour period.
6. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, and using a CEMS	i. You have installed a CEMS to continuously monitor CO and either O₂ or CO₂ at the outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and iii. The average concentration of CO calculated using § 63.6620 is less than or equal to the CO emission limitation. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average concentration measured during the 4-hour period.
7. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde	i. The average reduction of emissions of formaldehyde

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
	emissions and using NSCR	determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction, or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
8. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and not using NSCR	i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.
9. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB	a. Limit the concentration of formaldehyde in the stationary	i. The average formaldehyde concentration, corrected to 15 percent O ₂ , dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
stationary RICE >500 HP located at a major source of HAP	RICE exhaust and using oxidation catalyst or NSCR	ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
10. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	i. The average formaldehyde concentration, corrected to 15 percent O₂, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.
11. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Reduce CO emissions	i. The average reduction of emissions of CO or formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction.
12. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust	i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent O ₂ , dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable.
13. Existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and	a. Install an oxidation catalyst	i. You have conducted an initial compliance demonstration as specified in § 63.6630(e) to show

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
that are operated more than 24 hours per calendar year		that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O ₂ ; ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1350 °F.
14. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	i. You have conducted an initial compliance demonstration as specified in § 63.6630(e) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O ₂ , or the average reduction of emissions of THC is 30 percent or more; ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1250 °F.

[78 FR 6712, Jan. 30, 2013]

Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations, and Other Requirements

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	a. Reduce CO emissions and using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved ^a ; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
2. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE $\geq$250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	a. Reduce CO emissions and not using an oxidation catalyst, and using a CPMS	drop across the catalyst is within the operating limitation established during the performance test. i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved ^a; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or	a. Reduce CO emissions or	i. Collecting the monitoring data

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, new or reconstructed non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP	limit the concentration of CO in the stationary RICE exhaust, and using a CEMS	according to § 63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction or concentration of CO emissions according to § 63.6620; and ii. Demonstrating that the catalyst achieves the required percent reduction of CO emissions over the 4-hour averaging period, or that the emission remain at or below the CO concentration limit; and iii. Conducting an annual RATA of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
4. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and using NSCR	i. Collecting the catalyst inlet temperature data according to § 63.6625(b); and ii. Reducing these data to 4-hour rolling averages; and iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and iv. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
5. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and not using NSCR	i. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and ii. Reducing these

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
6. Non-emergency 4SRB stationary RICE with a brake HP $\geq 5,000$ located at a major source of HAP	a. Reduce formaldehyde emissions	data to 4-hour rolling averages; and iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved, or to demonstrate that the average reduction of emissions of THC determined from the performance test is equal to or greater than 30 percent. ^a
7. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary	i. Conducting semiannual performance tests for formaldehyde to demonstrate that your

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
8. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed <i>^a After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.</i>	RICE exhaust and using oxidation catalyst or NSCR a. Limit the concentration	emissions remain at or below the formaldehyde concentration limit ^a; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test. i. Conducting semiannual

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
non-emergency 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at a major source of HAP	of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit ^a ; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
9. Existing emergency and black start stationary RICE ≤ 500 HP located at a major source of HAP, existing non-emergency stationary RICE < 100 HP located at a major source of HAP, existing emergency and black start stationary RICE located at an area source of HAP, existing non-emergency stationary CI RICE ≤ 300 HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency stationary SI RICE located at an	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
area source of HAP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, existing non-emergency 4SLB and 4SRB stationary RICE ≤500 HP located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate 24 hours or less per calendar year, and existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are remote stationary RICE		instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.
10. Existing stationary CI RICE >500 HP that are not limited use stationary RICE	a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and using oxidation catalyst	i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
11. Existing stationary CI RICE >500 HP that are not limited use stationary RICE	a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust,	ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test. i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
	and not using oxidation catalyst	appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
12. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration	i. Conducting performance tests every 8,760 hours or 5 years,

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
	of CO in the stationary RICE exhaust, and using an oxidation catalyst	whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
13. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and not using an oxidation catalyst	demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test. i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
14. Existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install an oxidation catalyst	rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. i. Conducting annual compliance demonstrations as specified in § 63.6640(c) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O₂; and either ii. Collecting the catalyst inlet temperature data according to § 63.6625(b), reducing these data to 4-hour rolling averages;

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
15. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	and maintaining the 4-hour rolling averages within the limitation of greater than 450 °F and less than or equal to 1350 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1350 °F. i. Conducting annual compliance demonstrations as specified in § 63.6640(c) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O₂, or the average reduction of emissions of THC is 30 percent or more; and either

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		ii. Collecting the catalyst inlet temperature data according to § 63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than or equal to 750 °F and less than or equal to 1250 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1250 °F.

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

[78 FR 6715, Jan. 30, 2013]

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

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

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
1. Existing non-emergency, non-black start stationary RICE $100 \leq \text{HP} \leq 500$ located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE >500 HP located at a major source of HAP; existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE >300 HP located at an area source of HAP; new or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP; and new or reconstructed non-emergency 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at a major source of HAP	Compliance report	a. If there are no deviations from any emission limitations or operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in § 63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), the information in § 63.6650(e); or c. If you had a malfunction during the reporting period, the information in § 63.6650(c)(4)	i. Semiannually according to the requirements in § 63.6650(b)(1)-(5) and (i) for engines that are not limited use stationary RICE subject to numerical emission limitations; and ii. Annually according to the requirements in § 63.6650(b)(6)-(9) and (i) for engines that are limited use stationary RICE subject to numerical emission limitations. i. Semiannually according to the requirements in § 63.6650(b) and (i). i. Semiannually according to the requirements in § 63.6650(b) and (i).

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
2. New or reconstructed non-emergency stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	Report	a. The fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas or digester gas, is equivalent to 10 percent or more of the gross heat input on an annual basis; and b. The operating limits provided in your federally enforceable permit, and any deviations from these limits; and c. Any problems or errors suspected with the meters	i. Annually, according to the requirements in § 63.6650. i. See item 2.a.i. i. See item 2.a.i.
3. Existing non-emergency, non-black start 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that operate more than 24 hours per calendar year	Compliance report	a. The results of the annual compliance demonstration, if conducted during the reporting period	i. Semiannually according to the requirements in § 63.6650(b)(1)-(5) and (i).
4. Emergency stationary RICE that operate for the purposes specified in § 63.6640(f)(4)(ii)	Report	a. The information in § 63.6650(h)(1)	i. Annually according to the requirements in § 63.6650(h)(2)-(3) and (i).

[89 FR 70522, Aug. 30, 2024]

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

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

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.1	General applicability of the General Provisions	Yes	Additional terms defined in § 63.6675.
§ 63.2	Definitions	Yes	
§ 63.3	Units and abbreviations	Yes	
§ 63.4	Prohibited activities and circumvention	Yes	
§ 63.5	Construction and reconstruction	Yes	
§ 63.6(a)	Applicability	Yes	
§ 63.6(b)(1)-(4)	Compliance dates for new and reconstructed sources	Yes	
§ 63.6(b)(5)	Notification	Yes	
§ 63.6(b)(6)	[Reserved]		
§ 63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources	Yes	
§ 63.6(c)(1)-(2)	Compliance dates for existing sources	Yes	
§ 63.6(c)(3)-(4)	[Reserved]		
§ 63.6(c)(5)	Compliance dates for existing area sources that become major sources	Yes	
§ 63.6(d)	[Reserved]		
§ 63.6(e)	Operation and maintenance	No	
§ 63.6(f)(1)	Applicability of standards	No	
§ 63.6(f)(2)	Methods for determining compliance	Yes	
§ 63.6(f)(3)	Finding of compliance	Yes	
§ 63.6(g)(1)-(3)	Use of alternate standard	Yes	Subpart ZZZZ does not contain opacity or visible emission standards.
§ 63.6(h)	Opacity and visible emission standards	No	
§ 63.6(i)	Compliance extension procedures and criteria	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.6(j)	Presidential compliance exemption	Yes	
§ 63.7(a)(1)-(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at §§ 63.6610, 63.6611, and 63.6612.
§ 63.7(a)(3)	CAA section 114 authority	Yes	
§ 63.7(b)(1)	Notification of performance test	Yes	Except that § 63.7(b)(1) only applies as specified in § 63.6645.
§ 63.7(b)(2)	Notification of rescheduling	Yes	Except that § 63.7(b)(2) only applies as specified in § 63.6645.
§ 63.7(c)	Quality assurance/test plan	Yes	Except that § 63.7(c) only applies as specified in § 63.6645.
§ 63.7(d)	Testing facilities	Yes	
§ 63.7(e)(1)	Conditions for conducting performance tests	No	Subpart ZZZZ specifies conditions for conducting performance tests at § 63.6620.
§ 63.7(e)(2)	Conduct of performance tests and reduction of data	Yes	Subpart ZZZZ specifies test methods at § 63.6620.
§ 63.7(e)(3)	Test run duration	Yes	
§ 63.7(e)(4)	Administrator may require other testing under section 114 of the CAA	Yes	
§ 63.7(f)	Alternative test method provisions	Yes	
§ 63.7(g)	Performance test data analysis, recordkeeping, and reporting	Yes	
§ 63.7(h)	Waiver of tests	Yes	
§ 63.8(a)(1)	Applicability of monitoring requirements	Yes	Subpart ZZZZ contains specific requirements for monitoring at § 63.6625.
§ 63.8(a)(2)	Performance specifications	Yes	
§ 63.8(a)(3)	[Reserved]		
§ 63.8(a)(4)	Monitoring for control devices	No	
§ 63.8(b)(1)	Monitoring	Yes	
§ 63.8(b)(2)-(3)	Multiple effluents and multiple monitoring systems	Yes	
§ 63.8(c)(1)	Monitoring system	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
	operation and maintenance		
§ 63.8(c)(1)(i)	Routine and predictable SSM	No	
§ 63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan	Yes	
§ 63.8(c)(1)(iii)	Compliance with operation and maintenance requirements	No	
§ 63.8(c)(2)-(3)	Monitoring system installation	Yes	
§ 63.8(c)(4)	Continuous monitoring system (CMS) requirements	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§ 63.8(c)(5)	COMS minimum procedures	No	Subpart ZZZZ does not require COMS.
§ 63.8(c)(6)-(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.
§ 63.8(d)	CMS quality control	Yes	
§ 63.8(e)	CMS performance evaluation	Yes	Except for § 63.8(e)(5)(ii), which applies to COMS. Except that § 63.8(e) only applies as specified in § 63.6645.
§ 63.8(f)(1)-(5)	Alternative monitoring method	Yes	Except that § 63.8(f)(4) only applies as specified in § 63.6645.
§ 63.8(f)(6)	Alternative to relative accuracy test	Yes	Except that § 63.8(f)(6) only applies as specified in § 63.6645.
§ 63.8(g)	Data reduction	Yes	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§ 63.6635 and 63.6640.
§ 63.9(a)	Applicability and State delegation of notification requirements	Yes	
§ 63.9(b)(1)-(5)	Initial notifications	Yes	Except that § 63.9(b)(3) is reserved. Except that § 63.9(b) only applies as specified in § 63.6645.
§ 63.9(c)	Request for compliance	Yes	Except that § 63.9(c) only applies as

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.9(d)	extension Notification of special compliance requirements for new sources	Yes	specified in § 63.6645. Except that § 63.9(d) only applies as specified in § 63.6645.
§ 63.9(e)	Notification of performance test	Yes	Except that § 63.9(e) only applies as specified in § 63.6645.
§ 63.9(f)	Notification of visible emission (VE)/opacity test	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(1)	Notification of performance evaluation	Yes	Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(g)(2)	Notification of use of COMS data	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded	Yes	If alternative is in use. Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(h)(1)-(6)	Notification of compliance status	Yes	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. § 63.9(h)(4) is reserved. Except that § 63.9(h) only applies as specified in § 63.6645.
§ 63.9(i)	Adjustment of submittal deadlines	Yes	
§ 63.9(j)	Change in previous information	Yes	
§ 63.9(k)	Electronic reporting procedures	Yes	Only as specified in §§ 63.9(j), 63.6620, 63.6625, 63.6645, and 63.6650.
§ 63.10(a)	Administrative provisions for recordkeeping/reporting	Yes	
§ 63.10(b)(1)	Record retention	Yes	Except that the most recent 2 years of data do not have to be retained on site.
§ 63.10(b)(2)(i)-(v)	Records related to SSM	No	
§ 63.10(b)(2)(vi)-(xi)	Records	Yes	
§	Record when under	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
63.10(b)(2)(xii)	waiver		
§ 63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes	For CO standard if using RATA alternative.
§ 63.10(b)(2)(xiv)	Records of supporting documentation	Yes	
§ 63.10(b)(3)	Records of applicability determination	Yes	
§ 63.10(c)	Additional records for sources using CEMS	Yes	Except that § 63.10(c)(2)-(4) and (9) are reserved.
§ 63.10(d)(1)	General reporting requirements	Yes	
§ 63.10(d)(2)	Report of performance test results	Yes	
§ 63.10(d)(3)	Reporting opacity or VE observations	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.10(d)(4)	Progress reports	Yes	
§ 63.10(d)(5)	Startup, shutdown, and malfunction reports	No	
§ 63.10(e)(1) and (2)(i)	Additional CMS Reports	Yes	
§ 63.10(e)(2)(ii)	COMS-related report	No	Subpart ZZZZ does not require COMS.
§ 63.10(e)(3)	Excess emission and parameter exceedances reports	No	Excess emissions and exceedance reporting is specified in § 63.6650.
§ 63.10(e)(4)	Reporting COMS data	No	Subpart ZZZZ does not require COMS.
§ 63.10(f)	Waiver for recordkeeping/reporting	Yes	
§ 63.11	Flares	No	
§ 63.12	State authority and delegations	Yes	
§ 63.13	Addresses	Yes	
§ 63.14	Incorporation by reference	Yes	
§ 63.15	Availability of information	Yes	

[89 FR 70522, Aug. 30, 2024]

Appendix A to Subpart ZZZZ of Part 63—Protocol for Using an Electrochemical Analyzer to Determine Oxygen and Carbon Monoxide Concentrations From Certain Engines

1.0 Scope and Application. What is this Protocol?

This protocol is a procedure for using portable electrochemical (EC) cells for measuring carbon monoxide (CO) and oxygen (O₂) concentrations in controlled and uncontrolled emissions from existing stationary 4-stroke lean burn and 4-stroke rich burn reciprocating internal combustion engines as specified in the applicable rule.

1.1 Analytes. What does this protocol determine?

This protocol measures the engine exhaust gas concentrations of carbon monoxide (CO) and oxygen (O₂).

Analyte	CAS No.	Sensitivity
Carbon monoxide (CO)	630-08-0	Minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.
Oxygen (O ₂)	7782-44-7	

1.2 Applicability. When is this protocol acceptable?

This protocol is applicable to 40 CFR part 63, subpart ZZZZ. Because of inherent cross sensitivities of EC cells, you must not apply this protocol to other emissions sources without specific instruction to that effect.

1.3 Data Quality Objectives. How good must my collected data be?

Refer to Section 13 to verify and document acceptable analyzer performance.

1.4 Range. What is the targeted analytical range for this protocol?

The measurement system and EC cell design(s) conforming to this protocol will determine the analytical range for each gas component. The nominal ranges are defined by choosing up-scale calibration gas concentrations near the maximum anticipated flue gas concentrations for CO and O₂, or no more than twice the permitted CO level.

1.5 Sensitivity. What minimum detectable limit will this protocol yield for a particular gas component?

The minimum detectable limit depends on the nominal range and resolution of the specific EC cell used, and the signal to noise ratio of the measurement system. The minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.

2.0 Summary of Protocol

In this protocol, a gas sample is extracted from an engine exhaust system and then conveyed to a portable EC analyzer for measurement of CO and O₂ gas concentrations. This method provides measurement system performance specifications and sampling protocols to ensure reliable data. You may use additions to, or modifications of vendor supplied measurement systems (e.g., heated or unheated sample lines, thermocouples, flow meters, selective gas scrubbers, etc.) to meet the design specifications of this protocol. Do not make changes to the measurement system from the as-verified configuration (Section 3.12).

3.0 Definitions

- 3.1 Measurement System.** The total equipment required for the measurement of CO and O₂ concentrations. The measurement system consists of the following major subsystems:
- 3.1.1 Data Recorder.** A strip chart recorder, computer or digital recorder for logging measurement data from the analyzer output. You may record measurement data from the digital data display manually or electronically.
 - 3.1.2 Electrochemical (EC) Cell.** A device, similar to a fuel cell, used to sense the presence of a specific analyte and generate an electrical current output proportional to the analyte concentration.
 - 3.1.3 Interference Gas Scrubber.** A device used to remove or neutralize chemical compounds that may interfere with the selective operation of an EC cell.
 - 3.1.4 Moisture Removal System.** Any device used to reduce the concentration of moisture in the sample stream so as to protect the EC cells from the damaging effects of condensation and to minimize errors in measurements caused by the scrubbing of soluble gases.
 - 3.1.5 Sample Interface.** The portion of the system used for one or more of the following: sample acquisition; sample transport; sample conditioning or protection of the EC cell from any degrading effects of the engine exhaust effluent; removal of particulate matter and condensed moisture.
- 3.2 Nominal Range.** The range of analyte concentrations over which each EC cell is operated (normally 25 percent to 150 percent of up-scale calibration gas value). Several nominal ranges can be used for any given cell so long as the calibration and repeatability checks for that range remain within specifications.
- 3.3 Calibration Gas.** A vendor certified concentration of a specific analyte in an appropriate balance gas.
- 3.4 Zero Calibration Error.** The analyte concentration output exhibited by the EC cell in response to zero-level calibration gas.
- 3.5 Up-Scale Calibration Error.** The mean of the difference between the analyte concentration exhibited by the EC cell and the certified concentration of the up-scale calibration gas.

- 3.6 Interference Check.** A procedure for quantifying analytical interference from components in the engine exhaust gas other than the targeted analytes.
- 3.7 Repeatability Check.** A protocol for demonstrating that an EC cell operated over a given nominal analyte concentration range provides a stable and consistent response and is not significantly affected by repeated exposure to that gas.
- 3.8 Sample Flow Rate.** The flow rate of the gas sample as it passes through the EC cell. In some situations, EC cells can experience drift with changes in flow rate. The flow rate must be monitored and documented during all phases of a sampling run.
- 3.9 Sampling Run.** A timed three-phase event whereby an EC cell's response rises and plateaus in a sample conditioning phase, remains relatively constant during a measurement data phase, then declines during a refresh phase. The sample conditioning phase exposes the EC cell to the gas sample for a length of time sufficient to reach a constant response. The measurement data phase is the time interval during which gas sample measurements can be made that meet the acceptance criteria of this protocol. The refresh phase then purges the EC cells with CO-free air. The refresh phase replenishes requisite O₂ and moisture in the electrolyte reserve and provides a mechanism to de-gas or desorb any interference gas scrubbers or filters so as to enable a stable CO EC cell response. There are four primary types of sampling runs: pre-sampling calibrations; stack gas sampling; post-sampling calibration checks; and measurement system repeatability checks. Stack gas sampling runs can be chained together for extended evaluations, providing all other procedural specifications are met.
- 3.10 Sampling Day.** A time not to exceed twelve hours from the time of the pre-sampling calibration to the post-sampling calibration check. During this time, stack gas sampling runs can be repeated without repeated recalibrations, providing all other sampling specifications have been met.
- 3.11 Pre-Sampling Calibration/Post-Sampling Calibration Check.** The protocols executed at the beginning and end of each sampling day to bracket measurement readings with controlled performance checks.
- 3.12 Performance-Established Configuration.** The EC cell and sampling system configuration that existed at the time that it initially met the performance requirements of this protocol.

4.0 Interferences.

When present in sufficient concentrations, NO and NO₂ are two gas species that have been reported to interfere with CO concentration measurements. In the likelihood of this occurrence, it is the protocol user's responsibility to employ and properly maintain an appropriate CO EC cell filter or scrubber for removal of these gases, as described in Section 6.2.12.

5.0 Safety. [Reserved]

6.0 Equipment and Supplies.

6.1 What equipment do I need for the measurement system?

The system must maintain the gas sample at conditions that will prevent moisture condensation in the sample transport lines, both before and as the sample gas contacts the EC cells. The essential components of the measurement system are described below.

6.2 Measurement System Components.

- 6.2.1 Sample Probe.** A single extraction-point probe constructed of glass, stainless steel or other non-reactive material, and of length sufficient to reach any designated sampling point. The sample probe must be designed to prevent plugging due to condensation or particulate matter.
- 6.2.2 Sample Line.** Non-reactive tubing to transport the effluent from the sample probe to the EC cell.
- 6.2.3 Calibration Assembly (optional).** A three-way valve assembly or equivalent to introduce calibration gases at ambient pressure at the exit end of the sample probe during calibration checks. The assembly must be designed such that only stack gas or calibration gas flows in the sample line and all gases flow through any gas path filters.
- 6.2.4 Particulate Filter (optional).** Filters before the inlet of the EC cell to prevent accumulation of particulate material in the measurement system and extend the useful life of the components. All filters must be fabricated of materials that are non-reactive to the gas mixtures being sampled.
- 6.2.5 Sample Pump.** A leak-free pump to provide undiluted sample gas to the system at a flow rate sufficient to minimize the response time of the measurement system. If located upstream of the EC cells, the pump must be constructed of a material that is non-reactive to the gas mixtures being sampled.
- 6.2.8 Sample Flow Rate Monitoring.** An adjustable rotameter or equivalent device used to adjust and maintain the sample flow rate through the analyzer as prescribed.
- 6.2.9 Sample Gas Manifold (optional).** A manifold to divert a portion of the sample gas stream to the analyzer and the remainder to a by-pass discharge vent. The sample gas manifold may also include provisions for introducing calibration gases directly to the analyzer. The manifold must be constructed of a material that is non-reactive to the gas mixtures being sampled.
- 6.2.10 EC cell.** A device containing one or more EC cells to determine the CO and O₂ concentrations in the sample gas stream. The EC cell(s) must meet the applicable performance specifications of Section 13 of this protocol.
- 6.2.11 Data Recorder.** A strip chart recorder, computer or digital recorder to make a record of analyzer output data. The data recorder resolution (i.e., readability) must be no greater than 1 ppm for CO; 0.1 percent for O₂; and one degree (either °C or °F) for temperature. Alternatively, you may use a digital or analog meter having the same resolution to observe and manually record the analyzer responses.
- 6.2.12 Interference Gas Filter or Scrubber.** A device to remove interfering compounds upstream of the CO EC cell. Specific interference gas filters or scrubbers used in the performance-established configuration of the analyzer must continue to be used. Such a filter or scrubber must have a means to determine when the removal agent is exhausted. Periodically replace or replenish it in accordance with the manufacturer's recommendations.

7.0 Reagents and Standards. What calibration gases are needed?

- 7.1 Calibration Gases.** CO calibration gases for the EC cell must be CO in nitrogen or CO in a mixture of nitrogen and O₂. Use CO calibration gases with labeled concentration values certified by the manufacturer to be within ± 5 percent of the label value. Dry ambient air (20.9 percent O₂) is acceptable for calibration of the O₂ cell. If needed, any lower percentage O₂ calibration gas must be a mixture of O₂ in nitrogen.
- 7.1.1 Up-Scale CO Calibration Gas Concentration.** Choose one or more up-scale gas concentrations such that the average of the stack gas measurements for each stack gas sampling run are between 25 and 150 percent of those concentrations. Alternatively, choose an up-scale gas that does not exceed twice the concentration of the applicable outlet standard. If a measured gas value exceeds 150 percent of the up-scale CO calibration gas value at any time during the stack gas sampling run, the run must be discarded and repeated.
- 7.1.2 Up-Scale O₂ Calibration Gas Concentration.**
- Select an O₂ gas concentration such that the difference between the gas concentration and the average stack gas measurement or reading for each sample run is less than 15 percent O₂. When the average exhaust gas O₂ readings are above 6 percent, you may use dry ambient air (20.9 percent O₂) for the up-scale O₂ calibration gas.
- 7.1.3 Zero Gas.** Use an inert gas that contains less than 0.25 percent of the up-scale CO calibration gas concentration. You may use dry air that is free from ambient CO and other combustion gas products (e.g., CO₂).

8.0 Sample Collection and Analysis

- 8.1 Selection of Sampling Sites.**
- 8.1.1 Control Device Inlet.** Select a sampling site sufficiently downstream of the engine so that the combustion gases should be well mixed. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.
- 8.1.2 Exhaust Gas Outlet.** Select a sampling site located at least two stack diameters downstream of any disturbance (e.g., turbocharger exhaust, crossover junction or recirculation take-off) and at least one-half stack diameter upstream of the gas discharge to the atmosphere. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.
- 8.2 Stack Gas Collection and Analysis.** Prior to the first stack gas sampling run, conduct that the pre-sampling calibration in accordance with Section 10.1. Use Figure 1 to record all data. Zero the analyzer with zero gas. Confirm and record that the scrubber media color is correct and not exhausted. Then position the probe at the sampling point and begin the sampling run at the same flow rate used during the up-scale calibration. Record the start time. Record all EC cell output responses and the flow rate during the "sample conditioning phase" once per minute until constant readings are obtained. Then begin the "measurement data phase" and record readings every 15 seconds for at least two minutes (or eight readings), or as otherwise required to achieve two continuous minutes of data that meet the specification given in Section 13.1. Finally, perform the

"refresh phase" by introducing dry air, free from CO and other combustion gases, until several minute-to-minute readings of consistent value have been obtained. For each run use the "measurement data phase" readings to calculate the average stack gas CO and O₂ concentrations.

- 8.3 EC Cell Rate.** Maintain the EC cell sample flow rate so that it does not vary by more than ± 10 percent throughout the pre-sampling calibration, stack gas sampling and post-sampling calibration check. Alternatively, the EC cell sample flow rate can be maintained within a tolerance range that does not affect the gas concentration readings by more than ± 3 percent, as instructed by the EC cell manufacturer.

9.0 Quality Control (Reserved)

10.0 Calibration and Standardization

- 10.1 Pre-Sampling Calibration.** Conduct the following protocol once for each nominal range to be used on each EC cell before performing a stack gas sampling run on each field sampling day. Repeat the calibration if you replace an EC cell before completing all of the sampling runs. There is no prescribed order for calibration of the EC cells; however, each cell must complete the measurement data phase during calibration. Assemble the measurement system by following the manufacturer's recommended protocols including for preparing and preconditioning the EC cell. Assure the measurement system has no leaks and verify the gas scrubbing agent is not depleted. Use Figure 1 to record all data.

- 10.1.1 Zero Calibration.** For both the O₂ and CO cells, introduce zero gas to the measurement system (e.g., at the calibration assembly) and record the concentration reading every minute until readings are constant for at least two consecutive minutes. Include the time and sample flow rate. Repeat the steps in this section at least once to verify the zero calibration for each component gas.

- 10.1.2 Zero Calibration Tolerance.** For each zero gas introduction, the zero level output must be less than or equal to ± 3 percent of the up-scale gas value or ± 1 ppm, whichever is less restrictive, for the CO channel and less than or equal to ± 0.3 percent O₂ for the O₂ channel.

- 10.1.3 Up-Scale Calibration.** Individually introduce each calibration gas to the measurement system (e.g., at the calibration assembly) and record the start time. Record all EC cell output responses and the flow rate during this "sample conditioning phase" once per minute until readings are constant for at least two minutes. Then begin the "measurement data phase" and record readings every 15 seconds for a total of two minutes, or as otherwise required. Finally, perform the "refresh phase" by introducing dry air, free from CO and other combustion gases, until readings are constant for at least two consecutive minutes. Then repeat the steps in this section at least once to verify the calibration for each component gas. Introduce all gases to flow through the entire sample handling system (i.e., at the exit end of the sampling probe or the calibration assembly).

- 10.1.4 Up-Scale Calibration Error.** The mean of the difference of the "measurement data phase" readings from the reported standard gas value must be less than or equal to ± 5 percent or ± 1 ppm for CO or ± 0.5 percent O₂, whichever is less restrictive, respectively. The maximum allowable deviation from the mean measured value of any single "measurement data phase" reading must be less than or equal to ± 2 percent or ± 1 ppm for CO or ± 0.5 percent O₂, whichever is less restrictive, respectively.

- 10.2 Post-Sampling Calibration Check.** Conduct a stack gas post-sampling calibration check after the stack gas sampling run or set of runs and within 12 hours of the initial calibration. Conduct up-scale and zero calibration checks using the protocol in Section 10.1. Make no changes to the sampling system or EC cell calibration until all post-sampling calibration checks have been recorded. If either the zero or up-scale calibration error exceeds the respective specification in Sections 10.1.2 and 10.1.4 then all measurement data collected since the previous successful calibrations are invalid and re-calibration and re-sampling are required. If the sampling system is disassembled or the EC cell calibration is adjusted, repeat the calibration check before conducting the next analyzer sampling run.

11.0 Analytical Procedure

The analytical procedure is fully discussed in Section 8.

12.0 Calculations and Data Analysis

Determine the CO and O₂ concentrations for each stack gas sampling run by calculating the mean gas concentrations of the data recorded during the “measurement data phase”.

13.0 Protocol Performance

Use the following protocols to verify consistent analyzer performance during each field sampling day.

- 13.1 Measurement Data Phase Performance Check.** Calculate the mean of the readings from the “measurement data phase”. The maximum allowable deviation from the mean for each of the individual readings is ± 2 percent, or ± 1 ppm, whichever is less restrictive. Record the mean value and maximum deviation for each gas monitored. Data must conform to Section 10.1.4. The EC cell flow rate must conform to the specification in Section 8.3.

Example: A measurement data phase is invalid if the maximum deviation of any single reading comprising that mean is greater than ± 2 percent or ± 1 ppm (the default criteria). For example, if the mean = 30 ppm, single readings of below 29 ppm and above 31 ppm are disallowed).

- 13.2 Interference Check.** Before the initial use of the EC cell and interference gas scrubber in the field, and semi-annually thereafter, challenge the interference gas scrubber with NO and NO₂ gas standards that are generally recognized as representative of diesel-fueled engine NO and NO₂ emission values. Record the responses displayed by the CO EC cell and other pertinent data on Figure 1 or a similar form.

13.2.1 Interference Response. The combined NO and NO₂ interference response should be less than or equal to ± 5 percent of the up-scale CO calibration gas concentration.

- 13.3 Repeatability Check.** Conduct the following check once for each nominal range that is to be used on the CO EC cell within 5 days prior to each field sampling program. If a field sampling program lasts longer than 5 days, repeat this check every 5 days. Immediately repeat the check if the EC cell is replaced or if the EC cell is exposed to gas concentrations greater than 150 percent of the highest up-scale gas concentration.

- 13.3.1 **Repeatability Check Procedure.** Perform a complete EC cell sampling run (all three phases) by introducing the CO calibration gas to the measurement system and record the response. Follow Section 10.1.3. Use Figure 1 to record all data. Repeat the run three times for a total of four complete runs. During the four repeatability check runs, do not adjust the system except where necessary to achieve the correct calibration gas flow rate at the analyzer.
- 13.3.2 **Repeatability Check Calculations.** Determine the highest and lowest average “measurement data phase” CO concentrations from the four repeatability check runs and record the results on Figure 1 or a similar form. The absolute value of the difference between the maximum and minimum average values recorded must not vary more than ±3 percent or ±1 ppm of the up-scale gas value, whichever is less restrictive.

14.0 Pollution Prevention (Reserved)

15.0 Waste Management (Reserved)

16.0 Alternative Procedures (Reserved)

17.0 References

- (1) *“Development of an Electrochemical Cell Emission Analyzer Test Protocol”* , Topical Report, Phil Juneau, Emission Monitoring, Inc., July 1997.
- (2) *“Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Emissions from Natural Gas-Fired Engines, Boilers, and Process Heaters Using Portable Analyzers”* , EMC Conditional Test Protocol 30 (CTM-30), Gas Research Institute Protocol GRI-96/0008, Revision 7, October 13, 1997.
- (3) *“ICAC Test Protocol for Periodic Monitoring”* , EMC Conditional Test Protocol 34 (CTM-034), The Institute of Clean Air Companies, September 8, 1999.
- (4) *“Code of Federal Regulations”* , Protection of Environment, 40 CFR, Part 60, Appendix A, Methods 1-4; 10.

TABLE 1: APPENDIX A—SAMPLING RUN DATA.

	Facility_____	Engine I.D._____	Date_____	
Run	(-)	(-)	(-)	(-)
Type:				
(X)	Pre-Sample Calibration	Stack Gas Sample	Post-Sample Cal. Check	Repeatability Check

Run #	1	1	2	2	3	3	4	4	Time	Scrub. OK	Flow- Rate
Gas	O ₂	CO	O ₂	CO	O ₂	CO	O ₂	CO			
Sample Cond. Phase											
"											
"											
"											
Measurement Data Phase											
"											
"											
"											
"											
"											
"											
"											
"											
Mean Refresh Phase											
"											
"											
"											
"											

[78 FR 6721, Jan. 30, 2013]

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

Title 40 —Protection of Environment

Chapter I —Environmental Protection Agency

Subchapter C —Air Programs

Part 63 —National Emission Standards for Hazardous Air Pollutants for Source Categories

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

Source: 57 FR 61992, Dec. 29, 1992, unless otherwise noted.

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

What This Subpart Covers

- § 63.6580 What is the purpose of subpart ZZZZ?
- § 63.6585 Am I subject to this subpart?
- § 63.6590 What parts of my plant does this subpart cover?
- § 63.6595 When do I have to comply with this subpart?

Emission and Operating Limitations

- § 63.6600 What emission limitations and operating limitations must I meet if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?
- § 63.6601 What emission limitations must I meet if I own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than or equal to 500 brake HP located at a major source of HAP emissions?
- § 63.6602 What emission limitations and other requirements must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?
- § 63.6603 What emission limitations, operating limitations, and other requirements must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?
- § 63.6604 What fuel requirements must I meet if I own or operate a stationary CI RICE?

General Compliance Requirements

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

Testing and Initial Compliance Requirements

- § 63.6610 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?
- § 63.6611 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a new or reconstructed 4SLB SI stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions?

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

§ 63.6615 When must I conduct subsequent performance tests?

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

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

§ 63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?

Continuous Compliance Requirements

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

§ 63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?

Notifications, Reports, and Records

§ 63.6645 What notifications must I submit and when?

§ 63.6650 What reports must I submit and when?

§ 63.6655 What records must I keep?

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

Other Requirements and Information

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

§ 63.6670 Who implements and enforces this subpart?

§ 63.6675 What definitions apply to this subpart?

Table 1a to Subpart ZZZZ of Part 63

Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

Table 1b to Subpart ZZZZ of Part 63

Operating Limitations for Existing, New, and Reconstructed SI 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

Table 2a to Subpart ZZZZ of Part 63

Emission Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and New and Reconstructed 4SLB Stationary RICE $\geq$ 250 HP Located at a Major Source of HAP Emissions

Table 2b to Subpart ZZZZ of Part 63

Operating Limitations for New and Reconstructed 2SLB and CI

Stationary RICE >500 HP Located at a Major Source of HAP
Emissions, New and Reconstructed 4SLB Stationary RICE $\geq$ 250
HP Located at a Major Source of HAP Emissions, Existing CI
Stationary RICE >500 HP

Table 2c to Subpart ZZZZ of Part 63

Requirements for Existing Compression Ignition Stationary
RICE Located at a Major Source of HAP Emissions and Existing
Spark Ignition Stationary RICE $\leq$ 500 HP Located at a Major
Source of HAP Emissions

Table 2d to Subpart ZZZZ of Part 63

Requirements for Existing Stationary RICE Located at Area
Sources of HAP Emissions

Table 3 to Subpart ZZZZ of Part 63

Subsequent Performance Tests

Table 4 to Subpart ZZZZ of Part 63

Requirements for Performance Tests

Table 5 to Subpart ZZZZ of Part 63

Initial Compliance With Emission Limitations, Operating
Limitations, and Other Requirements

Table 6 to Subpart ZZZZ of Part 63

Continuous Compliance With Emission Limitations, and Other
Requirements

Table 7 to Subpart ZZZZ of Part 63

Requirements for Reports

Table 8 to Subpart ZZZZ of Part 63

Applicability of General Provisions to Subpart ZZZZ

Appendix A to Subpart ZZZZ of Part 63

Protocol for Using an Electrochemical Analyzer to Determine
Oxygen and Carbon Monoxide Concentrations From Certain
Engines

Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

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

WHAT THIS SUBPART COVERS

§ 63.6580 What is the purpose of subpart ZZZZ?

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

[73 FR 3603, Jan. 18, 2008]

§ 63.6585 Am I subject to this subpart?

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

- (a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.
- (b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.
- (c) An area source of HAP emissions is a source that is not a major source.
- (d) If you are an owner or operator of an area source subject to this subpart, your status as an entity subject to a standard or other requirements under this subpart does not subject you to the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.
- (e) If you are an owner or operator of a stationary RICE used for national security purposes, you may be eligible to request an exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C.
- (f) The emergency stationary RICE listed in paragraphs (f)(1) through (3) of this section are not subject to this subpart. The stationary RICE must meet the definition of an emergency stationary RICE in § 63.6675, which includes operating according to the provisions specified in § 63.6640(f).
 - (1) Existing residential emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).
 - (2) Existing commercial emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).
 - (3) Existing institutional emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

[69 FR 33506, June 15, 2004, as amended at 73 FR 3603, Jan. 18, 2008; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

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

This subpart applies to each affected source.

- (a) **Affected source.** An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.
 - (1) **Existing stationary RICE.**
 - (i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.
 - (ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.
 - (iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.
 - (iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.
 - (2) **New stationary RICE.**
 - (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.
 - (ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.
 - (iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.
 - (3) **Reconstructed stationary RICE.**
 - (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after December 19, 2002.
 - (ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.
 - (iii) A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.
- (b) **Stationary RICE subject to limited requirements.**

- (1) An affected source which meets either of the criteria in paragraphs (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of § 63.6645(f).
 - (i) The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
 - (ii) The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
- (2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of § 63.6645(f) and the requirements of §§ 63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.
- (3) The following stationary RICE do not have to meet the requirements of this subpart and of subpart A of this part, including initial notification requirements:
 - (i) Existing spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;
 - (ii) Existing spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;
 - (iii) Existing emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
 - (iv) Existing limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;
 - (v) Existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;
- (c) **Stationary RICE subject to Regulations under 40 CFR Part 60.** An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.
 - (1) A new or reconstructed stationary RICE located at an area source;
 - (2) A new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;
 - (3) A new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake HP located at a major source of HAP emissions;
 - (4) A new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;
 - (5) A new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

- (6) A new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;
- (7) A new or reconstructed compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010; 75 FR 51588, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

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

(a) Affected sources.

- (1) If you have an existing stationary RICE, excluding existing non-emergency CI stationary RICE, with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations, operating limitations and other requirements no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013. If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than October 19, 2013.
- (2) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart no later than August 16, 2004.
- (3) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.
- (4) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.
- (5) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.
- (6) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

- (7) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.
- (b) **Area sources that become major sources.** If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, the compliance dates in paragraphs (b)(1) and (2) of this section apply to you.
 - (1) Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source.
 - (2) Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.
- (c) If you own or operate an affected source, you must meet the applicable notification requirements in § 63.6645 and in 40 CFR part 63, subpart A.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 78 FR 6701, Jan. 30, 2013]

EMISSION AND OPERATING LIMITATIONS

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

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

- (a) If you own or operate an existing, new, or reconstructed spark ignition 4SRB stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 1a to this subpart and the operating limitations in Table 1b to this subpart which apply to you.
- (b) If you own or operate a new or reconstructed 2SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, a new or reconstructed 4SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, or a new or reconstructed CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.
- (c) If you own or operate any of the following stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the emission limitations in Tables 1a, 2a, 2c, and 2d to this subpart or operating limitations in Tables 1b and 2b to this subpart: an

existing 2SLB stationary RICE; an existing 4SLB stationary RICE; a stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis; an emergency stationary RICE; or a limited use stationary RICE.

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

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

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

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

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010]

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

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

[78 FR 6701, Jan. 30, 2013]

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

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

- (a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart that apply to you.
- (b) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meets either paragraph (b)(1) or (2) of this section, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. Existing stationary

non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meet either paragraph (b)(1) or (2) of this section must meet the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart.

- (1) The area source is located in an area of Alaska that is not accessible by the Federal Aid Highway System (FAHS).
- (2) The stationary RICE is located at an area source that meets paragraphs (b)(2)(i), (ii), and (iii) of this section.
 - (i) The only connection to the FAHS is through the Alaska Marine Highway System (AMHS), or the stationary RICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.
 - (ii) At least 10 percent of the power generated by the stationary RICE on an annual basis is used for residential purposes.
 - (iii) The generating capacity of the area source is less than 12 megawatts, or the stationary RICE is used exclusively for backup power for renewable energy.
- (c) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located on an offshore vessel that is an area source of HAP and is a nonroad vehicle that is an Outer Continental Shelf (OCS) source as defined in 40 CFR 55.2, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. You must meet all of the following management practices:
 - (1) Change oil every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first. Sources have the option to utilize an oil analysis program as described in § 63.6625(i) in order to extend the specified oil change requirement.
 - (2) Inspect and clean air filters every 750 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.
 - (3) Inspect fuel filters and belts, if installed, every 750 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.
 - (4) Inspect all flexible hoses every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.
- (d) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and that is subject to an enforceable state or local standard that requires the engine to be replaced no later than June 1, 2018, you may until January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018, choose to comply with the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart instead of the applicable emission limitations in Table 2d, operating limitations in Table 2b, and crankcase ventilation system requirements in § 63.6625(g). You must comply with the emission limitations in Table 2d and operating limitations in Table 2b that apply for non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than

June 1, 2018. You must also comply with the crankcase ventilation system requirements in § 63.6625(g) by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018.

- (e) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 3 (Tier 2 for engines above 560 kilowatt (kW)) emission standards in Table 1 of 40 CFR 89.112, you may comply with the requirements under this part by meeting the requirements for Tier 3 engines (Tier 2 for engines above 560 kW) in 40 CFR part 60 subpart IIII instead of the emission limitations and other requirements that would otherwise apply under this part for existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions.
- (f) An existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP must meet the definition of remote stationary RICE in § 63.6675 on the initial compliance date for the engine, October 19, 2013, in order to be considered a remote stationary RICE under this subpart. Owners and operators of existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that meet the definition of remote stationary RICE in § 63.6675 of this subpart as of October 19, 2013 must evaluate the status of their stationary RICE every 12 months. Owners and operators must keep records of the initial and annual evaluation of the status of the engine. If the evaluation indicates that the stationary RICE no longer meets the definition of remote stationary RICE in § 63.6675 of this subpart, the owner or operator must comply with all of the requirements for existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that are not remote stationary RICE within 1 year of the evaluation.

[75 FR 9675, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6701, Jan. 30, 2013; 89 FR 70515, Aug. 30, 2024]

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

- (a) If you own or operate an existing non-emergency, non-black start CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel.
- (b) Beginning January 1, 2015, if you own or operate an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates for the purpose specified in § 63.6640(f)(4)(ii), you must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.
- (c) [Reserved]
- (d) Existing CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2), or are on offshore vessels that meet § 63.6603(c) are exempt from the requirements of this section.

[78 FR 6702, Jan. 30, 2013, as amended at 85 FR 78463, Dec. 4, 2020; 87 FR 48607, Aug. 10, 2022]

GENERAL COMPLIANCE REQUIREMENTS

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

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

[75 FR 9675, Mar. 3, 2010, as amended at 78 FR 6702, Jan. 30, 2013]

TESTING AND INITIAL COMPLIANCE REQUIREMENTS

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

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

- (a) You must conduct the initial performance test or other initial compliance demonstrations in Table 4 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).
- (b) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must demonstrate initial compliance with either the proposed emission limitations or the promulgated emission limitations no later than February 10, 2005 or no later than 180 days after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).
- (c) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, and you chose to comply with the proposed emission limitations when demonstrating initial compliance, you must conduct a second performance test to demonstrate compliance with the promulgated emission limitations by December 13, 2007 or after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).
- (d) An owner or operator is not required to conduct an initial performance test on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (d)(1) through (5) of this section.
 - (1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.
 - (2) The test must not be older than 2 years.

- (3) The test must be reviewed and accepted by the Administrator.
- (4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.
- (5) The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

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

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

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

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 51589, Aug. 20, 2010]

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

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

- (a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).
- (b) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) of this section.
 - (1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.
 - (2) The test must not be older than 2 years.
 - (3) The test must be reviewed and accepted by the Administrator.
 - (4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

[75 FR 9676, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010]

§ 63.6615 When must I conduct subsequent performance tests?

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

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

- (a) You must conduct each performance test in Tables 3 and 4 of this subpart that applies to you.
- (b) Each performance test must be conducted according to the requirements that this subpart specifies in Table 4 to this subpart. If you own or operate a non-operational stationary RICE that is subject to performance testing, you do not need to start up the engine solely to conduct the performance test. Owners and operators of a non-operational engine can conduct the performance test when the engine is started up again. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load for the stationary RICE listed in paragraphs (b)(1) through (4) of this section.
 - (1) Non-emergency 4SRB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.
 - (2) New non-emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP located at a major source of HAP emissions.
 - (3) New non-emergency 2SLB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.
 - (4) New non-emergency CI stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.
- (c) [Reserved]
- (d) You must conduct three separate test runs for each performance test required in this section, as specified in § 63.7(e)(3). Each test run must last at least 1 hour, unless otherwise specified in this subpart.
- (e)
 - (1) You must use Equation 1 of this section to determine compliance with the percent reduction requirement:

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

Where:

C_i = concentration of carbon monoxide (CO), total hydrocarbons (THC), or formaldehyde at the control device inlet,

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

R = percent reduction of CO, THC, or formaldehyde emissions.

- (2) You must normalize the CO, THC, or formaldehyde concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide (CO₂). If pollutant concentrations are to be corrected to 15 percent oxygen and CO₂ concentration is measured in lieu of oxygen concentration measurement, a CO₂ correction factor is needed. Calculate the CO₂ correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.

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

$$F_o = \frac{0.209 F_d}{F_c} \quad (Eq. 2)$$

Where:

F_o = Fuel factor based on the ratio of oxygen volume to the ultimate CO₂ volume produced by the fuel at zero percent excess air.

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

F_d = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm³/J (dscf/10⁶ Btu).

F_c = Ratio of the volume of CO₂ produced to the gross calorific value of the fuel from Method 19, dsm³/J (dscf/10⁶ Btu)

- (ii) Calculate the CO₂ correction factor for correcting measurement data to 15 percent O₂, as follows:

$$X_{CO2} = \frac{5.9}{F_o} \quad (Eq. 3)$$

Where:

X_{CO2} = CO₂ correction factor, percent.

5.9 = 20.9 percent O₂—15 percent O₂, the defined O₂ correction value, percent.

- (iii) Calculate the CO, THC, and formaldehyde gas concentrations adjusted to 15 percent O₂ using CO₂ as follows:

$$C_{adj} = C_d \frac{X_{CO2}}{\%CO_2} \quad (Eq. 4)$$

Where:

C_{adj} = Calculated concentration of CO, THC, or formaldehyde adjusted to 15 percent O₂.

C_d = Measured concentration of CO, THC, or formaldehyde, uncorrected.

X_{CO_2} = CO₂ correction factor, percent.

%CO₂ = Measured CO₂ concentration measured, dry basis, percent.

- (f) If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitation to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or NSCR, you must petition the Administrator for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Administrator.
- (g) If you petition the Administrator for approval of operating limitations, your petition must include the information described in paragraphs (g)(1) through (5) of this section.
 - (1) Identification of the specific parameters you propose to use as operating limitations;
 - (2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters, and how limitations on these parameters will serve to limit HAP emissions;
 - (3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;
 - (4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and
 - (5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.
- (h) If you petition the Administrator for approval of no operating limitations, your petition must include the information described in paragraphs (h)(1) through (7) of this section.
 - (1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally (e.g., operator adjustment, automatic controller adjustment, etc.) or unintentionally (e.g., wear and tear, error, etc.) on a routine basis or over time;
 - (2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;
 - (3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;
 - (4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;
 - (5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;
 - (6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

- (7) A discussion of why, from your point of view, it is infeasible or unreasonable to adopt the parameters as operating limitations.
- (i) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided.
- (j) Beginning on February 26, 2025, within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test following the procedure specified in § 63.9(k). Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test must be included as an attachment in the ERT or alternate electronic file.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9676, Mar. 3, 2010; 78 FR 6702, Jan. 30, 2013; 89 FR 70516, Aug. 30, 2024]

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

- (a) If you elect to install a CEMS as specified in Table 5 of this subpart, you must install, operate, and maintain a CEMS to monitor CO and either O₂ or CO₂ according to the requirements in paragraphs (a)(1) through (4) of this section. If you are meeting a requirement to reduce CO emissions, the CEMS must be installed at both the inlet and outlet of the control device. If you are meeting a requirement to limit the concentration of CO, the CEMS must be installed at the outlet of the control device.
 - (1) Each CEMS must be installed, operated, and maintained according to the applicable performance specifications of 40 CFR part 60, appendix B.
 - (2) You must conduct an initial performance evaluation and an annual relative accuracy test audit (RATA) of each CEMS according to the requirements in § 63.8 and according to the applicable performance specifications of 40 CFR part 60, appendix B as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.
 - (3) As specified in § 63.8(c)(4)(ii), each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. You must have at least two data points, with each representing a different 15-minute period, to have a valid hour of data.
 - (4) The CEMS data must be reduced as specified in § 63.8(g)(2) and recorded in parts per million or parts per billion (as appropriate for the applicable limitation) at 15 percent oxygen or the equivalent CO₂ concentration.

(5) Beginning on February 26, 2025, within 60 days after the date of completing each continuous emissions monitoring system (CEMS) performance evaluation (as defined in § 63.2) that includes a relative accuracy test audit (RATA), you must submit the results of the performance evaluation following the procedures specified in § 63.9(k). The results of performance evaluations of CEMS measuring RATA pollutants that are supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the XML schema listed on the EPA's ERT website. The results of performance evaluations of CEMS measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be included as an attachment in the ERT or alternate electronic file.

(b) If you are required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of this subpart, you must install, operate, and maintain each CPMS according to the requirements in paragraphs (b)(1) through (6) of this section. For an affected source that is complying with the emission limitations and operating limitations on March 9, 2011, the requirements in paragraph (b) of this section are applicable September 6, 2011.

(1) You must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of this section and in § 63.8(d). As specified in § 63.8(f)(4), you may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs (b)(1) through (5) of this section in your site-specific monitoring plan.

(i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;

(ii) Sampling interface (e.g., thermocouple) location such that the monitoring system will provide representative measurements;

(iii) Equipment performance evaluations, system accuracy audits, or other audit procedures;

(iv) Ongoing operation and maintenance procedures in accordance with provisions in § 63.8(c)(1)(ii) and (c)(3); and

(v) Ongoing reporting and recordkeeping procedures in accordance with provisions in § 63.10(c), (e)(1), and (e)(2)(i).

(2) You must install, operate, and maintain each CPMS in continuous operation according to the procedures in your site-specific monitoring plan.

(3) The CPMS must collect data at least once every 15 minutes (see also § 63.6635).

(4) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.

(5) You must conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in your site-specific monitoring plan at least annually.

(6) You must conduct a performance evaluation of each CPMS in accordance with your site-specific monitoring plan.

- (c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your stationary RICE in a manner which reasonably minimizes HAP emissions.
- (d) If you are operating a new or reconstructed emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must install a non-resettable hour meter prior to the startup of the engine.
- (e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:
 - (1) An existing stationary RICE with a site rating of less than 100 HP located at a major source of HAP emissions;
 - (2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions;
 - (3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;
 - (4) An existing non-emergency, non-black start stationary CI RICE with a site rating less than or equal to 300 HP located at an area source of HAP emissions;
 - (5) An existing non-emergency, non-black start 2SLB stationary RICE located at an area source of HAP emissions;
 - (6) An existing non-emergency, non-black start stationary RICE located at an area source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.
 - (7) An existing non-emergency, non-black start 4SLB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;
 - (8) An existing non-emergency, non-black start 4SRB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;
 - (9) An existing, non-emergency, non-black start 4SLB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and
 - (10) An existing, non-emergency, non-black start 4SRB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year.
- (f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.
- (g) If you own or operate an existing non-emergency, non-black start CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (2) of this section. Owners and operators must follow the manufacturer's

specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2) do not have to meet the requirements of this paragraph (g). Existing CI engines located on offshore vessels that meet § 63.6603(c) do not have to meet the requirements of this paragraph (g).

- (1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or
 - (2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates and metals.
- (h) If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.
- (i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of table 2c to this subpart or in items 1 or 4 of table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil and filter change requirement in tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil and filter in table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil and filter within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil and filter changes for the engine. The analysis program must be part of the maintenance plan for the engine.
- (j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of table 2c to this subpart or in items 5, 6, 7, 8, 10, 11, or 13 of table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil and filter change requirement in tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil and filter in table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil and filter within 2 business days or before

commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil and filter changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6703, Jan. 30, 2013; 89 FR 70516, Aug. 30, 2024]

§ 63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?

- (a) You must demonstrate initial compliance with each emission limitation, operating limitation, and other requirement that applies to you according to Table 5 of this subpart.
- (b) During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of this subpart that applies to you.
- (c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in § 63.6645.
- (d) Non-emergency 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more can demonstrate initial compliance with the formaldehyde emission limit by testing for THC instead of formaldehyde. The testing must be conducted according to the requirements in Table 4 of this subpart. The average reduction of emissions of THC determined from the performance test must be equal to or greater than 30 percent.
- (e) The initial compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:
 - (1) The compliance demonstration must consist of at least three test runs.
 - (2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.
 - (3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.
 - (4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.
 - (5) You must measure O₂ using one of the O₂ measurement methods specified in Table 4 of this subpart. Measurements to determine O₂ concentration must be made at the same time as the measurements for CO or THC concentration.
 - (6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O₂ emissions simultaneously at the inlet and outlet of the control device.

[69 FR 33506, June 15, 2004, as amended at 78 FR 6704, Jan. 30, 2013]

CONTINUOUS COMPLIANCE REQUIREMENTS

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

- (a) If you must comply with emission and operating limitations, you must monitor and collect data according to this section.
- (b) Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, you must monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
- (c) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods.

[69 FR 33506, June 15, 2004, as amended at 76 FR 12867, Mar. 9, 2011]

§ 63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?

- (a) You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.
- (b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in § 63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.
- (c) The annual compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:
 - (1) The compliance demonstration must consist of at least one test run.
 - (2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.
 - (3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.
 - (4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

- (5) You must measure O₂ using one of the O₂ measurement methods specified in Table 4 of this subpart. Measurements to determine O₂ concentration must be made at the same time as the measurements for CO or THC concentration.
 - (6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O₂ emissions simultaneously at the inlet and outlet of the control device.
 - (7) If the results of the annual compliance demonstration show that the emissions exceed the levels specified in Table 6 of this subpart, the stationary RICE must be shut down as soon as safely possible, and appropriate corrective action must be taken (e.g., repairs, catalyst cleaning, catalyst replacement). The stationary RICE must be retested within 7 days of being restarted and the emissions must meet the levels specified in Table 6 of this subpart. If the retest shows that the emissions continue to exceed the specified levels, the stationary RICE must again be shut down as soon as safely possible, and the stationary RICE may not operate, except for purposes of startup and testing, until the owner/operator demonstrates through testing that the emissions do not exceed the levels specified in Table 6 of this subpart.
- (d) For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations. Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR 94.11(a).
- (e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.
- (f) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.
- (1) There is no time limit on the use of emergency stationary RICE in emergency situations.

- (2) You may operate your emergency stationary RICE for the purpose specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).
 - (i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.
 - (ii)-(iii) [Reserved]
- (3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.
- (4) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. Except as provided in paragraphs (f)(4)(i) and (ii) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.
 - (i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system.
 - (ii) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:
 - (A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.
 - (B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.
 - (C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

- (D) The power is provided only to the facility itself or to support the local transmission and distribution system.
- (E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6704, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

NOTIFICATIONS, REPORTS, AND RECORDS

§ 63.6645 What notifications must I submit and when?

- (a) You must submit all of the notifications in §§ 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following:
 - (1) An existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.
 - (2) An existing stationary RICE located at an area source of HAP emissions.
 - (3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
 - (4) A new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 HP located at a major source of HAP emissions.
 - (5) This requirement does not apply if you own or operate an existing stationary RICE less than 100 HP, an existing stationary emergency RICE, or an existing stationary RICE that is not subject to any numerical emission standards.
- (b) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart, you must submit an initial notification not later than December 13, 2004, or no later than 120 days after the source becomes subject to this subpart, whichever is later. Beginning on February 26, 2025, submit the notification electronically in portable document format (PDF) consistent with § 63.9(k).
- (c) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions on or after August 16, 2004, you must submit an initial notification not later than 120 days after you become subject to this subpart. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).
- (d) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart and you are required to submit an initial notification, you must submit an initial notification not later than July 16, 2008, or no later than 120 days after the source becomes subject to this subpart, whichever is later. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).

- (e) If you start up your new or reconstructed stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions on or after March 18, 2008, and you are required to submit an initial notification, you must submit an initial notification not later than 120 days after you become subject to this subpart. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).
- (f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with § 63.6590(b), your notification should include the information in § 63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions).
- (g) If you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in § 63.7(b)(1).
- (h) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to this subpart, you must submit a Notification of Compliance Status according to § 63.9(h)(2)(ii).
 - (1) For each initial compliance demonstration required in Table 5 to this subpart that does not include a performance test, you must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration.
 - (2) Before February 26, 2025, for each initial compliance demonstration required in table 5 to this subpart that includes a performance test conducted according to the requirements in table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to § 63.10(d)(2). Beginning on February 26, 2025, for each initial compliance demonstration required in table 5 to this subpart that includes a performance test conducted according to the requirements in table 3 to this subpart, you must submit the Notification of Compliance Status, including a summary of the performance test results, in PDF to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), before the close of business on the 60th day following the completion of the performance test following the procedure specified in § 63.9(k), except any Confidential Business Information (CBI) is to be submitted according to paragraphs (h)(2)(i) and (ii) of this section. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report, you must submit a complete file, including information claimed to be CBI, to the EPA following the procedures in paragraphs (h)(2)(i) and (ii) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (h)(2).

- (i) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described in paragraph (h)(2) of this section, should include clear CBI markings and be flagged to the attention of the Reciprocating Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link.
 - (ii) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711, Attention Reciprocating Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.
- (i) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and subject to an enforceable state or local standard requiring engine replacement and you intend to meet management practices rather than emission limits, as specified in § 63.6603(d), you must submit a notification by March 3, 2013, stating that you intend to use the provision in § 63.6603(d) and identifying the state or local regulation that the engine is subject to.

[73 FR 3606, Jan. 18, 2008, as amended at 75 FR 9677, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6705, Jan. 30, 2013; 85 FR 73912, Nov. 19, 2020; 89 FR 70516, Aug. 30, 2024]

§ 63.6650 What reports must I submit and when?

- (a) You must submit each report in Table 7 of this subpart that applies to you.
- (b) Unless the Administrator has approved a different schedule for submission of reports under § 63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.
 - (1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in § 63.6595.
 - (2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in § 63.6595.
 - (3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.
 - (4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

- (5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (b)(4) of this section.
 - (6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on December 31.
 - (7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in § 63.6595.
 - (8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.
 - (9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.
- (c) The Compliance report must contain the information in paragraphs (c)(1) through (8) of this section.
- (1) Company name and address.
 - (2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.
 - (3) Date of report and beginning and ending dates of the reporting period.
 - (4) If you had a malfunction during the reporting period, the compliance report must include the starting and ending date and time, the duration (in hours), and a brief description for each malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with § 63.6605(b), including actions taken to correct a malfunction.
 - (5) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.
 - (6) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.
 - (7) Engine site rating in brake HP, year construction of the engine commenced (as defined in § 63.2, where the exact year is not known, provide the best estimate), and type of engine (CI, SI 2SLB, SI 4SLB, or SI 4SRB).
 - (8) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
 - (9) An engine can be claimed as exempt from reporting coordinates (latitude/longitude) via CEDRI if:
 - (i) During the reporting period, the engine will be owned by, or operated by or for, an agency of the Federal Government responsible for national defense; and
 - (ii) The agency determines that disclosing the coordinates to the general public would be a threat to national security.

- (d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (8) of this section and the information in paragraphs (d)(1) and (2) of this section.
 - (1) The total operating time (in hours) of the stationary RICE at which the deviation occurred during the reporting period.
 - (2) Information on the number, duration (in hours), and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.
 - (3) A description of any changes in processes, or controls since the last reporting period.
- (e) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in this subpart, you must include information in paragraphs (c)(1) through (8) and (e)(1) through (13) of this section.
 - (1) The date and time that each malfunction started and stopped.
 - (2) The start and end date and time and the duration (in hours) that each CMS was inoperative, except for zero (low-level) and high-level checks.
 - (3) The start and end date and time and the duration (in hours) that each CMS was out-of-control, including the information in § 63.8(c)(8).
 - (4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period.
 - (5) A summary of the total duration (in hours) of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.
 - (6) A breakdown of the total duration (in hours) of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.
 - (7) A summary of the total duration (in hours) of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.
 - (8) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.
 - (9) [Reserved]
 - (10) A brief description of the CMS.
 - (11) The date of the latest CMS certification or audit.
 - (12) A description of any changes in CMS, processes, or controls since the last reporting period.
 - (13) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.
- (f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant

to table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. Beginning on February 26, 2025, the semiannual and annual compliance report required in table 7 of this subpart must be submitted according to paragraph (i) of this section. Only those elements required under this subpart are required to be submitted according to paragraph (i) of this section.

- (g) If you are operating as a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must submit an annual report according to Table 7 of this subpart by the date specified unless the Administrator has approved a different schedule, according to the information described in paragraphs (b)(1) through (b)(5) of this section. You must report the data specified in (g)(1) through (g)(3) of this section.
 - (1) Fuel flow rate of each fuel and the heating values that were used in your calculations. You must also demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10 percent or more of the total fuel consumption on an annual basis.
 - (2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.
 - (3) Any problems or errors suspected with the meters.
- (h) If you own or operate an emergency stationary RICE with a site rating of more than 100 brake HP that operates for the purpose specified in § 63.6640(f)(4)(ii), you must submit an annual report according to the requirements in paragraphs (h)(1) through (3) of this section.
 - (1) The report must contain the following information:
 - (i) Company name and address where the engine is located.
 - (ii) Date of the report and beginning and ending dates of the reporting period.
 - (iii) Engine site rating in brake HP, year construction of the engine commenced (as defined in § 63.2, where the exact year is not known, provide the best estimate), and type of engine (CI, SI 2SLB, SI 4SLB, or SI 4SRB).
 - (iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
 - (v)-(vi) [Reserved]
 - (vii) Hours spent for operation for the purpose specified in § 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in § 63.6640(f)(4)(ii). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.
 - (viii) If there were no deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.

- (ix) If there were deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), information on the number, duration (in hours), and cause of deviations, and the corrective action taken.
- (2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.
- (3) Before February 26, 2025, the annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 63.13. Beginning on February 26, 2025, the annual report must be submitted according to paragraph (i) of this section.
- (i) Beginning on February 26, 2025 for the annual report specified in § 63.6650(h) and February 26, 2025 or one year after the report becomes available in CEDRI, whichever is later for all other semiannual or annual reports, submit all semiannual and annual subsequent compliance reports using the appropriate electronic report template on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/cedri>) for this subpart and following the procedure specified in § 63.9(k), except any CBI must be submitted according to the procedures in § 63.6645(h). The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010; 78 FR 6705, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70517, Aug. 30, 2024]

§ 63.6655 What records must I keep?

- (a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.
 - (1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in § 63.10(b)(2)(xiv).
 - (2) Records of the occurrence and duration (in hours) of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.
 - (3) Records of performance tests and performance evaluations as required in § 63.10(b)(2)(viii).
 - (4) Records of all required maintenance performed on the air pollution control and monitoring equipment.
 - (5) Records of actions taken during periods of malfunction to minimize emissions in accordance with § 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
- (b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.
 - (1) Records described in § 63.10(b)(2)(vi) through (xi).

- (2) Previous (i.e., superseded) versions of the performance evaluation plan as required in § 63.8(d)(3).
- (3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in § 63.8(f)(6)(i), if applicable.
- (c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.
- (d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.
- (e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;
 - (1) An existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.
 - (2) An existing stationary emergency RICE.
 - (3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.
- (f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purpose specified in § 63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.
 - (1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.
 - (2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 78 FR 6706, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70518, Aug. 30, 2024]

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

- (a) Your records must be in a form suitable and readily available for expeditious review according to § 63.10(b)(1).
- (b) As specified in § 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
- (c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1).

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

OTHER REQUIREMENTS AND INFORMATION

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

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

[75 FR 9678, Mar. 3, 2010]

§ 63.6670 Who implements and enforces this subpart?

- (a) This subpart is implemented and enforced by the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out whether this subpart is delegated to your State, local, or tribal agency.
- (b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.
- (c) The authorities that will not be delegated to State, local, or tribal agencies are:
 - (1) Approval of alternatives to the non-opacity emission limitations and operating limitations in § 63.6600 under § 63.6(g).
 - (2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f) and as defined in § 63.90.
 - (3) Approval of major alternatives to monitoring under § 63.8(f) and as defined in § 63.90.
 - (4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f) and as defined in § 63.90.
 - (5) Approval of a performance test which was conducted prior to the effective date of the rule, as specified in § 63.6610(b).
 - (6) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

[69 FR 33506, June 15, 2004, as amended at 89 FR 70518, Aug. 30, 2024]

§ 63.6675 What definitions apply to this subpart?

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

Alaska Railbelt Grid means the service areas of the six regulated public utilities that extend from Fairbanks to Anchorage and the Kenai Peninsula. These utilities are Golden Valley Electric Association; Chugach Electric Association; Matanuska Electric Association; Homer Electric Association; Anchorage Municipal Light & Power; and the City of Seward Electric System.

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

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

Backup power for renewable energy means an engine that provides backup power to a facility that generates electricity from renewable energy resources, as that term is defined in Alaska Statute 42.45.045(l)(5) (incorporated by reference, see § 63.14).

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

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

Commercial emergency stationary RICE means an emergency stationary RICE used in commercial establishments such as office buildings, hotels, stores, telecommunications facilities, restaurants, financial institutions such as banks, doctor's offices, and sports and performing arts facilities.

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

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

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

- (1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation or operating limitation;
- (2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or
- (3) Fails to meet any emission limitation or operating limitation in this subpart during malfunction, regardless or whether or not such failure is permitted by this subpart.
- (4) Fails to satisfy the general duty to minimize emissions established by § 63.6(e)(1)(i).

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

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

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and CO₂.

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

Emergency stationary RICE means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary RICE must comply with the requirements specified in § 63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in § 63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.

- (1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc.
- (2) The stationary RICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 63.6640(f).
- (3) The stationary RICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 63.6640(f)(4)(i) or (ii).

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

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

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

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

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

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

Institutional emergency stationary RICE means an emergency stationary RICE used in institutional establishments such as medical centers, nursing homes, research centers, institutions of higher education, correctional facilities, elementary and secondary schools, libraries, religious establishments, police stations, and fire stations.

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

Landfill gas means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO₂.

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

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

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

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

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

- (1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;
- (2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated;
- (3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and
- (4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated.

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

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

Non-selective catalytic reduction (NSCR) means an add-on catalytic nitrogen oxides (NO_x) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, NO_x, CO, and volatile organic compounds (VOC) into CO₂, nitrogen, and water.

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

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

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

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

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

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

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

Propane means a colorless gas derived from petroleum and natural gas, with the molecular structure C₃H₈.

Remote stationary RICE means stationary RICE meeting any of the following criteria:

- (1) Stationary RICE located in an offshore area that is beyond the line of ordinary low water along that portion of the coast of the United States that is in direct contact with the open seas and beyond the line marking the seaward limit of inland waters.

- (2) Stationary RICE located on a pipeline segment that meets both of the criteria in paragraphs (2)(i) and (ii) of this definition.
 - (i) A pipeline segment with 10 or fewer buildings intended for human occupancy and no buildings with four or more stories within 220 yards (200 meters) on either side of the centerline of any continuous 1-mile (1.6 kilometers) length of pipeline. Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.
 - (ii) The pipeline segment does not lie within 100 yards (91 meters) of either a building or a small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12-month period. The days and weeks need not be consecutive. The building or area is considered occupied for a full day if it is occupied for any portion of the day.
 - (iii) For purposes of this paragraph (2), the term pipeline segment means all parts of those physical facilities through which gas moves in transportation, including but not limited to pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies. Stationary RICE located within 50 yards (46 meters) of the pipeline segment providing power for equipment on a pipeline segment are part of the pipeline segment. Transportation of gas means the gathering, transmission, or distribution of gas by pipeline, or the storage of gas. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.
- (3) Stationary RICE that are not located on gas pipelines and that have 5 or fewer buildings intended for human occupancy and no buildings with four or more stories within a 0.25 mile radius around the engine. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

Residential emergency stationary RICE means an emergency stationary RICE used in residential establishments such as homes or apartment buildings.

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

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

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

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

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

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

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

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

Subpart means 40 CFR part 63, subpart ZZZZ.

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

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

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3607, Jan. 18, 2008; 75 FR 9679, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 76 FR 12867, Mar. 9, 2011; 78 FR 6706, Jan. 30, 2013; 87 FR 48608, Aug. 10, 2022]

Table 1a to Subpart ZZZZ of Part 63—Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600 and 63.6640, you must comply with the following emission limitations at 100 percent load plus or minus 10 percent for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

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

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

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
	b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O ₂	

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

[75 FR 9679, Mar. 3, 2010, as amended at 75 FR 51592, Aug. 20, 2010]

Table 1b to Subpart ZZZZ of Part 63—Operating Limitations for Existing, New, and Reconstructed SI 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600, 63.6603, 63.6630 and 63.6640, you must comply with the following operating limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
1. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and using NSCR; or existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O ₂ and using NSCR;	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 750 °F and less than or equal to 1250 °F. ¹
2. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and not using NSCR; or existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP	Comply with any operating limitations approved by the Administrator.

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

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O ₂ and not using NSCR.	

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

[78 FR 6706, Jan. 30, 2013]

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

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

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

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

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
	b. Limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbvd or less at 15 percent O ₂	

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

[75 FR 9680, Mar. 3, 2010]

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

As stated in §§ 63.6600, 63.6601, 63.6603, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions; new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions; and existing CI stationary RICE >500 HP:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
1. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and using an oxidation catalyst; and New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and using an oxidation catalyst.	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. ¹
2. Existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and using an	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of

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

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
oxidation catalyst 3. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and not using an oxidation catalyst; and New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst; and existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and not using an oxidation catalyst.	a. water from the pressure drop across the catalyst that was measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.¹ Comply with any operating limitations approved by the Administrator.

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

[78 FR 6707, Jan. 30, 2013]

Table 2c to Subpart ZZZZ of Part 63—Requirements for Existing Compression Ignition Stationary RICE Located at a Major Source of HAP Emissions and Existing Spark Ignition Stationary RICE ≤500 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600, 63.6602, and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE located at a major source of HAP emissions and existing spark ignition stationary RICE ≤500 HP located at a major source of HAP emissions

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Emergency stationary CI RICE and black start stationary CI RICE ¹	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first ². b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary ³	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. ³

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
2. Non-Emergency, non-black start stationary CI RICE <100 HP	a. Change oil and filter every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first ². b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary ³	
3. Non-Emergency, non-black start CI stationary RICE 100≤HP≤300 HP	Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent O ₂	
4. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent O ₂ ; or	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
5. Non-Emergency, non-black start stationary CI RICE >500 HP 6. Emergency stationary SI RICE and black start stationary SI RICE.¹	b. Reduce CO emissions by 70 percent or more a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent O₂; or b. Reduce CO emissions by 70 percent or more a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;² b. Inspect spark plugs every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary³	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
7. Non-Emergency, non-black start stationary SI RICE <100 HP that are not 2SLB stationary RICE	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;² b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary³	
8. Non-Emergency, non-black start 2SLB stationary SI RICE <100 HP	a. Change oil and filter every 4,320 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;² b. Inspect spark plugs every 4,320 hours of	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary ³	
9. Non-emergency, non-black start 2SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 225 ppmvd or less at 15 percent O ₂	
10. Non-emergency, non-black start 4SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd or less at 15 percent O ₂	
11. Non-emergency, non-black start 4SRB stationary RICE 100≤HP≤500	Limit concentration of formaldehyde in the stationary RICE exhaust to 10.3 ppmvd or less at 15 percent O ₂	
12. Non-emergency, non-black start stationary RICE 100≤HP≤500 which	Limit concentration of CO in the stationary RICE exhaust to 177 ppmvd or	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	less at 15 percent O ₂	

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

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

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

[89 FR 70518, Aug. 30, 2024]

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

As stated in §§ 63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
2. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O ₂ ; or b. Reduce CO emissions by 70 percent or more	
3. Non-Emergency, non-black start CI stationary RICE >500 HP	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O ₂ ; or b. Reduce CO emissions by 70 percent or more	
4. Emergency stationary CI RICE and black start stationary CI RICE. ²	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; ¹ b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
5. Emergency stationary SI RICE; black start stationary SI RICE; non-emergency, non-black start 4SLB stationary RICE >500 HP that operate 24 hours or less per calendar year; non-emergency, non-black start 4SRB stationary RICE >500 HP that operate 24 hours or less per calendar year.²	first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
6. Non-emergency, non-black start 2SLB stationary RICE	within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary a. Change oil and filter every 4,320 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
7. Non-emergency, non-black start 4SLB stationary RICE ≤500 HP	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; ¹ b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
8. Non-emergency, non-black start 4SLB remote stationary RICE >500 HP	a. Change oil and filter every 2,160 hours of operation or within 1 year + 30 days of the previous	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
9. Non-emergency, non-black start 4SLB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year 10. Non-emergency, non-black start 4SRB stationary RICE ≤500 HP	change, whichever comes first;¹ b. Inspect spark plugs every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary Install an oxidation catalyst to reduce HAP emissions from the stationary RICE a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
11. Non-emergency, non-black start 4SRB remote stationary RICE >500 HP	change, whichever comes first;¹ b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary a. Change oil and filter every 2,160 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 2,160 hours of operation or	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
12. Non-emergency, non-black start 4SRB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year 13. Non-emergency, non-black start stationary RICE which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary Install NSCR to reduce HAP emissions from the stationary RICE a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 1,440 hours of operation or	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	

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

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

[89 FR 70520, Aug. 30, 2024]

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

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

For each . . .	Complying with the requirement to . . .	You must . . .
1. New or reconstructed 2SLB stationary RICE >500 HP located at major sources; new or reconstructed 4SLB stationary RICE $\geq$ 250 HP located at major sources; and new or reconstructed CI stationary RICE >500 HP located at major sources	Reduce CO emissions and not using a CEMS	Conduct subsequent performance tests semiannually. ¹
2. 4SRB stationary RICE $\geq$ 5,000 HP located at major sources	Reduce formaldehyde emissions	Conduct subsequent performance tests semiannually. ¹
3. Stationary RICE >500 HP located at major sources and new or reconstructed 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at major sources	Limit the concentration of formaldehyde in the stationary RICE exhaust	Conduct subsequent performance tests semiannually. ¹
4. Existing non-emergency, non-black start CI stationary RICE >500 HP that are not limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours or 3 years, whichever comes first.
5. Existing non-emergency, non-black start CI stationary RICE >500 HP that are limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours or 5 years, whichever comes first.

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

[78 FR 6711, Jan. 30, 2013]

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

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

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
1. 2SLB, 4SLB, and CI stationary RICE	a. Reduce CO emissions	i. Select the sampling port location and the number/ location of traverse points at the inlet and outlet of the control device; and		(a) For CO, O ₂ , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ("3-point long line"). If the duct is >12 inches in diameter and the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at "3-point long line"; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A-4.
		ii. Measure the O ₂ at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005) ^{1 3} (heated probe not necessary)	(b) Measurements to determine O ₂ must be made at the same time as the measurements for CO concentration.

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
2. 4SRB stationary RICE	a. Reduce formaldehyde or THC emissions	iii. Measure the CO at the inlet and the outlet of the control device; and	(2) ASTM D6522-00 (Reapproved 2005) ^{1 2 3} (heated probe not necessary) or method 10 of 40 CFR part 60, appendix A-4	(c) The CO concentration must be at 15 percent O ₂ , dry basis.
		iv. Measure moisture content at the inlet and outlet of the control device as needed to determine CO and O ₂ concentrations on a dry basis	(3) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03 ^{1 3}	(d) Measurements to determine moisture content must be made at the same time and location as the measurements for CO concentration.
		i. Select the sampling port location and the number/ location of traverse points at the inlet and outlet of the control device; and		(a) For formaldehyde, THC, O ₂ , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half-diameter criterion of section 11.1.1 of

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		ii. Measure O₂ at the inlet and outlet of the control device; and iii. Measure moisture content at the inlet and outlet of the control device as needed to determine formaldehyde or THC and O₂ concentrations on a dry basis; and iv. If demonstrating compliance	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005)^{1 3} (heated probe not necessary) (2) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03^{1 3} (3) Method 320 or 323 of 40 CFR	method 1 of 40 CFR part 60, appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A. (b) Measurements to determine O₂ concentration must be made at the same time as the measurements for formaldehyde or THC concentration. (c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or THC concentration. (d) Formaldehyde concentration must be at 15 percent O₂, dry basis. Results of this test consist of the average of the

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		with the formaldehyde percent reduction requirement, measure formaldehyde at the inlet and the outlet of the control device	part 63, appendix A; or ASTM D6348-03, ^{1 3} provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130	three 1-hour or longer runs.
		v. If demonstrating compliance with the THC percent reduction requirement, measure THC at the inlet and the outlet of the control device	(4) (1) Method 25A, reported as propane, of 40 CFR part 60, appendix A-7	(e) THC concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
3. Stationary RICE	a. Limit the concentration of formaldehyde or CO in the stationary	i. Select the sampling port location and the number/ location of traverse points		(a) For formaldehyde, CO, O ₂ , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
	RICE exhaust	at the exhaust of the stationary RICE; and		points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A. If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O ₂ concentration of the stationary RICE exhaust at the sampling port location; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005) ^{1 3} (heated probe not necessary)	(b) Measurements to determine O ₂ concentration must be made at the same time and location as the measurements for formaldehyde or CO concentration.
		iii. Measure moisture content of the stationary RICE exhaust at the sampling port location as	(2) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63,	(c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or CO concentration.

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		needed to determine formaldehyde or CO and O₂ concentrations on a dry basis; and iv. Measure formaldehyde at the exhaust of the stationary RICE; or v. Measure CO at the exhaust of the stationary RICE	appendix A, or ASTM D6348-03^{1 3} (3) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348-03,^{1 3} provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130 (4) Method 10 of 40 CFR part 60, appendix A-4, ASTM D6522-00 (2005),^{1 3} method 320	(d) Formaldehyde concentration must be at 15 percent O₂, dry basis. Results of this test consist of the average of the three 1-hour or longer runs. (e) CO concentration must be at 15 percent O₂, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
			of 40 CFR part 63, appendix A, or ASTM D6348-03 ¹ ₃	

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

[88 FR 18413, Mar. 29, 2023]

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

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

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions and using oxidation catalyst, and using a CPMS	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
2. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, using oxidation catalyst, and using a CPMS	i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions and not using oxidation catalyst	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.
4. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, and not using oxidation catalyst	i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
5. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions, and using a CEMS	operating parameters (if any) during the initial performance test. i. You have installed a CEMS to continuously monitor CO and either O₂ or CO₂ at both the inlet and outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and iii. The average reduction of CO calculated using § 63.6620 equals or exceeds the required percent reduction. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved during the 4-hour period.
6. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, and using a CEMS	i. You have installed a CEMS to continuously monitor CO and either O₂ or CO₂ at the outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and iii. The average concentration of CO calculated using § 63.6620 is less than or equal to the CO emission limitation. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average concentration measured during the 4-hour period.
7. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde	i. The average reduction of emissions of formaldehyde

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
	emissions and using NSCR	determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction, or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
8. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and not using NSCR	i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.
9. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB	a. Limit the concentration of formaldehyde in the stationary	i. The average formaldehyde concentration, corrected to 15 percent O ₂ , dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
stationary RICE >500 HP located at a major source of HAP	RICE exhaust and using oxidation catalyst or NSCR	ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
10. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	i. The average formaldehyde concentration, corrected to 15 percent O₂, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.
11. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Reduce CO emissions	i. The average reduction of emissions of CO or formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction.
12. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust	i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent O ₂ , dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable.
13. Existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and	a. Install an oxidation catalyst	i. You have conducted an initial compliance demonstration as specified in § 63.6630(e) to show

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
that are operated more than 24 hours per calendar year 14. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O₂; ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1350 °F. i. You have conducted an initial compliance demonstration as specified in § 63.6630(e) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O₂, or the average reduction of emissions of THC is 30 percent or more; ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1250 °F.

[78 FR 6712, Jan. 30, 2013]

Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations, and Other Requirements

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	a. Reduce CO emissions and using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved ^a ; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
2. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE $\geq$250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	a. Reduce CO emissions and not using an oxidation catalyst, and using a CPMS	drop across the catalyst is within the operating limitation established during the performance test. i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved ^a; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or	a. Reduce CO emissions or	i. Collecting the monitoring data

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, new or reconstructed non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP	limit the concentration of CO in the stationary RICE exhaust, and using a CEMS	according to § 63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction or concentration of CO emissions according to § 63.6620; and ii. Demonstrating that the catalyst achieves the required percent reduction of CO emissions over the 4-hour averaging period, or that the emission remain at or below the CO concentration limit; and iii. Conducting an annual RATA of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
4. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and using NSCR	i. Collecting the catalyst inlet temperature data according to § 63.6625(b); and ii. Reducing these data to 4-hour rolling averages; and iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and iv. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
5. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and not using NSCR	i. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and ii. Reducing these

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
6. Non-emergency 4SRB stationary RICE with a brake HP $\geq 5,000$ located at a major source of HAP 7. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at a major source of HAP	a. Reduce formaldehyde emissions a. Limit the concentration of formaldehyde in the stationary	data to 4-hour rolling averages; and iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved, or to demonstrate that the average reduction of emissions of THC determined from the performance test is equal to or greater than 30 percent.^a i. Conducting semiannual performance tests for formaldehyde to demonstrate that your

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
	RICE exhaust and using oxidation catalyst or NSCR	emissions remain at or below the formaldehyde concentration limit ^a ; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
8. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed	a. Limit the concentration	i. Conducting semiannual
^a After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.		

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
non-emergency 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at a major source of HAP	of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit ^a ; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
9. Existing emergency and black start stationary RICE ≤ 500 HP located at a major source of HAP, existing non-emergency stationary RICE < 100 HP located at a major source of HAP, existing emergency and black start stationary RICE located at an area source of HAP, existing non-emergency stationary CI RICE ≤ 300 HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency stationary SI RICE located at an	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
area source of HAP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, existing non-emergency 4SLB and 4SRB stationary RICE ≤500 HP located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate 24 hours or less per calendar year, and existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are remote stationary RICE		instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.
10. Existing stationary CI RICE >500 HP that are not limited use stationary RICE	a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and using oxidation catalyst	i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
11. Existing stationary CI RICE >500 HP that are not limited use stationary RICE	a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust,	ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test. i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
	and not using oxidation catalyst	appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
12. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration	i. Conducting performance tests every 8,760 hours or 5 years,

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
	of CO in the stationary RICE exhaust, and using an oxidation catalyst	whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
13. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and not using an oxidation catalyst	demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test. i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
14. Existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install an oxidation catalyst	rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. i. Conducting annual compliance demonstrations as specified in § 63.6640(c) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O₂; and either ii. Collecting the catalyst inlet temperature data according to § 63.6625(b), reducing these data to 4-hour rolling averages;

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
15. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	and maintaining the 4-hour rolling averages within the limitation of greater than 450 °F and less than or equal to 1350 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1350 °F. i. Conducting annual compliance demonstrations as specified in § 63.6640(c) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O₂, or the average reduction of emissions of THC is 30 percent or more; and either

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		ii. Collecting the catalyst inlet temperature data according to § 63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than or equal to 750 °F and less than or equal to 1250 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1250 °F.

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

[78 FR 6715, Jan. 30, 2013]

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

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

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
1. Existing non-emergency, non-black start stationary RICE $100 \leq \text{HP} \leq 500$ located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE > 500 HP located at a major source of HAP; existing non-emergency 4SRB stationary RICE > 500 HP located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE > 300 HP located at an area source of HAP; new or reconstructed non-emergency stationary RICE > 500 HP located at a major source of HAP; and new or reconstructed non-emergency 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at a major source of HAP	Compliance report	a. If there are no deviations from any emission limitations or operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in § 63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), the information in § 63.6650(e); or c. If you had a malfunction during the reporting period, the information in § 63.6650(c)(4)	i. Semiannually according to the requirements in § 63.6650(b)(1)-(5) and (i) for engines that are not limited use stationary RICE subject to numerical emission limitations; and ii. Annually according to the requirements in § 63.6650(b)(6)-(9) and (i) for engines that are limited use stationary RICE subject to numerical emission limitations. i. Semiannually according to the requirements in § 63.6650(b) and (i). i. Semiannually according to the requirements in § 63.6650(b) and (i).

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

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

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.1	General applicability of the General Provisions	Yes	Additional terms defined in § 63.6675.
§ 63.2	Definitions	Yes	
§ 63.3	Units and abbreviations	Yes	
§ 63.4	Prohibited activities and circumvention	Yes	
§ 63.5	Construction and reconstruction	Yes	
§ 63.6(a)	Applicability	Yes	
§ 63.6(b)(1)-(4)	Compliance dates for new and reconstructed sources	Yes	
§ 63.6(b)(5)	Notification	Yes	
§ 63.6(b)(6)	[Reserved]		
§ 63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources	Yes	
§ 63.6(c)(1)-(2)	Compliance dates for existing sources	Yes	
§ 63.6(c)(3)-(4)	[Reserved]		
§ 63.6(c)(5)	Compliance dates for existing area sources that become major sources	Yes	
§ 63.6(d)	[Reserved]		
§ 63.6(e)	Operation and maintenance	No	
§ 63.6(f)(1)	Applicability of standards	No	
§ 63.6(f)(2)	Methods for determining compliance	Yes	
§ 63.6(f)(3)	Finding of compliance	Yes	
§ 63.6(g)(1)-(3)	Use of alternate standard	Yes	
§ 63.6(h)	Opacity and visible emission standards	No	Subpart ZZZZ does not contain opacity or visible emission standards.
§ 63.6(i)	Compliance extension procedures and criteria	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.6(j)	Presidential compliance exemption	Yes	
§ 63.7(a)(1)-(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at §§ 63.6610, 63.6611, and 63.6612.
§ 63.7(a)(3)	CAA section 114 authority	Yes	
§ 63.7(b)(1)	Notification of performance test	Yes	Except that § 63.7(b)(1) only applies as specified in § 63.6645.
§ 63.7(b)(2)	Notification of rescheduling	Yes	Except that § 63.7(b)(2) only applies as specified in § 63.6645.
§ 63.7(c)	Quality assurance/test plan	Yes	Except that § 63.7(c) only applies as specified in § 63.6645.
§ 63.7(d)	Testing facilities	Yes	
§ 63.7(e)(1)	Conditions for conducting performance tests	No	Subpart ZZZZ specifies conditions for conducting performance tests at § 63.6620.
§ 63.7(e)(2)	Conduct of performance tests and reduction of data	Yes	Subpart ZZZZ specifies test methods at § 63.6620.
§ 63.7(e)(3)	Test run duration	Yes	
§ 63.7(e)(4)	Administrator may require other testing under section 114 of the CAA	Yes	
§ 63.7(f)	Alternative test method provisions	Yes	
§ 63.7(g)	Performance test data analysis, recordkeeping, and reporting	Yes	
§ 63.7(h)	Waiver of tests	Yes	
§ 63.8(a)(1)	Applicability of monitoring requirements	Yes	Subpart ZZZZ contains specific requirements for monitoring at § 63.6625.
§ 63.8(a)(2)	Performance specifications	Yes	
§ 63.8(a)(3)	[Reserved]		
§ 63.8(a)(4)	Monitoring for control devices	No	
§ 63.8(b)(1)	Monitoring	Yes	
§ 63.8(b)(2)-(3)	Multiple effluents and multiple monitoring systems	Yes	
§ 63.8(c)(1)	Monitoring system	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
	operation and maintenance		
§ 63.8(c)(1)(i)	Routine and predictable SSM	No	
§ 63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan	Yes	
§ 63.8(c)(1)(iii)	Compliance with operation and maintenance requirements	No	
§ 63.8(c)(2)-(3)	Monitoring system installation	Yes	
§ 63.8(c)(4)	Continuous monitoring system (CMS) requirements	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§ 63.8(c)(5)	COMS minimum procedures	No	Subpart ZZZZ does not require COMS.
§ 63.8(c)(6)-(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.
§ 63.8(d)	CMS quality control	Yes	
§ 63.8(e)	CMS performance evaluation	Yes	Except for § 63.8(e)(5)(ii), which applies to COMS. Except that § 63.8(e) only applies as specified in § 63.6645.
§ 63.8(f)(1)-(5)	Alternative monitoring method	Yes	Except that § 63.8(f)(4) only applies as specified in § 63.6645.
§ 63.8(f)(6)	Alternative to relative accuracy test	Yes	Except that § 63.8(f)(6) only applies as specified in § 63.6645.
§ 63.8(g)	Data reduction	Yes	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§ 63.6635 and 63.6640.
§ 63.9(a)	Applicability and State delegation of notification requirements	Yes	
§ 63.9(b)(1)-(5)	Initial notifications	Yes	Except that § 63.9(b)(3) is reserved. Except that § 63.9(b) only applies as specified in § 63.6645.
§ 63.9(c)	Request for compliance	Yes	Except that § 63.9(c) only applies as

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.9(d)	extension Notification of special compliance requirements for new sources	Yes	specified in § 63.6645. Except that § 63.9(d) only applies as specified in § 63.6645.
§ 63.9(e)	Notification of performance test	Yes	Except that § 63.9(e) only applies as specified in § 63.6645.
§ 63.9(f)	Notification of visible emission (VE)/opacity test	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(1)	Notification of performance evaluation	Yes	Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(g)(2)	Notification of use of COMS data	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded	Yes	If alternative is in use. Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(h)(1)-(6)	Notification of compliance status	Yes	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. § 63.9(h)(4) is reserved. Except that § 63.9(h) only applies as specified in § 63.6645.
§ 63.9(i)	Adjustment of submittal deadlines	Yes	
§ 63.9(j)	Change in previous information	Yes	
§ 63.9(k)	Electronic reporting procedures	Yes	Only as specified in §§ 63.9(j), 63.6620, 63.6625, 63.6645, and 63.6650.
§ 63.10(a)	Administrative provisions for recordkeeping/reporting	Yes	
§ 63.10(b)(1)	Record retention	Yes	Except that the most recent 2 years of data do not have to be retained on site.
§ 63.10(b)(2)(i)-(v)	Records related to SSM	No	
§ 63.10(b)(2)(vi)-(xi)	Records	Yes	
§	Record when under	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
63.10(b)(2)(xii)	waiver		
§ 63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes	For CO standard if using RATA alternative.
§ 63.10(b)(2)(xiv)	Records of supporting documentation	Yes	
§ 63.10(b)(3)	Records of applicability determination	Yes	
§ 63.10(c)	Additional records for sources using CEMS	Yes	Except that § 63.10(c)(2)-(4) and (9) are reserved.
§ 63.10(d)(1)	General reporting requirements	Yes	
§ 63.10(d)(2)	Report of performance test results	Yes	
§ 63.10(d)(3)	Reporting opacity or VE observations	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.10(d)(4)	Progress reports	Yes	
§ 63.10(d)(5)	Startup, shutdown, and malfunction reports	No	
§ 63.10(e)(1) and (2)(i)	Additional CMS Reports	Yes	
§ 63.10(e)(2)(ii)	COMS-related report	No	Subpart ZZZZ does not require COMS.
§ 63.10(e)(3)	Excess emission and parameter exceedances reports	No	Excess emissions and exceedance reporting is specified in § 63.6650.
§ 63.10(e)(4)	Reporting COMS data	No	Subpart ZZZZ does not require COMS.
§ 63.10(f)	Waiver for recordkeeping/reporting	Yes	
§ 63.11	Flares	No	
§ 63.12	State authority and delegations	Yes	
§ 63.13	Addresses	Yes	
§ 63.14	Incorporation by reference	Yes	
§ 63.15	Availability of information	Yes	

[89 FR 70522, Aug. 30, 2024]

Appendix A to Subpart ZZZZ of Part 63—Protocol for Using an Electrochemical Analyzer to Determine Oxygen and Carbon Monoxide Concentrations From Certain Engines

1.0 Scope and Application. What is this Protocol?

This protocol is a procedure for using portable electrochemical (EC) cells for measuring carbon monoxide (CO) and oxygen (O₂) concentrations in controlled and uncontrolled emissions from existing stationary 4-stroke lean burn and 4-stroke rich burn reciprocating internal combustion engines as specified in the applicable rule.

1.1 Analytes. What does this protocol determine?

This protocol measures the engine exhaust gas concentrations of carbon monoxide (CO) and oxygen (O₂).

Analyte	CAS No.	Sensitivity
Carbon monoxide (CO)	630-08-0	Minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.
Oxygen (O ₂)	7782-44-7	

1.2 Applicability. When is this protocol acceptable?

This protocol is applicable to 40 CFR part 63, subpart ZZZZ. Because of inherent cross sensitivities of EC cells, you must not apply this protocol to other emissions sources without specific instruction to that effect.

1.3 Data Quality Objectives. How good must my collected data be?

Refer to Section 13 to verify and document acceptable analyzer performance.

1.4 Range. What is the targeted analytical range for this protocol?

The measurement system and EC cell design(s) conforming to this protocol will determine the analytical range for each gas component. The nominal ranges are defined by choosing up-scale calibration gas concentrations near the maximum anticipated flue gas concentrations for CO and O₂, or no more than twice the permitted CO level.

1.5 Sensitivity. What minimum detectable limit will this protocol yield for a particular gas component?

The minimum detectable limit depends on the nominal range and resolution of the specific EC cell used, and the signal to noise ratio of the measurement system. The minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.

2.0 Summary of Protocol

In this protocol, a gas sample is extracted from an engine exhaust system and then conveyed to a portable EC analyzer for measurement of CO and O₂ gas concentrations. This method provides measurement system performance specifications and sampling protocols to ensure reliable data. You may use additions to, or modifications of vendor supplied measurement systems (e.g., heated or unheated sample lines, thermocouples, flow meters, selective gas scrubbers, etc.) to meet the design specifications of this protocol. Do not make changes to the measurement system from the as-verified configuration (Section 3.12).

3.0 Definitions

- 3.1 Measurement System.** The total equipment required for the measurement of CO and O₂ concentrations. The measurement system consists of the following major subsystems:
- 3.1.1 Data Recorder.** A strip chart recorder, computer or digital recorder for logging measurement data from the analyzer output. You may record measurement data from the digital data display manually or electronically.
 - 3.1.2 Electrochemical (EC) Cell.** A device, similar to a fuel cell, used to sense the presence of a specific analyte and generate an electrical current output proportional to the analyte concentration.
 - 3.1.3 Interference Gas Scrubber.** A device used to remove or neutralize chemical compounds that may interfere with the selective operation of an EC cell.
 - 3.1.4 Moisture Removal System.** Any device used to reduce the concentration of moisture in the sample stream so as to protect the EC cells from the damaging effects of condensation and to minimize errors in measurements caused by the scrubbing of soluble gases.
 - 3.1.5 Sample Interface.** The portion of the system used for one or more of the following: sample acquisition; sample transport; sample conditioning or protection of the EC cell from any degrading effects of the engine exhaust effluent; removal of particulate matter and condensed moisture.
- 3.2 Nominal Range.** The range of analyte concentrations over which each EC cell is operated (normally 25 percent to 150 percent of up-scale calibration gas value). Several nominal ranges can be used for any given cell so long as the calibration and repeatability checks for that range remain within specifications.
- 3.3 Calibration Gas.** A vendor certified concentration of a specific analyte in an appropriate balance gas.
- 3.4 Zero Calibration Error.** The analyte concentration output exhibited by the EC cell in response to zero-level calibration gas.
- 3.5 Up-Scale Calibration Error.** The mean of the difference between the analyte concentration exhibited by the EC cell and the certified concentration of the up-scale calibration gas.

- 3.6 Interference Check.** A procedure for quantifying analytical interference from components in the engine exhaust gas other than the targeted analytes.
- 3.7 Repeatability Check.** A protocol for demonstrating that an EC cell operated over a given nominal analyte concentration range provides a stable and consistent response and is not significantly affected by repeated exposure to that gas.
- 3.8 Sample Flow Rate.** The flow rate of the gas sample as it passes through the EC cell. In some situations, EC cells can experience drift with changes in flow rate. The flow rate must be monitored and documented during all phases of a sampling run.
- 3.9 Sampling Run.** A timed three-phase event whereby an EC cell's response rises and plateaus in a sample conditioning phase, remains relatively constant during a measurement data phase, then declines during a refresh phase. The sample conditioning phase exposes the EC cell to the gas sample for a length of time sufficient to reach a constant response. The measurement data phase is the time interval during which gas sample measurements can be made that meet the acceptance criteria of this protocol. The refresh phase then purges the EC cells with CO-free air. The refresh phase replenishes requisite O₂ and moisture in the electrolyte reserve and provides a mechanism to de-gas or desorb any interference gas scrubbers or filters so as to enable a stable CO EC cell response. There are four primary types of sampling runs: pre-sampling calibrations; stack gas sampling; post-sampling calibration checks; and measurement system repeatability checks. Stack gas sampling runs can be chained together for extended evaluations, providing all other procedural specifications are met.
- 3.10 Sampling Day.** A time not to exceed twelve hours from the time of the pre-sampling calibration to the post-sampling calibration check. During this time, stack gas sampling runs can be repeated without repeated recalibrations, providing all other sampling specifications have been met.
- 3.11 Pre-Sampling Calibration/Post-Sampling Calibration Check.** The protocols executed at the beginning and end of each sampling day to bracket measurement readings with controlled performance checks.
- 3.12 Performance-Established Configuration.** The EC cell and sampling system configuration that existed at the time that it initially met the performance requirements of this protocol.

4.0 Interferences.

When present in sufficient concentrations, NO and NO₂ are two gas species that have been reported to interfere with CO concentration measurements. In the likelihood of this occurrence, it is the protocol user's responsibility to employ and properly maintain an appropriate CO EC cell filter or scrubber for removal of these gases, as described in Section 6.2.12.

5.0 Safety. [Reserved]

6.0 Equipment and Supplies.

6.1 What equipment do I need for the measurement system?

The system must maintain the gas sample at conditions that will prevent moisture condensation in the sample transport lines, both before and as the sample gas contacts the EC cells. The essential components of the measurement system are described below.

6.2 Measurement System Components.

- 6.2.1 Sample Probe.** A single extraction-point probe constructed of glass, stainless steel or other non-reactive material, and of length sufficient to reach any designated sampling point. The sample probe must be designed to prevent plugging due to condensation or particulate matter.
- 6.2.2 Sample Line.** Non-reactive tubing to transport the effluent from the sample probe to the EC cell.
- 6.2.3 Calibration Assembly (optional).** A three-way valve assembly or equivalent to introduce calibration gases at ambient pressure at the exit end of the sample probe during calibration checks. The assembly must be designed such that only stack gas or calibration gas flows in the sample line and all gases flow through any gas path filters.
- 6.2.4 Particulate Filter (optional).** Filters before the inlet of the EC cell to prevent accumulation of particulate material in the measurement system and extend the useful life of the components. All filters must be fabricated of materials that are non-reactive to the gas mixtures being sampled.
- 6.2.5 Sample Pump.** A leak-free pump to provide undiluted sample gas to the system at a flow rate sufficient to minimize the response time of the measurement system. If located upstream of the EC cells, the pump must be constructed of a material that is non-reactive to the gas mixtures being sampled.
- 6.2.8 Sample Flow Rate Monitoring.** An adjustable rotameter or equivalent device used to adjust and maintain the sample flow rate through the analyzer as prescribed.
- 6.2.9 Sample Gas Manifold (optional).** A manifold to divert a portion of the sample gas stream to the analyzer and the remainder to a by-pass discharge vent. The sample gas manifold may also include provisions for introducing calibration gases directly to the analyzer. The manifold must be constructed of a material that is non-reactive to the gas mixtures being sampled.
- 6.2.10 EC cell.** A device containing one or more EC cells to determine the CO and O₂ concentrations in the sample gas stream. The EC cell(s) must meet the applicable performance specifications of Section 13 of this protocol.
- 6.2.11 Data Recorder.** A strip chart recorder, computer or digital recorder to make a record of analyzer output data. The data recorder resolution (i.e., readability) must be no greater than 1 ppm for CO; 0.1 percent for O₂; and one degree (either °C or °F) for temperature. Alternatively, you may use a digital or analog meter having the same resolution to observe and manually record the analyzer responses.
- 6.2.12 Interference Gas Filter or Scrubber.** A device to remove interfering compounds upstream of the CO EC cell. Specific interference gas filters or scrubbers used in the performance-established configuration of the analyzer must continue to be used. Such a filter or scrubber must have a means to determine when the removal agent is exhausted. Periodically replace or replenish it in accordance with the manufacturer's recommendations.

7.0 Reagents and Standards. What calibration gases are needed?

- 7.1 Calibration Gases.** CO calibration gases for the EC cell must be CO in nitrogen or CO in a mixture of nitrogen and O₂. Use CO calibration gases with labeled concentration values certified by the manufacturer to be within ± 5 percent of the label value. Dry ambient air (20.9 percent O₂) is acceptable for calibration of the O₂ cell. If needed, any lower percentage O₂ calibration gas must be a mixture of O₂ in nitrogen.
- 7.1.1 Up-Scale CO Calibration Gas Concentration.** Choose one or more up-scale gas concentrations such that the average of the stack gas measurements for each stack gas sampling run are between 25 and 150 percent of those concentrations. Alternatively, choose an up-scale gas that does not exceed twice the concentration of the applicable outlet standard. If a measured gas value exceeds 150 percent of the up-scale CO calibration gas value at any time during the stack gas sampling run, the run must be discarded and repeated.
- 7.1.2 Up-Scale O₂ Calibration Gas Concentration.**
- Select an O₂ gas concentration such that the difference between the gas concentration and the average stack gas measurement or reading for each sample run is less than 15 percent O₂. When the average exhaust gas O₂ readings are above 6 percent, you may use dry ambient air (20.9 percent O₂) for the up-scale O₂ calibration gas.
- 7.1.3 Zero Gas.** Use an inert gas that contains less than 0.25 percent of the up-scale CO calibration gas concentration. You may use dry air that is free from ambient CO and other combustion gas products (e.g., CO₂).

8.0 Sample Collection and Analysis

- 8.1 Selection of Sampling Sites.**
- 8.1.1 Control Device Inlet.** Select a sampling site sufficiently downstream of the engine so that the combustion gases should be well mixed. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.
- 8.1.2 Exhaust Gas Outlet.** Select a sampling site located at least two stack diameters downstream of any disturbance (e.g., turbocharger exhaust, crossover junction or recirculation take-off) and at least one-half stack diameter upstream of the gas discharge to the atmosphere. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.
- 8.2 Stack Gas Collection and Analysis.** Prior to the first stack gas sampling run, conduct that the pre-sampling calibration in accordance with Section 10.1. Use Figure 1 to record all data. Zero the analyzer with zero gas. Confirm and record that the scrubber media color is correct and not exhausted. Then position the probe at the sampling point and begin the sampling run at the same flow rate used during the up-scale calibration. Record the start time. Record all EC cell output responses and the flow rate during the "sample conditioning phase" once per minute until constant readings are obtained. Then begin the "measurement data phase" and record readings every 15 seconds for at least two minutes (or eight readings), or as otherwise required to achieve two continuous minutes of data that meet the specification given in Section 13.1. Finally, perform the

"refresh phase" by introducing dry air, free from CO and other combustion gases, until several minute-to-minute readings of consistent value have been obtained. For each run use the "measurement data phase" readings to calculate the average stack gas CO and O₂ concentrations.

- 8.3 EC Cell Rate.** Maintain the EC cell sample flow rate so that it does not vary by more than ± 10 percent throughout the pre-sampling calibration, stack gas sampling and post-sampling calibration check. Alternatively, the EC cell sample flow rate can be maintained within a tolerance range that does not affect the gas concentration readings by more than ± 3 percent, as instructed by the EC cell manufacturer.

9.0 Quality Control (Reserved)

10.0 Calibration and Standardization

- 10.1 Pre-Sampling Calibration.** Conduct the following protocol once for each nominal range to be used on each EC cell before performing a stack gas sampling run on each field sampling day. Repeat the calibration if you replace an EC cell before completing all of the sampling runs. There is no prescribed order for calibration of the EC cells; however, each cell must complete the measurement data phase during calibration. Assemble the measurement system by following the manufacturer's recommended protocols including for preparing and preconditioning the EC cell. Assure the measurement system has no leaks and verify the gas scrubbing agent is not depleted. Use Figure 1 to record all data.

- 10.1.1 Zero Calibration.** For both the O₂ and CO cells, introduce zero gas to the measurement system (e.g., at the calibration assembly) and record the concentration reading every minute until readings are constant for at least two consecutive minutes. Include the time and sample flow rate. Repeat the steps in this section at least once to verify the zero calibration for each component gas.

- 10.1.2 Zero Calibration Tolerance.** For each zero gas introduction, the zero level output must be less than or equal to ± 3 percent of the up-scale gas value or ± 1 ppm, whichever is less restrictive, for the CO channel and less than or equal to ± 0.3 percent O₂ for the O₂ channel.

- 10.1.3 Up-Scale Calibration.** Individually introduce each calibration gas to the measurement system (e.g., at the calibration assembly) and record the start time. Record all EC cell output responses and the flow rate during this "sample conditioning phase" once per minute until readings are constant for at least two minutes. Then begin the "measurement data phase" and record readings every 15 seconds for a total of two minutes, or as otherwise required. Finally, perform the "refresh phase" by introducing dry air, free from CO and other combustion gases, until readings are constant for at least two consecutive minutes. Then repeat the steps in this section at least once to verify the calibration for each component gas. Introduce all gases to flow through the entire sample handling system (i.e., at the exit end of the sampling probe or the calibration assembly).

- 10.1.4 Up-Scale Calibration Error.** The mean of the difference of the "measurement data phase" readings from the reported standard gas value must be less than or equal to ± 5 percent or ± 1 ppm for CO or ± 0.5 percent O₂, whichever is less restrictive, respectively. The maximum allowable deviation from the mean measured value of any single "measurement data phase" reading must be less than or equal to ± 2 percent or ± 1 ppm for CO or ± 0.5 percent O₂, whichever is less restrictive, respectively.

- 10.2 Post-Sampling Calibration Check.** Conduct a stack gas post-sampling calibration check after the stack gas sampling run or set of runs and within 12 hours of the initial calibration. Conduct up-scale and zero calibration checks using the protocol in Section 10.1. Make no changes to the sampling system or EC cell calibration until all post-sampling calibration checks have been recorded. If either the zero or up-scale calibration error exceeds the respective specification in Sections 10.1.2 and 10.1.4 then all measurement data collected since the previous successful calibrations are invalid and re-calibration and re-sampling are required. If the sampling system is disassembled or the EC cell calibration is adjusted, repeat the calibration check before conducting the next analyzer sampling run.

11.0 Analytical Procedure

The analytical procedure is fully discussed in Section 8.

12.0 Calculations and Data Analysis

Determine the CO and O₂ concentrations for each stack gas sampling run by calculating the mean gas concentrations of the data recorded during the “measurement data phase”.

13.0 Protocol Performance

Use the following protocols to verify consistent analyzer performance during each field sampling day.

- 13.1 Measurement Data Phase Performance Check.** Calculate the mean of the readings from the “measurement data phase”. The maximum allowable deviation from the mean for each of the individual readings is ± 2 percent, or ± 1 ppm, whichever is less restrictive. Record the mean value and maximum deviation for each gas monitored. Data must conform to Section 10.1.4. The EC cell flow rate must conform to the specification in Section 8.3.

Example: A measurement data phase is invalid if the maximum deviation of any single reading comprising that mean is greater than ± 2 percent or ± 1 ppm (the default criteria). For example, if the mean = 30 ppm, single readings of below 29 ppm and above 31 ppm are disallowed).

- 13.2 Interference Check.** Before the initial use of the EC cell and interference gas scrubber in the field, and semi-annually thereafter, challenge the interference gas scrubber with NO and NO₂ gas standards that are generally recognized as representative of diesel-fueled engine NO and NO₂ emission values. Record the responses displayed by the CO EC cell and other pertinent data on Figure 1 or a similar form.

13.2.1 Interference Response. The combined NO and NO₂ interference response should be less than or equal to ± 5 percent of the up-scale CO calibration gas concentration.

- 13.3 Repeatability Check.** Conduct the following check once for each nominal range that is to be used on the CO EC cell within 5 days prior to each field sampling program. If a field sampling program lasts longer than 5 days, repeat this check every 5 days. Immediately repeat the check if the EC cell is replaced or if the EC cell is exposed to gas concentrations greater than 150 percent of the highest up-scale gas concentration.

- 13.3.1 **Repeatability Check Procedure.** Perform a complete EC cell sampling run (all three phases) by introducing the CO calibration gas to the measurement system and record the response. Follow Section 10.1.3. Use Figure 1 to record all data. Repeat the run three times for a total of four complete runs. During the four repeatability check runs, do not adjust the system except where necessary to achieve the correct calibration gas flow rate at the analyzer.
- 13.3.2 **Repeatability Check Calculations.** Determine the highest and lowest average “measurement data phase” CO concentrations from the four repeatability check runs and record the results on Figure 1 or a similar form. The absolute value of the difference between the maximum and minimum average values recorded must not vary more than ±3 percent or ±1 ppm of the up-scale gas value, whichever is less restrictive.

14.0 Pollution Prevention (Reserved)

15.0 Waste Management (Reserved)

16.0 Alternative Procedures (Reserved)

17.0 References

- (1) *“Development of an Electrochemical Cell Emission Analyzer Test Protocol”* , Topical Report, Phil Juneau, Emission Monitoring, Inc., July 1997.
- (2) *“Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Emissions from Natural Gas-Fired Engines, Boilers, and Process Heaters Using Portable Analyzers”* , EMC Conditional Test Protocol 30 (CTM-30), Gas Research Institute Protocol GRI-96/0008, Revision 7, October 13, 1997.
- (3) *“ICAC Test Protocol for Periodic Monitoring”* , EMC Conditional Test Protocol 34 (CTM-034), The Institute of Clean Air Companies, September 8, 1999.
- (4) *“Code of Federal Regulations”* , Protection of Environment, 40 CFR, Part 60, Appendix A, Methods 1-4; 10.

TABLE 1: APPENDIX A—SAMPLING RUN DATA.

	Facility_____	Engine I.D._____	Date_____	
Run	(-)	(-)	(-)	(-)
Type:				
(X)	Pre-Sample Calibration	Stack Gas Sample	Post-Sample Cal. Check	Repeatability Check

Run #	1	1	2	2	3	3	4	4	Time	Scrub. OK	Flow- Rate
Gas	O ₂	CO	O ₂	CO	O ₂	CO	O ₂	CO			
Sample Cond. Phase											
"											
"											
"											
Measurement Data Phase											
"											
"											
"											
"											
"											
"											
"											
Mean Refresh Phase											
"											
"											
"											
"											

[78 FR 6721, Jan. 30, 2013]

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

Title 40 —Protection of Environment

Chapter I —Environmental Protection Agency

Subchapter C —Air Programs

Part 63 —National Emission Standards for Hazardous Air Pollutants for Source Categories

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

Source: 57 FR 61992, Dec. 29, 1992, unless otherwise noted.

Subpart A General Provisions

- § 63.1 Applicability.
- § 63.2 Definitions.
- § 63.3 Units and abbreviations.
- § 63.4 Prohibited activities and circumvention.
- § 63.5 Preconstruction review and notification requirements.
- § 63.6 Compliance with standards and maintenance requirements.
- § 63.7 Performance testing requirements.
- § 63.8 Monitoring requirements.
- § 63.9 Notification requirements.
- § 63.10 Recordkeeping and reporting requirements.
- § 63.11 Control device and work practice requirements.
- § 63.12 State authority and delegations.
- § 63.13 Addresses of State air pollution control agencies and EPA Regional Offices.
- § 63.14 Incorporations by reference.
- § 63.15 Availability of information and confidentiality.
- § 63.16 Performance Track Provisions.

Table 1 to Subpart A of Part 63

Detection Sensitivity Levels (grams per hour)

Subpart A—General Provisions

Source: 59 FR 12430, Mar. 16, 1994, unless otherwise noted.

§ 63.1 Applicability.

(a) General.

- (1) Terms used throughout this part are defined in § 63.2 or in the Clean Air Act (Act) as amended in 1990, except that individual subparts of this part may include specific definitions in addition to or that supersede definitions in § 63.2.

- (2) This part contains national emission standards for hazardous air pollutants (NESHAP) established pursuant to section 112 of the Act as amended November 15, 1990. These standards regulate specific categories of stationary sources that emit (or have the potential to emit) one or more hazardous air pollutants listed in this part pursuant to section 112(b) of the Act. This section explains the applicability of such standards to sources affected by them. The standards in this part are independent of NESHAP contained in 40 CFR part 61. The NESHAP in part 61 promulgated by signature of the Administrator before November 15, 1990 (i.e., the date of enactment of the Clean Air Act Amendments of 1990) remain in effect until they are amended, if appropriate, and added to this part.
- (3) No emission standard or other requirement established under this part shall be interpreted, construed, or applied to diminish or replace the requirements of a more stringent emission limitation or other applicable requirement established by the Administrator pursuant to other authority of the Act (section 111, part C or D or any other authority of this Act), or a standard issued under State authority. The Administrator may specify in a specific standard under this part that facilities subject to other provisions under the Act need only comply with the provisions of that standard.
- (4)
 - (i) Each relevant standard in this part 63 must identify explicitly whether each provision in this subpart A is or is not included in such relevant standard.
 - (ii) If a relevant part 63 standard incorporates the requirements of 40 CFR part 60, part 61 or other part 63 standards, the relevant part 63 standard must identify explicitly the applicability of each corresponding part 60, part 61, or other part 63 subpart A (General) provision.
 - (iii) The General Provisions in this subpart A do not apply to regulations developed pursuant to section 112(r) of the amended Act, unless otherwise specified in those regulations.
- (5) [Reserved]
- (6) To obtain the most current list of categories of sources to be regulated under section 112 of the Act, or to obtain the most recent regulation promulgation schedule established pursuant to section 112(e) of the Act, contact the Office of the Director, Emission Standards Division, Office of Air Quality Planning and Standards, U.S. EPA (MD-13), Research Triangle Park, North Carolina 27711.
- (7)-(9) [Reserved]
- (10) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.
- (11) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, test plan, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.

- (12) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in § 63.9(i).

(b) Initial applicability determination for this part.

- (1) The provisions of this part apply to the owner or operator of any stationary source that—
 - (i) Emits or has the potential to emit any hazardous air pollutant listed in or pursuant to section 112(b) of the Act; and
 - (ii) Is subject to any standard, limitation, prohibition, or other federally enforceable requirement established pursuant to this part.
- (2) [Reserved]
- (3) An owner or operator of a stationary source who is in the relevant source category and who determines that the source is not subject to a relevant standard or other requirement established under this part must keep a record as specified in § 63.10(b)(3).

(c) Applicability of this part after a relevant standard has been set under this part.

- (1) If a relevant standard has been established under this part, the owner or operator of an affected source must comply with the provisions of that standard and of this subpart as provided in paragraph (a)(4) of this section.
- (2) Except as provided in § 63.10(b)(3), if a relevant standard has been established under this part, the owner or operator of an affected source may be required to obtain a title V permit from a permitting authority in the State in which the source is located. Emission standards promulgated in this part for area sources pursuant to section 112(c)(3) of the Act will specify whether—
 - (i) States will have the option to exclude area sources affected by that standard from the requirement to obtain a title V permit (i.e., the standard will exempt the category of area sources altogether from the permitting requirement);
 - (ii) States will have the option to defer permitting of area sources in that category until the Administrator takes rulemaking action to determine applicability of the permitting requirements; or
 - (iii) If a standard fails to specify what the permitting requirements will be for area sources affected by such a standard, then area sources that are subject to the standard will be subject to the requirement to obtain a title V permit without any deferral.
- (3)-(4) [Reserved]
- (5) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source that is subject to the emission standard or other requirement, such source also shall be subject to the notification requirements of this subpart.

- (6) A major source may become an area source at any time upon reducing its emissions of and potential to emit hazardous air pollutants, as defined in this subpart, to below the major source thresholds established in § 63.2, subject to the provisions in paragraphs (c)(6)(i) and (ii) of this section.
 - (i) A major source reclassifying to area source status is subject to the applicability of standards, compliance dates and notification requirements specified in (c)(6)(i)(A) of this section. An area source that previously was a major source and becomes a major source again is subject to the applicability of standards, compliance dates, and notification requirements specified in (c)(6)(i)(B) of this section:
 - (A) A major source reclassifying to area source status under this part remains subject to any applicable major source requirements established under this part until the reclassification becomes effective. After the reclassification becomes effective, the source is subject to any applicable area source requirements established under this part immediately, provided the compliance date for the area source requirements has passed. The owner or operator of a major source that becomes an area source subject to newly applicable area source requirements under this part must comply with the initial notification requirements pursuant to § 63.9(b). The owner or operator of a major source that becomes an area source must also provide to the Administrator any change in the information already provided under § 63.9(b) per § 63.9(j).
 - (B) An area source that previously was a major source under this part and that becomes a major source again is subject to the applicable major source requirements established under this part immediately upon becoming a major source again, provided the compliance date for the major source requirements has passed, notwithstanding any provision within the applicable subparts. The owner or operator of an area source that becomes a major source again must comply with the initial notification pursuant to § 63.9(b). The owner or operator must also provide to the Administrator any change in the information already provided under § 63.9(b) per § 63.9(j).
 - (ii) Becoming an area source does not absolve a source subject to an enforcement action or investigation for major source violations or infractions from the consequences of any actions occurring when the source was major. Becoming a major source does not absolve a source subject to an enforcement action or investigation for area source violations or infractions from the consequences of any actions occurring when the source was an area source.
 - (iii) After September 10, 2024, affected sources subject to the following 40 CFR part 63 subparts on September 10, 2024, must remain subject to those subparts, and any modifications thereafter, even if the source becomes an area source by reducing both its actual emissions and potential to emit hazardous air pollutants to below major source thresholds: F, G, H, I, L, R, X, CC, GG, II, JJ, KK, LL, MM, EEE, JJJ, LLL, MMM, RRR, UUU, FFFF, JJJJ, MMMM, PPPP, ZZZZ, CCCCC, DDDDD, FFFFF, IIIII, LLLLL, YYYYY, JJJJJ, EEEEE.
- (d) [Reserved]
- (e) If the Administrator promulgates an emission standard under section 112(d) or (h) of the Act that is applicable to a source subject to an emission limitation by permit established under section 112(j) of the Act, and the requirements under the section 112(j) emission limitation are substantially as effective as the promulgated emission standard, the owner or operator may request the permitting authority to revise the source's title V permit to reflect that the emission limitation in the permit satisfies the requirements of the promulgated emission standard. The process by which the permitting authority determines whether the

section 112(j) emission limitation is substantially as effective as the promulgated emission standard must include, consistent with part 70 or 71 of this chapter, the opportunity for full public, EPA, and affected State review (including the opportunity for EPA's objection) prior to the permit revision being finalized. A negative determination by the permitting authority constitutes final action for purposes of review and appeal under the applicable title V operating permit program.

[59 FR 12430, Mar. 16, 1994, as amended at 67 FR 16595, Apr. 5, 2002; 85 FR 73885, Nov. 19, 2020; 89 FR 73307, Sept. 10, 2024; 90 FR 1041, Jan. 7, 2025]

§ 63.2 Definitions.

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 *et seq.*, as amended by Pub. L. 101-549, 104 Stat. 2399).

Actual emissions is defined in subpart D of this part for the purpose of granting a compliance extension for an early reduction of hazardous air pollutants.

Administrator means the Administrator of the United States Environmental Protection Agency or his or her authorized representative (e.g., a State that has been delegated the authority to implement the provisions of this part).

Affected source, for the purposes of this part, means the collection of equipment, activities, or both within a single contiguous area and under common control that is included in a section 112(c) source category or subcategory for which a section 112(d) standard or other relevant standard is established pursuant to section 112 of the Act. Each relevant standard will define the "affected source," as defined in this paragraph unless a different definition is warranted based on a published justification as to why this definition would result in significant administrative, practical, or implementation problems and why the different definition would resolve those problems. The term "affected source," as used in this part, is separate and distinct from any other use of that term in EPA regulations such as those implementing title IV of the Act. Affected source may be defined differently for part 63 than affected facility and stationary source in parts 60 and 61, respectively. This definition of "affected source," and the procedures for adopting an alternative definition of "affected source," shall apply to each section 112(d) standard for which the initial proposed rule is signed by the Administrator after June 30, 2002.

Alternative emission limitation means conditions established pursuant to sections 112(i)(5) or 112(i)(6) of the Act by the Administrator or by a State with an approved permit program.

Alternative emission standard means an alternative means of emission limitation that, after notice and opportunity for public comment, has been demonstrated by an owner or operator to the Administrator's satisfaction to achieve a reduction in emissions of any air pollutant at least equivalent to the reduction in emissions of such pollutant achieved under a relevant design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act.

Alternative test method means any method of sampling and analyzing for an air pollutant that has been demonstrated to the Administrator's satisfaction, using Method 301 in appendix A of this part, to produce results adequate for the Administrator's determination that it may be used in place of a test method specified in this part.

Approved permit program means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to title V of the Act (42 U.S.C. 7661).

Area source means any stationary source of hazardous air pollutants that is not a major source as defined in this part.

Commenced means, with respect to construction or reconstruction of an affected source, that an owner or operator has undertaken a continuous program of construction or reconstruction or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or reconstruction.

Compliance date means the date by which an affected source is required to be in compliance with a relevant standard, limitation, prohibition, or any federally enforceable requirement established by the Administrator (or a State with an approved permit program) pursuant to section 112 of the Act.

Compliance schedule means:

- (1) In the case of an affected source that is in compliance with all applicable requirements established under this part, a statement that the source will continue to comply with such requirements; or
- (2) In the case of an affected source that is required to comply with applicable requirements by a future date, a statement that the source will meet such requirements on a timely basis and, if required by an applicable requirement, a detailed schedule of the dates by which each step toward compliance will be reached; or
- (3) In the case of an affected source not in compliance with all applicable requirements established under this part, a schedule of remedial measures, including an enforceable sequence of actions or operations with milestones and a schedule for the submission of certified progress reports, where applicable, leading to compliance with a relevant standard, limitation, prohibition, or any federally enforceable requirement established pursuant to section 112 of the Act for which the affected source is not in compliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.

Construction means the on-site fabrication, erection, or installation of an affected source. Construction does not include the removal of all equipment comprising an affected source from an existing location and reinstallation of such equipment at a new location. The owner or operator of an existing affected source that is relocated may elect not to reinstall minor ancillary equipment including, but not limited to, piping, ductwork, and valves. However, removal and reinstallation of an affected source will be construed as reconstruction if it satisfies the criteria for reconstruction as defined in this section. The costs of replacing minor ancillary equipment must be considered in determining whether the existing affected source is reconstructed.

Continuous emission monitoring system (CEMS) means the total equipment that may be required to meet the data acquisition and availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of emissions.

Continuous monitoring system (CMS) is a comprehensive term that may include, but is not limited to, continuous emission monitoring systems, continuous opacity monitoring systems, continuous parameter monitoring systems, or other manual or automatic monitoring that is used for demonstrating compliance with an applicable regulation on a continuous basis as defined by the regulation.

Continuous opacity monitoring system (COMS) means a continuous monitoring system that measures the opacity of emissions.

Continuous parameter monitoring system means the total equipment that may be required to meet the data acquisition and availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of process or control system parameters.

Effective date means:

- (1) With regard to an emission standard established under this part, the date of promulgation in the FEDERAL REGISTER of such standard; or
- (2) With regard to an alternative emission limitation or equivalent emission limitation determined by the Administrator (or a State with an approved permit program), the date that the alternative emission limitation or equivalent emission limitation becomes effective according to the provisions of this part.

Emission standard means a national standard, limitation, prohibition, or other regulation promulgated in a subpart of this part pursuant to sections 112(d), 112(h), or 112(f) of the Act.

Emissions averaging is a way to comply with the emission limitations specified in a relevant standard, whereby an affected source, if allowed under a subpart of this part, may create emission credits by reducing emissions from specific points to a level below that required by the relevant standard, and those credits are used to offset emissions from points that are not controlled to the level required by the relevant standard.

EPA means the United States Environmental Protection Agency.

Equivalent emission limitation means any maximum achievable control technology emission limitation or requirements which are applicable to a major source of hazardous air pollutants and are adopted by the Administrator (or a State with an approved permit program) on a case-by-case basis, pursuant to section 112(g) or (j) of the Act.

Excess emissions and continuous monitoring system performance report is a report that must be submitted periodically by an affected source in order to provide data on its compliance with relevant emission limits, operating parameters, and the performance of its continuous parameter monitoring systems.

Existing source means any affected source that is not a new source.

Federally enforceable means all limitations and conditions that are enforceable by the Administrator and citizens under the Act or that are enforceable under other statutes administered by the Administrator. Examples of federally enforceable limitations and conditions include, but are not limited to:

- (1) Emission standards, alternative emission standards, alternative emission limitations, and equivalent emission limitations established pursuant to section 112 of the Act as amended in 1990;
- (2) New source performance standards established pursuant to section 111 of the Act, and emission standards established pursuant to section 112 of the Act before it was amended in 1990;

- (3) All terms and conditions in a title V permit, including any provisions that limit a source's potential to emit, unless expressly designated as not federally enforceable;
- (4) Limitations and conditions that are part of an approved State Implementation Plan (SIP) or a Federal Implementation Plan (FIP);
- (5) Limitations and conditions that are part of a Federal construction permit issued under 40 CFR 52.21 or any construction permit issued under regulations approved by the EPA in accordance with 40 CFR part 51;
- (6) Limitations and conditions that are part of an operating permit where the permit and the permitting program pursuant to which it was issued meet all of the following criteria:
 - (i) The operating permit program has been submitted to and approved by EPA into a State implementation plan (SIP) under section 110 of the CAA;
 - (ii) The SIP imposes a legal obligation that operating permit holders adhere to the terms and limitations of such permits and provides that permits which do not conform to the operating permit program requirements and the requirements of EPA's underlying regulations may be deemed not "federally enforceable" by EPA;
 - (iii) The operating permit program requires that all emission limitations, controls, and other requirements imposed by such permits will be at least as stringent as any other applicable limitations and requirements contained in the SIP or enforceable under the SIP, and that the program may not issue permits that waive, or make less stringent, any limitations or requirements contained in or issued pursuant to the SIP, or that are otherwise "federally enforceable";
 - (iv) The limitations, controls, and requirements in the permit in question are permanent, quantifiable, and otherwise enforceable as a practical matter; and
 - (v) The permit in question was issued only after adequate and timely notice and opportunity for comment for EPA and the public.
- (7) Limitations and conditions in a State rule or program that has been approved by the EPA under subpart E of this part for the purposes of implementing and enforcing section 112; and
- (8) Individual consent agreements that the EPA has legal authority to create.

Fixed capital cost means the capital needed to provide all the depreciable components of an existing source.

Force majeure means, for purposes of § 63.7, an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents the owner or operator from complying with the regulatory requirement to conduct performance tests within the specified timeframe despite the affected facility's best efforts to fulfill the obligation. Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility.

Fugitive emissions means those emissions from a stationary source that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening. Under section 112 of the Act, all fugitive emissions are to be considered in determining whether a stationary source is a major source.

Hazardous air pollutant means any air pollutant listed in or pursuant to section 112(b) of the Act.

Issuance of a part 70 permit will occur, if the State is the permitting authority, in accordance with the requirements of part 70 of this chapter and the applicable, approved State permit program. When the EPA is the permitting authority, issuance of a title V permit occurs immediately after the EPA takes final action on the final permit.

Major source means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless the Administrator establishes a lesser quantity, or in the case of radionuclides, different criteria from those specified in this sentence.

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

Monitoring means the collection and use of measurement data or other information to control the operation of a process or pollution control device or to verify a work practice standard relative to assuring compliance with applicable requirements. Monitoring is composed of four elements:

- (1) Indicator(s) of performance—the parameter or parameters you measure or observe for demonstrating proper operation of the pollution control measures or compliance with the applicable emissions limitation or standard. Indicators of performance may include direct or predicted emissions measurements (including opacity), operational parametric values that correspond to process or control device (and capture system) efficiencies or emissions rates, and recorded findings of inspection of work practice activities, materials tracking, or design characteristics. Indicators may be expressed as a single maximum or minimum value, a function of process variables (for example, within a range of pressure drops), a particular operational or work practice status (for example, a damper position, completion of a waste recovery task, materials tracking), or an interdependency between two or among more than two variables.
- (2) Measurement techniques—the means by which you gather and record information of or about the indicators of performance. The components of the measurement technique include the detector type, location and installation specifications, inspection procedures, and quality assurance and quality control measures. Examples of measurement techniques include continuous emission monitoring systems, continuous opacity monitoring systems, continuous parametric monitoring systems, and manual inspections that include making records of process conditions or work practices.
- (3) Monitoring frequency—the number of times you obtain and record monitoring data over a specified time interval. Examples of monitoring frequencies include at least four points equally spaced for each hour for continuous emissions or parametric monitoring systems, at least every 10 seconds for continuous opacity monitoring systems, and at least once per operating day (or week, month, etc.) for work practice or design inspections.
- (4) Averaging time—the period over which you average and use data to verify proper operation of the pollution control approach or compliance with the emissions limitation or standard. Examples of averaging time include a 3-hour average in units of the emissions limitation, a 30-day rolling average emissions value, a daily average of a control device operational parametric range, and an instantaneous alarm.

New affected source means the collection of equipment, activities, or both within a single contiguous area and under common control that is included in a section 112(c) source category or subcategory that is subject to a section 112(d) or other relevant standard for new sources. This definition of "new affected source," and the criteria to be utilized in implementing it, shall apply to each section 112(d) standard for which the initial proposed rule is signed by the Administrator after June 30, 2002. Each relevant standard will define the term "new affected source," which will be the same as the "affected source" unless a different collection is warranted based on consideration of factors including:

- (1) Emission reduction impacts of controlling individual sources versus groups of sources;
- (2) Cost effectiveness of controlling individual equipment;
- (3) Flexibility to accommodate common control strategies;
- (4) Cost/benefits of emissions averaging;
- (5) Incentives for pollution prevention;
- (6) Feasibility and cost of controlling processes that share common equipment (e.g., product recovery devices);
- (7) Feasibility and cost of monitoring; and
- (8) Other relevant factors.

New source means any affected source the construction or reconstruction of which is commenced after the Administrator first proposes a relevant emission standard under this part establishing an emission standard applicable to such source.

One-hour period, unless otherwise defined in an applicable subpart, means any 60-minute period commencing on the hour.

Opacity means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background. For continuous opacity monitoring systems, opacity means the fraction of incident light that is attenuated by an optical medium.

Owner or operator means any person who owns, leases, operates, controls, or supervises a stationary source.

Performance audit means a procedure to analyze blind samples, the content of which is known by the Administrator, simultaneously with the analysis of performance test samples in order to provide a measure of test data quality.

Performance evaluation means the conduct of relative accuracy testing, calibration error testing, and other measurements used in validating the continuous monitoring system data.

Performance test means the collection of data resulting from the execution of a test method (usually three emission test runs) used to demonstrate compliance with a relevant emission standard as specified in the performance test section of the relevant standard.

Permit modification means a change to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7661).

Permit program means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

Permit revision means any permit modification or administrative permit amendment to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7661).

Permitting authority means:

- (1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter; or
- (2) The Administrator, in the case of EPA-implemented permit programs under title V of the Act (42 U.S.C. 7661).

Pollution Prevention means *source reduction* as defined under the Pollution Prevention Act (42 U.S.C. 13101-13109). The definition is as follows:

- (1) **Source reduction** is any practice that:
 - (i) Reduces the amount of any hazardous substance, pollutant, or contaminant entering any waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment, or disposal; and
 - (ii) Reduces the hazards to public health and the environment associated with the release of such substances, pollutants, or contaminants.
- (2) The term *source reduction* includes equipment or technology modifications, process or procedure modifications, reformulation or redesign of products, substitution of raw materials, and improvements in housekeeping, maintenance, training, or inventory control.
- (3) The term *source reduction* does not include any practice that alters the physical, chemical, or biological characteristics or the volume of a hazardous substance, pollutant, or contaminant through a process or activity which itself is not integral to and necessary for the production of a product or the providing of a service.

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is enforceable.

Reconstruction, unless otherwise defined in a relevant standard, means the replacement of components of an affected or a previously nonaffected source to such an extent that:

- (1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source; and
- (2) It is technologically and economically feasible for the reconstructed source to meet the relevant standard(s) established by the Administrator (or a State) pursuant to section 112 of the Act. Upon reconstruction, an affected source, or a stationary source that becomes an affected source, is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.

Regulation promulgation schedule means the schedule for the promulgation of emission standards under this part, established by the Administrator pursuant to section 112(e) of the Act and published in the FEDERAL REGISTER.

Relevant standard means:

- (1) An emission standard;
- (2) An alternative emission standard;
- (3) An alternative emission limitation; or
- (4) An equivalent emission limitation established pursuant to section 112 of the Act that applies to the collection of equipment, activities, or both regulated by such standard or limitation. A relevant standard may include or consist of a design, equipment, work practice, or operational requirement, or other measure, process, method, system, or technique (including prohibition of emissions) that the Administrator (or a State) establishes for new or existing sources to which such standard or limitation applies. Every relevant standard established pursuant to section 112 of the Act includes subpart A of this part, as provided by § 63.1(a)(4), and all applicable appendices of this part or of other parts of this chapter that are referenced in that standard.

Responsible official means one of the following:

- (1) For a corporation: A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities and either:
 - (i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or
 - (ii) The delegation of authority to such representative is approved in advance by the Administrator.
- (2) For a partnership or sole proprietorship: a general partner or the proprietor, respectively.
- (3) For a municipality, State, Federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of the EPA).
- (4) For affected sources (as defined in this part) applying for or subject to a title V permit: “responsible official” shall have the same meaning as defined in part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever is applicable.

Run means one of a series of emission or other measurements needed to determine emissions for a representative operating period or cycle as specified in this part.

Shutdown means the cessation of operation of an affected source or portion of an affected source for any purpose.

Six-minute period means, with respect to opacity determinations, any one of the 10 equal parts of a 1-hour period.

Source at a Performance Track member facility means a major or area source located at a facility which has been accepted by EPA for membership in the Performance Track Program (as described at www.epa.gov/PerformanceTrack) and is still a member of the Program. The Performance Track Program is a voluntary program that encourages continuous environmental improvement through the use of environmental management systems, local community outreach, and measurable results.

Standard conditions means a temperature of 293 K (68 °F) and a pressure of 101.3 kilopascals (29.92 in. Hg).

Startup means the setting in operation of an affected source or portion of an affected source for any purpose.

State means all non-Federal authorities, including local agencies, interstate associations, and State-wide programs, that have delegated authority to implement:

- (1) The provisions of this part and/or
- (2) the permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant.

Test method means the validated procedure for sampling, preparing, and analyzing for an air pollutant specified in a relevant standard as the performance test procedure. The test method may include methods described in an appendix of this chapter, test methods incorporated by reference in this part, or methods validated for an application through procedures in Method 301 of appendix A of this part.

Title V permit means any permit issued, renewed, or revised pursuant to Federal or State regulations established to implement title V of the Act (42 U.S.C. 7661). A title V permit issued by a State permitting authority is called a part 70 permit in this part.

Visible emission means the observation of an emission of opacity or optical density above the threshold of vision.

Working day means any day on which Federal Government offices (or State government offices for a State that has obtained delegation under section 112(l)) are open for normal business. Saturdays, Sundays, and official Federal (or where delegated, State) holidays are not working days.

[59 FR 12430, Mar. 16, 1994, as amended at 67 FR 16596, Apr. 5, 2002; 68 FR 32600, May 30, 2003; 69 FR 21752, Apr. 22, 2004; 72 FR 27443, May 16, 2007; 85 FR 63418, Oct. 7, 2020; 85 FR 73885, Nov. 19, 2020]

§ 63.3 Units and abbreviations.

Used in this part are abbreviations and symbols of units of measure. These are defined as follows:

(a) **System International (SI) units of measure:**

A = ampere

g = gram

Hz = hertz

J = joule

°K = degree Kelvin

kg = kilogram

l = liter

m = meter

m^3 = cubic meter

mg = milligram = 10^{-3} gram

ml = milliliter = 10^{-3} liter

mm = millimeter = 10^{-3} meter

Mg = megagram = 10^6 gram = metric ton

MJ = megajoule

mol = mole

N = newton

ng = nanogram = 10^{-9} gram

nm = nanometer = 10^{-9} meter

Pa = pascal

s = second

V = volt

W = watt

Ω = ohm

μg = microgram = 10^{-6} gram

μl = microliter = 10^{-6} liter

(b) Other units of measure:

Btu = British thermal unit

$^{\circ}\text{C}$ = degree Celsius (centigrade)

cal = calorie

cfm = cubic feet per minute

cc = cubic centimeter

cu ft = cubic feet

d = day

dcf = dry cubic feet

dcm = dry cubic meter

dscf = dry cubic feet at standard conditions

dscm = dry cubic meter at standard conditions

eq = equivalent

°F degree Fahrenheit

ft = feet

ft² = square feet

ft³ = cubic feet

gal = gallon

gr = grain

g-eq = gram equivalent

g-mole = gram mole

hr = hour

in. = inch

in. H₂O = inches of water

K = 1,000

kcal = kilocalorie

lb = pound

lpm = liter per minute

meq = milliequivalent

min = minute

MW = molecular weight

oz = ounces

ppb = parts per billion

ppbw = parts per billion by weight

ppbv = parts per billion by volume

ppm = parts per million

ppmw = parts per million by weight

ppmv = parts per million by volume

psia = pounds per square inch absolute

psig = pounds per square inch gage

°R = degree Rankine

scf = cubic feet at standard conditions

scfh = cubic feet at standard conditions per hour

scm = cubic meter at standard conditions

scmm = cubic meter at standard conditions per minute

sec = second

sq ft = square feet

std = at standard conditions

v/v = volume per volume

yd² = square yards

yr = year

(c) Miscellaneous:

act = actual

avg = average

I.D. = inside diameter

M = molar

N = normal

O.D. = outside diameter

% = percent

[59 FR 12430, Mar. 16, 1994, as amended at 67 FR 16598, Apr. 5, 2002]

§ 63.4 Prohibited activities and circumvention.

(a) *Prohibited activities.*

- (1) No owner or operator subject to the provisions of this part must operate any affected source in violation of the requirements of this part. Affected sources subject to and in compliance with either an extension of compliance or an exemption from compliance are not in violation of the requirements of this part. An extension of compliance can be granted by the Administrator under this part; by a State with an approved permit program; or by the President under section 112(i)(4) of the Act.
- (2) No owner or operator subject to the provisions of this part shall fail to keep records, notify, report, or revise reports as required under this part.
- (3)-(5) [Reserved]

(b) *Circumvention.* No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes, but is not limited to—

- (1) The use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere;
- (2) The use of gaseous diluents to achieve compliance with a relevant standard for visible emissions; and

(c) *Fragmentation.* Fragmentation after November 15, 1990 which divides ownership of an operation, within the same facility among various owners where there is no real change in control, will not affect applicability. The owner and operator must not use fragmentation or phasing of reconstruction activities (i.e., intentionally dividing reconstruction into multiple parts for purposes of avoiding new source requirements) to avoid becoming subject to new source requirements.

[59 FR 12430, Mar. 16, 1994, as amended at 67 FR 16598, Apr. 5, 2002]

§ 63.5 Preconstruction review and notification requirements.

(a) *Applicability.*

- (1) This section implements the preconstruction review requirements of section 112(i)(1). After the effective date of a relevant standard, promulgated pursuant to section 112(d), (f), or (h) of the Act, under this part, the preconstruction review requirements in this section apply to the owner or operator of new affected sources and reconstructed affected sources that are major-emitting as specified in this section. New and reconstructed affected sources that commence construction or reconstruction before the effective date of a relevant standard are not subject to the preconstruction review requirements specified in paragraphs (b)(3), (d), and (e) of this section.
- (2) This section includes notification requirements for new affected sources and reconstructed affected sources that are not major-emitting affected sources and that are or become subject to a relevant promulgated emission standard after the effective date of a relevant standard promulgated under this part.

(b) ***Requirements for existing, newly constructed, and reconstructed sources.***

- (1) A new affected source for which construction commences after proposal of a relevant standard is subject to relevant standards for new affected sources, including compliance dates. An affected source for which reconstruction commences after proposal of a relevant standard is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.
- (2) [Reserved]
- (3) After the effective date of any relevant standard promulgated by the Administrator under this part, no person may, without obtaining written approval in advance from the Administrator in accordance with the procedures specified in paragraphs (d) and (e) of this section, do any of the following:
 - (i) Construct a new affected source that is major-emitting and subject to such standard;
 - (ii) Reconstruct an affected source that is major-emitting and subject to such standard; or
 - (iii) Reconstruct a major source such that the source becomes an affected source that is major-emitting and subject to the standard.
- (4) After the effective date of any relevant standard promulgated by the Administrator under this part, an owner or operator who constructs a new affected source that is not major-emitting or reconstructs an affected source that is not major-emitting that is subject to such standard, or reconstructs a source such that the source becomes an affected source subject to the standard, must notify the Administrator of the intended construction or reconstruction. The notification must be submitted in accordance with the procedures in § 63.9(b).
- (5) [Reserved]
- (6) After the effective date of any relevant standard promulgated by the Administrator under this part, equipment added (or a process change) to an affected source that is within the scope of the definition of affected source under the relevant standard must be considered part of the affected source and subject to all provisions of the relevant standard established for that affected source.

(c) [Reserved]

(d) ***Application for approval of construction or reconstruction.*** The provisions of this paragraph implement section 112(i)(1) of the Act.

(1) ***General application requirements.***

- (i) An owner or operator who is subject to the requirements of paragraph (b)(3) of this section must submit to the Administrator an application for approval of the construction or reconstruction. The application must be submitted as soon as practicable before actual construction or reconstruction begins. The application for approval of construction or reconstruction may be used to fulfill the initial notification requirements of § 63.9(b)(5). The owner or operator may submit the application for approval well in advance of the date actual construction or reconstruction begins in order to ensure a timely review by the Administrator and that the planned date to begin will not be delayed.
- (ii) A separate application shall be submitted for each construction or reconstruction. Each application for approval of construction or reconstruction shall include at a minimum:
 - (A) The applicant's name and address;
 - (B) A notification of intention to construct a new major affected source or make any physical or operational change to a major affected source that may meet or has been determined to meet the criteria for a reconstruction, as defined in § 63.2 or in the relevant standard;
 - (C) The address (i.e., physical location) or proposed address of the source;
 - (D) An identification of the relevant standard that is the basis of the application;
 - (E) The expected date of the beginning of actual construction or reconstruction;
 - (F) The expected completion date of the construction or reconstruction;
 - (G) [Reserved]
 - (H) The type and quantity of hazardous air pollutants emitted by the source, reported in units and averaging times and in accordance with the test methods specified in the relevant standard, or if actual emissions data are not yet available, an estimate of the type and quantity of hazardous air pollutants expected to be emitted by the source reported in units and averaging times specified in the relevant standard. The owner or operator may submit percent reduction information if a relevant standard is established in terms of percent reduction. However, operating parameters, such as flow rate, shall be included in the submission to the extent that they demonstrate performance and compliance; and
 - (I) [Reserved]
 - (J) Other information as specified in paragraphs (d)(2) and (d)(3) of this section.
- (iii) An owner or operator who submits estimates or preliminary information in place of the actual emissions data and analysis required in paragraphs (d)(1)(ii)(H) and (d)(2) of this section shall submit the actual, measured emissions data and other correct information as soon as available but no later than with the notification of compliance status required in § 63.9(h) (see § 63.9(h)(5)).

- (2) **Application for approval of construction.** Each application for approval of construction must include, in addition to the information required in paragraph (d)(1)(ii) of this section, technical information describing the proposed nature, size, design, operating design capacity, and method of operation of the source, including an identification of each type of emission point for each type of hazardous air pollutant that is emitted (or could reasonably be anticipated to be emitted) and a description of the planned air pollution control system (equipment or method) for each emission point. The description of the equipment to be used for the control of emissions must include each control device for each

hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions must include an estimated control efficiency (percent) for that method. Such technical information must include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations.

- (3) **Application for approval of reconstruction.** Each application for approval of reconstruction shall include, in addition to the information required in paragraph (d)(1)(ii) of this section—
- (i) A brief description of the affected source and the components that are to be replaced;
 - (ii) A description of present and proposed emission control systems (i.e., equipment or methods). The description of the equipment to be used for the control of emissions shall include each control device for each hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions shall include an estimated control efficiency (percent) for that method. Such technical information shall include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations;
 - (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 application for approval 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 other requirements, the owner or operator need not submit the information required in paragraphs (d)(3)(iii) through (d)(3)(v) of this section.
- (4) **Additional information.** The Administrator may request additional relevant information after the submittal of an application for approval of construction or reconstruction.

(e) **Approval of construction or reconstruction.**

- (1)
- (i) If the Administrator determines that, if properly constructed, or reconstructed, and operated, a new or existing source for which an application under paragraph (d) of this section was submitted will not cause emissions in violation of the relevant standard(s) and any other federally enforceable requirements, the Administrator will approve the construction or reconstruction.
 - (ii) In addition, in the case of reconstruction, the Administrator's determination under this paragraph will be based on:
 - (A) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new source;

- (B) The estimated life of the source after the replacements compared to the life of a comparable entirely new source;
- (C) The extent to which the components being replaced cause or contribute to the emissions from the source; and
- (D) Any economic or technical limitations on compliance with relevant standards that are inherent in the proposed replacements.

(2)

- (i) The Administrator will notify the owner or operator in writing of approval or intention to deny approval of construction or reconstruction within 60 calendar days after receipt of sufficient information to evaluate an application submitted under paragraph (d) of this section. The 60-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted.
 - (ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.
- (3) Before denying any application for approval of construction or reconstruction, the Administrator will notify the applicant of the Administrator's intention to issue the denial together with—
- (i) Notice of the information and findings on which the intended denial is based; and
 - (ii) Notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator to enable further action on the application.
- (4) A final determination to deny any application for approval will be in writing and will specify the grounds on which the denial is based. The final determination will be made within 60 calendar days of presentation of additional information or arguments (if the application is complete), or within 60 calendar days after the final date specified for presentation if no presentation is made.
- (5) Neither the submission of an application for approval nor the Administrator's approval of construction or reconstruction shall—
- (i) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or
 - (ii) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.
- (f) *Approval of construction or reconstruction based on prior State preconstruction review.*

- (1) Preconstruction review procedures that a State utilizes for other purposes may also be utilized for purposes of this section if the procedures are substantially equivalent to those specified in this section. The Administrator will approve an application for construction or reconstruction specified in paragraphs (b)(3) and (d) of this section if the owner or operator of a new affected source or reconstructed affected source, who is subject to such requirement meets the following conditions:
 - (i) The owner or operator of the new affected source or reconstructed affected source has undergone a preconstruction review and approval process in the State in which the source is (or would be) located and has received a federally enforceable construction permit that contains a finding that the source will meet the relevant promulgated emission standard, if the source is properly built and operated.
 - (ii) Provide a statement from the State or other evidence (such as State regulations) that it considered the factors specified in paragraph (e)(1) of this section.
- (2) The owner or operator must submit to the Administrator the request for approval of construction or reconstruction under this paragraph (f)(2) no later than the application deadline specified in paragraph (d)(1) of this section (see also § 63.9(b)(2)). The owner or operator must include in the request information sufficient for the Administrator's determination. The Administrator will evaluate the owner or operator's request in accordance with the procedures specified in paragraph (e) of this section. The Administrator may request additional relevant information after the submittal of a request for approval of construction or reconstruction under this paragraph (f)(2).

[59 FR 12430, Mar. 16, 1994, as amended at 67 FR 16598, Apr. 5, 2002]

§ 63.6 Compliance with standards and maintenance requirements.

(a) *Applicability.*

- (1) The requirements in this section apply to the owner or operator of affected sources for which any relevant standard has been established pursuant to section 112 of the Act and the applicability of such requirements is set out in accordance with § 63.1(a)(4) unless—
 - (i) The Administrator (or a State with an approved permit program) has granted an extension of compliance consistent with paragraph (i) of this section; or
 - (ii) The President has granted an exemption from compliance with any relevant standard in accordance with section 112(i)(4) of the Act.
- (2) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source, such source shall be subject to the relevant emission standard or other requirement.

(b) *Compliance dates for new and reconstructed sources.*

- (1) Except as specified in paragraphs (b)(3) and (4) of this section, the owner or operator of a new or reconstructed affected source for which construction or reconstruction commences after proposal of a relevant standard that has an initial startup before the effective date of a relevant standard established under this part pursuant to section 112(d), (f), or (h) of the Act must comply with such standard not later than the standard's effective date.

- (2) Except as specified in paragraphs (b)(3) and (4) of this section, the owner or operator of a new or reconstructed affected source that has an initial startup after the effective date of a relevant standard established under this part pursuant to section 112(d), (f), or (h) of the Act must comply with such standard upon startup of the source.
- (3) The owner or operator of an affected source for which construction or reconstruction is commenced after the proposal date of a relevant standard established under this part pursuant to section 112(d), 112(f), or 112(h) of the Act but before the effective date (that is, promulgation) of such standard shall comply with the relevant emission standard not later than the date 3 years after the effective date if:
 - (i) The promulgated standard (that is, the relevant standard) is more stringent than the proposed standard; for purposes of this paragraph, a finding that controls or compliance methods are “more stringent” must include control technologies or performance criteria and compliance or compliance assurance methods that are different but are substantially equivalent to those required by the promulgated rule, as determined by the Administrator (or his or her authorized representative); and
 - (ii) The owner or operator complies with the standard as proposed during the 3-year period immediately after the effective date.
- (4) The owner or operator of an affected source for which construction or reconstruction is commenced after the proposal date of a relevant standard established pursuant to section 112(d) of the Act but before the proposal date of a relevant standard established pursuant to section 112(f) shall not be required to comply with the section 112(f) emission standard until the date 10 years after the date construction or reconstruction is commenced, except that, if the section 112(f) standard is promulgated more than 10 years after construction or reconstruction is commenced, the owner or operator must comply with the standard as provided in paragraphs (b)(1) and (2) of this section.
- (5) The owner or operator of a new source that is subject to the compliance requirements of paragraph (b)(3) or (4) of this section must notify the Administrator in accordance with § 63.9(d)
- (6) [Reserved]
- (7) When an area source increases its emissions of (or its potential to emit) hazardous air pollutants such that the source becomes a major source, the portion of the facility that meets the definition of a new affected source must comply with all requirements of that standard applicable to new sources. The source owner or operator must comply with the relevant standard upon startup.

(c) *Compliance dates for existing sources.*

- (1) After the effective date of a relevant standard established under this part pursuant to section 112(d) or 112(h) of the Act, the owner or operator of an existing source shall comply with such standard by the compliance date established by the Administrator in the applicable subpart(s) of this part, except as provided in § 63.1(c)(6)(i). Except as otherwise provided for in section 112 of the Act, in no case will the compliance date established for an existing source in an applicable subpart of this part exceed 3 years after the effective date of such standard.
- (2) If an existing source is subject to a standard established under this part pursuant to section 112(f) of the Act, the owner or operator must comply with the standard by the date 90 days after the standard's effective date, or by the date specified in an extension granted to the source by the Administrator under paragraph (i)(4)(ii) of this section, whichever is later.

(3)-(4) [Reserved]

- (5) Except as provided in paragraph (b)(7) of this section, the owner or operator of an area source that increases its emissions of (or its potential to emit) hazardous air pollutants such that the source becomes a major source and meets the definition of an existing source in the applicable major source standard shall be subject to relevant standards for existing sources. Except as provided in paragraph § 63.1(c)(6)(i)(B), such sources must comply by the date specified in the standards for existing area sources that become major sources. If no such compliance date is specified in the standards, the source shall have a period of time to comply with the relevant emission standard that is equivalent to the compliance period specified in the relevant standard for existing sources in existence at the time the standard becomes effective.

(d) [Reserved]

(e) ***Operation and maintenance requirements.***

(1)

- (i) At all times, including periods of startup, shutdown, and malfunction, the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. During a period of startup, shutdown, or malfunction, this general duty to minimize emissions requires that the owner or operator reduce emissions from the affected source to the greatest extent which is consistent with safety and good air pollution control practices. The general duty to minimize emissions during a period of startup, shutdown, or malfunction does not require the owner or operator to achieve emission levels that would be required by the applicable standard at other times if this is not consistent with safety and good air pollution control practices, nor does it require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable 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 (including the startup, shutdown, and malfunction plan required in paragraph (e)(3) of this section), review of operation and maintenance records, and inspection of the source.
- (ii) Malfunctions must be corrected as soon as practicable after their occurrence. To the extent that an unexpected event arises during a startup, shutdown, or malfunction, an owner or operator must comply by minimizing emissions during such a startup, shutdown, and malfunction event consistent with safety and good air pollution control practices.
- (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) [Reserved]

(3) ***Startup, shutdown, and malfunction plan.***

- (i) The owner or operator of an affected source must develop a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; and a program of corrective action for malfunctioning process, air pollution control, and monitoring equipment used to comply with the relevant standard. The startup, shutdown, and malfunction plan does not need to address

any scenario that would not cause the source to exceed an applicable emission limitation in the relevant standard. This plan must be developed by the owner or operator by the source's compliance date for that relevant standard. The purpose of the startup, shutdown, and malfunction plan is to—

- (A) Ensure that, at all times, the owner or operator operates and maintains each affected source, including associated air pollution control and monitoring equipment, in a manner which satisfies the general duty to minimize emissions established by paragraph (e)(1)(i) of this section;
 - (B) Ensure that owners or operators are prepared to correct malfunctions as soon as practicable after their occurrence in order to minimize excess emissions of hazardous air pollutants; and
 - (C) Reduce the reporting burden associated with periods of startup, shutdown, and malfunction (including corrective action taken to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation).
- (ii) [Reserved]
- (iii) When actions taken by the owner or operator during a startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction (including actions taken to correct a malfunction) are consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator must keep records for that event which demonstrate that the procedures specified in the plan were followed. These records may take the form of a "checklist," or other effective form of recordkeeping that confirms conformance with the startup, shutdown, and malfunction plan and describes the actions taken for that event. In addition, the owner or operator must keep records of these events as specified in paragraph 63.10(b), including records of the occurrence and duration of each startup or shutdown (if the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction of operation and each malfunction of the air pollution control and monitoring equipment. Furthermore, the owner or operator shall confirm that actions taken during the relevant reporting period during periods of startup, shutdown, and malfunction were consistent with the affected source's startup, shutdown and malfunction plan in the semiannual (or more frequent) startup, shutdown, and malfunction report required in § 63.10(d)(5).
- (iv) If an action taken by the owner or operator during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, and the source exceeds any applicable emission limitation in the relevant emission standard, then the owner or operator must record the actions taken for that event and must report such actions within 2 working days after commencing actions inconsistent with the plan, followed by a letter within 7 working days after the end of the event, in accordance with § 63.10(d)(5) (unless the owner or operator makes alternative reporting arrangements, in advance, with the Administrator).
- (v) The owner or operator must maintain at the affected source a current startup, shutdown, and malfunction plan and must make the plan available upon request for inspection and copying by the Administrator. In addition, if the startup, shutdown, and malfunction plan is subsequently revised as provided in paragraph (e)(3)(viii) of this section, the owner or operator must maintain

at the affected source each previous (i.e., superseded) version of the startup, shutdown, and malfunction plan, and must make each such previous version available for inspection and copying by the Administrator for a period of 5 years after revision of the plan. If at any time after adoption of a startup, shutdown, and malfunction plan the affected source ceases operation or is otherwise no longer subject to the provisions of this part, the owner or operator must retain a copy of the most recent plan for 5 years from the date the source ceases operation or is no longer subject to this part and must make the plan available upon request for inspection and copying by the Administrator. The Administrator may at any time request in writing that the owner or operator submit a copy of any startup, shutdown, and malfunction plan (or a portion thereof) which is maintained at the affected source or in the possession of the owner or operator. Upon receipt of such a request, the owner or operator must promptly submit a copy of the requested plan (or a portion thereof) to the Administrator. The owner or operator may elect to submit the required copy of any startup, shutdown, and malfunction plan to the Administrator in an electronic format. If the owner or operator claims that any portion of such a startup, shutdown, and malfunction plan is confidential business information entitled to protection from disclosure under section 114(c) of the Act or 40 CFR 2.301, the material which is claimed as confidential must be clearly designated in the submission.

- (vi) To satisfy the requirements of this section to develop a startup, shutdown, and malfunction plan, the owner or operator may use the affected source's standard operating procedures (SOP) manual, or an Occupational Safety and Health Administration (OSHA) or other plan, provided the alternative plans meet all the requirements of this section and are made available for inspection or submitted when requested by the Administrator.
- (vii) Based on the results of a determination made under paragraph (e)(1)(i) of this section, the Administrator may require that an owner or operator of an affected source make changes to the startup, shutdown, and malfunction plan for that source. The Administrator must require appropriate revisions to a startup, shutdown, and malfunction plan, if the Administrator finds that the plan:
 - (A) Does not address a startup, shutdown, or malfunction event that has occurred;
 - (B) Fails to provide for the operation of the source (including associated air pollution control and monitoring equipment) during a startup, shutdown, or malfunction event in a manner consistent with the general duty to minimize emissions established by paragraph (e)(1)(i) of this section;
 - (C) Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control and monitoring equipment as quickly as practicable; or
 - (D) Includes an event that does not meet the definition of startup, shutdown, or malfunction listed in § 63.2.
- (viii) The owner or operator may periodically revise the startup, shutdown, and malfunction plan for the affected source as necessary to satisfy the requirements of this part or to reflect changes in equipment or procedures at the affected source. Unless the permitting authority provides otherwise, the owner or operator may make such revisions to the startup, shutdown, and malfunction plan without prior approval by the Administrator or the permitting authority. However, each such revision to a startup, shutdown, and malfunction plan must be reported in the semiannual report required by § 63.10(d)(5). If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a

malfunction but was not included in the startup, shutdown, and malfunction plan at the time the owner or operator developed the plan, the owner or operator must revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control and monitoring equipment. In the event that the owner or operator makes any revision to the startup, shutdown, and malfunction plan which alters the scope of the activities at the source which are deemed to be a startup, shutdown, or malfunction, or otherwise modifies the applicability of any emission limit, work practice requirement, or other requirement in a standard established under this part, the revised plan shall not take effect until after the owner or operator has provided a written notice describing the revision to the permitting authority.

- (ix) The title V permit for an affected source must require that the owner or operator develop a startup, shutdown, and malfunction plan which conforms to the provisions of this part, but may do so by citing to the relevant subpart or subparagraphs of paragraph (e) of this section. However, any revisions made to the startup, shutdown, and malfunction plan in accordance with the procedures established by this part shall not be deemed to constitute permit revisions under part 70 or part 71 of this chapter and the elements of the startup, shutdown, and malfunction plan shall not be considered an applicable requirement as defined in § 70.2 and § 71.2 of this chapter. Moreover, none of the procedures specified by the startup, shutdown, and malfunction plan for an affected source shall be deemed to fall within the permit shield provision in section 504(f) of the Act.

(f) ***Compliance with nonopacity emission standards –***

- (1) ***Applicability.*** The non-opacity emission standards set forth in this part shall apply at all times except as otherwise specified in an applicable subpart. If a startup, shutdown, or malfunction of one portion of an affected source does not affect the ability of particular emission points within other portions of the affected source to comply with the non-opacity emission standards set forth in this part, then that emission point must still be required to comply with the non-opacity emission standards and other applicable requirements.

(2) ***Methods for determining compliance.***

- (i) The Administrator will determine compliance with nonopacity emission standards in this part based on the results of performance tests conducted according to the procedures in § 63.7, unless otherwise specified in an applicable subpart of this part.
- (ii) The Administrator will determine compliance with nonopacity emission standards in this part by evaluation of an owner or operator's conformance with operation and maintenance requirements, including the evaluation of monitoring data, as specified in § 63.6(e) and applicable subparts of this part.
- (iii) If an affected source conducts performance testing at startup to obtain an operating permit in the State in which the source is located, the results of such testing may be used to demonstrate compliance with a relevant standard if—
 - (A) The performance test was conducted within a reasonable amount of time before an initial performance test is required to be conducted under the relevant standard;
 - (B) The performance test was conducted under representative operating conditions for the source;

- (C) The performance test was conducted and the resulting data were reduced using EPA-approved test methods and procedures, as specified in § 63.7(e) of this subpart; and
- (D) The performance test was appropriately quality-assured, as specified in § 63.7(c).
- (iv) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by review of records, inspection of the source, and other procedures specified in applicable subparts of this part.
- (v) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by evaluation of an owner or operator's conformance with operation and maintenance requirements, as specified in paragraph (e) of this section and applicable subparts of this part.
- (3) **Finding of compliance.** The Administrator will make a finding concerning an affected source's compliance with a non-opacity emission standard, as specified in paragraphs (f)(1) and (2) of this section, upon obtaining all the compliance information required by the relevant standard (including the written reports of performance test results, monitoring results, and other information, if applicable), and information available to the Administrator pursuant to paragraph (e)(1)(i) of this section.

(g) ***Use of an alternative nonopacity emission standard.***

- (1) If, in the Administrator's judgment, an owner or operator of an affected source has established that an alternative means of emission limitation will achieve a reduction in emissions of a hazardous air pollutant from an affected source at least equivalent to the reduction in emissions of that pollutant from that source achieved under any design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act, the Administrator will publish in the FEDERAL REGISTER a notice permitting the use of the alternative emission standard for purposes of compliance with the promulgated standard. Any FEDERAL REGISTER notice under this paragraph shall be published only after the public is notified and given the opportunity to comment. Such notice will restrict the permission to the stationary source(s) or category(ies) of sources from which the alternative emission standard will achieve equivalent emission reductions. The Administrator will condition permission in such notice on requirements to assure the proper operation and maintenance of equipment and practices required for compliance with the alternative emission standard and other requirements, including appropriate quality assurance and quality control requirements, that are deemed necessary.
- (2) An owner or operator requesting permission under this paragraph shall, unless otherwise specified in an applicable subpart, submit a proposed test plan or the results of testing and monitoring in accordance with § 63.7 and § 63.8, a description of the procedures followed in testing or monitoring, and a description of pertinent conditions during testing or monitoring. Any testing or monitoring conducted to request permission to use an alternative nonopacity emission standard shall be appropriately quality assured and quality controlled, as specified in § 63.7 and § 63.8.
- (3) The Administrator may establish general procedures in an applicable subpart that accomplish the requirements of paragraphs (g)(1) and (g)(2) of this section.

(h) ***Compliance with opacity and visible emission standards –***

- (1) **Applicability.** The opacity and visible emission standards set forth in this part must apply at all times except as otherwise specified in an applicable subpart. If a startup, shutdown, or malfunction of one portion of an affected source does not affect the ability of particular emission points within other portions of the affected source to comply with the opacity and visible emission standards set forth in this part, then that emission point shall still be required to comply with the opacity and visible emission standards and other applicable requirements.
- (2) **Methods for determining compliance.**
 - (i) The Administrator will determine compliance with opacity and visible emission standards in this part based on the results of the test method specified in an applicable subpart. Whenever a continuous opacity monitoring system (COMS) is required to be installed to determine compliance with numerical opacity emission standards in this part, compliance with opacity emission standards in this part shall be determined by using the results from the COMS. Whenever an opacity emission test method is not specified, compliance with opacity emission standards in this part shall be determined by conducting observations in accordance with Test Method 9 in appendix A of part 60 of this chapter or the method specified in paragraph (h)(7)(ii) of this section. Whenever a visible emission test method is not specified, compliance with visible emission standards in this part shall be determined by conducting observations in accordance with Test Method 22 in appendix A of part 60 of this chapter.
 - (ii) [Reserved]
 - (iii) If an affected source undergoes opacity or visible emission testing at startup to obtain an operating permit in the State in which the source is located, the results of such testing may be used to demonstrate compliance with a relevant standard if—
 - (A) The opacity or visible emission test was conducted within a reasonable amount of time before a performance test is required to be conducted under the relevant standard;
 - (B) The opacity or visible emission test was conducted under representative operating conditions for the source;
 - (C) The opacity or visible emission test was conducted and the resulting data were reduced using EPA-approved test methods and procedures, as specified in § 63.7(e); and
 - (D) The opacity or visible emission test was appropriately quality-assured, as specified in § 63.7(c) of this section.
- (3) [Reserved]
- (4) **Notification of opacity or visible emission observations.** The owner or operator of an affected source shall notify the Administrator in writing of the anticipated date for conducting opacity or visible emission observations in accordance with § 63.9(f), if such observations are required for the source by a relevant standard.
- (5) **Conduct of opacity or visible emission observations.** When a relevant standard under this part includes an opacity or visible emission standard, the owner or operator of an affected source shall comply with the following:
 - (i) For the purpose of demonstrating initial compliance, opacity or visible emission observations shall be conducted concurrently with the initial performance test required in § 63.7 unless one of the following conditions applies:

- (A) If no performance test under § 63.7 is required, opacity or visible emission observations shall be conducted within 60 days after achieving the maximum production rate at which a new or reconstructed source will be operated, but not later than 120 days after initial startup of the source, or within 120 days after the effective date of the relevant standard in the case of new sources that start up before the standard's effective date. If no performance test under § 63.7 is required, opacity or visible emission observations shall be conducted within 120 days after the compliance date for an existing or modified source; or
- (B) If visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the initial performance test required under § 63.7, or within the time period specified in paragraph (h)(5)(i)(A) of this section, the source's owner or operator shall reschedule the opacity or visible emission observations as soon after the initial performance test, or time period, as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. The rescheduled opacity or visible emission observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under § 63.7. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity or visible emission observations from being made concurrently with the initial performance test in accordance with procedures contained in Test Method 9 or Test Method 22 in appendix A of part 60 of this chapter.
- (ii) For the purpose of demonstrating initial compliance, the minimum total time of opacity observations shall be 3 hours (30 6-minute averages) for the performance test or other required set of observations (e.g., for fugitive-type emission sources subject only to an opacity emission standard).
- (iii) The owner or operator of an affected source to which an opacity or visible emission standard in this part applies shall conduct opacity or visible emission observations in accordance with the provisions of this section, record the results of the evaluation of emissions, and report to the Administrator the opacity or visible emission results in accordance with the provisions of § 63.10(d).
- (iv) [Reserved]
- (v) Opacity readings of portions of plumes that contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity emission standards.
- (6) **Availability of records.** The owner or operator of an affected source shall make available, upon request by the Administrator, such records that the Administrator deems necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification.
- (7) **Use of a continuous opacity monitoring system.**
 - (i) The owner or operator of an affected source required to use a continuous opacity monitoring system (COMS) shall record the monitoring data produced during a performance test required under § 63.7 and shall furnish the Administrator a written report of the monitoring results in accordance with the provisions of § 63.10(e)(4).

- (ii) Whenever an opacity emission test method has not been specified in an applicable subpart, or an owner or operator of an affected source is required to conduct Test Method 9 observations (see appendix A of part 60 of this chapter), the owner or operator may submit, for compliance purposes, COMS data results produced during any performance test required under § 63.7 in lieu of Method 9 data. If the owner or operator elects to submit COMS data for compliance with the opacity emission standard, he or she shall notify the Administrator of that decision, in writing, simultaneously with the notification under § 63.7(b) of the date the performance test is scheduled to begin. Once the owner or operator of an affected source has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent performance tests required under § 63.7, unless the owner or operator notifies the Administrator in writing to the contrary not later than with the notification under § 63.7(b) of the date the subsequent performance test is scheduled to begin.
 - (iii) For the purposes of determining compliance with the opacity emission standard during a performance test required under § 63.7 using COMS data, the COMS data shall be reduced to 6-minute averages over the duration of the mass emission performance test.
 - (iv) The owner or operator of an affected source using a COMS for compliance purposes is responsible for demonstrating that he/she has complied with the performance evaluation requirements of § 63.8(e), that the COMS has been properly maintained, operated, and data quality-assured, as specified in § 63.8(c) and § 63.8(d), and that the resulting data have not been altered in any way.
 - (v) Except as provided in paragraph (h)(7)(ii) of this section, the results of continuous monitoring by a COMS that indicate that the opacity at the time visual observations were made was not in excess of the emission standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the affected source proves that, at the time of the alleged violation, the instrument used was properly maintained, as specified in § 63.8(c), and met Performance Specification 1 in appendix B of part 60 of this chapter, and that the resulting data have not been altered in any way.
- (8) **Finding of compliance.** The Administrator will make a finding concerning an affected source's compliance with an opacity or visible emission standard upon obtaining all the compliance information required by the relevant standard (including the written reports of the results of the performance tests required by § 63.7, the results of Test Method 9 or another required opacity or visible emission test method, the observer certification required by paragraph (h)(6) of this section, and the continuous opacity monitoring system results, whichever is/are applicable) and any information available to the Administrator needed to determine whether proper operation and maintenance practices are being used.
- (9) **Adjustment to an opacity emission standard.**
- (i) If the Administrator finds under paragraph (h)(8) of this section that an affected source is in compliance with all relevant standards for which initial performance tests were conducted under § 63.7, but during the time such performance tests were conducted fails to meet any relevant opacity emission standard, the owner or operator of such source may petition the Administrator to make appropriate adjustment to the opacity emission standard for the affected source. Until the Administrator notifies the owner or operator of the appropriate adjustment, the relevant opacity emission standard remains applicable.

- (ii) The Administrator may grant such a petition upon a demonstration by the owner or operator that—
 - (A) The affected source and its associated air pollution control equipment were operated and maintained in a manner to minimize the opacity of emissions during the performance tests;
 - (B) The performance tests were performed under the conditions established by the Administrator; and
 - (C) The affected source and its associated air pollution control equipment were incapable of being adjusted or operated to meet the relevant opacity emission standard.
- (iii) The Administrator will establish an adjusted opacity emission standard for the affected source meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity emission standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity emission standard in the FEDERAL REGISTER.
- (iv) After the Administrator promulgates an adjusted opacity emission standard for an affected source, the owner or operator of such source shall be subject to the new opacity emission standard, and the new opacity emission standard shall apply to such source during any subsequent performance tests.

(i) ***Extension of compliance with emission standards.***

- (1) Until an extension of compliance has been granted by the Administrator (or a State with an approved permit program) under this paragraph, the owner or operator of an affected source subject to the requirements of this section shall comply with all applicable requirements of this part.

(2) ***Extension of compliance for early reductions and other reductions —***

- (i) ***Early reductions.*** Pursuant to section 112(i)(5) of the Act, if the owner or operator of an existing source demonstrates that the source has achieved a reduction in emissions of hazardous air pollutants in accordance with the provisions of subpart D of this part, the Administrator (or the State with an approved permit program) will grant the owner or operator an extension of compliance with specific requirements of this part, as specified in subpart D.
 - (ii) ***Other reductions.*** Pursuant to section 112(i)(6) of the Act, if the owner or operator of an existing source has installed best available control technology (BACT) (as defined in section 169(3) of the Act) or technology required to meet a lowest achievable emission rate (LAER) (as defined in section 171 of the Act) prior to the promulgation of an emission standard in this part applicable to such source and the same pollutant (or stream of pollutants) controlled pursuant to the BACT or LAER installation, the Administrator will grant the owner or operator an extension of compliance with such emission standard that will apply until the date 5 years after the date on which such installation was achieved, as determined by the Administrator.
- (3) ***Request for extension of compliance.*** Paragraphs (i)(4) through (i)(7) of this section concern requests for an extension of compliance with a relevant standard under this part (except requests for an extension of compliance under paragraph (i)(2)(i) of this section will be handled through procedures specified in subpart D of this part).

(4)

(i)

- (A) The owner or operator of an existing source who is unable to comply with a relevant standard established under this part pursuant to section 112(d) of the Act 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 source up to 1 additional year to comply with the standard, if such additional period is necessary for the installation of controls. An additional extension of up to 3 years may be added for mining waste operations, if the 1-year extension of compliance is insufficient to dry and cover mining waste in order to reduce emissions of any hazardous air pollutant. The owner or operator of an affected source who has requested an extension of compliance under this paragraph and who is otherwise required to obtain a title V permit shall apply for such permit or apply to have the source's 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 affected source's title V permit according to the provisions of part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever are applicable.
- (B) Any request under this paragraph for an extension of compliance with a relevant standard must be submitted in writing to the appropriate authority no later than 120 days prior to the affected source's compliance date (as specified in paragraphs (b) and (c) of this section), except as provided for in paragraph (i)(4)(i)(C) of this section. Nonfrivolous requests submitted under this paragraph will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the date of denial. Emission standards established under this part may specify alternative dates for the submittal of requests for an extension of compliance if alternatives are appropriate for the source categories affected by those standards.
- (C) An owner or operator may submit a compliance extension request after the date specified in paragraph (i)(4)(i)(B) of this section provided the need for the compliance extension arose after that date, and before the otherwise applicable compliance date and the need arose due to circumstances beyond reasonable control of the owner or operator. This request must include, in addition to the information required in paragraph (i)(6)(i) of this section, a statement of the reasons additional time is needed and the date when the owner or operator first learned of the problems. Nonfrivolous requests submitted under this paragraph will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the original compliance date.

- (ii) The owner or operator of an existing source unable to comply with a relevant standard established under this part pursuant to section 112(f) of the Act may request that the Administrator grant an extension allowing the source up to 2 years after the standard's effective date to comply with the standard. The Administrator may grant such an extension if he/she finds that such additional period is necessary for the installation of controls and that steps will be taken during the period of the extension to assure that the health of persons will be protected from imminent endangerment. Any request for an extension of compliance with a relevant standard under this paragraph must be submitted in writing to the Administrator not later than 90 calendar days after the effective date of the relevant standard.

- (5) The owner or operator of an existing source that has installed BACT or technology required to meet LAER [as specified in paragraph (i)(2)(ii) of this section] prior to the promulgation of a relevant emission standard in this part may request that the Administrator grant an extension allowing the source 5 years from the date on which such installation was achieved, as determined by the Administrator, to comply with the standard. Any request for an extension of compliance with a relevant standard under this paragraph shall be submitted in writing to the Administrator not later than 120 days after the promulgation date of the standard. The Administrator may grant such an extension if he or she finds that the installation of BACT or technology to meet LAER controls the same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard.
- (6)
 - (i) The request for a compliance extension under paragraph (i)(4) of this section shall include the following information:
 - (A) A description of the controls to be installed to comply with the standard;
 - (B) A compliance schedule, including the date by which each step toward compliance will be reached. At a minimum, the list of dates shall include:
 - (1) The date by which on-site construction, installation of emission control equipment, or a process change is planned to be initiated; and
 - (2) The date by which final compliance is to be achieved.
 - (3) The date by which on-site construction, installation of emission control equipment, or a process change is to be completed; and
 - (4) The date by which final compliance is to be achieved;
 - (C)-(D)
 - (ii) The request for a compliance extension under paragraph (i)(5) of this section shall include all information needed to demonstrate to the Administrator's satisfaction that the installation of BACT or technology to meet LAER controls the same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard.
- (7) Advice on requesting an extension of compliance may be obtained from the Administrator (or the State with an approved permit program).
- (8) **Approval of request for extension of compliance.** Paragraphs (i)(9) through (i)(14) of this section concern approval of an extension of compliance requested under paragraphs (i)(4) through (i)(6) of this section.
- (9) Based on the information provided in any request made under paragraphs (i)(4) through (i)(6) of this section, or other information, the Administrator (or the State with an approved permit program) may grant an extension of compliance with an emission standard, as specified in paragraphs (i)(4) and (i)(5) of this section.
- (10) The extension will be in writing and will—
 - (i) Identify each affected source covered by the extension;
 - (ii) Specify the termination date of the extension;

- (iii) Specify the dates by which steps toward compliance are to be taken, if appropriate;
- (iv) Specify other applicable requirements to which the compliance extension applies (e.g., performance tests); and
- (v)
 - (A) Under paragraph (i)(4), specify any additional conditions that the Administrator (or the State) deems necessary to assure installation of the necessary controls and protection of the health of persons during the extension period; or
 - (B) Under paragraph (i)(5), specify any additional conditions that the Administrator deems necessary to assure the proper operation and maintenance of the installed controls during the extension period.
- (11) The owner or operator of an existing source that has been granted an extension of compliance under paragraph (i)(10) of this section may be required to submit to the Administrator (or the State with an approved permit program) progress reports indicating whether the steps toward compliance outlined in the compliance schedule have been reached. The contents of the progress reports and the dates by which they shall be submitted will be specified in the written extension of compliance granted under paragraph (i)(10) of this section.
- (12)
 - (i) The Administrator (or the State with an approved permit program) will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (i)(4)(i) or (i)(5) of this section. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete.
 - (ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.
 - (iii) Before denying any request for an extension of compliance, the Administrator (or the State with an approved permit program) will notify the owner or operator in writing of the Administrator's (or the State's) intention to issue the denial, together with—
 - (A) Notice of the information and findings on which the intended denial is based; and
 - (B) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator (or the State) before further action on the request.

- (iv) The Administrator's final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(13)

- (i) The Administrator will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (i)(4)(ii) of this section. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 15 calendar days after receipt of the original application and within 15 calendar days after receipt of any supplementary information that is submitted.
- (ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 15 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.
- (iii) Before denying any request for an extension of compliance, the Administrator will notify the owner or operator in writing of the Administrator's intention to issue the denial, together with—
 - (A) Notice of the information and findings on which the intended denial is based; and
 - (B) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator before further action on the request.
- (iv) A final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(14) The Administrator (or the State with an approved permit program) may terminate an extension of compliance at an earlier date than specified if any specification under paragraph (i)(10)(iii) or (iv) of this section is not met. Upon a determination to terminate, the Administrator will notify, in writing, the owner or operator of the Administrator's determination to terminate, together with:

- (i) Notice of the reason for termination; and
- (ii) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the determination to terminate, additional information or arguments to the Administrator before further action on the termination.

- (iii) A final determination to terminate an extension of compliance will be in writing and will set forth the specific grounds on which the termination is based. The final determination will be made within 30 calendar days after presentation of additional information or arguments, or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(15) [Reserved]

- (16) The granting of an extension under this section shall not abrogate the Administrator's authority under section 114 of the Act.

- (j) **Exemption from compliance with emission standards.** The President may exempt any stationary source from compliance with any relevant standard established pursuant to section 112 of the Act for a period of not more than 2 years if the President determines that the technology to implement such standard is not available and that it is in the national security interests of the United States to do so. An exemption under this paragraph may be extended for 1 or more additional periods, each period not to exceed 2 years.

[59 FR 12430, Mar. 16, 1994, as amended at 67 FR 16599, Apr. 5, 2002; 68 FR 32600, May 30, 2003; 71 FR 20454, Apr. 20, 2006; 85 FR 73885, Nov. 19, 2020; 86 FR 13821, Mar. 11, 2021]

§ 63.7 Performance testing requirements.

- (a) **Applicability and performance test dates.**

- (1) The applicability of this section is set out in § 63.1(a)(4).
- (2) Except as provided in paragraph (a)(4) of this section, if required to do performance testing by a relevant standard, and unless a waiver of performance testing is obtained under this section or the conditions of paragraph (c)(3)(ii)(B) of this section apply, the owner or operator of the affected source must perform such tests within 180 days of the compliance date for such source.

(i)-(viii) [Reserved]

- (ix) Except as provided in paragraph (a)(4) of this section, when an emission standard promulgated under this part is more stringent than the standard proposed (see § 63.6(b)(3)), the owner or operator of a new or reconstructed source subject to that standard for which construction or reconstruction is commenced between the proposal and promulgation dates of the standard shall comply with performance testing requirements within 180 days after the standard's effective date, or within 180 days after startup of the source, whichever is later. If the promulgated standard is more stringent than the proposed standard, the owner or operator may choose to demonstrate compliance with either the proposed or the promulgated standard. If the owner or operator chooses to comply with the proposed standard initially, the owner or operator shall conduct a second performance test within 3 years and 180 days after the effective date of the standard, or after startup of the source, whichever is later, to demonstrate compliance with the promulgated standard.
- (3) The Administrator may require an owner or operator to conduct performance tests at the affected source at any other time when the action is authorized by section 114 of the Act.
- (4) If a force majeure is about to occur, occurs, or has occurred for which the affected owner or operator intends to assert a claim of force majeure:

- (i) The owner or operator shall notify the Administrator, in writing as soon as practicable following the date the owner or operator first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline specified in paragraph (a)(2) or (a)(3) of this section, or elsewhere in this part, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall occur as soon as practicable.
- (ii) The owner or operator shall provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the owner or operator proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure occurs.
- (iii) The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Administrator. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an extension as soon as practicable.
- (iv) Until an extension of the performance test deadline has been approved by the Administrator under paragraphs (a)(4)(i), (a)(4)(ii), and (a)(4)(iii) of this section, the owner or operator of the affected facility remains strictly subject to the requirements of this part.

(b) Notification of performance test.

- (1) The owner or operator of an affected source must notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is initially scheduled to begin to allow the Administrator, upon request, to review and approve the site-specific test plan required under paragraph (c) of this section and to have an observer present during the test.
- (2) In the event the owner or operator is unable to conduct the performance test on the date specified in the notification requirement specified in paragraph (b)(1) of this section due to unforeseeable circumstances beyond his or her control, the owner or operator must notify the Administrator as soon as practicable and without delay prior to the scheduled performance test date and specify the date when the performance test is rescheduled. This notification of delay in conducting the performance test shall not relieve the owner or operator of legal responsibility for compliance with any other applicable provisions of this part or with any other applicable Federal, State, or local requirement, nor will it prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(c) Quality assurance program.

- (1) The results of the quality assurance program required in this paragraph will be considered by the Administrator when he/she determines the validity of a performance test.
- (2)
 - (i) **Submission of site-specific test plan.** Before conducting a required performance test, the owner or operator of an affected source shall develop and, if requested by the Administrator, shall submit a site-specific test plan to the Administrator for approval. The test plan shall include a

test program summary, the test schedule, data quality objectives, and both an internal and external quality assurance (QA) program. Data quality objectives are the pretest expectations of precision, accuracy, and completeness of data.

- (ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of test data precision; an example of internal QA is the sampling and analysis of replicate samples.
- (iii) The performance testing shall include a test method performance audit (PA) during the performance test. The PAs consist of blind audit samples supplied by an accredited audit sample provider and analyzed during the performance test in order to provide a measure of test data bias. Gaseous audit samples are designed to audit the performance of the sampling system as well as the analytical system and must be collected by the sampling system during the compliance test just as the compliance samples are collected. If a liquid or solid audit sample is designed to audit the sampling system, it must also be collected by the sampling system during the compliance test. If multiple sampling systems or sampling trains are used during the compliance test for any of the test methods, the tester is only required to use one of the sampling systems per method to collect the audit sample. The audit sample must be analyzed by the same analyst using the same analytical reagents and analytical system and at the same time as the compliance samples. Retests are required when there is a failure to produce acceptable results for an audit sample. However, if the audit results do not affect the compliance or noncompliance status of the affected facility, the compliance authority may waive the reanalysis requirement, further audits, or retests and accept the results of the compliance test. Acceptance of the test results shall constitute a waiver of the reanalysis requirement, further audits, or retests. The compliance authority may also use the audit sample failure and the compliance test results as evidence to determine the compliance or noncompliance status of the affected facility. A blind audit sample is a sample whose value is known only to the sample provider and is not revealed to the tested facility until after they report the measured value of the audit sample. For pollutants that exist in the gas phase at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in air or nitrogen that can be introduced into the sampling system of the test method at or near the same entry point as a sample from the emission source. If no gas phase audit samples are available, an acceptable alternative is a sample of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. For samples that exist only in a liquid or solid form at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. An accredited audit sample provider (AASP) is an organization that has been accredited to prepare audit samples by an independent, third party accrediting body.
- (A) The source owner, operator, or representative of the tested facility shall obtain an audit sample, if commercially available, from an AASP for each test method used for regulatory compliance purposes. No audit samples are required for the following test methods: Methods 3A and 3C of appendix A-3 of part 60 of this chapter; Methods 6C, 7E, 9, and 10 of appendix A-4 of part 60; Methods 18 and 19 of appendix A-6 of part 60; Methods 20, 22, and 25A of appendix A-7 of part 60; Methods 30A and 30B of appendix A-8 of part 60; and Methods 303, 318, 320, and 321 of appendix A of this part. If multiple sources at a single facility are tested during a compliance test event, only one audit sample is required for

each method used during a compliance test. The compliance authority responsible for the compliance test may waive the requirement to include an audit sample if they believe that an audit sample is not necessary. "Commercially available" means that two or more independent AASPs have blind audit samples available for purchase. If the source owner, operator, or representative cannot find an audit sample for a specific method, the owner, operator, or representative shall consult the EPA Web site at the following URL, www.epa.gov/ttn/emc, to confirm whether there is a source that can supply an audit sample for that method. If the EPA Web site does not list an available audit sample at least 60 days prior to the beginning of the compliance test, the source owner, operator, or representative shall not be required to include an audit sample as part of the quality assurance program for the compliance test. When ordering an audit sample, the source owner, operator, or representative shall give the sample provider an estimate for the concentration of each pollutant that is emitted by the source or the estimated concentration of each pollutant based on the permitted level and the name, address, and phone number of the compliance authority. The source owner, operator, or representative shall report the results for the audit sample along with a summary of the emission test results for the audited pollutant to the compliance authority and shall report the results of the audit sample to the AASP. The source owner, operator, or representative shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the AASP. If the method being audited is a method that allows the samples to be analyzed in the field and the tester plans to analyze the samples in the field, the tester may analyze the audit samples prior to collecting the emission samples provided a representative of the compliance authority is present at the testing site. The tester may request, and the compliance authority may grant, a waiver to the requirement that a representative of the compliance authority must be present at the testing site during the field analysis of an audit sample. The source owner, operator, or representative may report the results of the audit sample to the compliance authority and then report the results of the audit sample to the AASP prior to collecting any emission samples. The test protocol and final test report shall document whether an audit sample was ordered and utilized and the pass/fail results as applicable.

- (B) An AASP shall have and shall prepare, analyze, and report the true value of audit samples in accordance with a written technical criteria document that describes how audit samples will be prepared and distributed in a manner that will ensure the integrity of the audit sample program. An acceptable technical criteria document shall contain standard operating procedures for all of the following operations:
 - (1) Preparing the sample;
 - (2) Confirming the true concentration of the sample;
 - (3) Defining the acceptance limits for the results from a well qualified tester. This procedure must use well established statistical methods to analyze historical results from well qualified testers. The acceptance limits shall be set so that there is 95 percent confidence that 90 percent of well qualified labs will produce future results that are within the acceptance limit range;
 - (4) Providing the opportunity for the compliance authority to comment on the selected concentration level for an audit sample;

- (5) Distributing the sample to the user in a manner that guarantees that the true value of the sample is unknown to the user;
 - (6) Recording the measured concentration reported by the user and determining if the measured value is within acceptable limits;
 - (7) Reporting the results from each audit sample in a timely manner to the compliance authority and to the source owner, operator, or representative by the AASP. The AASP shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the source owner, operator, or representative. The results shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, and whether the testing company passed or failed the audit. The AASP shall report the true value of the audit sample to the compliance authority. The AASP may report the true value to the source owner, operator, or representative if the AASP's operating plan ensures that no laboratory will receive the same audit sample twice.
 - (8) Evaluating the acceptance limits of samples at least once every two years to determine in consultation with the voluntary consensus standard body if they should be changed.
 - (9) Maintaining a database, accessible to the compliance authorities, of results from the audit that shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, the true value of the audit sample, the acceptance range for the measured value, and whether the testing company passed or failed the audit.
- (C) The accrediting body shall have a written technical criteria document that describes how it will ensure that the AASP is operating in accordance with the AASP technical criteria document that describes how audit samples are to be prepared and distributed. This document shall contain standard operating procedures for all of the following operations:
- (1) Checking audit samples to confirm their true value as reported by the AASP.
 - (2) Performing technical systems audits of the AASP's facilities and operating procedures at least once every two years.
 - (3) Providing standards for use by the voluntary consensus standard body to approve the accrediting body that will accredit the audit sample providers.
- (D) The technical criteria documents for the accredited sample providers and the accrediting body shall be developed through a public process guided by a voluntary consensus standards body (VCSB). The VCSB shall operate in accordance with the procedures and requirements in the Office of Management and Budget *Circular A-119*. A copy of Circular A-119 is available upon request by writing the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, by calling (202) 395-6880 or downloading online at http://standards.gov/standards_gov/a119.cfm. The VCSB shall approve all accrediting bodies. The Administrator will review all technical

criteria documents. If the technical criteria documents do not meet the minimum technical requirements in paragraphs (c)(2)(iii)(B) through (C) of this section, the technical criteria documents are not acceptable and the proposed audit sample program is not capable of producing audit samples of sufficient quality to be used in a compliance test. All acceptable technical criteria documents shall be posted on the EPA Web site at the following URL, <http://www.epa.gov/ttn/emc>.

- (iv) The owner or operator of an affected source shall submit the site-specific test plan to the Administrator upon the Administrator's request at least 60 calendar days before the performance test is scheduled to take place, that is, simultaneously with the notification of intention to conduct a performance test required under paragraph (b) of this section, or on a mutually agreed upon date.
- (v) The Administrator may request additional relevant information after the submittal of a site-specific test plan.

(3) Approval of site-specific test plan.

- (i) The Administrator will notify the owner or operator of approval or intention to deny approval of the site-specific test plan (if review of the site-specific test plan is requested) within 30 calendar days after receipt of the original plan and within 30 calendar days after receipt of any supplementary information that is submitted under paragraph (c)(3)(i)(B) of this section. Before disapproving any site-specific test plan, the Administrator will notify the applicant of the Administrator's intention to disapprove the plan together with—
 - (A) Notice of the information and findings on which the intended disapproval is based; and
 - (B) Notice of opportunity for the owner or operator to present, within 30 calendar days after he/she is notified of the intended disapproval, additional information to the Administrator before final action on the plan.
- (ii) In the event that the Administrator fails to approve or disapprove the site-specific test plan within the time period specified in paragraph (c)(3)(i) of this section, the following conditions shall apply:
 - (A) If the owner or operator intends to demonstrate compliance using the test method(s) specified in the relevant standard or with only minor changes to those tests methods (see paragraph (e)(2)(i) of this section), the owner or operator must conduct the performance test within the time specified in this section using the specified method(s);
 - (B) If the owner or operator intends to demonstrate compliance by using an alternative to any test method specified in the relevant standard, the owner or operator is authorized to conduct the performance test using an alternative test method after the Administrator approves the use of the alternative method when the Administrator approves the site-specific test plan (if review of the site-specific test plan is requested) or after the alternative method is approved (see paragraph (f) of this section). However, the owner or operator is authorized to conduct the performance test using an alternative method in the absence of notification of approval 45 days after submission of the site-specific test plan or request to use an alternative method. The owner or operator is authorized to conduct the performance test within 60 calendar days after he/she is authorized to demonstrate compliance using an alternative test method. Notwithstanding the requirements in the preceding three sentences, the owner or operator may proceed to conduct the

performance test as required in this section (without the Administrator's prior approval of the site-specific test plan) if he/she subsequently chooses to use the specified testing and monitoring methods instead of an alternative.

(iii) Neither the submission of a site-specific test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall—

(A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(B) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(d) **Performance testing facilities.** If required to do performance testing, the owner or operator of each new source and, at the request of the Administrator, the owner or operator of each existing source, shall provide performance testing facilities as follows:

(1) Sampling ports adequate for test methods applicable to such source. This includes:

(i) Constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures; and

(ii) Providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures;

(2) Safe sampling platform(s);

(3) Safe access to sampling platform(s);

(4) Utilities for sampling and testing equipment; and

(5) Any other facilities that the Administrator deems necessary for safe and adequate testing of a source.

(e) **Conduct of performance tests.**

(1) Performance tests shall be conducted under such conditions as the Administrator specifies to the owner or operator based on representative performance (i.e., performance based on normal operating conditions) of the affected source. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test, nor shall emissions in excess of the level of the relevant standard during periods of startup, shutdown, and malfunction be considered a violation of the relevant standard unless otherwise specified in the relevant standard or a determination of noncompliance is made under § 63.6(e). 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.

(2) Performance tests shall be conducted and data shall be reduced in accordance with the test methods and procedures set forth in this section, in each relevant standard, and, if required, in applicable appendices of parts 51, 60, 61, and 63 of this chapter unless the Administrator—

(i) Specifies or approves, in specific cases, the use of a test method with minor changes in methodology (see definition in § 63.90(a)). Such changes may be approved in conjunction with approval of the site-specific test plan (see paragraph (c) of this section); or

- (ii) Approves the use of an intermediate or major change or alternative to a test method (see definitions in § 63.90(a)), the results of which the Administrator has determined to be adequate for indicating whether a specific affected source is in compliance; or
 - (iii) Approves shorter sampling times or smaller sample volumes when necessitated by process variables or other factors; or
 - (iv) Waives the requirement for performance tests because the owner or operator of an affected source has demonstrated by other means to the Administrator's satisfaction that the affected source is in compliance with the relevant standard.
- (3) Unless otherwise specified in a relevant standard or test method, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the relevant standard. For the purpose of determining compliance with a relevant standard, the arithmetic mean of the results of the three runs shall apply. Upon receiving approval from the Administrator, results of a test run may be replaced with results of an additional test run in the event that—
- (i) A sample is accidentally lost after the testing team leaves the site; or
 - (ii) Conditions occur in which one of the three runs must be discontinued because of forced shutdown; or
 - (iii) Extreme meteorological conditions occur; or
 - (iv) Other circumstances occur that are beyond the owner or operator's control.
- (4) Nothing in paragraphs (e)(1) through (e)(3) of this section shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

(f) ***Use of an alternative test method —***

- (1) ***General.*** Until authorized to use an intermediate or major change or alternative to a test method, the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.
- (2) The owner or operator of an affected source required to do performance testing by a relevant standard may use an alternative test method from that specified in the standard provided that the owner or operator—
 - (i) Notifies the Administrator of his or her intention to use an alternative test method at least 60 days before the performance test is scheduled to begin;
 - (ii) Uses Method 301 in appendix A of this part to validate the alternative test method. This may include the use of specific procedures of Method 301 if use of such procedures are sufficient to validate the alternative test method; and
 - (iii) Submits the results of the Method 301 validation process along with the notification of intention and the justification for not using the specified test method. The owner or operator may submit the information required in this paragraph well in advance of the deadline specified in paragraph (f)(2)(i) of this section to ensure a timely review by the Administrator in order to meet the performance test date specified in this section or the relevant standard.

- (3) The Administrator will determine whether the owner or operator's validation of the proposed alternative test method is adequate and issue an approval or disapproval of the alternative test method. If the owner or operator intends to demonstrate compliance by using an alternative to any test method specified in the relevant standard, the owner or operator is authorized to conduct the performance test using an alternative test method after the Administrator approves the use of the alternative method. However, the owner or operator is authorized to conduct the performance test using an alternative method in the absence of notification of approval/disapproval 45 days after submission of the request to use an alternative method and the request satisfies the requirements in paragraph (f)(2) of this section. The owner or operator is authorized to conduct the performance test within 60 calendar days after he/she is authorized to demonstrate compliance using an alternative test method. Notwithstanding the requirements in the preceding three sentences, the owner or operator may proceed to conduct the performance test as required in this section (without the Administrator's prior approval of the site-specific test plan) if he/she subsequently chooses to use the specified testing and monitoring methods instead of an alternative.
- (4) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative test method for the purposes of demonstrating compliance with a relevant standard, the Administrator may require the use of a test method specified in a relevant standard.
- (5) If the owner or operator uses an alternative test method for an affected source during a required performance test, the owner or operator of such source shall continue to use the alternative test method for subsequent performance tests at that affected source until he or she receives approval from the Administrator to use another test method as allowed under § 63.7(f).
- (6) Neither the validation and approval process nor the failure to validate an alternative test method shall abrogate the owner or operator's responsibility to comply with the requirements of this part.

(g) ***Data analysis, recordkeeping, and reporting.***

- (1) Unless otherwise specified in a relevant standard or test method, or as otherwise approved by the Administrator in writing, results of a performance test shall include the analysis of samples, determination of emissions, and raw data. A performance test is "completed" when field sample collection is terminated. The owner or operator of an affected source shall report the results of the performance test to the Administrator before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator (see § 63.9(i)). The results of the performance test shall be submitted as part of the notification of compliance status required under § 63.9(h). Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the appropriate permitting authority.
- (2) Contents of a performance test, CMS performance evaluation, or CMS quality assurance test report (electronic or paper submitted copy). Unless otherwise specified in a relevant standard, test method, CMS performance specification, or quality assurance requirement for a CMS, or as otherwise approved by the Administrator in writing, the report shall include the elements identified in paragraphs (g)(2)(i) through (vi) of this section.
 - (i) General identification information for the facility including a mailing address, the physical address, the owner or operator or responsible official (where applicable) and his/her email address, and the appropriate Federal Registry System (FRS) number for the facility.

- (ii) Purpose of the test including the applicable regulation requiring the test, the pollutant(s) and other parameters being measured, the applicable emission standard, and any process parameter component, and a brief process description.
 - (iii) Description of the emission unit tested including fuel burned, control devices, and vent characteristics; the appropriate source classification code (SCC); the permitted maximum process rate (where applicable); and the sampling location.
 - (iv) Description of sampling and analysis procedures used and any modifications to standard procedures, quality assurance procedures and results, record of process operating conditions that demonstrate the applicable test conditions are met, and values for any operating parameters for which limits were being set during the test.
 - (v) Where a test method, CEMS, PEMS, or COMS performance specification, or on-going quality assurance requirement for a CEMS, PEMS, or COMS requires you record or report, the following shall be included in your report: Record of preparation of standards, record of calibrations, raw data sheets for field sampling, raw data sheets for field and laboratory analyses, chain-of-custody documentation, and example calculations for reported results.
 - (vi) Identification of the company conducting the performance test including the primary office address, telephone number, and the contact for this test including his/her email address.
- (3) For a minimum of 5 years after a performance test is conducted, the owner or operator shall retain and make available, upon request, for inspection by the Administrator the records or results of such performance test and other data needed to determine emissions from an affected source.

(h) ***Waiver of performance tests.***

- (1) Until a waiver of a performance testing requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.
- (2) Individual performance tests may be waived upon written application to the Administrator if, in the Administrator's judgment, the source is meeting the relevant standard(s) on a continuous basis, or the source is being operated under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.
- (3) ***Request to waive a performance test.***
 - (i) If a request is made for an extension of compliance under § 63.6(i), the application for a waiver of an initial performance test shall accompany the information required for the request for an extension of compliance. If no extension of compliance is requested or if the owner or operator has requested an extension of compliance and the Administrator is still considering that request, the application for a waiver of an initial performance test shall be submitted at least 60 days before the performance test if the site-specific test plan under paragraph (c) of this section is not submitted.
 - (ii) If an application for a waiver of a subsequent performance test is made, the application may accompany any required compliance progress report, compliance status report, or excess emissions and continuous monitoring system performance report [such as those required under § 63.6(i), § 63.9(h), and § 63.10(e) or specified in a relevant standard or in the source's title V permit], but it shall be submitted at least 60 days before the performance test if the site-specific test plan required under paragraph (c) of this section is not submitted.

- (iii) Any application for a waiver of a performance test shall include information justifying the owner or operator's request for a waiver, such as the technical or economic infeasibility, or the impracticality, of the affected source performing the required test.
- (4) **Approval of request to waive performance test.** The Administrator will approve or deny a request for a waiver of a performance test made under paragraph (h)(3) of this section when he/she—
 - (i) Approves or denies an extension of compliance under § 63.6(i)(8); or
 - (ii) Approves or disapproves a site-specific test plan under § 63.7(c)(3); or
 - (iii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or
 - (iv) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.
- (5) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

[59 FR 12430, Mar. 16, 1994, as amended at 65 FR 62215, Oct. 17, 2000; 67 FR 16602, Apr. 5, 2002; 72 FR 27443, May 16, 2007; 75 FR 55655, Sept. 13, 2010; 79 FR 11277, Feb. 27, 2014; 81 FR 59825, Aug. 30, 2016; 83 FR 56725, Nov. 14, 2018]

§ 63.8 Monitoring requirements.

(a) **Applicability.**

- (1) The applicability of this section is set out in § 63.1(a)(4).
- (2) For the purposes of this part, all CMS required under relevant standards shall be subject to the provisions of this section upon promulgation of performance specifications for CMS as specified in the relevant standard or otherwise by the Administrator.
- (3) [Reserved]
- (4) Additional monitoring requirements for control devices used to comply with provisions in relevant standards of this part are specified in § 63.11.

(b) **Conduct of monitoring.**

- (1) Monitoring shall be conducted as set forth in this section and the relevant standard(s) unless the Administrator—
 - (i) Specifies or approves the use of minor changes in methodology for the specified monitoring requirements and procedures (see § 63.90(a) for definition); or
 - (ii) Approves the use of an intermediate or major change or alternative to any monitoring requirements or procedures (see § 63.90(a) for definition).
 - (iii) Owners or operators with flares subject to § 63.11(b) are not subject to the requirements of this section unless otherwise specified in the relevant standard.
- (2)

- (i) When the emissions from two or more affected sources are combined before being released to the atmosphere, the owner or operator may install an applicable CMS for each emission stream or for the combined emissions streams, provided the monitoring is sufficient to demonstrate compliance with the relevant standard.
- (ii) If the relevant standard is a mass emission standard and the emissions from one affected source are released to the atmosphere through more than one point, the owner or operator must install an applicable CMS at each emission point unless the installation of fewer systems is—
 - (A) Approved by the Administrator; or
 - (B) Provided for in a relevant standard (e.g., instead of requiring that a CMS be installed at each emission point before the effluents from those points are channeled to a common control device, the standard specifies that only one CMS is required to be installed at the vent of the control device).

- (3) When more than one CMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required for each CMS. However, when one CMS is used as a backup to another CMS, the owner or operator shall report the results from the CMS used to meet the monitoring requirements of this part. If both such CMS are used during a particular reporting period to meet the monitoring requirements of this part, then the owner or operator shall report the results from each CMS for the relevant compliance period.

(c) *Operation and maintenance of continuous monitoring systems.*

- (1) The owner or operator of an affected source shall maintain and operate each CMS as specified in this section, or in a relevant standard, and in a manner consistent with good air pollution control practices.
 - (i) The owner or operator of an affected source must maintain and operate each CMS as specified in § 63.6(e)(1).
 - (ii) The owner or operator must keep the necessary parts for routine repairs of the affected CMS equipment readily available.
 - (iii) The owner or operator of an affected source must develop a written startup, shutdown, and malfunction plan for CMS as specified in § 63.6(e)(3).
- (2)
 - (i) All CMS must be installed such that representative measures of emissions or process parameters from the affected source are obtained. In addition, CEMS must be located according to procedures contained in the applicable performance specification(s).
 - (ii) Unless the individual subpart states otherwise, the owner or operator must ensure the read out (that portion of the CMS that provides a visual display or record), or other indication of operation, from any CMS required for compliance with the emission standard is readily accessible on site for operational control or inspection by the operator of the equipment.
- (3) All CMS shall be installed, operational, and the data verified as specified in the relevant standard either prior to or in conjunction with conducting performance tests under § 63.7. Verification of operational status shall, at a minimum, include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

- (4) Except for system breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level calibration drift adjustments, all CMS, including COMS and CEMS, shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:
 - (i) All COMS shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.
 - (ii) All CEMS for measuring emissions other than opacity shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.
- (5) Unless otherwise approved by the Administrator, minimum procedures for COMS shall include a method for producing a simulated zero opacity condition and an upscale (high-level) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of all the analyzer's internal optical surfaces and all electronic circuitry, including the lamp and photodetector assembly normally used in the measurement of opacity.
- (6) The owner or operator of a CMS that is not a CPMS, which is installed in accordance with the provisions of this part and the applicable CMS performance specification(s), must check the zero (low-level) and high-level calibration drifts at least once daily in accordance with the written procedure specified in the performance evaluation plan developed under paragraphs (e)(3)(i) and (ii) of this section. The zero (low-level) and high-level calibration drifts must be adjusted, at a minimum, whenever the 24-hour zero (low-level) drift exceeds two times the limits of the applicable performance specification(s) specified in the relevant standard. The system shall allow the amount of excess zero (low-level) and high-level drift measured at the 24-hour interval checks to be recorded and quantified whenever specified. For COMS, all optical and instrumental surfaces exposed to the effluent gases must be cleaned prior to performing the zero (low-level) and high-level drift adjustments; the optical surfaces and instrumental surfaces must be cleaned when the cumulative automatic zero compensation, if applicable, exceeds 4 percent opacity. The CPMS must be calibrated prior to use for the purposes of complying with this section. The CPMS must be checked daily for indication that the system is responding. If the CPMS system includes an internal system check, results must be recorded and checked daily for proper operation.
- (7)
 - (i) A CMS is out of control if—
 - (A) The zero (low-level), mid-level (if applicable), or high-level calibration drift (CD) exceeds two times the applicable CD specification in the applicable performance specification or in the relevant standard; or
 - (B) The CMS fails a performance test audit (e.g., cylinder gas audit), relative accuracy audit, relative accuracy test audit, or linearity test audit; or
 - (C) The COMS CD exceeds two times the limit in the applicable performance specification in the relevant standard.
 - (ii) When the CMS is out of control, the owner or operator of the affected source shall take the necessary corrective action and shall repeat all necessary tests which indicate that the system is out of control. The owner or operator shall take corrective action and conduct retesting until

the performance requirements are below the applicable limits. The beginning of the out-of-control period is the hour the owner or operator conducts a performance check (e.g., calibration drift) that indicates an exceedance of the performance requirements established under this part. The end of the out-of-control period is the hour following the completion of corrective action and successful demonstration that the system is within the allowable limits. During the period the CMS is out of control, recorded data shall not be used in data averages and calculations, or to meet any data availability requirement established under this part.

- (8) The owner or operator of a CMS that is out of control as defined in paragraph (c)(7) of this section shall submit all information concerning out-of-control periods, including start and end dates and hours and descriptions of corrective actions taken, in the excess emissions and continuous monitoring system performance report required in § 63.10(e)(3).

(d) **Quality control program.**

- (1) The results of the quality control program required in this paragraph will be considered by the Administrator when he/she determines the validity of monitoring data.
- (2) The owner or operator of an affected source that is required to use a CMS and is subject to the monitoring requirements of this section and a relevant standard shall develop and implement a CMS quality control program. As part of the quality control program, the owner or operator shall develop and submit to the Administrator for approval upon request a site-specific performance evaluation test plan for the CMS performance evaluation required in paragraph (e)(3)(i) of this section, according to the procedures specified in paragraph (e). In addition, each quality control program shall include, at a minimum, a written protocol that describes procedures for each of the following operations:
 - (i) Initial and any subsequent calibration of the CMS;
 - (ii) Determination and adjustment of the calibration drift of the CMS;
 - (iii) Preventive maintenance of the CMS, including spare parts inventory;
 - (iv) Data recording, calculations, and reporting;
 - (v) Accuracy audit procedures, including sampling and analysis methods; and
 - (vi) Program of corrective action for a malfunctioning CMS.
- (3) The owner or operator shall keep these written procedures on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator. If the performance evaluation plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the performance evaluation 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. Where relevant, e.g., program of corrective action for a malfunctioning CMS, these written procedures may be incorporated as part of the affected source's startup, shutdown, and malfunction plan to avoid duplication of planning and recordkeeping efforts.

(e) **Performance evaluation of continuous monitoring systems –**

- (1) **General.** When required by a relevant standard, and at any other time the Administrator may require under section 114 of the Act, the owner or operator of an affected source being monitored shall conduct a performance evaluation of the CMS. Such performance evaluation shall be conducted according to the applicable specifications and procedures described in this section or in the relevant standard.
- (2) **Notification of performance evaluation.** The owner or operator shall notify the Administrator in writing of the date of the performance evaluation simultaneously with the notification of the performance test date required under § 63.7(b) or at least 60 days prior to the date the performance evaluation is scheduled to begin if no performance test is required.
- (3)
 - (i) **Submission of site-specific performance evaluation test plan.** Before conducting a required CMS performance evaluation, the owner or operator of an affected source shall develop and submit a site-specific performance evaluation test plan to the Administrator for approval upon request. The performance evaluation test plan shall include the evaluation program objectives, an evaluation program summary, the performance evaluation schedule, data quality objectives, and both an internal and external QA program. Data quality objectives are the pre-evaluation expectations of precision, accuracy, and completeness of data.
 - (ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of CMS performance. The external QA program shall include, at a minimum, systems audits that include the opportunity for on-site evaluation by the Administrator of instrument calibration, data validation, sample logging, and documentation of quality control data and field maintenance activities.
 - (iii) The owner or operator of an affected source shall submit the site-specific performance evaluation test plan to the Administrator (if requested) at least 60 days before the performance test or performance evaluation is scheduled to begin, or on a mutually agreed upon date, and review and approval of the performance evaluation test plan by the Administrator will occur with the review and approval of the site-specific test plan (if review of the site-specific test plan is requested).
 - (iv) The Administrator may request additional relevant information after the submittal of a site-specific performance evaluation test plan.
 - (v) In the event that the Administrator fails to approve or disapprove the site-specific performance evaluation test plan within the time period specified in § 63.7(c)(3), the following conditions shall apply:
 - (A) If the owner or operator intends to demonstrate compliance using the monitoring method(s) specified in the relevant standard, the owner or operator shall conduct the performance evaluation within the time specified in this subpart using the specified method(s);
 - (B) If the owner or operator intends to demonstrate compliance by using an alternative to a monitoring method specified in the relevant standard, the owner or operator shall refrain from conducting the performance evaluation until the Administrator approves the use of the alternative method. If the Administrator does not approve the use of the alternative method within 30 days before the performance evaluation is scheduled to begin, the performance evaluation deadlines specified in paragraph (e)(4) of this section may be

extended such that the owner or operator shall conduct the performance evaluation within 60 calendar days after the Administrator approves the use of the alternative method. Notwithstanding the requirements in the preceding two sentences, the owner or operator may proceed to conduct the performance evaluation as required in this section (without the Administrator's prior approval of the site-specific performance evaluation test plan) if he/she subsequently chooses to use the specified monitoring method(s) instead of an alternative.

(vi) Neither the submission of a site-specific performance evaluation test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall—

- (A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or
- (B) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(4) **Conduct of performance evaluation and performance evaluation dates.** The owner or operator of an affected source shall conduct a performance evaluation of a required CMS during any performance test required under § 63.7 in accordance with the applicable performance specification as specified in the relevant standard. Notwithstanding the requirement in the previous sentence, if the owner or operator of an affected source elects to submit COMS data for compliance with a relevant opacity emission standard as provided under § 63.6(h)(7), he/she shall conduct a performance evaluation of the COMS as specified in the relevant standard, before the performance test required under § 63.7 is conducted in time to submit the results of the performance evaluation as specified in paragraph (e)(5)(ii) of this section. If a performance test is not required, or the requirement for a performance test has been waived under § 63.7(h), the owner or operator of an affected source shall conduct the performance evaluation not later than 180 days after the appropriate compliance date for the affected source, as specified in § 63.7(a), or as otherwise specified in the relevant standard.

(5) **Reporting performance evaluation results.**

- (i) The owner or operator shall furnish the Administrator a copy of a written report of the results of the performance evaluation containing the information specified in § 63.7(g)(2)(i) through (vi) simultaneously with the results of the performance test required under § 63.7 or within 60 days of completion of the performance evaluation, unless otherwise specified in a relevant standard.
- (ii) The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under § 63.7 and described in § 63.6(d)(6) shall furnish the Administrator two or, upon request, three copies of a written report of the results of the COMS performance evaluation under this paragraph. The copies shall be provided at least 15 calendar days before the performance test required under § 63.7 is conducted.

(f) **Use of an alternative monitoring method —**

(1) **General.** Until permission to use an alternative monitoring procedure (minor, intermediate, or major changes; see definition in § 63.90(a)) has been granted by the Administrator under this paragraph (f)(1), the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.

- (2) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring methods or procedures of this part including, but not limited to, the following:
 - (i) Alternative monitoring requirements when installation of a CMS specified by a relevant standard would not provide accurate measurements due to liquid water or other interferences caused by substances within the effluent gases;
 - (ii) Alternative monitoring requirements when the affected source is infrequently operated;
 - (iii) Alternative monitoring requirements to accommodate CEMS that require additional measurements to correct for stack moisture conditions;
 - (iv) Alternative locations for installing CMS when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements;
 - (v) Alternate methods for converting pollutant concentration measurements to units of the relevant standard;
 - (vi) Alternate procedures for performing daily checks of zero (low-level) and high-level drift that do not involve use of high-level gases or test cells;
 - (vii) Alternatives to the American Society for Testing and Materials (ASTM) test methods or sampling procedures specified by any relevant standard;
 - (viii) Alternative CMS that do not meet the design or performance requirements in this part, but adequately demonstrate a definite and consistent relationship between their measurements and the measurements of opacity by a system complying with the requirements as specified in the relevant standard. The Administrator may require that such demonstration be performed for each affected source; or
 - (ix) Alternative monitoring requirements when the effluent from a single affected source or the combined effluent from two or more affected sources is released to the atmosphere through more than one point.
- (3) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative monitoring method, requirement, or procedure, the Administrator may require the use of a method, requirement, or procedure specified in this section or in the relevant standard. If the results of the specified and alternative method, requirement, or procedure do not agree, the results obtained by the specified method, requirement, or procedure shall prevail.
- (4)
 - (i) ***Request to use alternative monitoring procedure.*** An owner or operator who wishes to use an alternative monitoring procedure must submit an application to the Administrator as described in paragraph (f)(4)(ii) of this section. The application may be submitted at any time provided that the monitoring procedure is not the performance test method used to demonstrate compliance with a relevant standard or other requirement. If the alternative monitoring procedure will serve as the performance test method that is to be used to demonstrate compliance with a relevant standard, the application must be submitted at least 60 days before the performance evaluation is scheduled to begin and must meet the requirements for an alternative test method under § 63.7(f).

- (ii) The application must contain a description of the proposed alternative monitoring system which addresses the four elements contained in the definition of monitoring in § 63.2 and a performance evaluation test plan, if required, as specified in paragraph (e)(3) of this section. In addition, the application must include information justifying the owner or operator's request for an alternative monitoring method, such as the technical or economic infeasibility, or the impracticality, of the affected source using the required method.
 - (iii) The owner or operator may submit the information required in this paragraph well in advance of the submittal dates specified in paragraph (f)(4)(i) above to ensure a timely review by the Administrator in order to meet the compliance demonstration date specified in this section or the relevant standard.
 - (iv) Application for minor changes to monitoring procedures, as specified in paragraph (b)(1) of this section, may be made in the site-specific performance evaluation plan.
- (5) **Approval of request to use alternative monitoring procedure.**
- (i) The Administrator will notify the owner or operator of approval or intention to deny approval of the request to use an alternative monitoring method within 30 calendar days after receipt of the original request and within 30 calendar days after receipt of any supplementary information that is submitted. If a request for a minor change is made in conjunction with site-specific performance evaluation plan, then approval of the plan will constitute approval of the minor change. Before disapproving any request to use an alternative monitoring method, the Administrator will notify the applicant of the Administrator's intention to disapprove the request together with—
 - (A) Notice of the information and findings on which the intended disapproval is based; and
 - (B) Notice of opportunity for the owner or operator to present additional information to the Administrator before final action on the request. At the time the Administrator notifies the applicant of his or her intention to disapprove the request, the Administrator will specify how much time the owner or operator will have after being notified of the intended disapproval to submit the additional information.
 - (ii) The Administrator may establish general procedures and criteria in a relevant standard to accomplish the requirements of paragraph (f)(5)(i) of this section.
 - (iii) If the Administrator approves the use of an alternative monitoring method for an affected source under paragraph (f)(5)(i) of this section, the owner or operator of such source shall continue to use the alternative monitoring method until he or she receives approval from the Administrator to use another monitoring method as allowed by § 63.8(f).
- (6) **Alternative to the relative accuracy test.** An alternative to the relative accuracy test for CEMS specified in a relevant standard may be requested as follows:
- (i) **Criteria for approval of alternative procedures.** An alternative to the test method for determining relative accuracy is available for affected sources with emission rates demonstrated to be less than 50 percent of the relevant standard. The owner or operator of an affected source may petition the Administrator under paragraph (f)(6)(ii) of this section to substitute the relative accuracy test in section 7 of Performance Specification 2 with the procedures in section 10 if the results of a performance test conducted according to the requirements in § 63.7, or other tests performed following the criteria in § 63.7, demonstrate that the emission rate of the

pollutant of interest in the units of the relevant standard is less than 50 percent of the relevant standard. For affected sources subject to emission limitations expressed as control efficiency levels, the owner or operator may petition the Administrator to substitute the relative accuracy test with the procedures in section 10 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the CEMS is used continuously to determine compliance with the relevant standard.

- (ii) ***Petition to use alternative to relative accuracy test.*** The petition to use an alternative to the relative accuracy test shall include a detailed description of the procedures to be applied, the location and the procedure for conducting the alternative, the concentration or response levels of the alternative relative accuracy materials, and the other equipment checks included in the alternative procedure(s). The Administrator will review the petition for completeness and applicability. The Administrator's determination to approve an alternative will depend on the intended use of the CEMS data and may require specifications more stringent than in Performance Specification 2.
- (iii) ***Rescission of approval to use alternative to relative accuracy test.*** The Administrator will review the permission to use an alternative to the CEMS relative accuracy test and may rescind such permission if the CEMS data from a successful completion of the alternative relative accuracy procedure indicate that the affected source's emissions are approaching the level of the relevant standard. The criterion for reviewing the permission is that the collection of CEMS data shows that emissions have exceeded 70 percent of the relevant standard for any averaging period, as specified in the relevant standard. For affected sources subject to emission limitations expressed as control efficiency levels, the criterion for reviewing the permission is that the collection of CEMS data shows that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for any averaging period, as specified in the relevant standard. The owner or operator of the affected source shall maintain records and determine the level of emissions relative to the criterion for permission to use an alternative for relative accuracy testing. If this criterion is exceeded, the owner or operator shall notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increased emissions. The Administrator will review the notification and may rescind permission to use an alternative and require the owner or operator to conduct a relative accuracy test of the CEMS as specified in section 7 of Performance Specification 2. The Administrator will review the notification and may rescind permission to use an alternative and require the owner or operator to conduct a relative accuracy test of the CEMS as specified in section 8.4 of Performance Specification 2.

(g) ***Reduction of monitoring data.***

- (1) The owner or operator of each CMS must reduce the monitoring data as specified in paragraphs (g)(1) through (5) of this section.
- (2) The owner or operator of each COMS shall reduce all data to 6-minute averages calculated from 36 or more data points equally spaced over each 6-minute period. Data from CEMS for measurement other than opacity, unless otherwise specified in the relevant standard, shall be reduced to 1-hour averages computed from four or more data points equally spaced over each 1-hour period, except during periods when calibration, quality assurance, or maintenance activities pursuant to provisions

of this part are being performed. During these periods, a valid hourly average shall consist of at least two data points with each representing a 15-minute period. Alternatively, an arithmetic or integrated 1-hour average of CEMS data may be used. Time periods for averaging are defined in § 63.2.

- (3) The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O₂ or ng/J of pollutant).
- (4) All emission data shall be converted into units of the relevant standard for reporting purposes using the conversion procedures specified in that standard. After conversion into units of the relevant standard, the data may be rounded to the same number of significant digits as used in that standard to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).
- (5) Monitoring data recorded during periods of unavoidable CMS breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level adjustments must not be included in any data average computed under this part. For the owner or operator complying with the requirements of § 63.10(b)(2)(vii)(A) or (B), data averages must include any data recorded during periods of monitor breakdown or malfunction.

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§ 63.9 Notification requirements.

(a) *Applicability and general information.*

- (1) The applicability of this section is set out in § 63.1(a)(4).
- (2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.
- (3) If any State requires a notice that contains all the information required in a notification listed in this section, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of this section for that notification.
- (4)
 - (i) Before a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in § 63.13).
 - (ii) After a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each notification submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any notifications at its discretion.

(b) *Initial notifications.*

(1)

- (i) The requirements of this paragraph apply to the owner or operator of an affected source when such source becomes subject to a relevant standard.
- (ii) If an area source subsequently becomes a major source that is subject to the emission standard or other requirement, such source shall be subject to the notification requirements of this section. Area sources previously subject to major source requirements that become major sources again are also subject to the notification requirements of this paragraph and must submit the notification according to the requirements of paragraph (k) of this section.
- (iii) Affected sources that are required under this paragraph to submit an initial notification may use the application for approval of construction or reconstruction under § 63.5(d) of this subpart, if relevant, to fulfill the initial notification requirements of this paragraph.

(2) The owner or operator of an affected source that has an initial startup before the effective date of a relevant standard under this part shall notify the Administrator in writing that the source is subject to the relevant standard. The notification, which shall be submitted not later than 120 calendar days after the effective date of the relevant standard (or within 120 calendar days after the source becomes subject to the relevant standard), shall provide the following information:

- (i) The name and address of the owner or operator;
- (ii) The address (i.e., physical location) of the affected source;
- (iii) An identification of the relevant standard, or other requirement, that is the basis of the notification and the source's compliance date;
- (iv) A brief description of the nature, size, design, and method of operation of the source and an identification of the types of emission points within the affected source subject to the relevant standard and types of hazardous air pollutants emitted; and
- (v) A statement of whether the affected source is a major source or an area source.

(3) [Reserved]

(4) The owner or operator of a new or reconstructed major affected source for which an application for approval of construction or reconstruction is required under § 63.5(d) must provide the following information in writing to the Administrator:

- (i) A notification of intention to construct a new major-emitting affected source, reconstruct a major-emitting affected source, or reconstruct a major source such that the source becomes a major-emitting affected source with the application for approval of construction or reconstruction as specified in § 63.5(d)(1)(i); and

(ii)-(iv) [Reserved]

- (v) A notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.

(5) The owner or operator of a new or reconstructed affected source for which an application for approval of construction or reconstruction is not required under § 63.5(d) must provide the following information in writing to the Administrator:

- (i) A notification of intention to construct a new affected source, reconstruct an affected source, or reconstruct a source such that the source becomes an affected source, and
 - (ii) A notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.
 - (iii) Unless the owner or operator has requested and received prior permission from the Administrator to submit less than the information in § 63.5(d), the notification must include the information required on the application for approval of construction or reconstruction as specified in § 63.5(d)(1)(i).
- (c) **Request for extension of compliance.** If the owner or operator of an affected source cannot comply with a relevant standard by the applicable compliance date for that source, or if the owner or operator has installed BACT or technology to meet LAER consistent with § 63.6(i)(5) of this subpart, he/she may submit to the Administrator (or the State with an approved permit program) a request for an extension of compliance as specified in § 63.6(i)(4) through § 63.6(i)(6).
- (d) **Notification that source is subject to special compliance requirements.** An owner or operator of a new source that is subject to special compliance requirements as specified in § 63.6(b)(3) and § 63.6(b)(4) shall notify the Administrator of his/her compliance obligations not later than the notification dates established in paragraph (b) of this section for new sources that are not subject to the special provisions.
- (e) **Notification of performance test.** 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 performance test is scheduled to begin to allow the Administrator to review and approve the site-specific test plan required under § 63.7(c), if requested by the Administrator, and to have an observer present during the test.
- (f) **Notification of opacity and visible emission observations.** The owner or operator of an affected source shall notify the Administrator in writing of the anticipated date for conducting the opacity or visible emission observations specified in § 63.6(h)(5), if such observations are required for the source by a relevant standard. The notification shall be submitted with the notification of the performance test date, as specified in paragraph (e) of this section, or if no performance test is required or visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the initial performance test required under § 63.7, the owner or operator shall deliver or postmark the notification not less than 30 days before the opacity or visible emission observations are scheduled to take place.
- (g) **Additional notification requirements for sources with continuous monitoring systems.** The owner or operator of an affected source required to use a CMS by a relevant standard shall furnish the Administrator written notification as follows:
 - (1) A notification of the date the CMS performance evaluation under § 63.8(e) is scheduled to begin, submitted simultaneously with the notification of the performance test date required under § 63.7(b). If no performance test is required, or if the requirement to conduct a performance test has been waived for an affected source under § 63.7(h), the owner or operator shall notify the Administrator in writing of the date of the performance evaluation at least 60 calendar days before the evaluation is scheduled to begin;

- (2) A notification that COMS data results will be used to determine compliance with the applicable opacity emission standard during a performance test required by § 63.7 in lieu of Method 9 or other opacity emissions test method data, as allowed by § 63.6(h)(7)(ii), if compliance with an opacity emission standard is required for the source by a relevant standard. The notification shall be submitted at least 60 calendar days before the performance test is scheduled to begin; and
- (3) A notification that the criterion necessary to continue use of an alternative to relative accuracy testing, as provided by § 63.8(f)(6), has been exceeded. The notification shall be delivered or postmarked not later than 10 days after the occurrence of such exceedance, and it shall include a description of the nature and cause of the increased emissions.

(h) ***Notification of compliance status.***

- (1) The requirements of paragraphs (h)(2) through (h)(4) of this section apply when an affected source becomes subject to a relevant standard.

(2)

- (i) Before a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit to the Administrator a notification of compliance status, signed by the responsible official who shall certify its accuracy, attesting to whether the source has complied with the relevant standard. The notification shall list—

- (A) The methods that were used to determine compliance;
- (B) The results of any performance tests, opacity or visible emission observations, continuous monitoring system (CMS) performance evaluations, and/or other monitoring procedures or methods that were conducted;
- (C) The methods that will be used for determining continuing compliance, including a description of monitoring and reporting requirements and test methods;
- (D) The type and quantity of hazardous air pollutants emitted by the source (or surrogate pollutants if specified in the relevant standard), reported in units and averaging times and in accordance with the test methods specified in the relevant standard;
- (E) If the relevant standard applies to both major and area sources, an analysis demonstrating whether the affected source is a major source (using the emissions data generated for this notification);
- (F) A description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method); and
- (G) A statement by the owner or operator of the affected existing, new, or reconstructed source as to whether the source has complied with the relevant standard or other requirements.

- (ii) The notification must be sent before the close of business on the 60th day following the completion of the relevant compliance demonstration activity specified in the relevant standard (unless a different reporting period is specified in the standard, in which case the letter must be sent before the close of business on the day the report of the relevant testing or monitoring results is required to be delivered or postmarked). For example, the notification shall be sent

before close of business on the 60th (or other required) day following completion of the initial performance test and again before the close of business on the 60th (or other required) day following the completion of any subsequent required performance test. If no performance test is required but opacity or visible emission observations are required to demonstrate compliance with an opacity or visible emission standard under this part, the notification of compliance status shall be sent before close of business on the 30th day following the completion of opacity or visible emission observations. Notifications may be combined as long as the due date requirement for each notification is met.

- (3) After a title V permit has been issued to the owner or operator of an affected source, the owner or operator of such source shall comply with all requirements for compliance status reports contained in the source's title V permit, including reports required under this part. After a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit the notification of compliance status to the appropriate permitting authority following completion of the relevant compliance demonstration activity specified in the relevant standard.

(4) [Reserved]

- (5) If an owner or operator of an affected source submits estimates or preliminary information in the application for approval of construction or reconstruction required in § 63.5(d) in place of the actual emissions data or control efficiencies required in paragraphs (d)(1)(ii)(H) and (d)(2) of § 63.5, the owner or operator shall submit the actual emissions data and other correct information as soon as available but no later than with the initial notification of compliance status required in this section.

- (6) Advice on a notification of compliance status may be obtained from the Administrator.

(i) ***Adjustment to time periods or postmark deadlines for submittal and review of required communications.***

(1)

- (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (i)(2) and (i)(3) of this section, the owner or operator of an affected source remains strictly subject to the requirements of this part.
- (ii) An owner or operator shall request the adjustment provided for in paragraphs (i)(2) and (i)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

- (2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

- (3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

- (4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

(j) ***Change in information already provided.*** Any change in the information already provided under this section shall be provided to the Administrator within 15 calendar days after the change. The owner or operator of a major source that reclassifies to area source status is also subject to the notification requirements of this paragraph. The owner or operator may submit the application for reclassification with the regulatory authority (e.g., permit application) according to paragraph (k) of this section to fulfill the requirements of this paragraph, but the information required in paragraphs (j)(1) through (4) of this section must be included. A source which reclassified after January 25, 2018, and before January 19, 2021, and has not yet provided the notification of a change in information is required to provide such notification no later than February 2, 2021, according to the requirements of paragraph (k) of this section. Beginning January 19, 2021, the owner or operator of a major source that reclassifies to area source status must submit the notification according to the requirements of paragraph (k) of this section. A notification of reclassification must contain the following information:

- (1) The name and address of the owner or operator;
- (2) The address (i.e., physical location) of the affected source;
- (3) An identification of the standard being reclassified from and to (if applicable); and
- (4) Date of effectiveness of the reclassification.

(k) ***Electronic submission of notifications or reports.*** If you are required to submit notifications or reports following the procedure specified in this paragraph (k), you must submit notifications or reports to the EPA via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The notification or report must be submitted by the deadline specified. The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as confidential business information (CBI). Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit the information claimed to be CBI according to the procedures in paragraph (k)(3) of this section.

- (1) If you are required to electronically submit a notification or report by this paragraph (k) through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with the electronic submittal requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (k)(1)(i) through (vii) of this section.
 - (i) You must have been or will be precluded from accessing CEDRI and submitting a required notification or report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.
 - (ii) The outage must have occurred within the period of time beginning 5 business days prior to the date that the notification or report is due.
 - (iii) The outage may be planned or unplanned.
 - (iv) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
 - (v) You must provide to the Administrator a written description identifying:

- (A) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;
 - (B) A rationale for attributing the delay in submitting beyond the regulatory deadline to EPA system outage;
 - (C) Measures taken or to be taken to minimize the delay in submitting; and
 - (D) The date by which you propose to submit, or if you have already met the electronic submittal requirement in this paragraph (k) at the time of the notification, the date you submitted the notification or report.
- (vi) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.
- (vii) In any circumstance, the notification or report must be submitted electronically as soon as possible after the outage is resolved.
- (2) If you are required to electronically submit a notification or report by this paragraph (k) through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with the electronic submittal requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (k)(2)(i) through (v) of this section.
 - (i) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a notification or report electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).
 - (ii) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in submitting through CEDRI.
 - (iii) You must provide to the Administrator:
 - (A) A written description of the force majeure event;
 - (B) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;
 - (C) Measures taken or to be taken to minimize the delay in reporting; and
 - (D) The date by which you propose to submit the notification or report, or if you have already met the electronic submittal requirement in this paragraph (k) at the time of the notification, the date you submitted the notification or report.
 - (iv) The decision to accept the claim of force majeure and allow an extension to the submittal deadline is solely within the discretion of the Administrator.
 - (v) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

- (3) If you wish to assert a CBI claim for some of the information submitted under paragraph (k) of this section, you must submit a complete file, including information claimed to be CBI, to the EPA following the procedures in paragraphs (k)(3)(i) through (iv) of this section. Where a subpart specifies a specific file format for the report or notification for which you are asserting a claim of CBI, the complete file that you submit under this paragraph (k)(3) must be in the same file format specified in the subpart.
- (i) Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data are not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available.
- (ii) You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described in paragraph (k) of this section.
- (iii) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described above, should include clear CBI markings. Electronic Reporting Tool (ERT) files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Sector Lead for the subpart for which you are submitting your notification or report. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link.
- (iv) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: U.S. EPA, Attn: OAQPS Document Control Officer, Mail Drop: C404-02, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, NC 27711. ERT files should also be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should also be flagged to the attention of the Sector Lead for the subpart for which you are submitting your notification or report. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

[59 FR 12430, Mar. 16, 1994, as amended at 64 FR 7468, Feb. 12, 1999; 67 FR 16604, Apr. 5, 2002; 68 FR 32601, May 30, 2003; 85 FR 73885, Nov. 19, 2020; 89 FR 73307, Sept. 10, 2024]

§ 63.10 Recordkeeping and reporting requirements.

(a) *Applicability and general information.*

- (1) The applicability of this section is set out in § 63.1(a)(4).
- (2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

- (3) If any State requires a report that contains all the information required in a report listed in this section, an owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of this section for that report.
- (4)
 - (i) Before a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in § 63.13).
 - (ii) After a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each report submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any reports at its discretion.
- (5) If an owner or operator of an affected source in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such source under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. For each relevant standard established pursuant to section 112 of the Act, the allowance in the previous sentence applies in each State beginning 1 year after the affected source's compliance date for that standard. Procedures governing the implementation of this provision are specified in § 63.9(i).
- (6) If an owner or operator supervises one or more stationary sources affected by more than one standard established pursuant to section 112 of the Act, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required for each source shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the latest compliance date for any relevant standard established pursuant to section 112 of the Act for any such affected source(s). Procedures governing the implementation of this provision are specified in § 63.9(i).
- (7) If an owner or operator supervises one or more stationary sources affected by standards established pursuant to section 112 of the Act (as amended November 15, 1990) and standards set under part 60, part 61, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required by each relevant (i.e., applicable) standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the relevant section 112 standard, or 1 year after the stationary source is required to be in compliance with the applicable part 60 or part 61 standard, whichever is latest. Procedures governing the implementation of this provision are specified in § 63.9(i).

(b) *General recordkeeping requirements.*

- (1) The owner or operator of an affected source subject to the provisions of this part shall maintain files of all information (including all reports and notifications) required by this part recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.
- (2) The owner or operator of an affected source subject to the provisions of this part shall maintain relevant records for such source of—
 - (i) The occurrence and duration of each startup or shutdown when the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards;
 - (ii) The occurrence and duration of each malfunction of operation (i.e., process equipment) or the required air pollution control and monitoring equipment;
 - (iii) All required maintenance performed on the air pollution control and monitoring equipment;
 - (iv)
 - (A) Actions taken during periods of startup or shutdown when the source exceeded applicable emission limitations in a relevant standard and when the actions taken are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan (see § 63.6(e)(3)); or
 - (B) Actions taken during periods of malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) when the actions taken are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan (see § 63.6(e)(3));
 - (v) All information necessary, including actions taken, to demonstrate conformance with the affected source's startup, shutdown, and malfunction plan (see § 63.6(e)(3)) when all actions taken during periods of startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), and malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using a "checklist," or some other effective form of recordkeeping, in order to minimize the recordkeeping burden for conforming events);
 - (vi) Each period during which a CMS is malfunctioning or inoperative (including out-of-control periods);
 - (vii) All required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of CMS data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to report);

- (A) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (b)(2)(vii) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.
 - (B) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (b)(2)(vii) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.
 - (C) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (b)(2)(vii), if the administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.
- (viii) All results of performance tests, CMS performance evaluations, and opacity and visible emission observations;
 - (ix) All measurements as may be necessary to determine the conditions of performance tests and performance evaluations;
 - (x) All CMS calibration checks;
 - (xi) All adjustments and maintenance performed on CMS;
 - (xii) Any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements under this part, if the source has been granted a waiver under paragraph (f) of this section;
 - (xiii) All emission levels relative to the criterion for obtaining permission to use an alternative to the relative accuracy test, if the source has been granted such permission under § 63.8(f)(6); and
 - (xiv) All documentation supporting initial notifications and notifications of compliance status under § 63.9.
- (3) If an owner or operator determines that his or her existing or new stationary source is in the source category regulated by a standard established pursuant to section 112 of the Act, but that source is not subject to the relevant standard (or other requirement established under this part) because of enforceable limitations on the source's potential to emit, or the source otherwise qualifies for an exclusion, the owner or operator must keep a record of the applicability determination. The applicability determination must be kept on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source subject to

the relevant standard (or other requirement established under this part), whichever comes first if the determination is made prior to January 19, 2021. The applicability determination must be kept until the source changes its operations to become an affected source subject to the relevant standard (or other requirement established under this part) if the determination was made on or after January 19, 2021. The record of the applicability determination must be signed by the person making the determination and include an emissions analysis (or other information) that demonstrates the owner or operator's conclusion that the source is unaffected (e.g., because the source is an area source). The analysis (or other information) must be sufficiently detailed to allow the Administrator to make an applicability finding for the source with regard to the relevant standard or other requirement. If applicable, the analysis must be performed in accordance with requirements established in relevant subparts of this part for this purpose for particular categories of stationary sources. If relevant, the analysis should be performed in accordance with EPA guidance materials published to assist sources in making applicability determinations under section 112 of the Act, if any. The requirements to determine applicability of a standard under § 63.1(b)(3) and to record the results of that determination under this paragraph (b)(3) of this section shall not by themselves create an obligation for the owner or operator to obtain a title V permit.

- (c) ***Additional recordkeeping requirements for sources with continuous monitoring systems.*** In addition to complying with the requirements specified in paragraphs (b)(1) and (b)(2) of this section, the owner or operator of an affected source required to install a CMS by a relevant standard shall maintain records for such source of—
- (1) All required CMS measurements (including monitoring data recorded during unavoidable CMS breakdowns and out-of-control periods);
 - (2)-(4) [Reserved]
 - (5) The date and time identifying each period during which the CMS was inoperative except for zero (low-level) and high-level checks;
 - (6) The date and time identifying each period during which the CMS was out of control, as defined in § 63.8(c)(7);
 - (7) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions and parameter monitoring exceedances, as defined in the relevant standard(s), that occurs during startups, shutdowns, and malfunctions of the affected source;
 - (8) The specific identification (i.e., the date and time of commencement and completion) of each time period of excess emissions and parameter monitoring exceedances, as defined in the relevant standard(s), that occurs during periods other than startups, shutdowns, and malfunctions of the affected source;
 - (9) [Reserved]
 - (10) The nature and cause of any malfunction (if known);
 - (11) The corrective action taken or preventive measures adopted;
 - (12) The nature of the repairs or adjustments to the CMS that was inoperative or out of control;
 - (13) The total process operating time during the reporting period; and
 - (14) All procedures that are part of a quality control program developed and implemented for CMS under § 63.8(d).

- (15) In order to satisfy the requirements of paragraphs (c)(10) through (c)(12) of this section and to avoid duplicative recordkeeping efforts, the owner or operator may use the affected source's startup, shutdown, and malfunction plan or records kept to satisfy the recordkeeping requirements of the startup, shutdown, and malfunction plan specified in § 63.6(e), provided that such plan and records adequately address the requirements of paragraphs (c)(10) through (c)(12).

(d) **General reporting requirements.**

- (1) Notwithstanding the requirements in this paragraph or paragraph (e) of this section, and except as provided in § 63.16, the owner or operator of an affected source subject to reporting requirements under this part shall submit reports to the Administrator in accordance with the reporting requirements in the relevant standard(s).
- (2) **Reporting results of performance tests.** Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of any performance test under § 63.7 to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of a required performance test to the appropriate permitting authority. The owner or operator of an affected source shall report the results of the performance test to the Administrator (or the State with an approved permit program) before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator. The results of the performance test shall be submitted as part of the notification of compliance status required under § 63.9(h).
- (3) **Reporting results of opacity or visible emission observations.** The owner or operator of an affected source required to conduct opacity or visible emission observations by a relevant standard shall report the opacity or visible emission results (produced using Test Method 9 or Test Method 22, or an alternative to these test methods) along with the results of the performance test required under § 63.7. If no performance test is required, or if visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the performance test required under § 63.7, the owner or operator shall report the opacity or visible emission results before the close of business on the 30th day following the completion of the opacity or visible emission observations.
- (4) **Progress reports.** The owner or operator of an affected source who is required to submit progress reports as a condition of receiving an extension of compliance under § 63.6(i) shall submit such reports to the Administrator (or the State with an approved permit program) by the dates specified in the written extension of compliance.
- (5)
- (i) **Periodic startup, shutdown, and malfunction reports.** If actions taken by an owner or operator during a startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan (see § 63.6(e)(3)), the owner or operator shall state such information in a startup, shutdown, and malfunction report. Actions taken to minimize emissions during such startups, shutdowns, and malfunctions shall be summarized in the report and may be done in checklist form; if actions taken are the same for each event, only one checklist is necessary. Such a report shall also include the number, duration, and a brief description for each type of malfunction which

occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. Reports shall only be required if a startup or shutdown caused the source to exceed any applicable emission limitation in the relevant emission standards, or if a malfunction occurred during the reporting period. The startup, shutdown, and malfunction report shall consist of a letter, containing the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, that shall be submitted to the Administrator semiannually (or on a more frequent basis if specified otherwise in a relevant standard or as established otherwise by the permitting authority in the source's title V permit). The startup, shutdown, and malfunction report shall be delivered or postmarked by the 30th day following the end of each calendar half (or other calendar reporting period, as appropriate). If the owner or operator is required to submit excess emissions and continuous monitoring system performance (or other periodic) reports under this part, the startup, shutdown, and malfunction reports required under this paragraph may be submitted simultaneously with the excess emissions and continuous monitoring system performance (or other) reports. If startup, shutdown, and malfunction reports are submitted with excess emissions and continuous monitoring system performance (or other periodic) reports, and the owner or operator receives approval to reduce the frequency of reporting for the latter under paragraph (e) of this section, the frequency of reporting for the startup, shutdown, and malfunction reports also may be reduced if the Administrator does not object to the intended change. The procedures to implement the allowance in the preceding sentence shall be the same as the procedures specified in paragraph (e)(3) of this section.

- (ii) ***Immediate startup, shutdown, and malfunction reports.*** Notwithstanding the allowance to reduce the frequency of reporting for periodic startup, shutdown, and malfunction reports under paragraph (d)(5)(i) of this section, any time an action taken by an owner or operator during a startup or shutdown that caused the source to exceed any applicable emission limitation in the relevant emission standards, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator shall report the actions taken for that event within 2 working days after commencing actions inconsistent with the plan followed by a letter within 7 working days after the end of the event. The immediate report required under this paragraph (d)(5)(ii) shall consist of a telephone call (or facsimile (FAX) transmission) to the Administrator within 2 working days after commencing actions inconsistent with the plan, and it shall be followed by a letter, delivered or postmarked within 7 working days after the end of the event, that contains the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, describing all excess emissions and/or parameter monitoring exceedances which are believed to have occurred (or could have occurred in the case of malfunctions), and actions taken to minimize emissions in conformance with § 63.6(e)(1)(i). Notwithstanding the requirements of the previous sentence, after the effective date of an approved permit program in the State in which an affected source is located, the owner or operator may make alternative reporting arrangements, in advance, with the permitting authority in that State. Procedures governing the arrangement of alternative reporting requirements under this paragraph (d)(5)(ii) are specified in § 63.9(i).

- (e) ***Additional reporting requirements for sources with continuous monitoring systems —***

- (1) **General.** When more than one CEMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required for each CEMS.
- (2) **Reporting results of continuous monitoring system performance evaluations.**
 - (i) The owner or operator of an affected source required to install a CMS by a relevant standard shall furnish the Administrator a copy of a written report of the results of the CMS performance evaluation, as required under § 63.8(e), simultaneously with the results of the performance test required under § 63.7, unless otherwise specified in the relevant standard.
 - (ii) The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under § 63.7 and described in § 63.6(d)(6) shall furnish the Administrator two or, upon request, three copies of a written report of the results of the COMS performance evaluation conducted under § 63.8(e). The copies shall be furnished at least 15 calendar days before the performance test required under § 63.7 is conducted.
- (3) **Excess emissions and continuous monitoring system performance report and summary report.**
 - (i) Excess emissions and parameter monitoring exceedances are defined in relevant standards. The owner or operator of an affected source required to install a CMS by a relevant standard shall submit an excess emissions and continuous monitoring system performance report and/or a summary report to the Administrator semiannually, except when—
 - (A) More frequent reporting is specifically required by a relevant standard;
 - (B) 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
 - (C) [Reserved]
 - (D) The affected source is complying with the Performance Track Provisions of § 63.16, which allows less frequent reporting.
 - (ii) **Request to reduce frequency of excess emissions and continuous monitoring system performance reports.** Notwithstanding the frequency of reporting requirements specified in paragraph (e)(3)(i) of this section, an owner or operator who is required by a relevant standard to submit excess emissions and continuous monitoring system performance (and summary) reports on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:
 - (A) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected source's excess emissions and continuous monitoring system performance reports continually demonstrate that the source is in compliance with the relevant standard;
 - (B) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the relevant standard; and
 - (C) The Administrator does not object to a reduced frequency of reporting for the affected source, as provided in paragraph (e)(3)(iii) of this section.
 - (iii) The frequency of reporting of excess emissions and continuous monitoring system performance (and summary) reports required to comply with a relevant standard 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 frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the 5-year recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. 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 the frequency of reporting, 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.

- (iv) As soon as CMS data indicate that the source is not in compliance with any emission limitation or operating parameter specified in the relevant standard, the frequency of reporting shall revert to the frequency specified in the relevant standard, and the owner or operator shall submit an excess emissions and continuous monitoring system performance (and summary) report for the noncomplying emission points at the next appropriate reporting period following the noncomplying event. After demonstrating ongoing compliance with the relevant standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard, as provided for in paragraphs (e)(3)(ii) and (e)(3)(iii) of this section.
- (v) ***Content and submittal dates for excess emissions and monitoring system performance reports.*** All excess emissions and monitoring system performance reports and all summary reports, if required, shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate. Written reports of excess emissions or exceedances of process or control system parameters shall include all the information required in paragraphs (c)(5) through (c)(13) of this section, in §§ 63.8(c)(7) and 63.8(c)(8), and in the relevant standard, and they shall contain the name, title, and signature of the responsible official who is certifying the accuracy of the report. When no excess emissions or exceedances of a parameter have occurred, or a CMS has not been inoperative, out of control, repaired, or adjusted, such information shall be stated in the report.
- (vi) ***Summary report.*** As required under paragraphs (e)(3)(vii) and (e)(3)(viii) of this section, one summary report shall be submitted for the hazardous air pollutants monitored at each affected source (unless the relevant standard specifies that more than one summary report is required, e.g., one summary report for each hazardous air pollutant monitored). The summary report shall be entitled "Summary Report—Gaseous and Opacity Excess Emission and Continuous Monitoring System Performance" and shall contain the following information:
 - (A) The company name and address of the affected source;
 - (B) An identification of each hazardous air pollutant monitored at the affected source;
 - (C) The beginning and ending dates of the reporting period;
 - (D) A brief description of the process units;
 - (E) The emission and operating parameter limitations specified in the relevant standard(s);
 - (F) The monitoring equipment manufacturer(s) and model number(s);

- (G) The date of the latest CMS certification or audit;
 - (H) The total operating time of the affected source during the reporting period;
 - (I) An emission data summary (or similar summary if the owner or operator monitors control system parameters), including the total duration of excess emissions during the reporting period (recorded in minutes for opacity and hours for gases), 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 startup/shutdown, control equipment problems, process problems, other known causes, and other unknown causes;
 - (J) A CMS performance summary (or similar summary if the owner or operator monitors control system parameters), including the total CMS downtime during the reporting period (recorded in minutes for opacity and hours for gases), the total duration of CMS downtime expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total CMS downtime during the reporting period into periods that are due to monitoring equipment malfunctions, nonmonitoring equipment malfunctions, quality assurance/quality control calibrations, other known causes, and other unknown causes;
 - (K) A description of any changes in CMS, processes, or controls since the last reporting period;
 - (L) The name, title, and signature of the responsible official who is certifying the accuracy of the report; and
 - (M) The date of the report.
- (vii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is less than 1 percent of the total operating time for the reporting period, and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report shall be submitted, and the full excess emissions and continuous monitoring system performance report need not be submitted unless required by the Administrator.
- (viii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is 1 percent or greater of the total operating time for the reporting period, or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, both the summary report and the excess emissions and continuous monitoring system performance report shall be submitted.
- (4) **Reporting continuous opacity monitoring system data produced during a performance test.** The owner or operator of an affected source required to use a COMS shall record the monitoring data produced during a performance test required under § 63.7 and shall furnish the Administrator a written report of the monitoring results. The report of COMS data shall be submitted simultaneously with the report of the performance test results required in paragraph (d)(2) of this section.
- (f) **Waiver of recordkeeping or reporting requirements.**
- (1) Until a waiver of a recordkeeping or reporting requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.

- (2) Recordkeeping or reporting requirements may be waived upon written application to the Administrator if, in the Administrator's judgment, the affected source is achieving the relevant standard(s), or the source is operating under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.
- (3) If an application for a waiver of recordkeeping or reporting is made, the application shall accompany the request for an extension of compliance under § 63.6(i), any required compliance progress report or compliance status report required under this part (such as under §§ 63.6(i) and 63.9(h)) or in the source's title V permit, or an excess emissions and continuous monitoring system performance report required under paragraph (e) of this section, whichever is applicable. The application shall include whatever information the owner or operator considers useful to convince the Administrator that a waiver of recordkeeping or reporting is warranted.
- (4) The Administrator will approve or deny a request for a waiver of recordkeeping or reporting requirements under this paragraph when he/she—
 - (i) Approves or denies an extension of compliance; or
 - (ii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or
 - (iii) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.
- (5) A waiver of any recordkeeping or reporting requirement granted under this paragraph may be conditioned on other recordkeeping or reporting requirements deemed necessary by the Administrator.
- (6) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

[59 FR 12430, Mar. 16, 1994, as amended at 64 FR 7468, Feb. 12, 1999; 67 FR 16604, Apr. 5, 2002; 68 FR 32601, May 30, 2003; 69 FR 21752, Apr. 22, 2004; 71 FR 20455, Apr. 20, 2006; 85 FR 73886, Nov. 19, 2020]

§ 63.11 Control device and work practice requirements.

(a) *Applicability.*

- (1) The applicability of this section is set out in § 63.1(a)(4).
- (2) This section contains requirements for control devices used to comply with applicable subparts of this part. The requirements are placed here for administrative convenience and apply only to facilities covered by subparts referring to this section.
- (3) This section also contains requirements for an alternative work practice used to identify leaking equipment. This alternative work practice is placed here for administrative convenience and is available to all subparts in 40 CFR parts 60, 61, 63, and 65 that require monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(b) *Flares.*

- (1) Owners or operators using flares to comply with the provisions of this part shall monitor these control devices to assure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators using flares shall monitor these control devices.
- (2) Flares shall be steam-assisted, air-assisted, or non-assisted.
- (3) Flares shall be operated at all times when emissions may be vented to them.
- (4) Flares shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. Test Method 22 in appendix A of part 60 of this chapter shall be used to determine the compliance of flares with the visible emission provisions of this part. The observation period is 2 hours and shall be used according to Method 22.
- (5) Flares shall be operated with a flame present at all times. The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.
- (6) An owner/operator has the choice of adhering to the heat content specifications in paragraph (b)(6)(ii) of this section, and the maximum tip velocity specifications in paragraph (b)(7) or (b)(8) of this section, or adhering to the requirements in paragraph (b)(6)(i) of this section.

(i)

- (A) Flares shall be used that have a diameter of 3 inches or greater, are nonassisted, have a hydrogen content of 8.0 percent (by volume) or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity $V_{\max}$, as determined by the following equation:

$$V_{\max} = (X_{H_2} - K_1) * K_2$$

Where:

$V_{\max}$ = Maximum permitted velocity, m/sec.

K_1 = Constant, 6.0 volume-percent hydrogen.

K_2 = Constant, 3.9(m/sec)/volume-percent hydrogen.

X_{H_2} = The volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946-77. (Incorporated by reference as specified in § 63.14).

- (B) The actual exit velocity of a flare shall be determined by the method specified in paragraph (b)(7)(i) of this section.
- (ii) Flares shall be used only with the net heating value of the gas being combusted at 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted at 7.45 MJ/scm (200 Btu/scf) or greater if the flares is non-assisted. The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^n C_i H_i$$

Where:

H_T = Net heating value of the sample, MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C.

K = Constant =

$$1.740 \times 10^{-7} \left(\frac{1}{\text{ppmv}} \right) \left(\frac{\text{g-mole}}{\text{scm}} \right) \left(\frac{\text{MJ}}{\text{kcal}} \right)$$

where the standard temperature for (g-mole/scm) is 20 °C.

C_i = Concentration of sample component i in ppmv on a wet basis, as measured for organics by Test Method 18 and measured for hydrogen and carbon monoxide by American Society for Testing and Materials (ASTM) D1946-77 or 90 (Reapproved 1994) (incorporated by reference as specified in § 63.14).

H_i = Net heat of combustion of sample component i , kcal/g-mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 or 88 or D4809-95 (incorporated by reference as specified in § 63.14) if published values are not available or cannot be calculated.

n = Number of sample components.

(7)

- (i) Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity less than 18.3 m/sec (60 ft/sec), except as provided in paragraphs (b)(7)(ii) and (b)(7)(iii) of this section. The actual exit velocity of a flare shall be determined by dividing by the volumetric flow rate of gas being combusted (in units of emission standard temperature and pressure), as determined by Test Method 2, 2A, 2C, or 2D in appendix A to 40 CFR part 60 of this chapter, as appropriate, by the unobstructed (free) cross-sectional area of the flare tip.
- (ii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in paragraph (b)(7)(i) of this section, equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec), are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).
- (iii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in paragraph (b)(7)(i) of this section, less than the velocity $V_{\max}$, as determined by the method specified in this paragraph, but less than 122 m/sec (400 ft/sec) are allowed. The maximum permitted velocity, $V_{\max}$, for flares complying with this paragraph shall be determined by the following equation:

$$\text{Log}_{10}(V_{\max}) = (H_T + 28.8)/31.7$$

Where:

$V_{\max}$ = Maximum permitted velocity, m/sec.

28.8 = Constant.

31.7 = Constant.

H_T = The net heating value as determined in paragraph (b)(6) of this section.

- (8) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity $V_{\max}$. The maximum permitted velocity, $V_{\max}$, for air-assisted flares shall be determined by the following equation:

$$V_{\max} = 8.71 + 0.708(H_T)$$

Where:

$V_{\max}$ = Maximum permitted velocity, m/sec.

8.71 = Constant.

0.708 = Constant.

H_T = The net heating value as determined in paragraph (b)(6)(ii) of this section.

- (c) **Alternative work practice for monitoring equipment for leaks.** Paragraphs (c), (d), and (e) of this section apply to all equipment for which the applicable subpart requires monitoring with a 40 CFR part 60, appendix A-7, Method 21 monitor, except for closed vent systems, equipment designated as leakless, and equipment identified in the applicable subpart as having no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background. An owner or operator may use an optical gas imaging instrument instead of a 40 CFR part 60, appendix A-7, Method 21 monitor. Requirements in the existing subparts that are specific to the Method 21 instrument do not apply under this section. All other requirements in the applicable subpart that are not addressed in paragraphs (c), (d), and (e) of this section continue to apply. For example, equipment specification requirements, and non-Method 21 instrument recordkeeping and reporting requirements in the applicable subpart continue to apply. The terms defined in paragraphs (c)(1) through (5) of this section have meanings that are specific to the alternative work practice standard in paragraphs (c), (d), and (e) of this section.

- (1) **Applicable subpart** means the subpart in 40 CFR parts 60, 61, 63, and 65 that requires monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.
- (2) **Equipment** means pumps, valves, pressure relief valves, compressors, open-ended lines, flanges, connectors, and other equipment covered by the applicable subpart that require monitoring with a 40 CFR part 60, appendix A-7, Method 21 monitor.
- (3) **Imaging** means making visible emissions that may otherwise be invisible to the naked eye.
- (4) **Optical gas imaging instrument** means an instrument that makes visible emissions that may otherwise be invisible to the naked eye.

- (5) *Repair* means that equipment is adjusted, or otherwise altered, in order to eliminate a leak.
- (6) *Leak* means:
 - (i) Any emissions imaged by the optical gas instrument;
 - (ii) Indications of liquids dripping;
 - (iii) Indications by a sensor that a seal or barrier fluid system has failed; or
 - (iv) Screening results using a 40 CFR part 60, appendix A-7, Method 21 monitor that exceed the leak definition in the applicable subpart to which the equipment is subject.
- (d) The alternative work practice standard for monitoring equipment for leaks is available to all subparts in 40 CFR parts 60, 61, 63, and 65 that require monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.
 - (1) An owner or operator of an affected source subject to 40 CFR parts 60, 61, 63, or 65 can choose to comply with the alternative work practice requirements in paragraph (e) of this section instead of using the 40 CFR part 60, appendix A-7, Method 21 monitor to identify leaking equipment. The owner or operator must document the equipment, process units, and facilities for which the alternative work practice will be used to identify leaks.
 - (2) Any leak detected when following the leak survey procedure in paragraph (e)(3) of this section must be identified for repair as required in the applicable subpart.
 - (3) If the alternative work practice is used to identify leaks, re-screening after an attempted repair of leaking equipment must be conducted using either the alternative work practice or the 40 CFR part 60, Appendix A-7, Method 21 monitor at the leak definition required in the applicable subparts to which the equipment is subject.
 - (4) The schedule for repair is as required in the applicable subpart.
 - (5) When this alternative work practice is used for detecting leaking equipment, choose one of the monitoring frequencies listed in Table 1 to subpart A of this part in lieu of the monitoring frequency specified for regulated equipment in the applicable subpart. Reduced monitoring frequencies for good performance are not applicable when using the alternative work practice.
 - (6) When this alternative work practice is used for detecting leaking equipment, the following are not applicable for the equipment being monitored:
 - (i) Skip period leak detection and repair;
 - (ii) Quality improvement plans; or
 - (iii) Complying with standards for allowable percentage of valves and pumps to leak.
 - (7) When the alternative work practice is used to detect leaking equipment, the regulated equipment in paragraph (d)(1)(i) of this section must also be monitored annually using a 40 CFR part 60, Appendix A-7, Method 21 monitor at the leak definition required in the applicable subpart. The owner or operator may choose the specific monitoring period (for example, first quarter) to conduct the annual monitoring. Subsequent monitoring must be conducted every 12 months from the initial period. Owners or operators must keep records of the annual Method 21 screening results, as specified in paragraph (i)(4)(vii) of this section.

- (e) An owner or operator of an affected source who chooses to use the alternative work practice must comply with the requirements of paragraphs (e)(1) through (e)(5) of this section.
- (1) **Instrument specifications.** The optical gas imaging instrument must comply with the requirements specified in paragraphs (e)(1)(i) and (e)(1)(ii) of this section.
- (i) Provide the operator with an image of the potential leak points for each piece of equipment at both the detection sensitivity level and within the distance used in the daily instrument check described in paragraph (e)(2) of this section. The detection sensitivity level depends upon the frequency at which leak monitoring is to be performed.
- (ii) Provide a date and time stamp for video records of every monitoring event.
- (2) **Daily instrument check.** On a daily basis, and prior to beginning any leak monitoring work, test the optical gas imaging instrument at the mass flow rate determined in paragraph (e)(2)(i) of this section in accordance with the procedure specified in paragraphs (e)(2)(ii) through (e)(2)(iv) of this section for each camera configuration used during monitoring (for example, different lenses used), unless an alternative method to demonstrate daily instrument checks has been approved in accordance with paragraph (e)(2)(v) of this section.
- (i) Calculate the mass flow rate to be used in the daily instrument check by following the procedures in paragraphs (e)(2)(i)(A) and (e)(2)(i)(B) of this section.
- (A) For a specified population of equipment to be imaged by the instrument, determine the piece of equipment in contact with the lowest mass fraction of chemicals that are detectable, within the distance to be used in paragraph (e)(2)(iv)(B) of this section, at or below the standard detection sensitivity level.
- (B) Multiply the standard detection sensitivity level, corresponding to the selected monitoring frequency in Table 1 of subpart A of this part, by the mass fraction of detectable chemicals from the stream identified in paragraph (e)(2)(i)(A) of this section to determine the mass flow rate to be used in the daily instrument check, using the following equation.

$$E_{dic} = (E_{sds}) \sum_{i=1}^k x_i$$

Where:

E_{dic} = Mass flow rate for the daily instrument check, grams per hour

x_i = Mass fraction of detectable chemical(s) i seen by the optical gas imaging instrument, within the distance to be used in paragraph (e)(2)(iv)(B) of this section, at or below the standard detection sensitivity level, E_{sds} .

E_{sds} = Standard detection sensitivity level from Table 1 to subpart A, grams per hour

k = Total number of detectable chemicals emitted from the leaking equipment and seen by the optical gas imaging instrument.

- (ii) Start the optical gas imaging instrument according to the manufacturer's instructions, ensuring that all appropriate settings conform to the manufacturer's instructions.

- (iii) Use any gas chosen by the user that can be viewed by the optical gas imaging instrument and that has a purity of no less than 98 percent.
 - (iv) Establish a mass flow rate by using the following procedures:
 - (A) Provide a source of gas where it will be in the field of view of the optical gas imaging instrument.
 - (B) Set up the optical gas imaging instrument at a recorded distance from the outlet or leak orifice of the flow meter that will not be exceeded in the actual performance of the leak survey. Do not exceed the operating parameters of the flow meter.
 - (C) Open the valve on the flow meter to set a flow rate that will create a mass emission rate equal to the mass rate calculated in paragraph (e)(2)(i) of this section while observing the gas flow through the optical gas imaging instrument viewfinder. When an image of the gas emission is seen through the viewfinder at the required emission rate, make a record of the reading on the flow meter.
 - (v) Repeat the procedures specified in paragraphs (e)(2)(ii) through (e)(2)(iv) of this section for each configuration of the optical gas imaging instrument used during the leak survey.
 - (vi) To use an alternative method to demonstrate daily instrument checks, apply to the Administrator for approval of the alternative under § 63.177 or § 63.178, whichever is applicable.
- (3) **Leak survey procedure.** Operate the optical gas imaging instrument to image every regulated piece of equipment selected for this work practice in accordance with the instrument manufacturer's operating parameters. All emissions imaged by the optical gas imaging instrument are considered to be leaks and are subject to repair. All emissions visible to the naked eye are also considered to be leaks and are subject to repair.
- (4) **Recordkeeping.** Keep the records described in paragraphs (e)(4)(i) through (e)(4)(vii) of this section:
- (i) The equipment, processes, and facilities for which the owner or operator chooses to use the alternative work practice.
 - (ii) The detection sensitivity level selected from Table 1 to subpart A of this part for the optical gas imaging instrument.
 - (iii) The analysis to determine the piece of equipment in contact with the lowest mass fraction of chemicals that are detectable, as specified in paragraph (e)(2)(i)(A) of this section.
 - (iv) The technical basis for the mass fraction of detectable chemicals used in the equation in paragraph (e)(2)(i)(B) of this section.
 - (v) The daily instrument check. Record the distance, per paragraph (e)(2)(iv)(B) of this section, and the flow meter reading, per paragraph (e)(2)(iv)(C) of this section, at which the leak was imaged. Keep a video record of the daily instrument check for each configuration of the optical gas imaging instrument used during the leak survey (for example, the daily instrument check must be conducted for each lens used). The video record must include a time and date stamp for each daily instrument check. The video record must be kept for 5 years.

- (vi) **Recordkeeping requirements in the applicable subpart.** A video record must be used to document the leak survey results. The video record must include a time and date stamp for each monitoring event. A video record can be used to meet the recordkeeping requirements of the applicable subparts if each piece of regulated equipment selected for this work practice can be identified in the video record. The video record must be kept for 5 years.
- (vii) The results of the annual Method 21 screening required in paragraph (h)(7) of this section. Records must be kept for all regulated equipment specified in paragraph (h)(1) of this section. Records must identify the equipment screened, the screening value measured by Method 21, the time and date of the screening, and calibration information required in the existing applicable subparts.
- (5) **Reporting.** Submit the reports required in the applicable subpart. Submit the records of the annual Method 21 screening required in paragraph (h)(7) of this section to the Administrator via e-mail to CCG-AWP@EPA.GOV.

[59 FR 12430, Mar. 16, 1994, as amended at 63 FR 24444, May 4, 1998; 65 FR 62215, Oct. 17, 2000; 67 FR 16605, Apr. 5, 2002; 73 FR 78211, Dec. 22, 2008]

§ 63.12 State authority and delegations.

- (a) The provisions of this part shall not be construed in any manner to preclude any State or political subdivision thereof from—
 - (1) Adopting and enforcing any standard, limitation, prohibition, or other regulation applicable to an affected source subject to the requirements of this part, provided that such standard, limitation, prohibition, or regulation is not less stringent than any requirement applicable to such source established under this part;
 - (2) Requiring the owner or operator of an affected source to obtain permits, licenses, or approvals prior to initiating construction, reconstruction, modification, or operation of such source; or
 - (3) Requiring emission reductions in excess of those specified in subpart D of this part as a condition for granting the extension of compliance authorized by section 112(i)(5) of the Act.
- (b)
 - (1) Section 112(l) of the Act directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards and other requirements pursuant to section 112 for stationary sources located in that State. Because of the unique nature of radioactive material, delegation of authority to implement and enforce standards that control radionuclides may require separate approval.
 - (2) Subpart E of this part establishes procedures consistent with section 112(l) for the approval of State rules or programs to implement and enforce applicable Federal rules promulgated under the authority of section 112. Subpart E also establishes procedures for the review and withdrawal of section 112 implementation and enforcement authorities granted through a section 112(l) approval.
- (c) All information required to be submitted to the EPA under this part also shall be submitted to the appropriate state agency of any state to which authority has been delegated under section 112(l) of the Act, provided that each specific delegation may exempt sources from a certain federal or state reporting requirement. Any information required to be submitted electronically by this part via the EPA's CEDRI may,

at the discretion of the delegated authority, satisfy the requirements of this paragraph. The Administrator may permit all or some of the information to be submitted to the appropriate state agency only, instead of to the EPA and the state agency with the exception of federal electronic reporting requirements under this part. Sources may not be exempted from federal electronic reporting requirements.

[59 FR 12430, Mar. 16, 1994, as amended at 85 FR 73887, Nov. 19, 2020]

§ 63.13 Addresses of State air pollution control agencies and EPA Regional Offices.

- (a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted to the appropriate Regional Office of the U.S. Environmental Protection Agency indicated in the following table. If a request, report, application, submittal, or other communication is required by this part to be submitted electronically via the EPA's CEDRI then such submission satisfies the requirements of this paragraph (a).

TABLE 1 TO PARAGRAPH (a)

Region	Address	State
I	Director, Enforcement and Compliance Assurance Division, U.S. EPA Region I, 5 Post Office Square—Suite 100 (04-2), Boston, MA 02109-3912, Attn: Air Compliance Clerk	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.
II	Director, Air and Waste Management Division, 26 Federal Plaza, New York, NY 10278	New Jersey, New York, Puerto Rico, Virgin Islands.
III	Director, Air Protection Division, 1650 Arch Street, Philadelphia, PA 19103	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.
IV	Director, Air and Radiation Division, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.
V	Director, Air and Radiation Division, 77 West Jackson Blvd., Chicago, IL 60604-3507	Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.
VI	Director, Enforcement	Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Region	Address	State
	and Compliance Assurance Division; U.S. Environmental Protection Agency, 1201 Elm Street, Suite 500, Mail Code 6ECD, Dallas, Texas 75270-2102	
VII	Director, Air and Waste Management Division, 11201 Renner Boulevard, Lenexa, Kansas 66219	Iowa, Kansas, Missouri, Nebraska.
VIII	Director, Air and Toxics Technical Enforcement Program, Office of Enforcement, Compliance and Environmental Justice, Mail Code 8ENF-AT, 1595 Wynkoop Street, Denver, CO 80202-1129	Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming.
IX	Director, Air Division, 75 Hawthorne Street, San Francisco, CA 94105	Arizona, California, Hawaii, Nevada; the territories of American Samoa and Guam; the Commonwealth of the Northern Mariana Islands; the territories of Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Atoll, Palmyra Atoll, and Wake Islands; and certain U.S. Government activities in the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.
X	Director, Office of Air Quality, 1200 Sixth Avenue (OAQ-107), Seattle, WA 98101	Alaska, Idaho, Oregon, Washington.

- (b) All information required to be submitted to the Administrator under this part also shall be submitted to the appropriate State agency of any State to which authority has been delegated under section 112(l) of the Act. The owner or operator of an affected source may contact the appropriate EPA Regional Office for the mailing addresses for those States whose delegation requests have been approved.
- (c) If any State requires a submittal that contains all the information required in an application, notification, request, report, statement, or other communication required in this part, an owner or operator may send the appropriate Regional Office of the EPA a copy of that submittal to satisfy the requirements of this part for that communication.

[59 FR 12430, Mar. 16, 1994, as amended at 63 FR 66061, Dec. 1, 1998; 67 FR 4184, Jan. 29, 2002; 68 FR 32601, May 30, 2003; 68 FR 35792, June 17, 2003; 73 FR 24871, May 6, 2008; 75 FR 69532, Nov. 12, 2010; 76 FR 49673, Aug. 11, 2011; 78 FR 37977, June 25, 2013; 84 FR 34069, July 17, 2019; 84 FR 44230, Aug. 23, 2019; 85 FR 73887, Nov. 19, 2020; 89 FR 86748, Oct. 31, 2024]

§ 63.14 Incorporations by reference.

(a)

(1) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the U.S. Environmental Protection Agency (EPA) must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at the EPA and at the National Archives and Records Administration (NARA). Contact the EPA at: EPA Docket Center, Public Reading Room, EPA WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC; phone: (202) 566-1744. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov.

(2) The IBR material may be obtained from the sources in the following paragraphs of this section or from one or more private resellers listed in this paragraph (a)(2). For material that is no longer commercially available, contact: the EPA (see paragraph (a)(1) of this section).

(i) Accuris Standards Store, 321 Inverness Drive, South Englewood, CO, 80112; phone: (800) 332-6077; website: <https://store.accuristech.com>.

(ii) American National Standards Institute (ANSI), 25 West 43rd Street, Fourth Floor, New York, NY 10036-7417; phone: (212) 642-4980; email: info@ansi.org; website: www.ansi.org.

(iii) GlobalSpec, 257 Fuller Road, Suite NFE 1100, Albany, NY 12203-3621; phone: (800) 261-2052; website: <https://standards.globalspec.com>.

(iv) Nimonik Document Center, 401 Roland Way, Suite 224, Oakland, CA, 94624; phone (650) 591-7600; email: info@document-center.com; website: www.document-center.com.

(v) Techstreet, phone: (855) 999-9870; email: store@techstreet.com; website: www.techstreet.com.

(b) American Conference of Governmental Industrial Hygienists (ACGIH), Customer Service Department, 1330 Kemper Meadow Drive, Cincinnati, Ohio 45240, telephone number (513) 742-2020.

(1) Industrial Ventilation: A Manual of Recommended Practice, 22nd Edition, 1995, Chapter 3, "Local Exhaust Hoods" and Chapter 5, "Exhaust System Design Procedure." IBR approved for §§ 63.843(b) and 63.844(b).

(2) Industrial Ventilation: A Manual of Recommended Practice, 23rd Edition, 1998, Chapter 3, "Local Exhaust Hoods" and Chapter 5, "Exhaust System Design Procedure." IBR approved for §§ 63.1503, 63.1506(c), 63.1512(e), Table 2 to subpart RRR, Table 3 to subpart RRR, and appendix A to subpart RRR, and § 63.2984(e).

(3) Industrial Ventilation: A Manual of Recommended Practice for Design, 27th Edition, 2010. IBR approved for §§ 63.1503, 63.1506(c), 63.1512(e), Table 2 to subpart RRR, Table 3 to subpart RRR, and appendix A to subpart RRR, and § 63.2984(e).

(c) American Petroleum Institute (API), 200 Massachusetts Ave. NW, Suite 1100, Washington, DC 20001; phone: (202) 682-8000; website: www.api.org.

- (1) API Publication 2517, Evaporative Loss from External Floating-Roof Tanks, Third Edition, February 1989; IBR approved for §§ 63.111; 63.1402; 63.2406; 63.7944.
- (2) API Publication 2518, Evaporative Loss from Fixed-roof Tanks, Second Edition, October 1991; IBR approved for § 63.150(g).
- (3) API Manual of Petroleum Measurement Specifications (MPMS) Chapter 19.2 (API MPMS 19.2), Evaporative Loss From Floating-Roof Tanks, First Edition, April 1997; IBR approved for §§ 63.1251; 63.12005.
- (4) API Manual of Petroleum Measurement Specifications (MPMS) Chapter 19.2 (API MPMS 19.2), Evaporative Loss From Floating-Roof Tanks, Fourth Edition, August 2020; IBR approved for § 63.101(b).
- (d) American Public Health Association, 1015 18th Street NW, Washington, DC 20036; phone (844) 232-3707; email: standardmethods@subscriptionoffice.com; website: www.standardmethods.org.
 - (1) Standard Method 5210, Biochemical Oxygen Demand (BOD), revised December 10, 2019; IBR approved for § 63.457(c)
 - (2) [Reserved]
- (e) American Society of Heating, Refrigerating, and Air-Conditioning Engineers at 1791 Tullie Circle, NE., Atlanta, GA 30329 orders@ashrae.org.
 - (1) American Society of Heating, Refrigerating, and Air-Conditioning Engineers Method 52.1, *Gravimetric and Dust-Spot Procedures for Testing Air-Cleaning Devices Used in General Ventilation for Removing Particulate Matter* June 4, 1992; IBR approved for § 63.11516(d).
 - (2) ANSI/ASHRAE Standard 52.2-2017, *Method of Testing General Ventilation Air-Cleaning Devices for Removal Efficiency by Particle Size*, copyright 2017; IBR approved for § 63.11173(e).
- (f) American Society of Mechanical Engineers (ASME), Two Park Avenue, New York, NY 10016-5990; phone: (800) 843-2763; email: CustomerCare@asme.org; website: www.asme.org.
 - (1) ANSI/ASME PTC 19.10-1981, *Flue and Exhaust Gas Analyses* [Part 10, Instruments and Apparatus], issued August 31, 1981; §§ 63.116(c) and (h); 63.128(a); 63.145(i); 63.309(k); 63.365(b); 63.457(k); 63.490(g); 63.772(e) and (h); 63.865(b); 63.997(e); 63.1282(d) and (g); 63.1450(a), (b), (d), (e), (g); 63.1625(b); table 5 to subpart EEEE; §§ 63.3166(a); 63.3360(e); 63.3545(a); 63.3555(a); 63.4166(a); 63.4362(a); 63.4766(a); 63.4965(a); 63.5160(d); table 4 to subpart UUUU; tables 5, 16, and 17 to subpart XXXX; table 3 to subpart YYYY; table 4 to subpart AAAAA; § 63.7322(b); table 5 to subpart DDDDD; §§ 63.7822(b); 63.7824(e); 63.7825(b); 63.8000(d); table 4 to subpart JJJJJ; table 4 to subpart KKKKK; §§ 63.9307(c); 63.9323(a); 63.9621(b) and (c); table 4 to subpart SSSSS; tables 4 and 5 of subpart UUUUU; table 1 to subpart ZZZZZ; §§ 63.11148(e); 63.11155(e); 63.11162(f); 63.11163(g); table 4 to subpart JJJJJJ; §§ 63.11410(j); 63.11551(a); 63.11646(a); 63.11945.
 - (2) [Reserved]
- (g) The Association of Florida Phosphate Chemists, P.O. Box 1645, Bartow, Florida 33830.
 - (1) Book of Methods Used and Adopted By The Association of Florida Phosphate Chemists, Seventh Edition 1991:
 - (i) Section IX, Methods of Analysis for Phosphate Rock, No. 1 Preparation of Sample, IBR approved for § 63.606(f), § 63.626(f).

- (ii) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus-P₂O₅ or Ca₃(PO₄)₂, Method A—Volumetric Method, IBR approved for § 63.606(f), § 63.626(f).
- (iii) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus-P₂O₅ or Ca₃(PO₄)₂, Method B—Gravimetric Quimociac Method, IBR approved for § 63.606(f), § 63.626(f).
- (iv) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-P₂O₅ or Ca₃(PO₄)₂, Method C—Spectrophotometric Method, IBR approved for § 63.606(f), § 63.626(f).
- (v) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-P₂O₅, Method A—Volumetric Method, IBR approved for § 63.606(f), § 63.626(f), and (g).
- (vi) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-P₂O₅, Method B—Gravimetric Quimociac Method, IBR approved for § 63.606(f), § 63.626(f), and (g).
- (vii) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-P₂O₅, Method C—Spectrophotometric Method, IBR approved for § 63.606(f), § 63.626(f), and (g).
- (2) [Reserved]
- (h) Association of Official Analytical Chemists (AOAC) International, Customer Services, Suite 400, 2200 Wilson Boulevard, Arlington, Virginia 22201-3301, Telephone (703) 522-3032, Fax (703) 522-5468.
 - (1) AOAC Official Method 929.01 Sampling of Solid Fertilizers, Sixteenth edition, 1995, IBR approved for § 63.626(g).
 - (2) AOAC Official Method 929.02 Preparation of Fertilizer Sample, Sixteenth edition, 1995, IBR approved for § 63.626(g).
 - (3) AOAC Official Method 957.02 Phosphorus (Total) in Fertilizers, Preparation of Sample Solution, Sixteenth edition, 1995, IBR approved for § 63.626(g).
 - (4) AOAC Official Method 958.01 Phosphorus (Total) in Fertilizers, Spectrophotometric Molybdovanadophosphate Method, Sixteenth edition, 1995, IBR approved for § 63.626(g).
 - (5) AOAC Official Method 962.02 Phosphorus (Total) in Fertilizers, Gravimetric Quinolinium Molybdophosphate Method, Sixteenth edition, 1995, IBR approved for § 63.626(g).
 - (6) AOAC Official Method 969.02 Phosphorus (Total) in Fertilizers, Alkalimetric Quinolinium Molybdophosphate Method, Sixteenth edition, 1995, IBR approved for § 63.626(g).
 - (7) AOAC Official Method 978.01 Phosphorus (Total) in Fertilizers, Automated Method, Sixteenth edition, 1995, IBR approved for § 63.626(g).
- (i) ASTM International, 100 Barr Harbor Drive, P.O. Box CB700, West Conshohocken, Pennsylvania 19428-2959; phone: (800) 262-1373; website: www.astm.org.
 - (1) ASTM D95-05 (Reapproved 2010), Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation, approved May 1, 2010, IBR approved for § 63.10005(i) and table 6 to subpart DDDDD.
 - (2) ASTM D240-09 Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter, approved July 1, 2009, IBR approved for table 6 to subpart DDDDD.

- (3) ASTM Method D388-05, Standard Classification of Coals by Rank, approved September 15, 2005, IBR approved for §§ 63.7575, 63.10042, and 63.11237.
- (4) ASTM Method D396-10, Standard Specification for Fuel Oils, including Appendix X1, approved October 1, 2010, IBR approved for § 63.10042.
- (5) ASTM D396-10, Standard Specification for Fuel Oils, approved October 1, 2010, IBR approved for §§ 63.7575 and 63.11237.
- (6) ASTM D523-89, Standard Test Method for Specular Gloss, IBR approved for § 63.782.
- (7) ASTM D975-11b, Standard Specification for Diesel Fuel Oils, approved December 1, 2011, IBR approved for § 63.7575.
- (8) ASTM D1193-77, Standard Specification for Reagent Water, IBR approved for appendix A to part 63: Method 306, Sections 7.1.1 and 7.4.2.
- (9) ASTM D1193-91, Standard Specification for Reagent Water, IBR approved for appendix A to part 63: Method 306, Sections 7.1.1 and 7.4.2.
- (10) ASTM D1331-89, Standard Test Methods for Surface and Interfacial Tension of Solutions of Surface Active Agents, IBR approved for appendix A to part 63: Method 306B, Sections 6.2, 11.1, and 12.2.2.
- (11) ASTM D1475-90, Standard Test Method for Density of Paint, Varnish Lacquer, and Related Products, IBR approved for appendix A to subpart II.
- (12) ASTM D1475-13, Standard Test Method for Density of Liquid Coatings, Inks, and Related Products, approved November 1, 2013, IBR approved for §§ 63.3151(b), 63.3941(b) and (c), 63.3951(c), 63.4141(b) and (c), 63.4551(c), 63.4741(b) and (c), 63.4751(c), and 63.4941(b) and (c).
- (13) ASTM Method D1835-05, Standard Specification for Liquefied Petroleum (LP) Gases, approved April 1, 2005, IBR approved for §§ 63.7575 and 63.11237.
- (14) ASTM D1945-03 (Reapproved 2010), Standard Test Method for Analysis of Natural Gas by Gas Chromatography, Approved January 1, 2010, IBR approved for §§ 63.670(j), 63.772(h), and 63.1282(g).
- (15) ASTM D1945-14, Standard Test Method for Analysis of Natural Gas by Gas Chromatography, Approved November 1, 2014, IBR approved for § 63.670(j).
- (16) ASTM D1946-77, Standard Method for Analysis of Reformulated Gas by Gas Chromatography, IBR approved for § 63.11(b).
- (17) ASTM D1946-90 (Reapproved 1994), Standard Method for Analysis of Reformulated Gas by Gas Chromatography, 1994, IBR approved for §§ 63.11(b), 63.987(b), and 63.1412.
- (18) ASTM D1963-85 (Reapproved 1996), Standard Test Method for Specific Gravity of Drying Oils, Varnishes, Resins, and Related Materials at 25/25 °C, approved November 29, 1985, IBR approved for § 63.3360(c).
- (19) ASTM D2013/D2013M-09, Standard Practice for Preparing Coal Samples for Analysis, (Approved November 1, 2009), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (20) ASTM D2099-00, Standard Test Method for Dynamic Water Resistance of Shoe Upper Leather by the Maeser Water Penetration Tester, IBR approved for § 63.5350.

- (21) ASTM D2111-10 (Reapproved 2015), Standard Test Methods for Specific Gravity and Density of Halogenated Organic Solvents and Their Admixtures, approved June 1, 2015, IBR approved for §§ 63.3360(c), 63.3951(c), 63.4141(b) and (c), 63.4551(c), and 63.4741(a).
- (22) ASTM D2216-05, Standard Test Methods for Laboratory Determination of Water (Moisture) Content of Soil and Rock by Mass, IBR approved for the definition of "Free organic liquids" in § 63.10692.
- (23) ASTM D2234/D2234M-10, Standard Practice for Collection of a Gross Sample of Coal, approved January 1, 2010, IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJ.
- (24) ASTM D2369-93, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A to subpart II.
- (25) ASTM D2369-95, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A to subpart II.
- (26) ASTM D2369-10 (Reapproved 2015)e1, Standard Test Method for Volatile Content of Coatings, approved June 1, 2015, IBR approved for §§ 63.3151(a), 63.3360(c), 63.3961(j), 63.4141(a) and (b), 63.4161(h), 63.4321(e), 63.4341(e), 63.4351(d), 63.4541(a), and 63.4561(j), appendix A to subpart PPPP, and §§ 63.4741(a), 63.4941(a) and (b), 63.4961(j), and 63.8055(b).
- (27) ASTM D2382-76, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for § 63.11(b).
- (28) ASTM D2382-88, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for § 63.11(b).
- (29) ASTM D2697-86 (Reapproved 1998), Standard Test Method for Volume Nonvolatile Matter in Clear or Pigmented Coatings, IBR approved for §§ 63.3521(b), and 63.5160(c).
- (30) ASTM D2697-03 (Reapproved 2014), Standard Test Method for Volume Nonvolatile Matter in Clear or Pigmented Coatings, approved July 1, 2014, IBR approved for §§ 63.3161(f), 63.3360(c), 63.3941(b), 63.4141(b), 63.4741(a) and (b), 63.4941(b), and 63.8055(b).
- (31) ASTM D2879-83, Standard Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, Approved November 28, 1983, IBR approved for §§ 63.111, 63.1402, 63.2406, 63.7944, and 63.12005.
- (32) ASTM D2879-96, Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, (Approved 1996), IBR approved for §§ 63.111, and 63.12005.
- (33) ASTM D2879-23, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved December 1, 2023; IBR approved for § 63.101(b).
- (34) ASTM D2908-74, Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved June 27, 1974, IBR approved for § 63.1329(c).
- (35) ASTM D2908-91, Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved December 15, 1991, IBR approved for § 63.1329(c).
- (36) ASTM D2908-91(Reapproved 2001), Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved December 15, 1991, IBR approved for § 63.1329(c).

- (37) ASTM D2908-91 (Reapproved 2005), Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved December 1, 2005, IBR approved for § 63.1329(c).
- (38) ASTM D2908-91 (Reapproved 2011), Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved May 1, 2011, IBR approved for § 63.1329(c).
- (39) ASTM D2986-95A, "Standard Practice for Evaluation of Air Assay Media by the Monodisperse DOP (Diethyl Phthalate) Smoke Test," approved September 10, 1995, IBR approved for section 7.1.1 of Method 315 in appendix A to this part.
- (40) ASTM D3173-03 (Reapproved 2008), Standard Test Method for Moisture in the Analysis Sample of Coal and Coke, (Approved February 1, 2008), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (41) ASTM D3257-93, Standard Test Methods for Aromatics in Mineral Spirits by Gas Chromatography, IBR approved for § 63.786(b).
- (42) ASTM D3370-76, Standard Practices for Sampling Water, Approved August 27, 1976, IBR approved for § 63.1329(c).
- (43) ASTM D3370-95a, Standard Practices for Sampling Water from Closed Conduits, Approved September 10, 1995, IBR approved for § 63.1329(c).
- (44) ASTM D3370-07, Standard Practices for Sampling Water from Closed Conduits, Approved December 1, 2007, IBR approved for § 63.1329(c).
- (45) ASTM D3370-08, Standard Practices for Sampling Water from Closed Conduits, Approved October 1, 2008, IBR approved for § 63.1329(c).
- (46) ASTM D3370-10, Standard Practices for Sampling Water from Closed Conduits, Approved December 1, 2010, IBR approved for § 63.1329(c).
- (47) ASTM D3588-98 (Reapproved 2003), Standard Practice for Calculating Heat Value, Compressibility Factor, and Relative Density of Gaseous Fuels, (Approved May 10, 2003), IBR approved for §§ 63.772(h) and 63.1282(g).
- (48) ASTM D3695-88, Standard Test Method for Volatile Alcohols in Water by Direct Aqueous-Injection Gas Chromatography, IBR approved for § 63.365(e).
- (49) ASTM D3792-91, Standard Method for Water Content of Water-Reducible Paints by Direct Injection into a Gas Chromatograph, IBR approved for appendix A to subpart II.
- (50) ASTM D3912-80, Standard Test Method for Chemical Resistance of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for § 63.782.
- (51) ASTM D3960-98, Standard Practice for Determining Volatile Organic Compound (VOC) Content of Paints and Related Coatings, approved November 10, 1998, IBR approved for §§ 63.3360(c) and 63.8055(b).
- (52) ASTM D4006-11, Standard Test Method for Water in Crude Oil by Distillation, including Annex A1 and Appendix X1, (Approved June 1, 2011), IBR approved for § 63.10005(i) and table 6 to subpart DDDDD.

- (53) ASTM D4017-81, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A to subpart II.
- (54) ASTM D4017-90, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A to subpart II.
- (55) ASTM D4017-96a, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A to subpart II.
- (56) ASTM D4057-06 (Reapproved 2011), Standard Practice for Manual Sampling of Petroleum and Petroleum Products, including Annex A1, (Approved June 1, 2011), IBR approved for § 63.10005(i) and table 6 to subpart DDDDD.
- (57) ASTM D4082-89, Standard Test Method for Effects of Gamma Radiation on Coatings for Use in Light-Water Nuclear Power Plants, IBR approved for § 63.782.
- (58) ASTM D4084-07, Standard Test Method for Analysis of Hydrogen Sulfide in Gaseous Fuels (Lead Acetate Reaction Rate Method), (Approved June 1, 2007), IBR approved for table 6 to subpart DDDDD.
- (59) ASTM D4177-95 (Reapproved 2010), Standard Practice for Automatic Sampling of Petroleum and Petroleum Products, including Annexes A1 through A6 and Appendices X1 and X2, (Approved May 1, 2010), IBR approved for § 63.10005(i) and table 6 to subpart DDDDD.
- (60) ASTM D4208-02 (Reapproved 2007), Standard Test Method for Total Chlorine in Coal by the Oxygen Bomb Combustion/Ion Selective Electrode Method, approved May 1, 2007, IBR approved for table 6 to subpart DDDDD.
- (61) ASTM D4239-14e1, "Standard Test Method for Sulfur in the Analysis Sample of Coal and Coke Using High-Temperature Tube Furnace Combustion," approved March 1, 2014, IBR approved for § 63.849(f).
- (62) ASTM D4256-89, Standard Test Method for Determination of the Decontaminability of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for § 63.782.
- (63) ASTM D4256-89 (Reapproved 94), Standard Test Method for Determination of the Decontaminability of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for § 63.782.
- (64) ASTM D4282-15, Standard Test Method for Determination of Free Cyanide in Water and Wastewater by Microdiffusion, Approved July 15, 2015, IBR approved for § 63.1103(g).
- (65) ASTM D4606-03 (Reapproved 2007), Standard Test Method for Determination of Arsenic and Selenium in Coal by the Hydride Generation/Atomic Absorption Method, (Approved October 1, 2007), IBR approved for table 6 to subpart DDDDD.
- (66) ASTM D4809-95, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method), IBR approved for § 63.11(b).
- (67) ASTM D4840-99 (Reapproved 2018)^e, Standard Guide for Sampling Chain-of-Custody Procedures, approved August 15, 2018, IBR approved for appendix A to part 63.
- (68) ASTM D4891-89 (Reapproved 2006), Standard Test Method for Heating Value of Gases in Natural Gas Range by Stoichiometric Combustion, (Approved June 1, 2006), IBR approved for §§ 63.772(h) and 63.1282(g).

- (69) ASTM D5066-91 (Reapproved 2017), Standard Test Method for Determination of the Transfer Efficiency Under Production Conditions for Spray Application of Automotive Paints-Weight Basis, approved June 1, 2017, IBR approved for § 63.3161(g).
- (70) ASTM D5087-02, Standard Test Method for Determining Amount of Volatile Organic Compound (VOC) Released from Solventborne Automotive Coatings and Available for Removal in a VOC Control Device (Abatement), IBR approved for § 63.3165(e) and appendix A to subpart IIII.
- (71) ASTM D5192-09, Standard Practice for Collection of Coal Samples from Core, (Approved June 1, 2009), IBR approved for table 6 to subpart DDDDD.
- (72) ASTM D5198-09, Standard Practice for Nitric Acid Digestion of Solid Waste, (Approved February 1, 2009), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (73) ASTM D5228-92, Standard Test Method for Determination of Butane Working Capacity of Activated Carbon, (Reapproved 2005), IBR approved for § 63.11092(b).
- (74) ASTM D5291-02, Standard Test Methods for Instrumental Determination of Carbon, Hydrogen, and Nitrogen in Petroleum Products and Lubricants, IBR approved for appendix A to subpart MMMM.
- (75) ASTM D5790-95 (Reapproved 2012), Standard Test Method for Measurement of Purgeable Organic Compounds in Water by Capillary Column Gas Chromatography/Mass Spectrometry, Approved June 15, 2012, IBR approved for § 63.2485(h) and Table 4 to subpart UUUU.
- (76) ASTM D5864-11, Standard Test Method for Determining Aerobic Aquatic Biodegradation of Lubricants or Their Components, (Approved March 1, 2011), IBR approved for table 6 to subpart DDDDD.
- (77) ASTM D5865-10a, Standard Test Method for Gross Calorific Value of Coal and Coke, (Approved May 1, 2010), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (78) ASTM D5954-98 (Reapproved 2006), Test Method for Mercury Sampling and Measurement in Natural Gas by Atomic Absorption Spectroscopy, (Approved December 1, 2006), IBR approved for table 6 to subpart DDDDD.
- (79) ASTM D5965-02 (Reapproved 2013), Standard Test Methods for Specific Gravity of Coating Powders, approved June 1, 2013, IBR approved for §§ 63.3151(b) and 63.3951(c).
- (80) ASTM D6053-00, Standard Test Method for Determination of Volatile Organic Compound (VOC) Content of Electrical Insulating Varnishes, IBR approved for appendix A to subpart MMMM.
- (81) ASTM D6093-97 (Reapproved 2003), Standard Test Method for Percent Volume Nonvolatile Matter in Clear or Pigmented Coatings Using a Helium Gas Pycnometer, IBR approved for §§ 63.3521 and 63.5160(c).
- (82) ASTM D6093-97 (Reapproved 2016), Standard Test Method for Percent Volume Nonvolatile Matter in Clear or Pigmented Coatings Using a Helium Gas Pycnometer, approved December 1, 2016, IBR approved for §§ 63.3161(f), 63.3360(c), 63.3941(b), 63.4141(b), 63.4741(a) and (b), and 63.4941(b).
- (83) ASTM D6196-03 (Reapproved 2009), Standard Practice for Selection of Sorbents, Sampling, and Thermal Desorption Analysis Procedures for Volatile Organic Compounds in Air, Approved March 1, 2009, IBR approved for appendix A to this part: Method 325A and Method 325B.

- (84) ASTM D6266-00a (Reapproved 2017), Standard Test Method for Determining the Amount of Volatile Organic Compound (VOC) Released from Waterborne Automotive Coatings and Available for Removal in a VOC Control Device (Abatement), approved July 1, 2017, IBR approved for § 63.3165(e).
- (85) ASTM D6323-98 (Reapproved 2003), Standard Guide for Laboratory Subsampling of Media Related to Waste Management Activities, (Approved August 10, 2003), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (86) ASTM D6348-03, Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, including Annexes A1 through A8, Approved October 1, 2003, IBR approved for §§ 63.457(b), 63.997(e), and 63.1349, table 4 to subpart DDDD, table 5 to subpart EEEE, table 4 to subpart UUUU, table 4 subpart ZZZZ, and table 8 to subpart HHHHHHH.
- (87) ASTM D6348-03 (Reapproved 2010), Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, including Annexes A1 through A8, Approved October 1, 2010, IBR approved for §§ 63.1571(a), 63.4751(i), 63.4752(e), 63.4766(b), 63.7142(a) and (b), tables 4 and 5 to subpart JJJJJ, tables 4 and 6 to subpart KKKKK, tables 1, 2, and 5 to subpart UUUUU and appendix B to subpart UUUUU.
- (88) ASTM D6348-12e1, Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, Approved February 1, 2012, IBR approved for §§ 63.997(e), 63.1571(a), and 63.2354(b), table 5 to subpart EEEE, table 4 to subpart UUUU, §§ 63.7142(a) and (b) and 63.8000(d), and table 4 to subpart SSSSS.
- (89) ASTM D6348-12 (Reapproved 2020), Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, Approved February 1, 2012, IBR approved for §§ 63.109(a); 63.365(b); 63.509(a); 63.7322(d), (e), and (g); 63.7825(g) and (h); table 5 to subpart AAAAA.
- (90) ASTM D6350-98 (Reapproved 2003), Standard Test Method for Mercury Sampling and Analysis in Natural Gas by Atomic Fluorescence Spectroscopy, (Approved May 10, 2003), IBR approved for table 6 to subpart DDDDD.
- (91) ASTM D6357-11, Test Methods for Determination of Trace Elements in Coal, Coke, and Combustion Residues from Coal Utilization Processes by Inductively Coupled Plasma Atomic Emission Spectrometry, (Approved April 1, 2011), IBR approved for table 6 to subpart DDDDD.
- (92) ASTM D6376-10, "Standard Test Method for Determination of Trace Metals in Petroleum Coke by Wavelength Dispersive X-Ray Fluorescence Spectroscopy," Approved July 1, 2010, IBR approved for § 63.849(f).
- (93) ASTM D6420-99, Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, IBR approved for §§ 63.5799 and 63.5850.
- (94) ASTM D6420-99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (Approved October 1, 2004), IBR approved for §§ 63.457(b), 63.772(a), 63.772(e), 63.1282(a) and (d), and table 8 to subpart HHHHHHH.

- (95) ASTM D6420-99 (Reapproved 2010), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, Approved October 1, 2010, IBR approved for §§ 63.670(j); table 4 to subpart UUUU; 63.1450(f); 63.7142(b); appendix A to this part.
- (96) ASTM D6420-18, Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, approved November 1, 2018' IBR approved for §§ 63.101(b); 63.115(g); 63.116(c); 63.126(d); 63.128(a); 63.139(c); 63.145(d) and (i); 63.150(g); 63.180(d); 63.305(c); 63.482(b); 63.485(t); 63.488(b); 63.490(c) and (e); 63.496(b); 63.500(c); 63.501(a); 63.502(j); 63.503(a) and (g); 63.525(a) and (e); 63.987(b); 63.997(e); 63.2354(b); table 5 to subpart EEEE; §§ 63.2450(j); 63.8000(d).
- (97) ASTM D6522-00, Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, IBR approved for § 63.9307(c).
- (98) ASTM D6522-00 (Reapproved 2005), Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, (Approved October 1, 2005), IBR approved for table 4 to subpart ZZZZ, table 5 to subpart DDDDDD, table 4 to subpart JJJJJJ, and §§ 63.772(e) and (h)) and 63.1282(d) and (g).
- (99) ASTM D6522-11 Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, Approved December 1, 2011, IBR approved for § 63.1961(a) and table 3 to subpart YYYY.
- (100) ASTM D6721-01 (Reapproved 2006), Standard Test Method for Determination of Chlorine in Coal by Oxidative Hydrolysis Microcoulometry, (Approved April 1, 2006), IBR approved for table 6 to subpart DDDDD.
- (101) ASTM D6722-01 (Reapproved 2006), Standard Test Method for Total Mercury in Coal and Coal Combustion Residues by the Direct Combustion Analysis, (Approved April 1, 2006), IBR approved for Table 6 to subpart DDDDD and Table 5 to subpart JJJJJJ.
- (102) ASTM D6735-01 (Reapproved 2009), Standard Test Method for Measurement of Gaseous Chlorides and Fluorides from Mineral Calcining Exhaust Sources—Impinger Method, IBR approved for § 63.7142(b), tables 4 and 5 to subpart JJJJJ, and tables 4 and 6 to subpart KKKKK.
- (103) ASTM D6751-11b, Standard Specification for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels, (Approved July 15, 2011), IBR approved for §§ 63.7575 and 63.11237.
- (104) ASTM D6784-02 (Reapproved 2008), Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method), Approved April 1, 2008; IBR approved for §§ 63.2465(d); 63.11646(a); 63.11647(a) and (d); tables 1, 2, 5, 11, 12t, and 13 to subpart DDDDD; tables 4 and 5 to subpart JJJJJ; tables 4 and 6 to subpart KKKKK; table 4 to subpart JJJJJJ.
- (105) ASTM D6784-16, Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method), Approved March 1, 2016; IBR approved for §§ 63.1450(d); 63.9621; table 5 to subpart AAAAA; table 17 to subpart XXXX; table 5 to subpart UUUUU; appendix A to subpart UUUUU.

- (106) ASTM D6883-04, Standard Practice for Manual Sampling of Stationary Coal from Railroad Cars, Barges, Trucks, or Stockpiles, (Approved June 1, 2004), IBR approved for table 6 to subpart DDDDD.
- (107) ASTM D6886-18, Standard Test Method for Determination of the Weight Percent Individual Volatile Organic Compounds in Waterborne Air-Dry Coatings by Gas Chromatography, approved October 1, 2018, IBR approved for § 63.2354(c).
- (108) ASTM D7237-18, Standard Test Method for Free Cyanide and Aquatic Free Cyanide with Flow Injection Analysis (FIA) Utilizing Gas Diffusion Separation and Amperometric Detection, Approved December 1, 2018, IBR approved for § 63.1103(g).
- (109) ASTM D7430-11ae1, Standard Practice for Mechanical Sampling of Coal, (Approved October 1, 2011), IBR approved for table 6 to subpart DDDDD.
- (110) ASTM D7520-16, Standard Test Method for Determining the Opacity of a Plume in the Outdoor Ambient Atmosphere, approved April 1, 2016; IBR approved for §§ 63.1450(c), (e), and (g); 63.1453(h); 63.1625(b); table 3 to subpart LLLLL; §§ 63.7823(c) through (f), 63.7833(g); 63.11423(c).
- (111) [Reserved]
- (112) ASTM E145-94 (Reapproved 2001), Standard Specification for Gravity-Convection and Forced-Ventilation Ovens, IBR approved for appendix A to subpart PPPP.
- (113) ASTM E180-93, Standard Practice for Determining the Precision of ASTM Methods for Analysis and Testing of Industrial Chemicals, IBR approved for § 63.786(b).
- (114) ASTM E260-91, General Practice for Packed Column Gas Chromatography, IBR approved for §§ 63.750(b) and 63.786(b).
- (115) ASTM E260-96, General Practice for Packed Column Gas Chromatography, IBR approved for §§ 63.750(b) and 63.786(b).
- (116) ASTM E515-95 (Reapproved 2000), Standard Test Method for Leaks Using Bubble Emission Techniques, IBR approved for § 63.425(i).
- (117) ASTM E711-87 (Reapproved 2004), Standard Test Method for Gross Calorific Value of Refuse-Derived Fuel by the Bomb Calorimeter, (Approved August 28, 1987), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (118) ASTM E776-87 (Reapproved 2009), Standard Test Method for Forms of Chlorine in Refuse-Derived Fuel, (Approved July 1, 2009), IBR approved for table 6 to subpart DDDDD.
- (119) ASTM E871-82 (Reapproved 2006), Standard Test Method for Moisture Analysis of Particulate Wood Fuels, (Approved November 1, 2006), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (120) ASTM UOP539-12, Refinery Gas Analysis by GC, Copyright 2012 (to UOP), IBR approved for § 63.670(j).

Note 2 to paragraph (i): Standards listed in this paragraph (i) may also be available from standards resellers including the Standards Store, <https://global.ihs.com>.

- (j) Bay Area Air Quality Management District (BAAQMD), 939 Ellis Street, San Francisco, California 94109, <http://www.arb.ca.gov/DRDB/BA/CURHTML/ST/st30.pdf>.
 - (1) "BAAQMD Source Test Procedure ST-30—Static Pressure Integrity Test, Underground Storage Tanks," adopted November 30, 1983, and amended December 21, 1994, IBR approved for § 63.11120(a).
 - (2) [Reserved]
- (k) British Standards Institute, 389 Chiswick High Road, London W4 4AL, United Kingdom.
 - (1) BS EN 1593:1999, Non-destructive Testing: Leak Testing—Bubble Emission Techniques, IBR approved for § 63.425(i).
 - (2) BS EN 14662-4:2005, Ambient air quality standard method for the measurement of benzene concentrations—Part 4: Diffusive sampling followed by thermal desorption and gas chromatography, Published June 27, 2005, IBR approved for appendix A to this part: Method 325A and Method 325B.
- (l) California Air Resources Board (CARB), 1001 I Street, P.O. Box 2815, Sacramento, CA 95812-2815, Telephone (916) 327-0900, <http://www.arb.ca.gov/>.
 - (1) Method 310, "Determination of Volatile Organic Compounds (VOC) in Consumer Products and Reactive Organic Compounds (ROC) in Aerosol Coating Products," amended May 25, 2018, IBR approved for § 63.8055(b).
 - (2) Method 428, "Determination Of Polychlorinated Dibenzo-P-Dioxin (PCDD), Polychlorinated Dibenzofuran (PCDF), and Polychlorinated Biphenyle Emissions from Stationary Sources," amended September 12, 1990, IBR approved for § 63.849(a)(13) and (14).
 - (3) Method 429, Determination of Polycyclic Aromatic Hydrocarbon (PAH) Emissions from Stationary Sources, Adopted September 12, 1989, Amended July 28, 1997, IBR approved for § 63.1625(b).
 - (4) California Air Resources Board Vapor Recovery Test Procedure TP-201.1—"Volumetric Efficiency for Phase I Vapor Recovery Systems," adopted April 12, 1996, and amended February 1, 2001 and October 8, 2003, IBR approved for § 63.11120(b).
 - (5) California Air Resources Board Vapor Recovery Test Procedure TP-201.1E—"Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves," adopted October 8, 2003, IBR approved for § 63.11120(a).
 - (6) California Air Resources Board Vapor Recovery Test Procedure TP-201.3—"Determination of 2-Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities," adopted April 12, 1996 and amended March 17, 1999, IBR approved for § 63.11120(a).
- (m) Composite Panel Association, 19465 Deerfield Avenue, Suite 306, Leesburg, VA 20176, Telephone (703)724-1128, and www.compositepanel.org.
 - (1) ANSI A135.4-2012, Basic Hardboard, approved June 8, 2012, IBR approved for § 63.4781.
 - (2) [Reserved]
- (n) Environmental Protection Agency. Air and Radiation Docket and Information Center, 1200 Pennsylvania Avenue NW., Washington, DC 20460, telephone number (202) 566-1745.
 - (1) *California Regulatory Requirements Applicable to the Air Toxics Program*, November 16, 2010, IBR approved for § 63.99(a).

- (2) New Jersey's *Toxic Catastrophe Prevention Act Program*, (July 20, 1998), IBR approved for § 63.99(a).
- (3) Delaware Department of Natural Resources and Environmental Control, Division of Air and Waste Management, *Accidental Release Prevention Regulation*, sections 1 through 5 and sections 7 through 14, effective January 11, 1999, IBR approved for § 63.99(a).
- (4) State of Delaware Regulations Governing the Control of Air Pollution (October 2000), IBR approved for § 63.99(a).
- (5) Massachusetts Department of Environmental Protection regulations at 310 CMR 7.26(10)-(16), *Air Pollution Control*, effective as of September 5, 2008, corrected March 6, 2009, and 310 CMR 70.00, *Environmental Results Program Certification*, effective as of December 28, 2007. IBR approved for § 63.99(a).
- (6)
 - (i) New Hampshire Regulations at Env-Sw 2100, *Management and Control of Asbestos Disposal Sites Not Operated after July 9, 1981*, effective September 1, 2018, (including a letter from Robert R. Scott, Commissioner, Department of Environmental Services, State of New Hampshire, to David J. Alukonis, Director, Office of Legislative Services, dated October 23, 2018, certifying that the enclosed rule, Env-Sw 2100, is the official version of this rule), IBR approved for § 63.99(a).
 - (ii) New Hampshire Code of Administrative Rules: Chapter Env-A 1800, *Asbestos Management and Control*, effective as of May 5, 2017 (certified with June 23, 2017 letter from Clark B. Freise, Assistant Commissioner, Department of Environmental Services, State of New Hampshire), as follows: Revision Notes #1 and #2; Part Env-A 1801-1807, excluding Env-A 1801.02(e), Env-A 1801.07, Env-A 1802.02, Env-A 1802.04, Env-A 1802.07-1802.09, Env-A 1802.13, Env-A 1802.15-1802.17, Env-A 1802.25, Env-A 1802.31, Env-A 1802.37, Env-A 1802.40, Env-A 1802.44, and Env-A 1803.05-1803.09; and Appendices B, C, and D; IBR approved for § 63.99(a).
- (7) Maine Department of Environmental Protection regulations at Chapter 125, *Perchloroethylene Dry Cleaner Regulation*, effective as of June 2, 1991, last amended on June 24, 2009. IBR approved for § 63.99(a).
- (8) California South Coast Air Quality Management District's "Spray Equipment Transfer Efficiency Test Procedure for Equipment User, May 24, 1989," IBR approved for §§ 63.11173(e) and 63.11516(d).
- (9) California South Coast Air Quality Management District's "Guidelines for Demonstrating Equivalency with District Approved Transfer Efficient Spray Guns, September 26, 2002," Revision 0, IBR approved for §§ 63.11173(e) and 63.11516(d).
- (10) Rhode Island Regulations at Title 250 Department of Environmental Management, Chapter 120 Air Resources, Subchapter 05 Air Pollution Control:
 - (i) 250-RICR-120-05-0. Part 0 General Definitions Regulation, effective as of January 4, 2022, excluding 0.2 "Application"; IBR approved for § 63.99(a).
 - (ii) 250-RICR-120-05-36. Part 36 Control of Emissions from Organic Solvent Cleaning, effective as of June 13, 2022, excluding 36.2 "Application", 36.5.A.28, "Industrial solvent cleaning", 36.6.D, and 36.17 "Requirements for Industrial Cleaning Solvents"; IBR approved for § 63.99(a).
- (11) [Reserved]

- (12) Alaska Statute 42.45.045. Renewable energy grant fund and recommendation program, available at <http://www.legis.state.ak.us/basis/folio.asp>, IBR approved for § 63.6675.
- (13) Vermont Air Pollution Control Regulations, Chapter 5, Air Pollution Control, section 5-253.11, Perchloroethylene Dry Cleaning, effective as of December 15, 2016. Incorporation by reference approved for § 63.99(a).
- (o) U.S. Environmental Protection Agency (EPA), 1200 Pennsylvania Avenue NW, Washington, DC 20460; phone: (202) 272-0167; website: www.epa.gov/aboutepa/forms/contact-epa.
 - (1) EPA/100/R-10/005, Recommended Toxicity Equivalence Factors (TEFs) for Human Health Risk Assessments of 2, 3, 7, 8-Tetrachlorodibenzo-p-dioxin and Dioxin-Like Compounds, December 2010; IBR approved for §§ 63.1450(f); 63.1459; table 2 to subpart QQQ; table 1 to subpart AAAAA. (Available at <https://www.epa.gov/sites/default/files/2013-09/documents/tefs-for-dioxin-epa-00-r-10-005-final.pdf>.)
 - (2) EPA-453/R-01-005, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Integrated Iron and Steel Plants—Background Information for Proposed Standards, Final Report, January 2001; IBR approved for § 63.7491(g).
 - (3) EPA-454/B-08-002, Quality Assurance Handbook for Air Pollution Measurement Systems; Volume IV: Meteorological Measurements, Version 2.0 (Final), Issued March 2008; IBR approved for §§ 63.184(c); 63.7792(b).
 - (4) EPA-454/R-98-015, Fabric Filter Bag Leak Detection Guidance, September 1997; IBR approved for §§ 63.548(e); 63.864(e); 63.6012(c); 63.7525(j); 63.8450(e); 63.8600(e); 63.9632(a); 63.9804(f); 63.11224(f); 63.11423(e). (Available at: <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=2000D5T6.pdf>).
 - (5) EPA-454/R-99-005, Office of Air Quality Planning and Standards (OAQPS), Meteorological Monitoring Guidance for Regulatory Modeling Applications, February 2000; IBR approved for appendix A to this part.
 - (6) EPA/600/R-12/531, EPA Traceability Protocol for Assay and Certification of Gaseous Calibration Standards, May 2012; IBR approved for § 63.2163(b).
 - (7) EPA-625/3-89-016, Interim Procedures for Estimating Risks Associated with Exposures to Mixtures of Chlorinated Dibenzo-p-Dioxins and -Dibenzofurans (CDDs and CDFs) and 1989 Update, March 1989; IBR approved for § 63.1513(d).
 - (8) EPA-821-R-02-019, Method 1631 Revision E, Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Absorption Fluorescence Spectrometry, Revision E, August 2002; IBR approved for table 6 to subpart DDDDD.
 - (9) EPA Method 200.8, Determination of Trace Elements in Waters and Wastes by Inductively Coupled Plasma—Mass Spectrometry, Revision 5.4, 1994; IBR approved for table 6 to subpart DDDDD.
 - (10) In EPA Publication No. SW-846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (Available from: www.epa.gov/hw-sw846/sw-846-compendium):
 - (i) SW-846-0011, Sampling for Selected Aldehyde and Ketone Emissions from Stationary Sources, Revision 0, December 1996; IBR approved for table 4 to subpart DDDD.

- (ii) SW-846-3020A, Acid Digestion of Aqueous Samples And Extracts For Total Metals For Analysis By GFAA Spectroscopy, Revision 1, July 1992; IBR approved for table 6 to subpart DDDDD; table 5 to subpart JJJJJJ.
- (iii) SW-846-3050B, Acid Digestion of Sediments, Sludges, and Soils, Revision 2, December 1996; IBR approved for table 6 to subpart DDDDD; table 5 to subpart JJJJJJ.
- (iv) SW-846-5030B, Purge-And-Trap For Aqueous Samples, Revision 2, December 1996; IBR approved for §§ 63.109(b), (c), (d), and (e); 63.509(b) and (c); 63.2492(b) and (c).
- (v) SW-846-5031, Volatile, Nonpurgeable, Water-Soluble Compounds by Azeotropic Distillation, Revision 0, December 1996; IBR approved for §§ 63.109(b), (c), (d), and (e); 63.509(b) and (c); 63.2492(b) and (c).
- (vi) SW-846-7470A, Mercury In Liquid Waste (Manual Cold-Vapor Technique), Revision 1, September 1994; IBR approved for table 6 to subpart DDDDD; table 5 to subpart JJJJJJ.
- (vii) SW-846-7471B, Mercury In Solid Or Semisolid Waste (Manual Cold-Vapor Technique), Revision 2, February 2007; IBR approved for table 6 to subpart DDDDD; table 5 to subpart JJJJJJ.
- (viii) SW-846-8015C, Nonhalogenated Organics by Gas Chromatography, Revision 3, February 2007; IBR approved for §§ 63.11960; 63.11980; table 10 to subpart HHHHHHH.
- (ix) SW-846-8260B, Volatile Organic Compounds by Gas Chromatography/Mass Spectrometry (GC/MS), Revision 2, December 1996; IBR approved for §§ 63.1107(a); 63.11960; 63.11980; table 10 to subpart HHHHHHH.
- (x) SW-846-8260D, Volatile Organic Compounds By Gas Chromatography/Mass Spectrometry, Revision 4, June 2018; IBR approved for §§ 63.109(b), (c), (d), and (e); 63.509(b) and (c); 63.2492(b) and (c).
- (xi) SW-846-8270D, Semivolatile Organic Compounds by Gas Chromatography/Mass Spectrometry (GC/MS), Revision 4, February 2007; IBR approved for §§ 63.1107(a); 63.11960; 63.11980; table 10 to subpart HHHHHHH.
- (xii) SW-846-8315A, Determination of Carbonyl Compounds by High Performance Liquid Chromatography (HPLC), Revision 1, December 1996; IBR approved for §§ 63.11960; 63.11980; table 10 to subpart HHHHHHH.
- (xiii) SW-846-5050, Bomb Preparation Method for Solid Waste, Revision 0, September 1994; IBR approved for table 6 to subpart DDDDD.
- (xiv) SW-846-6010C, Inductively Coupled Plasma-Atomic Emission Spectrometry, Revision 3, February 2007; IBR approved for table 6 to subpart DDDDD.
- (xv) SW-846-6020A, Inductively Coupled Plasma-Mass Spectrometry, Revision 1, February 2007; IBR approved for table 6 to subpart DDDDD.
- (xvi) SW-846-7060A, Arsenic (Atomic Absorption, Furnace Technique), Revision 1, September 1994; IBR approved for table 6 to subpart DDDDD.
- (xvii) SW-846-7740, Selenium (Atomic Absorption, Furnace Technique), Revision 0, September 1986; IBR approved for table 6 to subpart DDDDD.

- (xviii) SW-846-9056, Determination of Inorganic Anions by Ion Chromatography, Revision 1, February 2007; IBR approved for table 6 to subpart DDDDD.
- (xix) SW-846-9076, Test Method for Total Chlorine in New and Used Petroleum Products by Oxidative Combustion and Microcoulometry, Revision 0, September 1994; IBR approved for table 6 to subpart DDDDD.
- (xx) SW-846-9250, Chloride (Colorimetric, Automated Ferricyanide AAI), Revision 0, September 1986; IBR approved for table 6 to subpart DDDDD.

(11)-(30) [Reserved]

- (31) EPA/100/R-10/005, Recommended Toxicity Equivalence Factors (TEFs) for Human Health Risk Assessments of 2, 3, 7, 8-Tetrachlorodibenzo-p-dioxin and Dioxin-Like Compounds, December 2010; IBR approved for § 63.1459 and table 2 to subpart QQQ. (Available at <https://www.epa.gov/sites/default/files/2013-09/documents/tefs-for-dioxin-epa-00-r-10-005-final.pdf>.)
- (p) International Standards Organization (ISO), 1, ch. de la Voie-Creuse, Case postale 56, CH-1211 Geneva 20, Switzerland, + 41 22 749 01 11, <http://www.iso.org/iso/home.htm>.
 - (1) ISO 6978-1:2003(E), Natural Gas—Determination of Mercury—Part 1: Sampling of Mercury by Chemisorption on Iodine, First edition, October 15, 2003, IBR approved for table 6 to subpart DDDDD.
 - (2) ISO 6978-2:2003(E), Natural gas—Determination of Mercury—Part 2: Sampling of Mercury by Amalgamation on Gold/Platinum Alloy, First edition, October 15, 2003, IBR approved for table 6 to subpart DDDDD.
 - (3) ISO 16017-2:2003(E): Indoor, ambient and workplace air—sampling and analysis of volatile organic compounds by sorbent tube/thermal desorption/capillary gas chromatography—Part 2: Diffusive sampling, May 15, 2003, IBR approved for appendix A to this part: Method 325A and Method 325B.
- (q) National Council of the Paper Industry for Air and Stream Improvement, Inc. (NCASI), P.O. Box 133318, Research Triangle Park, NC 27709-3318 or at <http://www.ncasi.org>.
 - (1) NCASI Method DI/MEOH-94.03, Methanol in Process Liquids and Wastewaters by GC/FID, Issued May 2000, IBR approved for §§ 63.457 and 63.459.
 - (2) NCASI Method CI/WP-98.01, Chilled Impinger Method For Use At Wood Products Mills to Measure Formaldehyde, Methanol, and Phenol, 1998, Methods Manual, IBR approved for table 4 to subpart DDDD.
 - (3) NCASI Method DI/HAPS-99.01, Selected HAPs In Condensates by GC/FID, Issued February 2000, IBR approved for § 63.459(b).
 - (4) NCASI Method IM/CAN/WP-99.02, Impinger/Canister Source Sampling Method for Selected HAPs and Other Compounds at Wood Products Facilities, January 2004, Methods Manual, IBR approved for table 4 to subpart DDDD.
 - (5) NCASI Method ISS/FP A105.01, Impinger Source Sampling Method for Selected Aldehydes, Ketones, and Polar Compounds, December 2005, Methods Manual, IBR approved for table 4 to subpart DDDD and §§ 63.4751(i) and 63.4752(e).
- (r) National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, (703) 605-6000 or (800) 553-6847; or for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800.

- (1) Handbook 44, Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices 1998, IBR approved for § 63.1303(e).
- (2) "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846, Third Edition. (A suffix of "A" in the method number indicates revision one (the method has been revised once). A suffix of "B" in the method number indicates revision two (the method has been revised twice).
 - (i) Method 0023A, "Sampling Method for Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofuran Emissions from Stationary Sources," Revision 2, dated August 2018, IBR approved for § 63.1208(b).
 - (ii) Method 9071B, "n-Hexane Extractable Material (HEM) for Sludge, Sediment, and Solid Samples," dated April 1998, IBR approved for § 63.7824(e).
 - (iii) Method 9095A, "Paint Filter Liquids Test," dated December 1996, IBR approved for §§ 63.7700(b) and 63.7765.
 - (iv) Method 9095B, "Paint Filter Liquids Test," (revision 2), dated November 2004, IBR approved for the definition of "Free organic liquids" in §§ 63.10692, 63.10885(a), and the definition of "Free liquids" in § 63.10906.
 - (v) SW-846 74741B, Revision 2, "Mercury in Solid or Semisolid Waste (Manual Cold-Vapor Technique)," February 2007, IBR approved for § 63.11647(f).
- (3) National Institute of Occupational Safety and Health (NIOSH) test method compendium, "NIOSH Manual of Analytical Methods," NIOSH publication no. 94-113, Fourth Edition, August 15, 1994.
 - (i) NIOSH Method 2010, "Amines, Aliphatic," Issue 2, August 15, 1994, IBR approved for § 63.7732(g).
 - (ii) [Reserved]
- (s) North American Electric Reliability Corporation, 1325 G Street, NW., Suite 600, Washington, DC 20005-3801, <http://www.nerc.com>, http://www.nerc.com/files/EOP0002-3_1.pdf.
 - (1) North American Electric Reliability Corporation Reliability Standard EOP-002-3, Capacity and Energy Emergencies, adopted August 5, 2010, IBR approved for § 63.6640(f).
 - (2) [Reserved]
- (t) Technical Association of the Pulp and Paper Industry (TAPPI), 15 Technology Parkway South, Norcross, GA 30092, (800) 332-8686, <http://www.tappi.org>.
 - (1) TAPPI T 266, Determination of Sodium, Calcium, Copper, Iron, and Manganese in Pulp and Paper by Atomic Absorption Spectroscopy (Reaffirmation of T 266 om-02), Draft No. 2, July 2006, IBR approved for table 6 to subpart DDDDD.
 - (2) [Reserved]
- (u) Texas Commission on Environmental Quality (TCEQ) Library, Post Office Box 13087, Austin, Texas 78711-3087; phone: (512) 239-0028; email: info@www.tceq.texas.gov; website: www.tceq.texas.gov.

- (1) "Air Stripping Method (Modified El Paso Method) for Determination of Volatile Organic Compound Emissions from Water Sources," Revision Number One, dated January 2003, Sampling Procedures Manual, Appendix P: Cooling Tower Monitoring, January 31, 2003; IBR approved for §§ 63.104(f) and (g); 63.654(c) and (g); 63.655(i); 63.1086(e); 63.1089; 63.2490(d); 63.2525(r); 63.11920. (Available from: www.tceq.texas.gov/downloads/compliance/investigations/assistance/samplingappp.pdf).
- (2) [Reserved]

[79 FR 11277, Feb. 27, 2014]

Editorial Note: For FEDERAL REGISTER citations affecting § 63.14, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 63.15 Availability of information and confidentiality.

(a) *Availability of information.*

- (1) With the exception of information protected through part 2 of this chapter, all reports, records, and other information collected by the Administrator under this part are available to the public. In addition, a copy of each permit application, compliance plan (including the schedule of compliance), notification of compliance status, excess emissions and continuous monitoring systems performance report, and title V permit is available to the public, consistent with protections recognized in section 503(e) of the Act.
- (2) The availability to the public of information provided to or otherwise obtained by the Administrator under this part shall be governed by part 2 of this chapter.

(b) *Confidentiality.*

- (1) If an owner or operator is required to submit information entitled to protection from disclosure under section 114(c) of the Act, the owner or operator may submit such information separately. The requirements of section 114(c) shall apply to such information.
- (2) The contents of a title V permit shall not be entitled to protection under section 114(c) of the Act; however, information submitted as part of an application for a title V permit may be entitled to protection from disclosure.

§ 63.16 Performance Track Provisions.

- (a) Notwithstanding any other requirements in this part, an affected source at any major source or any area source at a Performance Track member facility, which is subject to regular periodic reporting under any subpart of this part, may submit such periodic reports at an interval that is twice the length of the regular period specified in the applicable subparts; provided, that for sources subject to permits under 40 CFR part 70 or 71 no interval so calculated for any report of the results of any required monitoring may be less frequent than once in every six months.
- (b) Notwithstanding any other requirements in this part, the modifications of reporting requirements in paragraph (c) of this section apply to any major source at a Performance Track member facility which is subject to requirements under any of the subparts of this part and which has:
 - (1) Reduced its total HAP emissions to less than 25 tons per year;
 - (2) Reduced its emissions of each individual HAP to less than 10 tons per year; and

- (3) Reduced emissions of all HAPs covered by each MACT standard to at least the level required for full compliance with the applicable emission standard.
- (c) For affected sources at any area source at a Performance Track member facility and which meet the requirements of paragraph (b)(3) of this section, or for affected sources at any major source that meet the requirements of paragraph (b) of this section:
 - (1) If the emission standard to which the affected source is subject is based on add-on control technology, and the affected source complies by using add-on control technology, then all required reporting elements in the periodic report may be met through an annual certification that the affected source is meeting the emission standard by continuing to use that control technology. The affected source must continue to meet all relevant monitoring and recordkeeping requirements. The compliance certification must meet the requirements delineated in Clean Air Act section 114(a)(3).
 - (2) If the emission standard to which the affected source is subject is based on add-on control technology, and the affected source complies by using pollution prevention, then all required reporting elements in the periodic report may be met through an annual certification that the affected source is continuing to use pollution prevention to reduce HAP emissions to levels at or below those required by the applicable emission standard. The affected source must maintain records of all calculations that demonstrate the level of HAP emissions required by the emission standard as well as the level of HAP emissions achieved by the affected source. The affected source must continue to meet all relevant monitoring and recordkeeping requirements. The compliance certification must meet the requirements delineated in Clean Air Act section 114(a)(3).
 - (3) If the emission standard to which the affected source is subject is based on pollution prevention, and the affected source complies by using pollution prevention and reduces emissions by an additional 50 percent or greater than required by the applicable emission standard, then all required reporting elements in the periodic report may be met through an annual certification that the affected source is continuing to use pollution prevention to reduce HAP emissions by an additional 50 percent or greater than required by the applicable emission standard. The affected source must maintain records of all calculations that demonstrate the level of HAP emissions required by the emission standard as well as the level of HAP emissions achieved by the affected source. The affected source must continue to meet all relevant monitoring and recordkeeping requirements. The compliance certification must meet the requirements delineated in Clean Air Act section 114(a)(3).
 - (4) Notwithstanding the provisions of paragraphs (c)(1) through (3), of this section, for sources subject to permits under 40 CFR part 70 or 71, the results of any required monitoring and recordkeeping must be reported not less frequently than once in every six months.

[69 FR 21753, Apr. 22, 2004]

Table 1 to Subpart A of Part 63—Detection Sensitivity Levels (grams per hour)

Monitoring frequency per subpart ^a	Detection sensitivity level
Bi-Monthly	60
Semi-Quarterly	85
Monthly	100

^a When this alternative work practice is used to identify leaking equipment, the owner or operator must choose one of the monitoring frequencies listed in this table, in lieu of the monitoring frequency specified in the applicable subpart. Bi-monthly means every other month. Semi-quarterly means twice per quarter. Monthly means once per month.

[73 FR 78213, Dec. 22, 2008]

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

Title 40 —Protection of Environment

Chapter I —Environmental Protection Agency

Subchapter C —Air Programs

Part 63 —National Emission Standards for Hazardous Air Pollutants for Source Categories

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

Source: 57 FR 61992, Dec. 29, 1992, unless otherwise noted.

Subpart A General Provisions

- § 63.1 Applicability.
- § 63.2 Definitions.
- § 63.3 Units and abbreviations.
- § 63.4 Prohibited activities and circumvention.
- § 63.5 Preconstruction review and notification requirements.
- § 63.6 Compliance with standards and maintenance requirements.
- § 63.7 Performance testing requirements.
- § 63.8 Monitoring requirements.
- § 63.9 Notification requirements.
- § 63.10 Recordkeeping and reporting requirements.
- § 63.11 Control device and work practice requirements.
- § 63.12 State authority and delegations.
- § 63.13 Addresses of State air pollution control agencies and EPA Regional Offices.
- § 63.14 Incorporations by reference.
- § 63.15 Availability of information and confidentiality.
- § 63.16 Performance Track Provisions.

Table 1 to Subpart A of Part 63

Detection Sensitivity Levels (grams per hour)

Subpart A—General Provisions

Source: 59 FR 12430, Mar. 16, 1994, unless otherwise noted.

§ 63.1 Applicability.

(a) General.

- (1) Terms used throughout this part are defined in § 63.2 or in the Clean Air Act (Act) as amended in 1990, except that individual subparts of this part may include specific definitions in addition to or that supersede definitions in § 63.2.

- (2) This part contains national emission standards for hazardous air pollutants (NESHAP) established pursuant to section 112 of the Act as amended November 15, 1990. These standards regulate specific categories of stationary sources that emit (or have the potential to emit) one or more hazardous air pollutants listed in this part pursuant to section 112(b) of the Act. This section explains the applicability of such standards to sources affected by them. The standards in this part are independent of NESHAP contained in 40 CFR part 61. The NESHAP in part 61 promulgated by signature of the Administrator before November 15, 1990 (i.e., the date of enactment of the Clean Air Act Amendments of 1990) remain in effect until they are amended, if appropriate, and added to this part.
- (3) No emission standard or other requirement established under this part shall be interpreted, construed, or applied to diminish or replace the requirements of a more stringent emission limitation or other applicable requirement established by the Administrator pursuant to other authority of the Act (section 111, part C or D or any other authority of this Act), or a standard issued under State authority. The Administrator may specify in a specific standard under this part that facilities subject to other provisions under the Act need only comply with the provisions of that standard.
- (4)
 - (i) Each relevant standard in this part 63 must identify explicitly whether each provision in this subpart A is or is not included in such relevant standard.
 - (ii) If a relevant part 63 standard incorporates the requirements of 40 CFR part 60, part 61 or other part 63 standards, the relevant part 63 standard must identify explicitly the applicability of each corresponding part 60, part 61, or other part 63 subpart A (General) provision.
 - (iii) The General Provisions in this subpart A do not apply to regulations developed pursuant to section 112(r) of the amended Act, unless otherwise specified in those regulations.
- (5) [Reserved]
- (6) To obtain the most current list of categories of sources to be regulated under section 112 of the Act, or to obtain the most recent regulation promulgation schedule established pursuant to section 112(e) of the Act, contact the Office of the Director, Emission Standards Division, Office of Air Quality Planning and Standards, U.S. EPA (MD-13), Research Triangle Park, North Carolina 27711.
- (7)-(9) [Reserved]
- (10) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.
- (11) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, test plan, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.

- (12) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in § 63.9(i).

(b) Initial applicability determination for this part.

- (1) The provisions of this part apply to the owner or operator of any stationary source that—
 - (i) Emits or has the potential to emit any hazardous air pollutant listed in or pursuant to section 112(b) of the Act; and
 - (ii) Is subject to any standard, limitation, prohibition, or other federally enforceable requirement established pursuant to this part.
- (2) [Reserved]
- (3) An owner or operator of a stationary source who is in the relevant source category and who determines that the source is not subject to a relevant standard or other requirement established under this part must keep a record as specified in § 63.10(b)(3).

(c) Applicability of this part after a relevant standard has been set under this part.

- (1) If a relevant standard has been established under this part, the owner or operator of an affected source must comply with the provisions of that standard and of this subpart as provided in paragraph (a)(4) of this section.
- (2) Except as provided in § 63.10(b)(3), if a relevant standard has been established under this part, the owner or operator of an affected source may be required to obtain a title V permit from a permitting authority in the State in which the source is located. Emission standards promulgated in this part for area sources pursuant to section 112(c)(3) of the Act will specify whether—
 - (i) States will have the option to exclude area sources affected by that standard from the requirement to obtain a title V permit (i.e., the standard will exempt the category of area sources altogether from the permitting requirement);
 - (ii) States will have the option to defer permitting of area sources in that category until the Administrator takes rulemaking action to determine applicability of the permitting requirements; or
 - (iii) If a standard fails to specify what the permitting requirements will be for area sources affected by such a standard, then area sources that are subject to the standard will be subject to the requirement to obtain a title V permit without any deferral.
- (3)-(4) [Reserved]
- (5) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source that is subject to the emission standard or other requirement, such source also shall be subject to the notification requirements of this subpart.

- (6) A major source may become an area source at any time upon reducing its emissions of and potential to emit hazardous air pollutants, as defined in this subpart, to below the major source thresholds established in § 63.2, subject to the provisions in paragraphs (c)(6)(i) and (ii) of this section.
 - (i) A major source reclassifying to area source status is subject to the applicability of standards, compliance dates and notification requirements specified in (c)(6)(i)(A) of this section. An area source that previously was a major source and becomes a major source again is subject to the applicability of standards, compliance dates, and notification requirements specified in (c)(6)(i)(B) of this section:
 - (A) A major source reclassifying to area source status under this part remains subject to any applicable major source requirements established under this part until the reclassification becomes effective. After the reclassification becomes effective, the source is subject to any applicable area source requirements established under this part immediately, provided the compliance date for the area source requirements has passed. The owner or operator of a major source that becomes an area source subject to newly applicable area source requirements under this part must comply with the initial notification requirements pursuant to § 63.9(b). The owner or operator of a major source that becomes an area source must also provide to the Administrator any change in the information already provided under § 63.9(b) per § 63.9(j).
 - (B) An area source that previously was a major source under this part and that becomes a major source again is subject to the applicable major source requirements established under this part immediately upon becoming a major source again, provided the compliance date for the major source requirements has passed, notwithstanding any provision within the applicable subparts. The owner or operator of an area source that becomes a major source again must comply with the initial notification pursuant to § 63.9(b). The owner or operator must also provide to the Administrator any change in the information already provided under § 63.9(b) per § 63.9(j).
 - (ii) Becoming an area source does not absolve a source subject to an enforcement action or investigation for major source violations or infractions from the consequences of any actions occurring when the source was major. Becoming a major source does not absolve a source subject to an enforcement action or investigation for area source violations or infractions from the consequences of any actions occurring when the source was an area source.
 - (iii) After September 10, 2024, affected sources subject to the following 40 CFR part 63 subparts on September 10, 2024, must remain subject to those subparts, and any modifications thereafter, even if the source becomes an area source by reducing both its actual emissions and potential to emit hazardous air pollutants to below major source thresholds: F, G, H, I, L, R, X, CC, GG, II, JJ, KK, LL, MM, EEE, JJJ, LLL, MMM, RRR, UUU, FFFF, JJJJ, MMMM, PPPP, ZZZZ, CCCCC, DDDDD, FFFFF, IIIII, LLLLL, YYYYY, JJJJJ, EEEEE.
- (d) [Reserved]
- (e) If the Administrator promulgates an emission standard under section 112(d) or (h) of the Act that is applicable to a source subject to an emission limitation by permit established under section 112(j) of the Act, and the requirements under the section 112(j) emission limitation are substantially as effective as the promulgated emission standard, the owner or operator may request the permitting authority to revise the source's title V permit to reflect that the emission limitation in the permit satisfies the requirements of the promulgated emission standard. The process by which the permitting authority determines whether the

section 112(j) emission limitation is substantially as effective as the promulgated emission standard must include, consistent with part 70 or 71 of this chapter, the opportunity for full public, EPA, and affected State review (including the opportunity for EPA's objection) prior to the permit revision being finalized. A negative determination by the permitting authority constitutes final action for purposes of review and appeal under the applicable title V operating permit program.

[59 FR 12430, Mar. 16, 1994, as amended at 67 FR 16595, Apr. 5, 2002; 85 FR 73885, Nov. 19, 2020; 89 FR 73307, Sept. 10, 2024; 90 FR 1041, Jan. 7, 2025]

§ 63.2 Definitions.

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 *et seq.*, as amended by Pub. L. 101-549, 104 Stat. 2399).

Actual emissions is defined in subpart D of this part for the purpose of granting a compliance extension for an early reduction of hazardous air pollutants.

Administrator means the Administrator of the United States Environmental Protection Agency or his or her authorized representative (e.g., a State that has been delegated the authority to implement the provisions of this part).

Affected source, for the purposes of this part, means the collection of equipment, activities, or both within a single contiguous area and under common control that is included in a section 112(c) source category or subcategory for which a section 112(d) standard or other relevant standard is established pursuant to section 112 of the Act. Each relevant standard will define the "affected source," as defined in this paragraph unless a different definition is warranted based on a published justification as to why this definition would result in significant administrative, practical, or implementation problems and why the different definition would resolve those problems. The term "affected source," as used in this part, is separate and distinct from any other use of that term in EPA regulations such as those implementing title IV of the Act. Affected source may be defined differently for part 63 than affected facility and stationary source in parts 60 and 61, respectively. This definition of "affected source," and the procedures for adopting an alternative definition of "affected source," shall apply to each section 112(d) standard for which the initial proposed rule is signed by the Administrator after June 30, 2002.

Alternative emission limitation means conditions established pursuant to sections 112(i)(5) or 112(i)(6) of the Act by the Administrator or by a State with an approved permit program.

Alternative emission standard means an alternative means of emission limitation that, after notice and opportunity for public comment, has been demonstrated by an owner or operator to the Administrator's satisfaction to achieve a reduction in emissions of any air pollutant at least equivalent to the reduction in emissions of such pollutant achieved under a relevant design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act.

Alternative test method means any method of sampling and analyzing for an air pollutant that has been demonstrated to the Administrator's satisfaction, using Method 301 in appendix A of this part, to produce results adequate for the Administrator's determination that it may be used in place of a test method specified in this part.

Approved permit program means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to title V of the Act (42 U.S.C. 7661).

Area source means any stationary source of hazardous air pollutants that is not a major source as defined in this part.

Commenced means, with respect to construction or reconstruction of an affected source, that an owner or operator has undertaken a continuous program of construction or reconstruction or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or reconstruction.

Compliance date means the date by which an affected source is required to be in compliance with a relevant standard, limitation, prohibition, or any federally enforceable requirement established by the Administrator (or a State with an approved permit program) pursuant to section 112 of the Act.

Compliance schedule means:

- (1) In the case of an affected source that is in compliance with all applicable requirements established under this part, a statement that the source will continue to comply with such requirements; or
- (2) In the case of an affected source that is required to comply with applicable requirements by a future date, a statement that the source will meet such requirements on a timely basis and, if required by an applicable requirement, a detailed schedule of the dates by which each step toward compliance will be reached; or
- (3) In the case of an affected source not in compliance with all applicable requirements established under this part, a schedule of remedial measures, including an enforceable sequence of actions or operations with milestones and a schedule for the submission of certified progress reports, where applicable, leading to compliance with a relevant standard, limitation, prohibition, or any federally enforceable requirement established pursuant to section 112 of the Act for which the affected source is not in compliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.

Construction means the on-site fabrication, erection, or installation of an affected source. Construction does not include the removal of all equipment comprising an affected source from an existing location and reinstallation of such equipment at a new location. The owner or operator of an existing affected source that is relocated may elect not to reinstall minor ancillary equipment including, but not limited to, piping, ductwork, and valves. However, removal and reinstallation of an affected source will be construed as reconstruction if it satisfies the criteria for reconstruction as defined in this section. The costs of replacing minor ancillary equipment must be considered in determining whether the existing affected source is reconstructed.

Continuous emission monitoring system (CEMS) means the total equipment that may be required to meet the data acquisition and availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of emissions.

Continuous monitoring system (CMS) is a comprehensive term that may include, but is not limited to, continuous emission monitoring systems, continuous opacity monitoring systems, continuous parameter monitoring systems, or other manual or automatic monitoring that is used for demonstrating compliance with an applicable regulation on a continuous basis as defined by the regulation.

Continuous opacity monitoring system (COMS) means a continuous monitoring system that measures the opacity of emissions.

Continuous parameter monitoring system means the total equipment that may be required to meet the data acquisition and availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of process or control system parameters.

Effective date means:

- (1) With regard to an emission standard established under this part, the date of promulgation in the FEDERAL REGISTER of such standard; or
- (2) With regard to an alternative emission limitation or equivalent emission limitation determined by the Administrator (or a State with an approved permit program), the date that the alternative emission limitation or equivalent emission limitation becomes effective according to the provisions of this part.

Emission standard means a national standard, limitation, prohibition, or other regulation promulgated in a subpart of this part pursuant to sections 112(d), 112(h), or 112(f) of the Act.

Emissions averaging is a way to comply with the emission limitations specified in a relevant standard, whereby an affected source, if allowed under a subpart of this part, may create emission credits by reducing emissions from specific points to a level below that required by the relevant standard, and those credits are used to offset emissions from points that are not controlled to the level required by the relevant standard.

EPA means the United States Environmental Protection Agency.

Equivalent emission limitation means any maximum achievable control technology emission limitation or requirements which are applicable to a major source of hazardous air pollutants and are adopted by the Administrator (or a State with an approved permit program) on a case-by-case basis, pursuant to section 112(g) or (j) of the Act.

Excess emissions and continuous monitoring system performance report is a report that must be submitted periodically by an affected source in order to provide data on its compliance with relevant emission limits, operating parameters, and the performance of its continuous parameter monitoring systems.

Existing source means any affected source that is not a new source.

Federally enforceable means all limitations and conditions that are enforceable by the Administrator and citizens under the Act or that are enforceable under other statutes administered by the Administrator. Examples of federally enforceable limitations and conditions include, but are not limited to:

- (1) Emission standards, alternative emission standards, alternative emission limitations, and equivalent emission limitations established pursuant to section 112 of the Act as amended in 1990;
- (2) New source performance standards established pursuant to section 111 of the Act, and emission standards established pursuant to section 112 of the Act before it was amended in 1990;

- (3) All terms and conditions in a title V permit, including any provisions that limit a source's potential to emit, unless expressly designated as not federally enforceable;
- (4) Limitations and conditions that are part of an approved State Implementation Plan (SIP) or a Federal Implementation Plan (FIP);
- (5) Limitations and conditions that are part of a Federal construction permit issued under 40 CFR 52.21 or any construction permit issued under regulations approved by the EPA in accordance with 40 CFR part 51;
- (6) Limitations and conditions that are part of an operating permit where the permit and the permitting program pursuant to which it was issued meet all of the following criteria:
 - (i) The operating permit program has been submitted to and approved by EPA into a State implementation plan (SIP) under section 110 of the CAA;
 - (ii) The SIP imposes a legal obligation that operating permit holders adhere to the terms and limitations of such permits and provides that permits which do not conform to the operating permit program requirements and the requirements of EPA's underlying regulations may be deemed not “federally enforceable” by EPA;
 - (iii) The operating permit program requires that all emission limitations, controls, and other requirements imposed by such permits will be at least as stringent as any other applicable limitations and requirements contained in the SIP or enforceable under the SIP, and that the program may not issue permits that waive, or make less stringent, any limitations or requirements contained in or issued pursuant to the SIP, or that are otherwise “federally enforceable”;
 - (iv) The limitations, controls, and requirements in the permit in question are permanent, quantifiable, and otherwise enforceable as a practical matter; and
 - (v) The permit in question was issued only after adequate and timely notice and opportunity for comment for EPA and the public.
- (7) Limitations and conditions in a State rule or program that has been approved by the EPA under subpart E of this part for the purposes of implementing and enforcing section 112; and
- (8) Individual consent agreements that the EPA has legal authority to create.

Fixed capital cost means the capital needed to provide all the depreciable components of an existing source.

Force majeure means, for purposes of § 63.7, an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents the owner or operator from complying with the regulatory requirement to conduct performance tests within the specified timeframe despite the affected facility's best efforts to fulfill the obligation. Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility.

Fugitive emissions means those emissions from a stationary source that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening. Under section 112 of the Act, all fugitive emissions are to be considered in determining whether a stationary source is a major source.

Hazardous air pollutant means any air pollutant listed in or pursuant to section 112(b) of the Act.

Issuance of a part 70 permit will occur, if the State is the permitting authority, in accordance with the requirements of part 70 of this chapter and the applicable, approved State permit program. When the EPA is the permitting authority, issuance of a title V permit occurs immediately after the EPA takes final action on the final permit.

Major source means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless the Administrator establishes a lesser quantity, or in the case of radionuclides, different criteria from those specified in this sentence.

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

Monitoring means the collection and use of measurement data or other information to control the operation of a process or pollution control device or to verify a work practice standard relative to assuring compliance with applicable requirements. Monitoring is composed of four elements:

- (1) Indicator(s) of performance—the parameter or parameters you measure or observe for demonstrating proper operation of the pollution control measures or compliance with the applicable emissions limitation or standard. Indicators of performance may include direct or predicted emissions measurements (including opacity), operational parametric values that correspond to process or control device (and capture system) efficiencies or emissions rates, and recorded findings of inspection of work practice activities, materials tracking, or design characteristics. Indicators may be expressed as a single maximum or minimum value, a function of process variables (for example, within a range of pressure drops), a particular operational or work practice status (for example, a damper position, completion of a waste recovery task, materials tracking), or an interdependency between two or among more than two variables.
- (2) Measurement techniques—the means by which you gather and record information of or about the indicators of performance. The components of the measurement technique include the detector type, location and installation specifications, inspection procedures, and quality assurance and quality control measures. Examples of measurement techniques include continuous emission monitoring systems, continuous opacity monitoring systems, continuous parametric monitoring systems, and manual inspections that include making records of process conditions or work practices.
- (3) Monitoring frequency—the number of times you obtain and record monitoring data over a specified time interval. Examples of monitoring frequencies include at least four points equally spaced for each hour for continuous emissions or parametric monitoring systems, at least every 10 seconds for continuous opacity monitoring systems, and at least once per operating day (or week, month, etc.) for work practice or design inspections.
- (4) Averaging time—the period over which you average and use data to verify proper operation of the pollution control approach or compliance with the emissions limitation or standard. Examples of averaging time include a 3-hour average in units of the emissions limitation, a 30-day rolling average emissions value, a daily average of a control device operational parametric range, and an instantaneous alarm.

New affected source means the collection of equipment, activities, or both within a single contiguous area and under common control that is included in a section 112(c) source category or subcategory that is subject to a section 112(d) or other relevant standard for new sources. This definition of "new affected source," and the criteria to be utilized in implementing it, shall apply to each section 112(d) standard for which the initial proposed rule is signed by the Administrator after June 30, 2002. Each relevant standard will define the term "new affected source," which will be the same as the "affected source" unless a different collection is warranted based on consideration of factors including:

- (1) Emission reduction impacts of controlling individual sources versus groups of sources;
- (2) Cost effectiveness of controlling individual equipment;
- (3) Flexibility to accommodate common control strategies;
- (4) Cost/benefits of emissions averaging;
- (5) Incentives for pollution prevention;
- (6) Feasibility and cost of controlling processes that share common equipment (e.g., product recovery devices);
- (7) Feasibility and cost of monitoring; and
- (8) Other relevant factors.

New source means any affected source the construction or reconstruction of which is commenced after the Administrator first proposes a relevant emission standard under this part establishing an emission standard applicable to such source.

One-hour period, unless otherwise defined in an applicable subpart, means any 60-minute period commencing on the hour.

Opacity means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background. For continuous opacity monitoring systems, opacity means the fraction of incident light that is attenuated by an optical medium.

Owner or operator means any person who owns, leases, operates, controls, or supervises a stationary source.

Performance audit means a procedure to analyze blind samples, the content of which is known by the Administrator, simultaneously with the analysis of performance test samples in order to provide a measure of test data quality.

Performance evaluation means the conduct of relative accuracy testing, calibration error testing, and other measurements used in validating the continuous monitoring system data.

Performance test means the collection of data resulting from the execution of a test method (usually three emission test runs) used to demonstrate compliance with a relevant emission standard as specified in the performance test section of the relevant standard.

Permit modification means a change to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7661).

Permit program means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

Permit revision means any permit modification or administrative permit amendment to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7661).

Permitting authority means:

- (1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter; or
- (2) The Administrator, in the case of EPA-implemented permit programs under title V of the Act (42 U.S.C. 7661).

Pollution Prevention means *source reduction* as defined under the Pollution Prevention Act (42 U.S.C. 13101-13109). The definition is as follows:

- (1) **Source reduction** is any practice that:
 - (i) Reduces the amount of any hazardous substance, pollutant, or contaminant entering any waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment, or disposal; and
 - (ii) Reduces the hazards to public health and the environment associated with the release of such substances, pollutants, or contaminants.
- (2) The term *source reduction* includes equipment or technology modifications, process or procedure modifications, reformulation or redesign of products, substitution of raw materials, and improvements in housekeeping, maintenance, training, or inventory control.
- (3) The term *source reduction* does not include any practice that alters the physical, chemical, or biological characteristics or the volume of a hazardous substance, pollutant, or contaminant through a process or activity which itself is not integral to and necessary for the production of a product or the providing of a service.

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is enforceable.

Reconstruction, unless otherwise defined in a relevant standard, means the replacement of components of an affected or a previously nonaffected source to such an extent that:

- (1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source; and
- (2) It is technologically and economically feasible for the reconstructed source to meet the relevant standard(s) established by the Administrator (or a State) pursuant to section 112 of the Act. Upon reconstruction, an affected source, or a stationary source that becomes an affected source, is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.

Regulation promulgation schedule means the schedule for the promulgation of emission standards under this part, established by the Administrator pursuant to section 112(e) of the Act and published in the FEDERAL REGISTER.

Relevant standard means:

- (1) An emission standard;
- (2) An alternative emission standard;
- (3) An alternative emission limitation; or
- (4) An equivalent emission limitation established pursuant to section 112 of the Act that applies to the collection of equipment, activities, or both regulated by such standard or limitation. A relevant standard may include or consist of a design, equipment, work practice, or operational requirement, or other measure, process, method, system, or technique (including prohibition of emissions) that the Administrator (or a State) establishes for new or existing sources to which such standard or limitation applies. Every relevant standard established pursuant to section 112 of the Act includes subpart A of this part, as provided by § 63.1(a)(4), and all applicable appendices of this part or of other parts of this chapter that are referenced in that standard.

Responsible official means one of the following:

- (1) For a corporation: A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities and either:
 - (i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or
 - (ii) The delegation of authority to such representative is approved in advance by the Administrator.
- (2) For a partnership or sole proprietorship: a general partner or the proprietor, respectively.
- (3) For a municipality, State, Federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of the EPA).
- (4) For affected sources (as defined in this part) applying for or subject to a title V permit: “responsible official” shall have the same meaning as defined in part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever is applicable.

Run means one of a series of emission or other measurements needed to determine emissions for a representative operating period or cycle as specified in this part.

Shutdown means the cessation of operation of an affected source or portion of an affected source for any purpose.

Six-minute period means, with respect to opacity determinations, any one of the 10 equal parts of a 1-hour period.

Source at a Performance Track member facility means a major or area source located at a facility which has been accepted by EPA for membership in the Performance Track Program (as described at www.epa.gov/PerformanceTrack) and is still a member of the Program. The Performance Track Program is a voluntary program that encourages continuous environmental improvement through the use of environmental management systems, local community outreach, and measurable results.

Standard conditions means a temperature of 293 K (68 °F) and a pressure of 101.3 kilopascals (29.92 in. Hg).

Startup means the setting in operation of an affected source or portion of an affected source for any purpose.

State means all non-Federal authorities, including local agencies, interstate associations, and State-wide programs, that have delegated authority to implement:

- (1) The provisions of this part and/or
- (2) the permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant.

Test method means the validated procedure for sampling, preparing, and analyzing for an air pollutant specified in a relevant standard as the performance test procedure. The test method may include methods described in an appendix of this chapter, test methods incorporated by reference in this part, or methods validated for an application through procedures in Method 301 of appendix A of this part.

Title V permit means any permit issued, renewed, or revised pursuant to Federal or State regulations established to implement title V of the Act (42 U.S.C. 7661). A title V permit issued by a State permitting authority is called a part 70 permit in this part.

Visible emission means the observation of an emission of opacity or optical density above the threshold of vision.

Working day means any day on which Federal Government offices (or State government offices for a State that has obtained delegation under section 112(l)) are open for normal business. Saturdays, Sundays, and official Federal (or where delegated, State) holidays are not working days.

[59 FR 12430, Mar. 16, 1994, as amended at 67 FR 16596, Apr. 5, 2002; 68 FR 32600, May 30, 2003; 69 FR 21752, Apr. 22, 2004; 72 FR 27443, May 16, 2007; 85 FR 63418, Oct. 7, 2020; 85 FR 73885, Nov. 19, 2020]

§ 63.3 Units and abbreviations.

Used in this part are abbreviations and symbols of units of measure. These are defined as follows:

(a) **System International (SI) units of measure:**

A = ampere

g = gram

Hz = hertz

J = joule

°K = degree Kelvin

kg = kilogram

l = liter

m = meter

m^3 = cubic meter

mg = milligram = 10^{-3} gram

ml = milliliter = 10^{-3} liter

mm = millimeter = 10^{-3} meter

Mg = megagram = 10^6 gram = metric ton

MJ = megajoule

mol = mole

N = newton

ng = nanogram = 10^{-9} gram

nm = nanometer = 10^{-9} meter

Pa = pascal

s = second

V = volt

W = watt

Ω = ohm

μg = microgram = 10^{-6} gram

μl = microliter = 10^{-6} liter

(b) *Other units of measure:*

Btu = British thermal unit

$^{\circ}C$ = degree Celsius (centigrade)

cal = calorie

cfm = cubic feet per minute

cc = cubic centimeter

cu ft = cubic feet

d = day

dcf = dry cubic feet

dcm = dry cubic meter

dscf = dry cubic feet at standard conditions

dscm = dry cubic meter at standard conditions

eq = equivalent

°F degree Fahrenheit

ft = feet

ft² = square feet

ft³ = cubic feet

gal = gallon

gr = grain

g-eq = gram equivalent

g-mole = gram mole

hr = hour

in. = inch

in. H₂O = inches of water

K = 1,000

kcal = kilocalorie

lb = pound

lpm = liter per minute

meq = milliequivalent

min = minute

MW = molecular weight

oz = ounces

ppb = parts per billion

ppbw = parts per billion by weight

ppbv = parts per billion by volume

ppm = parts per million

ppmw = parts per million by weight

ppmv = parts per million by volume

psia = pounds per square inch absolute

psig = pounds per square inch gage

°R = degree Rankine

scf = cubic feet at standard conditions

scfh = cubic feet at standard conditions per hour

scm = cubic meter at standard conditions

scmm = cubic meter at standard conditions per minute

sec = second

sq ft = square feet

std = at standard conditions

v/v = volume per volume

yd² = square yards

yr = year

(c) Miscellaneous:

act = actual

avg = average

I.D. = inside diameter

M = molar

N = normal

O.D. = outside diameter

% = percent

[59 FR 12430, Mar. 16, 1994, as amended at 67 FR 16598, Apr. 5, 2002]

§ 63.4 Prohibited activities and circumvention.

(a) *Prohibited activities.*

- (1) No owner or operator subject to the provisions of this part must operate any affected source in violation of the requirements of this part. Affected sources subject to and in compliance with either an extension of compliance or an exemption from compliance are not in violation of the requirements of this part. An extension of compliance can be granted by the Administrator under this part; by a State with an approved permit program; or by the President under section 112(i)(4) of the Act.
- (2) No owner or operator subject to the provisions of this part shall fail to keep records, notify, report, or revise reports as required under this part.
- (3)-(5) [Reserved]

(b) *Circumvention.* No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes, but is not limited to—

- (1) The use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere;
- (2) The use of gaseous diluents to achieve compliance with a relevant standard for visible emissions; and

(c) *Fragmentation.* Fragmentation after November 15, 1990 which divides ownership of an operation, within the same facility among various owners where there is no real change in control, will not affect applicability. The owner and operator must not use fragmentation or phasing of reconstruction activities (i.e., intentionally dividing reconstruction into multiple parts for purposes of avoiding new source requirements) to avoid becoming subject to new source requirements.

[59 FR 12430, Mar. 16, 1994, as amended at 67 FR 16598, Apr. 5, 2002]

§ 63.5 Preconstruction review and notification requirements.

(a) *Applicability.*

- (1) This section implements the preconstruction review requirements of section 112(i)(1). After the effective date of a relevant standard, promulgated pursuant to section 112(d), (f), or (h) of the Act, under this part, the preconstruction review requirements in this section apply to the owner or operator of new affected sources and reconstructed affected sources that are major-emitting as specified in this section. New and reconstructed affected sources that commence construction or reconstruction before the effective date of a relevant standard are not subject to the preconstruction review requirements specified in paragraphs (b)(3), (d), and (e) of this section.
- (2) This section includes notification requirements for new affected sources and reconstructed affected sources that are not major-emitting affected sources and that are or become subject to a relevant promulgated emission standard after the effective date of a relevant standard promulgated under this part.

(b) ***Requirements for existing, newly constructed, and reconstructed sources.***

- (1) A new affected source for which construction commences after proposal of a relevant standard is subject to relevant standards for new affected sources, including compliance dates. An affected source for which reconstruction commences after proposal of a relevant standard is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.
- (2) [Reserved]
- (3) After the effective date of any relevant standard promulgated by the Administrator under this part, no person may, without obtaining written approval in advance from the Administrator in accordance with the procedures specified in paragraphs (d) and (e) of this section, do any of the following:
 - (i) Construct a new affected source that is major-emitting and subject to such standard;
 - (ii) Reconstruct an affected source that is major-emitting and subject to such standard; or
 - (iii) Reconstruct a major source such that the source becomes an affected source that is major-emitting and subject to the standard.
- (4) After the effective date of any relevant standard promulgated by the Administrator under this part, an owner or operator who constructs a new affected source that is not major-emitting or reconstructs an affected source that is not major-emitting that is subject to such standard, or reconstructs a source such that the source becomes an affected source subject to the standard, must notify the Administrator of the intended construction or reconstruction. The notification must be submitted in accordance with the procedures in § 63.9(b).
- (5) [Reserved]
- (6) After the effective date of any relevant standard promulgated by the Administrator under this part, equipment added (or a process change) to an affected source that is within the scope of the definition of affected source under the relevant standard must be considered part of the affected source and subject to all provisions of the relevant standard established for that affected source.

(c) [Reserved]

(d) ***Application for approval of construction or reconstruction.*** The provisions of this paragraph implement section 112(i)(1) of the Act.

(1) ***General application requirements.***

- (i) An owner or operator who is subject to the requirements of paragraph (b)(3) of this section must submit to the Administrator an application for approval of the construction or reconstruction. The application must be submitted as soon as practicable before actual construction or reconstruction begins. The application for approval of construction or reconstruction may be used to fulfill the initial notification requirements of § 63.9(b)(5). The owner or operator may submit the application for approval well in advance of the date actual construction or reconstruction begins in order to ensure a timely review by the Administrator and that the planned date to begin will not be delayed.
 - (ii) A separate application shall be submitted for each construction or reconstruction. Each application for approval of construction or reconstruction shall include at a minimum:
 - (A) The applicant's name and address;
 - (B) A notification of intention to construct a new major affected source or make any physical or operational change to a major affected source that may meet or has been determined to meet the criteria for a reconstruction, as defined in § 63.2 or in the relevant standard;
 - (C) The address (i.e., physical location) or proposed address of the source;
 - (D) An identification of the relevant standard that is the basis of the application;
 - (E) The expected date of the beginning of actual construction or reconstruction;
 - (F) The expected completion date of the construction or reconstruction;
 - (G) [Reserved]
 - (H) The type and quantity of hazardous air pollutants emitted by the source, reported in units and averaging times and in accordance with the test methods specified in the relevant standard, or if actual emissions data are not yet available, an estimate of the type and quantity of hazardous air pollutants expected to be emitted by the source reported in units and averaging times specified in the relevant standard. The owner or operator may submit percent reduction information if a relevant standard is established in terms of percent reduction. However, operating parameters, such as flow rate, shall be included in the submission to the extent that they demonstrate performance and compliance; and
 - (I) [Reserved]
 - (J) Other information as specified in paragraphs (d)(2) and (d)(3) of this section.
 - (iii) An owner or operator who submits estimates or preliminary information in place of the actual emissions data and analysis required in paragraphs (d)(1)(ii)(H) and (d)(2) of this section shall submit the actual, measured emissions data and other correct information as soon as available but no later than with the notification of compliance status required in § 63.9(h) (see § 63.9(h)(5)).
- (2) **Application for approval of construction.** Each application for approval of construction must include, in addition to the information required in paragraph (d)(1)(ii) of this section, technical information describing the proposed nature, size, design, operating design capacity, and method of operation of the source, including an identification of each type of emission point for each type of hazardous air pollutant that is emitted (or could reasonably be anticipated to be emitted) and a description of the planned air pollution control system (equipment or method) for each emission point. The description of the equipment to be used for the control of emissions must include each control device for each

hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions must include an estimated control efficiency (percent) for that method. Such technical information must include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations.

- (3) **Application for approval of reconstruction.** Each application for approval of reconstruction shall include, in addition to the information required in paragraph (d)(1)(ii) of this section—
- (i) A brief description of the affected source and the components that are to be replaced;
 - (ii) A description of present and proposed emission control systems (i.e., equipment or methods). The description of the equipment to be used for the control of emissions shall include each control device for each hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions shall include an estimated control efficiency (percent) for that method. Such technical information shall include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations;
 - (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 application for approval 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 other requirements, the owner or operator need not submit the information required in paragraphs (d)(3)(iii) through (d)(3)(v) of this section.
- (4) **Additional information.** The Administrator may request additional relevant information after the submittal of an application for approval of construction or reconstruction.

(e) **Approval of construction or reconstruction.**

- (1)
- (i) If the Administrator determines that, if properly constructed, or reconstructed, and operated, a new or existing source for which an application under paragraph (d) of this section was submitted will not cause emissions in violation of the relevant standard(s) and any other federally enforceable requirements, the Administrator will approve the construction or reconstruction.
 - (ii) In addition, in the case of reconstruction, the Administrator's determination under this paragraph will be based on:
 - (A) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new source;

- (B) The estimated life of the source after the replacements compared to the life of a comparable entirely new source;
- (C) The extent to which the components being replaced cause or contribute to the emissions from the source; and
- (D) Any economic or technical limitations on compliance with relevant standards that are inherent in the proposed replacements.

(2)

- (i) The Administrator will notify the owner or operator in writing of approval or intention to deny approval of construction or reconstruction within 60 calendar days after receipt of sufficient information to evaluate an application submitted under paragraph (d) of this section. The 60-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted.
 - (ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.
- (3) Before denying any application for approval of construction or reconstruction, the Administrator will notify the applicant of the Administrator's intention to issue the denial together with—
- (i) Notice of the information and findings on which the intended denial is based; and
 - (ii) Notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator to enable further action on the application.
- (4) A final determination to deny any application for approval will be in writing and will specify the grounds on which the denial is based. The final determination will be made within 60 calendar days of presentation of additional information or arguments (if the application is complete), or within 60 calendar days after the final date specified for presentation if no presentation is made.
- (5) Neither the submission of an application for approval nor the Administrator's approval of construction or reconstruction shall—
- (i) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or
 - (ii) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.
- (f) *Approval of construction or reconstruction based on prior State preconstruction review.*

- (1) Preconstruction review procedures that a State utilizes for other purposes may also be utilized for purposes of this section if the procedures are substantially equivalent to those specified in this section. The Administrator will approve an application for construction or reconstruction specified in paragraphs (b)(3) and (d) of this section if the owner or operator of a new affected source or reconstructed affected source, who is subject to such requirement meets the following conditions:
 - (i) The owner or operator of the new affected source or reconstructed affected source has undergone a preconstruction review and approval process in the State in which the source is (or would be) located and has received a federally enforceable construction permit that contains a finding that the source will meet the relevant promulgated emission standard, if the source is properly built and operated.
 - (ii) Provide a statement from the State or other evidence (such as State regulations) that it considered the factors specified in paragraph (e)(1) of this section.
- (2) The owner or operator must submit to the Administrator the request for approval of construction or reconstruction under this paragraph (f)(2) no later than the application deadline specified in paragraph (d)(1) of this section (see also § 63.9(b)(2)). The owner or operator must include in the request information sufficient for the Administrator's determination. The Administrator will evaluate the owner or operator's request in accordance with the procedures specified in paragraph (e) of this section. The Administrator may request additional relevant information after the submittal of a request for approval of construction or reconstruction under this paragraph (f)(2).

[59 FR 12430, Mar. 16, 1994, as amended at 67 FR 16598, Apr. 5, 2002]

§ 63.6 Compliance with standards and maintenance requirements.

(a) *Applicability.*

- (1) The requirements in this section apply to the owner or operator of affected sources for which any relevant standard has been established pursuant to section 112 of the Act and the applicability of such requirements is set out in accordance with § 63.1(a)(4) unless—
 - (i) The Administrator (or a State with an approved permit program) has granted an extension of compliance consistent with paragraph (i) of this section; or
 - (ii) The President has granted an exemption from compliance with any relevant standard in accordance with section 112(i)(4) of the Act.
- (2) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source, such source shall be subject to the relevant emission standard or other requirement.

(b) *Compliance dates for new and reconstructed sources.*

- (1) Except as specified in paragraphs (b)(3) and (4) of this section, the owner or operator of a new or reconstructed affected source for which construction or reconstruction commences after proposal of a relevant standard that has an initial startup before the effective date of a relevant standard established under this part pursuant to section 112(d), (f), or (h) of the Act must comply with such standard not later than the standard's effective date.

- (2) Except as specified in paragraphs (b)(3) and (4) of this section, the owner or operator of a new or reconstructed affected source that has an initial startup after the effective date of a relevant standard established under this part pursuant to section 112(d), (f), or (h) of the Act must comply with such standard upon startup of the source.
- (3) The owner or operator of an affected source for which construction or reconstruction is commenced after the proposal date of a relevant standard established under this part pursuant to section 112(d), 112(f), or 112(h) of the Act but before the effective date (that is, promulgation) of such standard shall comply with the relevant emission standard not later than the date 3 years after the effective date if:
 - (i) The promulgated standard (that is, the relevant standard) is more stringent than the proposed standard; for purposes of this paragraph, a finding that controls or compliance methods are “more stringent” must include control technologies or performance criteria and compliance or compliance assurance methods that are different but are substantially equivalent to those required by the promulgated rule, as determined by the Administrator (or his or her authorized representative); and
 - (ii) The owner or operator complies with the standard as proposed during the 3-year period immediately after the effective date.
- (4) The owner or operator of an affected source for which construction or reconstruction is commenced after the proposal date of a relevant standard established pursuant to section 112(d) of the Act but before the proposal date of a relevant standard established pursuant to section 112(f) shall not be required to comply with the section 112(f) emission standard until the date 10 years after the date construction or reconstruction is commenced, except that, if the section 112(f) standard is promulgated more than 10 years after construction or reconstruction is commenced, the owner or operator must comply with the standard as provided in paragraphs (b)(1) and (2) of this section.
- (5) The owner or operator of a new source that is subject to the compliance requirements of paragraph (b)(3) or (4) of this section must notify the Administrator in accordance with § 63.9(d)
- (6) [Reserved]
- (7) When an area source increases its emissions of (or its potential to emit) hazardous air pollutants such that the source becomes a major source, the portion of the facility that meets the definition of a new affected source must comply with all requirements of that standard applicable to new sources. The source owner or operator must comply with the relevant standard upon startup.

(c) *Compliance dates for existing sources.*

- (1) After the effective date of a relevant standard established under this part pursuant to section 112(d) or 112(h) of the Act, the owner or operator of an existing source shall comply with such standard by the compliance date established by the Administrator in the applicable subpart(s) of this part, except as provided in § 63.1(c)(6)(i). Except as otherwise provided for in section 112 of the Act, in no case will the compliance date established for an existing source in an applicable subpart of this part exceed 3 years after the effective date of such standard.
- (2) If an existing source is subject to a standard established under this part pursuant to section 112(f) of the Act, the owner or operator must comply with the standard by the date 90 days after the standard's effective date, or by the date specified in an extension granted to the source by the Administrator under paragraph (i)(4)(ii) of this section, whichever is later.

(3)-(4) [Reserved]

- (5) Except as provided in paragraph (b)(7) of this section, the owner or operator of an area source that increases its emissions of (or its potential to emit) hazardous air pollutants such that the source becomes a major source and meets the definition of an existing source in the applicable major source standard shall be subject to relevant standards for existing sources. Except as provided in paragraph § 63.1(c)(6)(i)(B), such sources must comply by the date specified in the standards for existing area sources that become major sources. If no such compliance date is specified in the standards, the source shall have a period of time to comply with the relevant emission standard that is equivalent to the compliance period specified in the relevant standard for existing sources in existence at the time the standard becomes effective.

(d) [Reserved]

(e) ***Operation and maintenance requirements.***

(1)

- (i) At all times, including periods of startup, shutdown, and malfunction, the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. During a period of startup, shutdown, or malfunction, this general duty to minimize emissions requires that the owner or operator reduce emissions from the affected source to the greatest extent which is consistent with safety and good air pollution control practices. The general duty to minimize emissions during a period of startup, shutdown, or malfunction does not require the owner or operator to achieve emission levels that would be required by the applicable standard at other times if this is not consistent with safety and good air pollution control practices, nor does it require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable 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 (including the startup, shutdown, and malfunction plan required in paragraph (e)(3) of this section), review of operation and maintenance records, and inspection of the source.
- (ii) Malfunctions must be corrected as soon as practicable after their occurrence. To the extent that an unexpected event arises during a startup, shutdown, or malfunction, an owner or operator must comply by minimizing emissions during such a startup, shutdown, and malfunction event consistent with safety and good air pollution control practices.
- (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) [Reserved]

(3) ***Startup, shutdown, and malfunction plan.***

- (i) The owner or operator of an affected source must develop a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; and a program of corrective action for malfunctioning process, air pollution control, and monitoring equipment used to comply with the relevant standard. The startup, shutdown, and malfunction plan does not need to address

any scenario that would not cause the source to exceed an applicable emission limitation in the relevant standard. This plan must be developed by the owner or operator by the source's compliance date for that relevant standard. The purpose of the startup, shutdown, and malfunction plan is to—

- (A) Ensure that, at all times, the owner or operator operates and maintains each affected source, including associated air pollution control and monitoring equipment, in a manner which satisfies the general duty to minimize emissions established by paragraph (e)(1)(i) of this section;
 - (B) Ensure that owners or operators are prepared to correct malfunctions as soon as practicable after their occurrence in order to minimize excess emissions of hazardous air pollutants; and
 - (C) Reduce the reporting burden associated with periods of startup, shutdown, and malfunction (including corrective action taken to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation).
- (ii) [Reserved]
- (iii) When actions taken by the owner or operator during a startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction (including actions taken to correct a malfunction) are consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator must keep records for that event which demonstrate that the procedures specified in the plan were followed. These records may take the form of a "checklist," or other effective form of recordkeeping that confirms conformance with the startup, shutdown, and malfunction plan and describes the actions taken for that event. In addition, the owner or operator must keep records of these events as specified in paragraph 63.10(b), including records of the occurrence and duration of each startup or shutdown (if the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction of operation and each malfunction of the air pollution control and monitoring equipment. Furthermore, the owner or operator shall confirm that actions taken during the relevant reporting period during periods of startup, shutdown, and malfunction were consistent with the affected source's startup, shutdown and malfunction plan in the semiannual (or more frequent) startup, shutdown, and malfunction report required in § 63.10(d)(5).
- (iv) If an action taken by the owner or operator during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, and the source exceeds any applicable emission limitation in the relevant emission standard, then the owner or operator must record the actions taken for that event and must report such actions within 2 working days after commencing actions inconsistent with the plan, followed by a letter within 7 working days after the end of the event, in accordance with § 63.10(d)(5) (unless the owner or operator makes alternative reporting arrangements, in advance, with the Administrator).
- (v) The owner or operator must maintain at the affected source a current startup, shutdown, and malfunction plan and must make the plan available upon request for inspection and copying by the Administrator. In addition, if the startup, shutdown, and malfunction plan is subsequently revised as provided in paragraph (e)(3)(viii) of this section, the owner or operator must maintain

at the affected source each previous (i.e., superseded) version of the startup, shutdown, and malfunction plan, and must make each such previous version available for inspection and copying by the Administrator for a period of 5 years after revision of the plan. If at any time after adoption of a startup, shutdown, and malfunction plan the affected source ceases operation or is otherwise no longer subject to the provisions of this part, the owner or operator must retain a copy of the most recent plan for 5 years from the date the source ceases operation or is no longer subject to this part and must make the plan available upon request for inspection and copying by the Administrator. The Administrator may at any time request in writing that the owner or operator submit a copy of any startup, shutdown, and malfunction plan (or a portion thereof) which is maintained at the affected source or in the possession of the owner or operator. Upon receipt of such a request, the owner or operator must promptly submit a copy of the requested plan (or a portion thereof) to the Administrator. The owner or operator may elect to submit the required copy of any startup, shutdown, and malfunction plan to the Administrator in an electronic format. If the owner or operator claims that any portion of such a startup, shutdown, and malfunction plan is confidential business information entitled to protection from disclosure under section 114(c) of the Act or 40 CFR 2.301, the material which is claimed as confidential must be clearly designated in the submission.

- (vi) To satisfy the requirements of this section to develop a startup, shutdown, and malfunction plan, the owner or operator may use the affected source's standard operating procedures (SOP) manual, or an Occupational Safety and Health Administration (OSHA) or other plan, provided the alternative plans meet all the requirements of this section and are made available for inspection or submitted when requested by the Administrator.
- (vii) Based on the results of a determination made under paragraph (e)(1)(i) of this section, the Administrator may require that an owner or operator of an affected source make changes to the startup, shutdown, and malfunction plan for that source. The Administrator must require appropriate revisions to a startup, shutdown, and malfunction plan, if the Administrator finds that the plan:
 - (A) Does not address a startup, shutdown, or malfunction event that has occurred;
 - (B) Fails to provide for the operation of the source (including associated air pollution control and monitoring equipment) during a startup, shutdown, or malfunction event in a manner consistent with the general duty to minimize emissions established by paragraph (e)(1)(i) of this section;
 - (C) Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control and monitoring equipment as quickly as practicable; or
 - (D) Includes an event that does not meet the definition of startup, shutdown, or malfunction listed in § 63.2.
- (viii) The owner or operator may periodically revise the startup, shutdown, and malfunction plan for the affected source as necessary to satisfy the requirements of this part or to reflect changes in equipment or procedures at the affected source. Unless the permitting authority provides otherwise, the owner or operator may make such revisions to the startup, shutdown, and malfunction plan without prior approval by the Administrator or the permitting authority. However, each such revision to a startup, shutdown, and malfunction plan must be reported in the semiannual report required by § 63.10(d)(5). If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a

malfunction but was not included in the startup, shutdown, and malfunction plan at the time the owner or operator developed the plan, the owner or operator must revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control and monitoring equipment. In the event that the owner or operator makes any revision to the startup, shutdown, and malfunction plan which alters the scope of the activities at the source which are deemed to be a startup, shutdown, or malfunction, or otherwise modifies the applicability of any emission limit, work practice requirement, or other requirement in a standard established under this part, the revised plan shall not take effect until after the owner or operator has provided a written notice describing the revision to the permitting authority.

- (ix) The title V permit for an affected source must require that the owner or operator develop a startup, shutdown, and malfunction plan which conforms to the provisions of this part, but may do so by citing to the relevant subpart or subparagraphs of paragraph (e) of this section. However, any revisions made to the startup, shutdown, and malfunction plan in accordance with the procedures established by this part shall not be deemed to constitute permit revisions under part 70 or part 71 of this chapter and the elements of the startup, shutdown, and malfunction plan shall not be considered an applicable requirement as defined in § 70.2 and § 71.2 of this chapter. Moreover, none of the procedures specified by the startup, shutdown, and malfunction plan for an affected source shall be deemed to fall within the permit shield provision in section 504(f) of the Act.

(f) ***Compliance with nonopacity emission standards –***

- (1) ***Applicability.*** The non-opacity emission standards set forth in this part shall apply at all times except as otherwise specified in an applicable subpart. If a startup, shutdown, or malfunction of one portion of an affected source does not affect the ability of particular emission points within other portions of the affected source to comply with the non-opacity emission standards set forth in this part, then that emission point must still be required to comply with the non-opacity emission standards and other applicable requirements.

(2) ***Methods for determining compliance.***

- (i) The Administrator will determine compliance with nonopacity emission standards in this part based on the results of performance tests conducted according to the procedures in § 63.7, unless otherwise specified in an applicable subpart of this part.
- (ii) The Administrator will determine compliance with nonopacity emission standards in this part by evaluation of an owner or operator's conformance with operation and maintenance requirements, including the evaluation of monitoring data, as specified in § 63.6(e) and applicable subparts of this part.
- (iii) If an affected source conducts performance testing at startup to obtain an operating permit in the State in which the source is located, the results of such testing may be used to demonstrate compliance with a relevant standard if—
 - (A) The performance test was conducted within a reasonable amount of time before an initial performance test is required to be conducted under the relevant standard;
 - (B) The performance test was conducted under representative operating conditions for the source;

- (C) The performance test was conducted and the resulting data were reduced using EPA-approved test methods and procedures, as specified in § 63.7(e) of this subpart; and
- (D) The performance test was appropriately quality-assured, as specified in § 63.7(c).
- (iv) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by review of records, inspection of the source, and other procedures specified in applicable subparts of this part.
- (v) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by evaluation of an owner or operator's conformance with operation and maintenance requirements, as specified in paragraph (e) of this section and applicable subparts of this part.
- (3) **Finding of compliance.** The Administrator will make a finding concerning an affected source's compliance with a non-opacity emission standard, as specified in paragraphs (f)(1) and (2) of this section, upon obtaining all the compliance information required by the relevant standard (including the written reports of performance test results, monitoring results, and other information, if applicable), and information available to the Administrator pursuant to paragraph (e)(1)(i) of this section.

(g) ***Use of an alternative nonopacity emission standard.***

- (1) If, in the Administrator's judgment, an owner or operator of an affected source has established that an alternative means of emission limitation will achieve a reduction in emissions of a hazardous air pollutant from an affected source at least equivalent to the reduction in emissions of that pollutant from that source achieved under any design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act, the Administrator will publish in the FEDERAL REGISTER a notice permitting the use of the alternative emission standard for purposes of compliance with the promulgated standard. Any FEDERAL REGISTER notice under this paragraph shall be published only after the public is notified and given the opportunity to comment. Such notice will restrict the permission to the stationary source(s) or category(ies) of sources from which the alternative emission standard will achieve equivalent emission reductions. The Administrator will condition permission in such notice on requirements to assure the proper operation and maintenance of equipment and practices required for compliance with the alternative emission standard and other requirements, including appropriate quality assurance and quality control requirements, that are deemed necessary.
- (2) An owner or operator requesting permission under this paragraph shall, unless otherwise specified in an applicable subpart, submit a proposed test plan or the results of testing and monitoring in accordance with § 63.7 and § 63.8, a description of the procedures followed in testing or monitoring, and a description of pertinent conditions during testing or monitoring. Any testing or monitoring conducted to request permission to use an alternative nonopacity emission standard shall be appropriately quality assured and quality controlled, as specified in § 63.7 and § 63.8.
- (3) The Administrator may establish general procedures in an applicable subpart that accomplish the requirements of paragraphs (g)(1) and (g)(2) of this section.

(h) ***Compliance with opacity and visible emission standards –***

- (1) **Applicability.** The opacity and visible emission standards set forth in this part must apply at all times except as otherwise specified in an applicable subpart. If a startup, shutdown, or malfunction of one portion of an affected source does not affect the ability of particular emission points within other portions of the affected source to comply with the opacity and visible emission standards set forth in this part, then that emission point shall still be required to comply with the opacity and visible emission standards and other applicable requirements.
- (2) **Methods for determining compliance.**
 - (i) The Administrator will determine compliance with opacity and visible emission standards in this part based on the results of the test method specified in an applicable subpart. Whenever a continuous opacity monitoring system (COMS) is required to be installed to determine compliance with numerical opacity emission standards in this part, compliance with opacity emission standards in this part shall be determined by using the results from the COMS. Whenever an opacity emission test method is not specified, compliance with opacity emission standards in this part shall be determined by conducting observations in accordance with Test Method 9 in appendix A of part 60 of this chapter or the method specified in paragraph (h)(7)(ii) of this section. Whenever a visible emission test method is not specified, compliance with visible emission standards in this part shall be determined by conducting observations in accordance with Test Method 22 in appendix A of part 60 of this chapter.
 - (ii) [Reserved]
 - (iii) If an affected source undergoes opacity or visible emission testing at startup to obtain an operating permit in the State in which the source is located, the results of such testing may be used to demonstrate compliance with a relevant standard if—
 - (A) The opacity or visible emission test was conducted within a reasonable amount of time before a performance test is required to be conducted under the relevant standard;
 - (B) The opacity or visible emission test was conducted under representative operating conditions for the source;
 - (C) The opacity or visible emission test was conducted and the resulting data were reduced using EPA-approved test methods and procedures, as specified in § 63.7(e); and
 - (D) The opacity or visible emission test was appropriately quality-assured, as specified in § 63.7(c) of this section.
- (3) [Reserved]
- (4) **Notification of opacity or visible emission observations.** The owner or operator of an affected source shall notify the Administrator in writing of the anticipated date for conducting opacity or visible emission observations in accordance with § 63.9(f), if such observations are required for the source by a relevant standard.
- (5) **Conduct of opacity or visible emission observations.** When a relevant standard under this part includes an opacity or visible emission standard, the owner or operator of an affected source shall comply with the following:
 - (i) For the purpose of demonstrating initial compliance, opacity or visible emission observations shall be conducted concurrently with the initial performance test required in § 63.7 unless one of the following conditions applies:

- (A) If no performance test under § 63.7 is required, opacity or visible emission observations shall be conducted within 60 days after achieving the maximum production rate at which a new or reconstructed source will be operated, but not later than 120 days after initial startup of the source, or within 120 days after the effective date of the relevant standard in the case of new sources that start up before the standard's effective date. If no performance test under § 63.7 is required, opacity or visible emission observations shall be conducted within 120 days after the compliance date for an existing or modified source; or
- (B) If visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the initial performance test required under § 63.7, or within the time period specified in paragraph (h)(5)(i)(A) of this section, the source's owner or operator shall reschedule the opacity or visible emission observations as soon after the initial performance test, or time period, as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. The rescheduled opacity or visible emission observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under § 63.7. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity or visible emission observations from being made concurrently with the initial performance test in accordance with procedures contained in Test Method 9 or Test Method 22 in appendix A of part 60 of this chapter.
- (ii) For the purpose of demonstrating initial compliance, the minimum total time of opacity observations shall be 3 hours (30 6-minute averages) for the performance test or other required set of observations (e.g., for fugitive-type emission sources subject only to an opacity emission standard).
- (iii) The owner or operator of an affected source to which an opacity or visible emission standard in this part applies shall conduct opacity or visible emission observations in accordance with the provisions of this section, record the results of the evaluation of emissions, and report to the Administrator the opacity or visible emission results in accordance with the provisions of § 63.10(d).
- (iv) [Reserved]
- (v) Opacity readings of portions of plumes that contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity emission standards.
- (6) **Availability of records.** The owner or operator of an affected source shall make available, upon request by the Administrator, such records that the Administrator deems necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification.
- (7) **Use of a continuous opacity monitoring system.**
 - (i) The owner or operator of an affected source required to use a continuous opacity monitoring system (COMS) shall record the monitoring data produced during a performance test required under § 63.7 and shall furnish the Administrator a written report of the monitoring results in accordance with the provisions of § 63.10(e)(4).

- (ii) Whenever an opacity emission test method has not been specified in an applicable subpart, or an owner or operator of an affected source is required to conduct Test Method 9 observations (see appendix A of part 60 of this chapter), the owner or operator may submit, for compliance purposes, COMS data results produced during any performance test required under § 63.7 in lieu of Method 9 data. If the owner or operator elects to submit COMS data for compliance with the opacity emission standard, he or she shall notify the Administrator of that decision, in writing, simultaneously with the notification under § 63.7(b) of the date the performance test is scheduled to begin. Once the owner or operator of an affected source has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent performance tests required under § 63.7, unless the owner or operator notifies the Administrator in writing to the contrary not later than with the notification under § 63.7(b) of the date the subsequent performance test is scheduled to begin.
 - (iii) For the purposes of determining compliance with the opacity emission standard during a performance test required under § 63.7 using COMS data, the COMS data shall be reduced to 6-minute averages over the duration of the mass emission performance test.
 - (iv) The owner or operator of an affected source using a COMS for compliance purposes is responsible for demonstrating that he/she has complied with the performance evaluation requirements of § 63.8(e), that the COMS has been properly maintained, operated, and data quality-assured, as specified in § 63.8(c) and § 63.8(d), and that the resulting data have not been altered in any way.
 - (v) Except as provided in paragraph (h)(7)(ii) of this section, the results of continuous monitoring by a COMS that indicate that the opacity at the time visual observations were made was not in excess of the emission standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the affected source proves that, at the time of the alleged violation, the instrument used was properly maintained, as specified in § 63.8(c), and met Performance Specification 1 in appendix B of part 60 of this chapter, and that the resulting data have not been altered in any way.
- (8) **Finding of compliance.** The Administrator will make a finding concerning an affected source's compliance with an opacity or visible emission standard upon obtaining all the compliance information required by the relevant standard (including the written reports of the results of the performance tests required by § 63.7, the results of Test Method 9 or another required opacity or visible emission test method, the observer certification required by paragraph (h)(6) of this section, and the continuous opacity monitoring system results, whichever is/are applicable) and any information available to the Administrator needed to determine whether proper operation and maintenance practices are being used.
- (9) **Adjustment to an opacity emission standard.**
- (i) If the Administrator finds under paragraph (h)(8) of this section that an affected source is in compliance with all relevant standards for which initial performance tests were conducted under § 63.7, but during the time such performance tests were conducted fails to meet any relevant opacity emission standard, the owner or operator of such source may petition the Administrator to make appropriate adjustment to the opacity emission standard for the affected source. Until the Administrator notifies the owner or operator of the appropriate adjustment, the relevant opacity emission standard remains applicable.

- (ii) The Administrator may grant such a petition upon a demonstration by the owner or operator that—
 - (A) The affected source and its associated air pollution control equipment were operated and maintained in a manner to minimize the opacity of emissions during the performance tests;
 - (B) The performance tests were performed under the conditions established by the Administrator; and
 - (C) The affected source and its associated air pollution control equipment were incapable of being adjusted or operated to meet the relevant opacity emission standard.
- (iii) The Administrator will establish an adjusted opacity emission standard for the affected source meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity emission standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity emission standard in the FEDERAL REGISTER.
- (iv) After the Administrator promulgates an adjusted opacity emission standard for an affected source, the owner or operator of such source shall be subject to the new opacity emission standard, and the new opacity emission standard shall apply to such source during any subsequent performance tests.

(i) ***Extension of compliance with emission standards.***

- (1) Until an extension of compliance has been granted by the Administrator (or a State with an approved permit program) under this paragraph, the owner or operator of an affected source subject to the requirements of this section shall comply with all applicable requirements of this part.

(2) ***Extension of compliance for early reductions and other reductions —***

- (i) ***Early reductions.*** Pursuant to section 112(i)(5) of the Act, if the owner or operator of an existing source demonstrates that the source has achieved a reduction in emissions of hazardous air pollutants in accordance with the provisions of subpart D of this part, the Administrator (or the State with an approved permit program) will grant the owner or operator an extension of compliance with specific requirements of this part, as specified in subpart D.
 - (ii) ***Other reductions.*** Pursuant to section 112(i)(6) of the Act, if the owner or operator of an existing source has installed best available control technology (BACT) (as defined in section 169(3) of the Act) or technology required to meet a lowest achievable emission rate (LAER) (as defined in section 171 of the Act) prior to the promulgation of an emission standard in this part applicable to such source and the same pollutant (or stream of pollutants) controlled pursuant to the BACT or LAER installation, the Administrator will grant the owner or operator an extension of compliance with such emission standard that will apply until the date 5 years after the date on which such installation was achieved, as determined by the Administrator.
- (3) ***Request for extension of compliance.*** Paragraphs (i)(4) through (i)(7) of this section concern requests for an extension of compliance with a relevant standard under this part (except requests for an extension of compliance under paragraph (i)(2)(i) of this section will be handled through procedures specified in subpart D of this part).

(4)

(i)

- (A) The owner or operator of an existing source who is unable to comply with a relevant standard established under this part pursuant to section 112(d) of the Act 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 source up to 1 additional year to comply with the standard, if such additional period is necessary for the installation of controls. An additional extension of up to 3 years may be added for mining waste operations, if the 1-year extension of compliance is insufficient to dry and cover mining waste in order to reduce emissions of any hazardous air pollutant. The owner or operator of an affected source who has requested an extension of compliance under this paragraph and who is otherwise required to obtain a title V permit shall apply for such permit or apply to have the source's 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 affected source's title V permit according to the provisions of part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever are applicable.
- (B) Any request under this paragraph for an extension of compliance with a relevant standard must be submitted in writing to the appropriate authority no later than 120 days prior to the affected source's compliance date (as specified in paragraphs (b) and (c) of this section), except as provided for in paragraph (i)(4)(i)(C) of this section. Nonfrivolous requests submitted under this paragraph will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the date of denial. Emission standards established under this part may specify alternative dates for the submittal of requests for an extension of compliance if alternatives are appropriate for the source categories affected by those standards.
- (C) An owner or operator may submit a compliance extension request after the date specified in paragraph (i)(4)(i)(B) of this section provided the need for the compliance extension arose after that date, and before the otherwise applicable compliance date and the need arose due to circumstances beyond reasonable control of the owner or operator. This request must include, in addition to the information required in paragraph (i)(6)(i) of this section, a statement of the reasons additional time is needed and the date when the owner or operator first learned of the problems. Nonfrivolous requests submitted under this paragraph will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the original compliance date.

- (ii) The owner or operator of an existing source unable to comply with a relevant standard established under this part pursuant to section 112(f) of the Act may request that the Administrator grant an extension allowing the source up to 2 years after the standard's effective date to comply with the standard. The Administrator may grant such an extension if he/she finds that such additional period is necessary for the installation of controls and that steps will be taken during the period of the extension to assure that the health of persons will be protected from imminent endangerment. Any request for an extension of compliance with a relevant standard under this paragraph must be submitted in writing to the Administrator not later than 90 calendar days after the effective date of the relevant standard.

- (5) The owner or operator of an existing source that has installed BACT or technology required to meet LAER [as specified in paragraph (i)(2)(ii) of this section] prior to the promulgation of a relevant emission standard in this part may request that the Administrator grant an extension allowing the source 5 years from the date on which such installation was achieved, as determined by the Administrator, to comply with the standard. Any request for an extension of compliance with a relevant standard under this paragraph shall be submitted in writing to the Administrator not later than 120 days after the promulgation date of the standard. The Administrator may grant such an extension if he or she finds that the installation of BACT or technology to meet LAER controls the same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard.
- (6)
 - (i) The request for a compliance extension under paragraph (i)(4) of this section shall include the following information:
 - (A) A description of the controls to be installed to comply with the standard;
 - (B) A compliance schedule, including the date by which each step toward compliance will be reached. At a minimum, the list of dates shall include:
 - (1) The date by which on-site construction, installation of emission control equipment, or a process change is planned to be initiated; and
 - (2) The date by which final compliance is to be achieved.
 - (3) The date by which on-site construction, installation of emission control equipment, or a process change is to be completed; and
 - (4) The date by which final compliance is to be achieved;
 - (C)-(D)
 - (ii) The request for a compliance extension under paragraph (i)(5) of this section shall include all information needed to demonstrate to the Administrator's satisfaction that the installation of BACT or technology to meet LAER controls the same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard.
- (7) Advice on requesting an extension of compliance may be obtained from the Administrator (or the State with an approved permit program).
- (8) **Approval of request for extension of compliance.** Paragraphs (i)(9) through (i)(14) of this section concern approval of an extension of compliance requested under paragraphs (i)(4) through (i)(6) of this section.
- (9) Based on the information provided in any request made under paragraphs (i)(4) through (i)(6) of this section, or other information, the Administrator (or the State with an approved permit program) may grant an extension of compliance with an emission standard, as specified in paragraphs (i)(4) and (i)(5) of this section.
- (10) The extension will be in writing and will—
 - (i) Identify each affected source covered by the extension;
 - (ii) Specify the termination date of the extension;

- (iii) Specify the dates by which steps toward compliance are to be taken, if appropriate;
- (iv) Specify other applicable requirements to which the compliance extension applies (e.g., performance tests); and
- (v)
 - (A) Under paragraph (i)(4), specify any additional conditions that the Administrator (or the State) deems necessary to assure installation of the necessary controls and protection of the health of persons during the extension period; or
 - (B) Under paragraph (i)(5), specify any additional conditions that the Administrator deems necessary to assure the proper operation and maintenance of the installed controls during the extension period.
- (11) The owner or operator of an existing source that has been granted an extension of compliance under paragraph (i)(10) of this section may be required to submit to the Administrator (or the State with an approved permit program) progress reports indicating whether the steps toward compliance outlined in the compliance schedule have been reached. The contents of the progress reports and the dates by which they shall be submitted will be specified in the written extension of compliance granted under paragraph (i)(10) of this section.
- (12)
 - (i) The Administrator (or the State with an approved permit program) will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (i)(4)(i) or (i)(5) of this section. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete.
 - (ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.
 - (iii) Before denying any request for an extension of compliance, the Administrator (or the State with an approved permit program) will notify the owner or operator in writing of the Administrator's (or the State's) intention to issue the denial, together with—
 - (A) Notice of the information and findings on which the intended denial is based; and
 - (B) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator (or the State) before further action on the request.

- (iv) The Administrator's final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(13)

- (i) The Administrator will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (i)(4)(ii) of this section. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 15 calendar days after receipt of the original application and within 15 calendar days after receipt of any supplementary information that is submitted.
- (ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 15 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.
- (iii) Before denying any request for an extension of compliance, the Administrator will notify the owner or operator in writing of the Administrator's intention to issue the denial, together with—
 - (A) Notice of the information and findings on which the intended denial is based; and
 - (B) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator before further action on the request.
- (iv) A final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(14) The Administrator (or the State with an approved permit program) may terminate an extension of compliance at an earlier date than specified if any specification under paragraph (i)(10)(iii) or (iv) of this section is not met. Upon a determination to terminate, the Administrator will notify, in writing, the owner or operator of the Administrator's determination to terminate, together with:

- (i) Notice of the reason for termination; and
- (ii) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the determination to terminate, additional information or arguments to the Administrator before further action on the termination.

- (iii) A final determination to terminate an extension of compliance will be in writing and will set forth the specific grounds on which the termination is based. The final determination will be made within 30 calendar days after presentation of additional information or arguments, or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(15) [Reserved]

- (16) The granting of an extension under this section shall not abrogate the Administrator's authority under section 114 of the Act.

- (j) **Exemption from compliance with emission standards.** The President may exempt any stationary source from compliance with any relevant standard established pursuant to section 112 of the Act for a period of not more than 2 years if the President determines that the technology to implement such standard is not available and that it is in the national security interests of the United States to do so. An exemption under this paragraph may be extended for 1 or more additional periods, each period not to exceed 2 years.

[59 FR 12430, Mar. 16, 1994, as amended at 67 FR 16599, Apr. 5, 2002; 68 FR 32600, May 30, 2003; 71 FR 20454, Apr. 20, 2006; 85 FR 73885, Nov. 19, 2020; 86 FR 13821, Mar. 11, 2021]

§ 63.7 Performance testing requirements.

- (a) **Applicability and performance test dates.**

- (1) The applicability of this section is set out in § 63.1(a)(4).
- (2) Except as provided in paragraph (a)(4) of this section, if required to do performance testing by a relevant standard, and unless a waiver of performance testing is obtained under this section or the conditions of paragraph (c)(3)(ii)(B) of this section apply, the owner or operator of the affected source must perform such tests within 180 days of the compliance date for such source.

(i)-(viii) [Reserved]

- (ix) Except as provided in paragraph (a)(4) of this section, when an emission standard promulgated under this part is more stringent than the standard proposed (see § 63.6(b)(3)), the owner or operator of a new or reconstructed source subject to that standard for which construction or reconstruction is commenced between the proposal and promulgation dates of the standard shall comply with performance testing requirements within 180 days after the standard's effective date, or within 180 days after startup of the source, whichever is later. If the promulgated standard is more stringent than the proposed standard, the owner or operator may choose to demonstrate compliance with either the proposed or the promulgated standard. If the owner or operator chooses to comply with the proposed standard initially, the owner or operator shall conduct a second performance test within 3 years and 180 days after the effective date of the standard, or after startup of the source, whichever is later, to demonstrate compliance with the promulgated standard.
- (3) The Administrator may require an owner or operator to conduct performance tests at the affected source at any other time when the action is authorized by section 114 of the Act.
- (4) If a force majeure is about to occur, occurs, or has occurred for which the affected owner or operator intends to assert a claim of force majeure:

- (i) The owner or operator shall notify the Administrator, in writing as soon as practicable following the date the owner or operator first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline specified in paragraph (a)(2) or (a)(3) of this section, or elsewhere in this part, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall occur as soon as practicable.
- (ii) The owner or operator shall provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the owner or operator proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure occurs.
- (iii) The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Administrator. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an extension as soon as practicable.
- (iv) Until an extension of the performance test deadline has been approved by the Administrator under paragraphs (a)(4)(i), (a)(4)(ii), and (a)(4)(iii) of this section, the owner or operator of the affected facility remains strictly subject to the requirements of this part.

(b) Notification of performance test.

- (1) The owner or operator of an affected source must notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is initially scheduled to begin to allow the Administrator, upon request, to review and approve the site-specific test plan required under paragraph (c) of this section and to have an observer present during the test.
- (2) In the event the owner or operator is unable to conduct the performance test on the date specified in the notification requirement specified in paragraph (b)(1) of this section due to unforeseeable circumstances beyond his or her control, the owner or operator must notify the Administrator as soon as practicable and without delay prior to the scheduled performance test date and specify the date when the performance test is rescheduled. This notification of delay in conducting the performance test shall not relieve the owner or operator of legal responsibility for compliance with any other applicable provisions of this part or with any other applicable Federal, State, or local requirement, nor will it prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(c) Quality assurance program.

- (1) The results of the quality assurance program required in this paragraph will be considered by the Administrator when he/she determines the validity of a performance test.
- (2)
 - (i) **Submission of site-specific test plan.** Before conducting a required performance test, the owner or operator of an affected source shall develop and, if requested by the Administrator, shall submit a site-specific test plan to the Administrator for approval. The test plan shall include a

test program summary, the test schedule, data quality objectives, and both an internal and external quality assurance (QA) program. Data quality objectives are the pretest expectations of precision, accuracy, and completeness of data.

- (ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of test data precision; an example of internal QA is the sampling and analysis of replicate samples.
- (iii) The performance testing shall include a test method performance audit (PA) during the performance test. The PAs consist of blind audit samples supplied by an accredited audit sample provider and analyzed during the performance test in order to provide a measure of test data bias. Gaseous audit samples are designed to audit the performance of the sampling system as well as the analytical system and must be collected by the sampling system during the compliance test just as the compliance samples are collected. If a liquid or solid audit sample is designed to audit the sampling system, it must also be collected by the sampling system during the compliance test. If multiple sampling systems or sampling trains are used during the compliance test for any of the test methods, the tester is only required to use one of the sampling systems per method to collect the audit sample. The audit sample must be analyzed by the same analyst using the same analytical reagents and analytical system and at the same time as the compliance samples. Retests are required when there is a failure to produce acceptable results for an audit sample. However, if the audit results do not affect the compliance or noncompliance status of the affected facility, the compliance authority may waive the reanalysis requirement, further audits, or retests and accept the results of the compliance test. Acceptance of the test results shall constitute a waiver of the reanalysis requirement, further audits, or retests. The compliance authority may also use the audit sample failure and the compliance test results as evidence to determine the compliance or noncompliance status of the affected facility. A blind audit sample is a sample whose value is known only to the sample provider and is not revealed to the tested facility until after they report the measured value of the audit sample. For pollutants that exist in the gas phase at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in air or nitrogen that can be introduced into the sampling system of the test method at or near the same entry point as a sample from the emission source. If no gas phase audit samples are available, an acceptable alternative is a sample of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. For samples that exist only in a liquid or solid form at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. An accredited audit sample provider (AASP) is an organization that has been accredited to prepare audit samples by an independent, third party accrediting body.
- (A) The source owner, operator, or representative of the tested facility shall obtain an audit sample, if commercially available, from an AASP for each test method used for regulatory compliance purposes. No audit samples are required for the following test methods: Methods 3A and 3C of appendix A-3 of part 60 of this chapter; Methods 6C, 7E, 9, and 10 of appendix A-4 of part 60; Methods 18 and 19 of appendix A-6 of part 60; Methods 20, 22, and 25A of appendix A-7 of part 60; Methods 30A and 30B of appendix A-8 of part 60; and Methods 303, 318, 320, and 321 of appendix A of this part. If multiple sources at a single facility are tested during a compliance test event, only one audit sample is required for

each method used during a compliance test. The compliance authority responsible for the compliance test may waive the requirement to include an audit sample if they believe that an audit sample is not necessary. "Commercially available" means that two or more independent AASPs have blind audit samples available for purchase. If the source owner, operator, or representative cannot find an audit sample for a specific method, the owner, operator, or representative shall consult the EPA Web site at the following URL, www.epa.gov/ttn/emc, to confirm whether there is a source that can supply an audit sample for that method. If the EPA Web site does not list an available audit sample at least 60 days prior to the beginning of the compliance test, the source owner, operator, or representative shall not be required to include an audit sample as part of the quality assurance program for the compliance test. When ordering an audit sample, the source owner, operator, or representative shall give the sample provider an estimate for the concentration of each pollutant that is emitted by the source or the estimated concentration of each pollutant based on the permitted level and the name, address, and phone number of the compliance authority. The source owner, operator, or representative shall report the results for the audit sample along with a summary of the emission test results for the audited pollutant to the compliance authority and shall report the results of the audit sample to the AASP. The source owner, operator, or representative shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the AASP. If the method being audited is a method that allows the samples to be analyzed in the field and the tester plans to analyze the samples in the field, the tester may analyze the audit samples prior to collecting the emission samples provided a representative of the compliance authority is present at the testing site. The tester may request, and the compliance authority may grant, a waiver to the requirement that a representative of the compliance authority must be present at the testing site during the field analysis of an audit sample. The source owner, operator, or representative may report the results of the audit sample to the compliance authority and then report the results of the audit sample to the AASP prior to collecting any emission samples. The test protocol and final test report shall document whether an audit sample was ordered and utilized and the pass/fail results as applicable.

- (B) An AASP shall have and shall prepare, analyze, and report the true value of audit samples in accordance with a written technical criteria document that describes how audit samples will be prepared and distributed in a manner that will ensure the integrity of the audit sample program. An acceptable technical criteria document shall contain standard operating procedures for all of the following operations:
- (1) Preparing the sample;
 - (2) Confirming the true concentration of the sample;
 - (3) Defining the acceptance limits for the results from a well qualified tester. This procedure must use well established statistical methods to analyze historical results from well qualified testers. The acceptance limits shall be set so that there is 95 percent confidence that 90 percent of well qualified labs will produce future results that are within the acceptance limit range;
 - (4) Providing the opportunity for the compliance authority to comment on the selected concentration level for an audit sample;

- (5) Distributing the sample to the user in a manner that guarantees that the true value of the sample is unknown to the user;
 - (6) Recording the measured concentration reported by the user and determining if the measured value is within acceptable limits;
 - (7) Reporting the results from each audit sample in a timely manner to the compliance authority and to the source owner, operator, or representative by the AASP. The AASP shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the source owner, operator, or representative. The results shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, and whether the testing company passed or failed the audit. The AASP shall report the true value of the audit sample to the compliance authority. The AASP may report the true value to the source owner, operator, or representative if the AASP's operating plan ensures that no laboratory will receive the same audit sample twice.
 - (8) Evaluating the acceptance limits of samples at least once every two years to determine in consultation with the voluntary consensus standard body if they should be changed.
 - (9) Maintaining a database, accessible to the compliance authorities, of results from the audit that shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, the true value of the audit sample, the acceptance range for the measured value, and whether the testing company passed or failed the audit.
- (C) The accrediting body shall have a written technical criteria document that describes how it will ensure that the AASP is operating in accordance with the AASP technical criteria document that describes how audit samples are to be prepared and distributed. This document shall contain standard operating procedures for all of the following operations:
- (1) Checking audit samples to confirm their true value as reported by the AASP.
 - (2) Performing technical systems audits of the AASP's facilities and operating procedures at least once every two years.
 - (3) Providing standards for use by the voluntary consensus standard body to approve the accrediting body that will accredit the audit sample providers.
- (D) The technical criteria documents for the accredited sample providers and the accrediting body shall be developed through a public process guided by a voluntary consensus standards body (VCSB). The VCSB shall operate in accordance with the procedures and requirements in the Office of Management and Budget *Circular A-119*. A copy of Circular A-119 is available upon request by writing the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, by calling (202) 395-6880 or downloading online at http://standards.gov/standards_gov/a119.cfm. The VCSB shall approve all accrediting bodies. The Administrator will review all technical

criteria documents. If the technical criteria documents do not meet the minimum technical requirements in paragraphs (c)(2)(iii)(B) through (C) of this section, the technical criteria documents are not acceptable and the proposed audit sample program is not capable of producing audit samples of sufficient quality to be used in a compliance test. All acceptable technical criteria documents shall be posted on the EPA Web site at the following URL, <http://www.epa.gov/ttn/emc>.

- (iv) The owner or operator of an affected source shall submit the site-specific test plan to the Administrator upon the Administrator's request at least 60 calendar days before the performance test is scheduled to take place, that is, simultaneously with the notification of intention to conduct a performance test required under paragraph (b) of this section, or on a mutually agreed upon date.
- (v) The Administrator may request additional relevant information after the submittal of a site-specific test plan.

(3) Approval of site-specific test plan.

- (i) The Administrator will notify the owner or operator of approval or intention to deny approval of the site-specific test plan (if review of the site-specific test plan is requested) within 30 calendar days after receipt of the original plan and within 30 calendar days after receipt of any supplementary information that is submitted under paragraph (c)(3)(i)(B) of this section. Before disapproving any site-specific test plan, the Administrator will notify the applicant of the Administrator's intention to disapprove the plan together with—
 - (A) Notice of the information and findings on which the intended disapproval is based; and
 - (B) Notice of opportunity for the owner or operator to present, within 30 calendar days after he/she is notified of the intended disapproval, additional information to the Administrator before final action on the plan.
- (ii) In the event that the Administrator fails to approve or disapprove the site-specific test plan within the time period specified in paragraph (c)(3)(i) of this section, the following conditions shall apply:
 - (A) If the owner or operator intends to demonstrate compliance using the test method(s) specified in the relevant standard or with only minor changes to those tests methods (see paragraph (e)(2)(i) of this section), the owner or operator must conduct the performance test within the time specified in this section using the specified method(s);
 - (B) If the owner or operator intends to demonstrate compliance by using an alternative to any test method specified in the relevant standard, the owner or operator is authorized to conduct the performance test using an alternative test method after the Administrator approves the use of the alternative method when the Administrator approves the site-specific test plan (if review of the site-specific test plan is requested) or after the alternative method is approved (see paragraph (f) of this section). However, the owner or operator is authorized to conduct the performance test using an alternative method in the absence of notification of approval 45 days after submission of the site-specific test plan or request to use an alternative method. The owner or operator is authorized to conduct the performance test within 60 calendar days after he/she is authorized to demonstrate compliance using an alternative test method. Notwithstanding the requirements in the preceding three sentences, the owner or operator may proceed to conduct the

performance test as required in this section (without the Administrator's prior approval of the site-specific test plan) if he/she subsequently chooses to use the specified testing and monitoring methods instead of an alternative.

(iii) Neither the submission of a site-specific test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall—

(A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(B) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(d) **Performance testing facilities.** If required to do performance testing, the owner or operator of each new source and, at the request of the Administrator, the owner or operator of each existing source, shall provide performance testing facilities as follows:

(1) Sampling ports adequate for test methods applicable to such source. This includes:

(i) Constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures; and

(ii) Providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures;

(2) Safe sampling platform(s);

(3) Safe access to sampling platform(s);

(4) Utilities for sampling and testing equipment; and

(5) Any other facilities that the Administrator deems necessary for safe and adequate testing of a source.

(e) **Conduct of performance tests.**

(1) Performance tests shall be conducted under such conditions as the Administrator specifies to the owner or operator based on representative performance (i.e., performance based on normal operating conditions) of the affected source. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test, nor shall emissions in excess of the level of the relevant standard during periods of startup, shutdown, and malfunction be considered a violation of the relevant standard unless otherwise specified in the relevant standard or a determination of noncompliance is made under § 63.6(e). 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.

(2) Performance tests shall be conducted and data shall be reduced in accordance with the test methods and procedures set forth in this section, in each relevant standard, and, if required, in applicable appendices of parts 51, 60, 61, and 63 of this chapter unless the Administrator—

(i) Specifies or approves, in specific cases, the use of a test method with minor changes in methodology (see definition in § 63.90(a)). Such changes may be approved in conjunction with approval of the site-specific test plan (see paragraph (c) of this section); or

- (ii) Approves the use of an intermediate or major change or alternative to a test method (see definitions in § 63.90(a)), the results of which the Administrator has determined to be adequate for indicating whether a specific affected source is in compliance; or
 - (iii) Approves shorter sampling times or smaller sample volumes when necessitated by process variables or other factors; or
 - (iv) Waives the requirement for performance tests because the owner or operator of an affected source has demonstrated by other means to the Administrator's satisfaction that the affected source is in compliance with the relevant standard.
- (3) Unless otherwise specified in a relevant standard or test method, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the relevant standard. For the purpose of determining compliance with a relevant standard, the arithmetic mean of the results of the three runs shall apply. Upon receiving approval from the Administrator, results of a test run may be replaced with results of an additional test run in the event that—
- (i) A sample is accidentally lost after the testing team leaves the site; or
 - (ii) Conditions occur in which one of the three runs must be discontinued because of forced shutdown; or
 - (iii) Extreme meteorological conditions occur; or
 - (iv) Other circumstances occur that are beyond the owner or operator's control.
- (4) Nothing in paragraphs (e)(1) through (e)(3) of this section shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

(f) ***Use of an alternative test method —***

- (1) ***General.*** Until authorized to use an intermediate or major change or alternative to a test method, the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.
- (2) The owner or operator of an affected source required to do performance testing by a relevant standard may use an alternative test method from that specified in the standard provided that the owner or operator—
 - (i) Notifies the Administrator of his or her intention to use an alternative test method at least 60 days before the performance test is scheduled to begin;
 - (ii) Uses Method 301 in appendix A of this part to validate the alternative test method. This may include the use of specific procedures of Method 301 if use of such procedures are sufficient to validate the alternative test method; and
 - (iii) Submits the results of the Method 301 validation process along with the notification of intention and the justification for not using the specified test method. The owner or operator may submit the information required in this paragraph well in advance of the deadline specified in paragraph (f)(2)(i) of this section to ensure a timely review by the Administrator in order to meet the performance test date specified in this section or the relevant standard.

- (3) The Administrator will determine whether the owner or operator's validation of the proposed alternative test method is adequate and issue an approval or disapproval of the alternative test method. If the owner or operator intends to demonstrate compliance by using an alternative to any test method specified in the relevant standard, the owner or operator is authorized to conduct the performance test using an alternative test method after the Administrator approves the use of the alternative method. However, the owner or operator is authorized to conduct the performance test using an alternative method in the absence of notification of approval/disapproval 45 days after submission of the request to use an alternative method and the request satisfies the requirements in paragraph (f)(2) of this section. The owner or operator is authorized to conduct the performance test within 60 calendar days after he/she is authorized to demonstrate compliance using an alternative test method. Notwithstanding the requirements in the preceding three sentences, the owner or operator may proceed to conduct the performance test as required in this section (without the Administrator's prior approval of the site-specific test plan) if he/she subsequently chooses to use the specified testing and monitoring methods instead of an alternative.
- (4) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative test method for the purposes of demonstrating compliance with a relevant standard, the Administrator may require the use of a test method specified in a relevant standard.
- (5) If the owner or operator uses an alternative test method for an affected source during a required performance test, the owner or operator of such source shall continue to use the alternative test method for subsequent performance tests at that affected source until he or she receives approval from the Administrator to use another test method as allowed under § 63.7(f).
- (6) Neither the validation and approval process nor the failure to validate an alternative test method shall abrogate the owner or operator's responsibility to comply with the requirements of this part.

(g) ***Data analysis, recordkeeping, and reporting.***

- (1) Unless otherwise specified in a relevant standard or test method, or as otherwise approved by the Administrator in writing, results of a performance test shall include the analysis of samples, determination of emissions, and raw data. A performance test is "completed" when field sample collection is terminated. The owner or operator of an affected source shall report the results of the performance test to the Administrator before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator (see § 63.9(i)). The results of the performance test shall be submitted as part of the notification of compliance status required under § 63.9(h). Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the appropriate permitting authority.
- (2) Contents of a performance test, CMS performance evaluation, or CMS quality assurance test report (electronic or paper submitted copy). Unless otherwise specified in a relevant standard, test method, CMS performance specification, or quality assurance requirement for a CMS, or as otherwise approved by the Administrator in writing, the report shall include the elements identified in paragraphs (g)(2)(i) through (vi) of this section.
 - (i) General identification information for the facility including a mailing address, the physical address, the owner or operator or responsible official (where applicable) and his/her email address, and the appropriate Federal Registry System (FRS) number for the facility.

- (ii) Purpose of the test including the applicable regulation requiring the test, the pollutant(s) and other parameters being measured, the applicable emission standard, and any process parameter component, and a brief process description.
 - (iii) Description of the emission unit tested including fuel burned, control devices, and vent characteristics; the appropriate source classification code (SCC); the permitted maximum process rate (where applicable); and the sampling location.
 - (iv) Description of sampling and analysis procedures used and any modifications to standard procedures, quality assurance procedures and results, record of process operating conditions that demonstrate the applicable test conditions are met, and values for any operating parameters for which limits were being set during the test.
 - (v) Where a test method, CEMS, PEMS, or COMS performance specification, or on-going quality assurance requirement for a CEMS, PEMS, or COMS requires you record or report, the following shall be included in your report: Record of preparation of standards, record of calibrations, raw data sheets for field sampling, raw data sheets for field and laboratory analyses, chain-of-custody documentation, and example calculations for reported results.
 - (vi) Identification of the company conducting the performance test including the primary office address, telephone number, and the contact for this test including his/her email address.
- (3) For a minimum of 5 years after a performance test is conducted, the owner or operator shall retain and make available, upon request, for inspection by the Administrator the records or results of such performance test and other data needed to determine emissions from an affected source.

(h) ***Waiver of performance tests.***

- (1) Until a waiver of a performance testing requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.
- (2) Individual performance tests may be waived upon written application to the Administrator if, in the Administrator's judgment, the source is meeting the relevant standard(s) on a continuous basis, or the source is being operated under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.

(3) ***Request to waive a performance test.***

- (i) If a request is made for an extension of compliance under § 63.6(i), the application for a waiver of an initial performance test shall accompany the information required for the request for an extension of compliance. If no extension of compliance is requested or if the owner or operator has requested an extension of compliance and the Administrator is still considering that request, the application for a waiver of an initial performance test shall be submitted at least 60 days before the performance test if the site-specific test plan under paragraph (c) of this section is not submitted.
- (ii) If an application for a waiver of a subsequent performance test is made, the application may accompany any required compliance progress report, compliance status report, or excess emissions and continuous monitoring system performance report [such as those required under § 63.6(i), § 63.9(h), and § 63.10(e) or specified in a relevant standard or in the source's title V permit], but it shall be submitted at least 60 days before the performance test if the site-specific test plan required under paragraph (c) of this section is not submitted.

- (iii) Any application for a waiver of a performance test shall include information justifying the owner or operator's request for a waiver, such as the technical or economic infeasibility, or the impracticality, of the affected source performing the required test.
- (4) **Approval of request to waive performance test.** The Administrator will approve or deny a request for a waiver of a performance test made under paragraph (h)(3) of this section when he/she—
 - (i) Approves or denies an extension of compliance under § 63.6(i)(8); or
 - (ii) Approves or disapproves a site-specific test plan under § 63.7(c)(3); or
 - (iii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or
 - (iv) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.
- (5) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

[59 FR 12430, Mar. 16, 1994, as amended at 65 FR 62215, Oct. 17, 2000; 67 FR 16602, Apr. 5, 2002; 72 FR 27443, May 16, 2007; 75 FR 55655, Sept. 13, 2010; 79 FR 11277, Feb. 27, 2014; 81 FR 59825, Aug. 30, 2016; 83 FR 56725, Nov. 14, 2018]

§ 63.8 Monitoring requirements.

(a) **Applicability.**

- (1) The applicability of this section is set out in § 63.1(a)(4).
- (2) For the purposes of this part, all CMS required under relevant standards shall be subject to the provisions of this section upon promulgation of performance specifications for CMS as specified in the relevant standard or otherwise by the Administrator.
- (3) [Reserved]
- (4) Additional monitoring requirements for control devices used to comply with provisions in relevant standards of this part are specified in § 63.11.

(b) **Conduct of monitoring.**

- (1) Monitoring shall be conducted as set forth in this section and the relevant standard(s) unless the Administrator—
 - (i) Specifies or approves the use of minor changes in methodology for the specified monitoring requirements and procedures (see § 63.90(a) for definition); or
 - (ii) Approves the use of an intermediate or major change or alternative to any monitoring requirements or procedures (see § 63.90(a) for definition).
 - (iii) Owners or operators with flares subject to § 63.11(b) are not subject to the requirements of this section unless otherwise specified in the relevant standard.
- (2)

- (i) When the emissions from two or more affected sources are combined before being released to the atmosphere, the owner or operator may install an applicable CMS for each emission stream or for the combined emissions streams, provided the monitoring is sufficient to demonstrate compliance with the relevant standard.
- (ii) If the relevant standard is a mass emission standard and the emissions from one affected source are released to the atmosphere through more than one point, the owner or operator must install an applicable CMS at each emission point unless the installation of fewer systems is—
 - (A) Approved by the Administrator; or
 - (B) Provided for in a relevant standard (e.g., instead of requiring that a CMS be installed at each emission point before the effluents from those points are channeled to a common control device, the standard specifies that only one CMS is required to be installed at the vent of the control device).

- (3) When more than one CMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required for each CMS. However, when one CMS is used as a backup to another CMS, the owner or operator shall report the results from the CMS used to meet the monitoring requirements of this part. If both such CMS are used during a particular reporting period to meet the monitoring requirements of this part, then the owner or operator shall report the results from each CMS for the relevant compliance period.

(c) *Operation and maintenance of continuous monitoring systems.*

- (1) The owner or operator of an affected source shall maintain and operate each CMS as specified in this section, or in a relevant standard, and in a manner consistent with good air pollution control practices.
 - (i) The owner or operator of an affected source must maintain and operate each CMS as specified in § 63.6(e)(1).
 - (ii) The owner or operator must keep the necessary parts for routine repairs of the affected CMS equipment readily available.
 - (iii) The owner or operator of an affected source must develop a written startup, shutdown, and malfunction plan for CMS as specified in § 63.6(e)(3).
- (2)
 - (i) All CMS must be installed such that representative measures of emissions or process parameters from the affected source are obtained. In addition, CEMS must be located according to procedures contained in the applicable performance specification(s).
 - (ii) Unless the individual subpart states otherwise, the owner or operator must ensure the read out (that portion of the CMS that provides a visual display or record), or other indication of operation, from any CMS required for compliance with the emission standard is readily accessible on site for operational control or inspection by the operator of the equipment.
- (3) All CMS shall be installed, operational, and the data verified as specified in the relevant standard either prior to or in conjunction with conducting performance tests under § 63.7. Verification of operational status shall, at a minimum, include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

- (4) Except for system breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level calibration drift adjustments, all CMS, including COMS and CEMS, shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:
 - (i) All COMS shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.
 - (ii) All CEMS for measuring emissions other than opacity shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.
- (5) Unless otherwise approved by the Administrator, minimum procedures for COMS shall include a method for producing a simulated zero opacity condition and an upscale (high-level) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of all the analyzer's internal optical surfaces and all electronic circuitry, including the lamp and photodetector assembly normally used in the measurement of opacity.
- (6) The owner or operator of a CMS that is not a CPMS, which is installed in accordance with the provisions of this part and the applicable CMS performance specification(s), must check the zero (low-level) and high-level calibration drifts at least once daily in accordance with the written procedure specified in the performance evaluation plan developed under paragraphs (e)(3)(i) and (ii) of this section. The zero (low-level) and high-level calibration drifts must be adjusted, at a minimum, whenever the 24-hour zero (low-level) drift exceeds two times the limits of the applicable performance specification(s) specified in the relevant standard. The system shall allow the amount of excess zero (low-level) and high-level drift measured at the 24-hour interval checks to be recorded and quantified whenever specified. For COMS, all optical and instrumental surfaces exposed to the effluent gases must be cleaned prior to performing the zero (low-level) and high-level drift adjustments; the optical surfaces and instrumental surfaces must be cleaned when the cumulative automatic zero compensation, if applicable, exceeds 4 percent opacity. The CPMS must be calibrated prior to use for the purposes of complying with this section. The CPMS must be checked daily for indication that the system is responding. If the CPMS system includes an internal system check, results must be recorded and checked daily for proper operation.
- (7)
 - (i) A CMS is out of control if—
 - (A) The zero (low-level), mid-level (if applicable), or high-level calibration drift (CD) exceeds two times the applicable CD specification in the applicable performance specification or in the relevant standard; or
 - (B) The CMS fails a performance test audit (e.g., cylinder gas audit), relative accuracy audit, relative accuracy test audit, or linearity test audit; or
 - (C) The COMS CD exceeds two times the limit in the applicable performance specification in the relevant standard.
 - (ii) When the CMS is out of control, the owner or operator of the affected source shall take the necessary corrective action and shall repeat all necessary tests which indicate that the system is out of control. The owner or operator shall take corrective action and conduct retesting until

the performance requirements are below the applicable limits. The beginning of the out-of-control period is the hour the owner or operator conducts a performance check (e.g., calibration drift) that indicates an exceedance of the performance requirements established under this part. The end of the out-of-control period is the hour following the completion of corrective action and successful demonstration that the system is within the allowable limits. During the period the CMS is out of control, recorded data shall not be used in data averages and calculations, or to meet any data availability requirement established under this part.

- (8) The owner or operator of a CMS that is out of control as defined in paragraph (c)(7) of this section shall submit all information concerning out-of-control periods, including start and end dates and hours and descriptions of corrective actions taken, in the excess emissions and continuous monitoring system performance report required in § 63.10(e)(3).

(d) **Quality control program.**

- (1) The results of the quality control program required in this paragraph will be considered by the Administrator when he/she determines the validity of monitoring data.
- (2) The owner or operator of an affected source that is required to use a CMS and is subject to the monitoring requirements of this section and a relevant standard shall develop and implement a CMS quality control program. As part of the quality control program, the owner or operator shall develop and submit to the Administrator for approval upon request a site-specific performance evaluation test plan for the CMS performance evaluation required in paragraph (e)(3)(i) of this section, according to the procedures specified in paragraph (e). In addition, each quality control program shall include, at a minimum, a written protocol that describes procedures for each of the following operations:
 - (i) Initial and any subsequent calibration of the CMS;
 - (ii) Determination and adjustment of the calibration drift of the CMS;
 - (iii) Preventive maintenance of the CMS, including spare parts inventory;
 - (iv) Data recording, calculations, and reporting;
 - (v) Accuracy audit procedures, including sampling and analysis methods; and
 - (vi) Program of corrective action for a malfunctioning CMS.
- (3) The owner or operator shall keep these written procedures on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator. If the performance evaluation plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the performance evaluation 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. Where relevant, e.g., program of corrective action for a malfunctioning CMS, these written procedures may be incorporated as part of the affected source's startup, shutdown, and malfunction plan to avoid duplication of planning and recordkeeping efforts.

(e) **Performance evaluation of continuous monitoring systems –**

- (1) **General.** When required by a relevant standard, and at any other time the Administrator may require under section 114 of the Act, the owner or operator of an affected source being monitored shall conduct a performance evaluation of the CMS. Such performance evaluation shall be conducted according to the applicable specifications and procedures described in this section or in the relevant standard.
- (2) **Notification of performance evaluation.** The owner or operator shall notify the Administrator in writing of the date of the performance evaluation simultaneously with the notification of the performance test date required under § 63.7(b) or at least 60 days prior to the date the performance evaluation is scheduled to begin if no performance test is required.
- (3)
 - (i) **Submission of site-specific performance evaluation test plan.** Before conducting a required CMS performance evaluation, the owner or operator of an affected source shall develop and submit a site-specific performance evaluation test plan to the Administrator for approval upon request. The performance evaluation test plan shall include the evaluation program objectives, an evaluation program summary, the performance evaluation schedule, data quality objectives, and both an internal and external QA program. Data quality objectives are the pre-evaluation expectations of precision, accuracy, and completeness of data.
 - (ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of CMS performance. The external QA program shall include, at a minimum, systems audits that include the opportunity for on-site evaluation by the Administrator of instrument calibration, data validation, sample logging, and documentation of quality control data and field maintenance activities.
 - (iii) The owner or operator of an affected source shall submit the site-specific performance evaluation test plan to the Administrator (if requested) at least 60 days before the performance test or performance evaluation is scheduled to begin, or on a mutually agreed upon date, and review and approval of the performance evaluation test plan by the Administrator will occur with the review and approval of the site-specific test plan (if review of the site-specific test plan is requested).
 - (iv) The Administrator may request additional relevant information after the submittal of a site-specific performance evaluation test plan.
 - (v) In the event that the Administrator fails to approve or disapprove the site-specific performance evaluation test plan within the time period specified in § 63.7(c)(3), the following conditions shall apply:
 - (A) If the owner or operator intends to demonstrate compliance using the monitoring method(s) specified in the relevant standard, the owner or operator shall conduct the performance evaluation within the time specified in this subpart using the specified method(s);
 - (B) If the owner or operator intends to demonstrate compliance by using an alternative to a monitoring method specified in the relevant standard, the owner or operator shall refrain from conducting the performance evaluation until the Administrator approves the use of the alternative method. If the Administrator does not approve the use of the alternative method within 30 days before the performance evaluation is scheduled to begin, the performance evaluation deadlines specified in paragraph (e)(4) of this section may be

extended such that the owner or operator shall conduct the performance evaluation within 60 calendar days after the Administrator approves the use of the alternative method. Notwithstanding the requirements in the preceding two sentences, the owner or operator may proceed to conduct the performance evaluation as required in this section (without the Administrator's prior approval of the site-specific performance evaluation test plan) if he/she subsequently chooses to use the specified monitoring method(s) instead of an alternative.

(vi) Neither the submission of a site-specific performance evaluation test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall—

- (A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or
- (B) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(4) **Conduct of performance evaluation and performance evaluation dates.** The owner or operator of an affected source shall conduct a performance evaluation of a required CMS during any performance test required under § 63.7 in accordance with the applicable performance specification as specified in the relevant standard. Notwithstanding the requirement in the previous sentence, if the owner or operator of an affected source elects to submit COMS data for compliance with a relevant opacity emission standard as provided under § 63.6(h)(7), he/she shall conduct a performance evaluation of the COMS as specified in the relevant standard, before the performance test required under § 63.7 is conducted in time to submit the results of the performance evaluation as specified in paragraph (e)(5)(ii) of this section. If a performance test is not required, or the requirement for a performance test has been waived under § 63.7(h), the owner or operator of an affected source shall conduct the performance evaluation not later than 180 days after the appropriate compliance date for the affected source, as specified in § 63.7(a), or as otherwise specified in the relevant standard.

(5) **Reporting performance evaluation results.**

- (i) The owner or operator shall furnish the Administrator a copy of a written report of the results of the performance evaluation containing the information specified in § 63.7(g)(2)(i) through (vi) simultaneously with the results of the performance test required under § 63.7 or within 60 days of completion of the performance evaluation, unless otherwise specified in a relevant standard.
- (ii) The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under § 63.7 and described in § 63.6(d)(6) shall furnish the Administrator two or, upon request, three copies of a written report of the results of the COMS performance evaluation under this paragraph. The copies shall be provided at least 15 calendar days before the performance test required under § 63.7 is conducted.

(f) **Use of an alternative monitoring method —**

(1) **General.** Until permission to use an alternative monitoring procedure (minor, intermediate, or major changes; see definition in § 63.90(a)) has been granted by the Administrator under this paragraph (f)(1), the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.

- (2) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring methods or procedures of this part including, but not limited to, the following:
 - (i) Alternative monitoring requirements when installation of a CMS specified by a relevant standard would not provide accurate measurements due to liquid water or other interferences caused by substances within the effluent gases;
 - (ii) Alternative monitoring requirements when the affected source is infrequently operated;
 - (iii) Alternative monitoring requirements to accommodate CEMS that require additional measurements to correct for stack moisture conditions;
 - (iv) Alternative locations for installing CMS when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements;
 - (v) Alternate methods for converting pollutant concentration measurements to units of the relevant standard;
 - (vi) Alternate procedures for performing daily checks of zero (low-level) and high-level drift that do not involve use of high-level gases or test cells;
 - (vii) Alternatives to the American Society for Testing and Materials (ASTM) test methods or sampling procedures specified by any relevant standard;
 - (viii) Alternative CMS that do not meet the design or performance requirements in this part, but adequately demonstrate a definite and consistent relationship between their measurements and the measurements of opacity by a system complying with the requirements as specified in the relevant standard. The Administrator may require that such demonstration be performed for each affected source; or
 - (ix) Alternative monitoring requirements when the effluent from a single affected source or the combined effluent from two or more affected sources is released to the atmosphere through more than one point.
- (3) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative monitoring method, requirement, or procedure, the Administrator may require the use of a method, requirement, or procedure specified in this section or in the relevant standard. If the results of the specified and alternative method, requirement, or procedure do not agree, the results obtained by the specified method, requirement, or procedure shall prevail.
- (4)
 - (i) ***Request to use alternative monitoring procedure.*** An owner or operator who wishes to use an alternative monitoring procedure must submit an application to the Administrator as described in paragraph (f)(4)(ii) of this section. The application may be submitted at any time provided that the monitoring procedure is not the performance test method used to demonstrate compliance with a relevant standard or other requirement. If the alternative monitoring procedure will serve as the performance test method that is to be used to demonstrate compliance with a relevant standard, the application must be submitted at least 60 days before the performance evaluation is scheduled to begin and must meet the requirements for an alternative test method under § 63.7(f).

- (ii) The application must contain a description of the proposed alternative monitoring system which addresses the four elements contained in the definition of monitoring in § 63.2 and a performance evaluation test plan, if required, as specified in paragraph (e)(3) of this section. In addition, the application must include information justifying the owner or operator's request for an alternative monitoring method, such as the technical or economic infeasibility, or the impracticality, of the affected source using the required method.
 - (iii) The owner or operator may submit the information required in this paragraph well in advance of the submittal dates specified in paragraph (f)(4)(i) above to ensure a timely review by the Administrator in order to meet the compliance demonstration date specified in this section or the relevant standard.
 - (iv) Application for minor changes to monitoring procedures, as specified in paragraph (b)(1) of this section, may be made in the site-specific performance evaluation plan.
- (5) **Approval of request to use alternative monitoring procedure.**
- (i) The Administrator will notify the owner or operator of approval or intention to deny approval of the request to use an alternative monitoring method within 30 calendar days after receipt of the original request and within 30 calendar days after receipt of any supplementary information that is submitted. If a request for a minor change is made in conjunction with site-specific performance evaluation plan, then approval of the plan will constitute approval of the minor change. Before disapproving any request to use an alternative monitoring method, the Administrator will notify the applicant of the Administrator's intention to disapprove the request together with—
 - (A) Notice of the information and findings on which the intended disapproval is based; and
 - (B) Notice of opportunity for the owner or operator to present additional information to the Administrator before final action on the request. At the time the Administrator notifies the applicant of his or her intention to disapprove the request, the Administrator will specify how much time the owner or operator will have after being notified of the intended disapproval to submit the additional information.
 - (ii) The Administrator may establish general procedures and criteria in a relevant standard to accomplish the requirements of paragraph (f)(5)(i) of this section.
 - (iii) If the Administrator approves the use of an alternative monitoring method for an affected source under paragraph (f)(5)(i) of this section, the owner or operator of such source shall continue to use the alternative monitoring method until he or she receives approval from the Administrator to use another monitoring method as allowed by § 63.8(f).
- (6) **Alternative to the relative accuracy test.** An alternative to the relative accuracy test for CEMS specified in a relevant standard may be requested as follows:
- (i) **Criteria for approval of alternative procedures.** An alternative to the test method for determining relative accuracy is available for affected sources with emission rates demonstrated to be less than 50 percent of the relevant standard. The owner or operator of an affected source may petition the Administrator under paragraph (f)(6)(ii) of this section to substitute the relative accuracy test in section 7 of Performance Specification 2 with the procedures in section 10 if the results of a performance test conducted according to the requirements in § 63.7, or other tests performed following the criteria in § 63.7, demonstrate that the emission rate of the

pollutant of interest in the units of the relevant standard is less than 50 percent of the relevant standard. For affected sources subject to emission limitations expressed as control efficiency levels, the owner or operator may petition the Administrator to substitute the relative accuracy test with the procedures in section 10 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the CEMS is used continuously to determine compliance with the relevant standard.

- (ii) ***Petition to use alternative to relative accuracy test.*** The petition to use an alternative to the relative accuracy test shall include a detailed description of the procedures to be applied, the location and the procedure for conducting the alternative, the concentration or response levels of the alternative relative accuracy materials, and the other equipment checks included in the alternative procedure(s). The Administrator will review the petition for completeness and applicability. The Administrator's determination to approve an alternative will depend on the intended use of the CEMS data and may require specifications more stringent than in Performance Specification 2.
- (iii) ***Rescission of approval to use alternative to relative accuracy test.*** The Administrator will review the permission to use an alternative to the CEMS relative accuracy test and may rescind such permission if the CEMS data from a successful completion of the alternative relative accuracy procedure indicate that the affected source's emissions are approaching the level of the relevant standard. The criterion for reviewing the permission is that the collection of CEMS data shows that emissions have exceeded 70 percent of the relevant standard for any averaging period, as specified in the relevant standard. For affected sources subject to emission limitations expressed as control efficiency levels, the criterion for reviewing the permission is that the collection of CEMS data shows that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for any averaging period, as specified in the relevant standard. The owner or operator of the affected source shall maintain records and determine the level of emissions relative to the criterion for permission to use an alternative for relative accuracy testing. If this criterion is exceeded, the owner or operator shall notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increased emissions. The Administrator will review the notification and may rescind permission to use an alternative and require the owner or operator to conduct a relative accuracy test of the CEMS as specified in section 7 of Performance Specification 2. The Administrator will review the notification and may rescind permission to use an alternative and require the owner or operator to conduct a relative accuracy test of the CEMS as specified in section 8.4 of Performance Specification 2.

(g) ***Reduction of monitoring data.***

- (1) The owner or operator of each CMS must reduce the monitoring data as specified in paragraphs (g)(1) through (5) of this section.
- (2) The owner or operator of each COMS shall reduce all data to 6-minute averages calculated from 36 or more data points equally spaced over each 6-minute period. Data from CEMS for measurement other than opacity, unless otherwise specified in the relevant standard, shall be reduced to 1-hour averages computed from four or more data points equally spaced over each 1-hour period, except during periods when calibration, quality assurance, or maintenance activities pursuant to provisions

of this part are being performed. During these periods, a valid hourly average shall consist of at least two data points with each representing a 15-minute period. Alternatively, an arithmetic or integrated 1-hour average of CEMS data may be used. Time periods for averaging are defined in § 63.2.

- (3) The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O₂ or ng/J of pollutant).
- (4) All emission data shall be converted into units of the relevant standard for reporting purposes using the conversion procedures specified in that standard. After conversion into units of the relevant standard, the data may be rounded to the same number of significant digits as used in that standard to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).
- (5) Monitoring data recorded during periods of unavoidable CMS breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level adjustments must not be included in any data average computed under this part. For the owner or operator complying with the requirements of § 63.10(b)(2)(vii)(A) or (B), data averages must include any data recorded during periods of monitor breakdown or malfunction.

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§ 63.9 Notification requirements.

(a) *Applicability and general information.*

- (1) The applicability of this section is set out in § 63.1(a)(4).
- (2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.
- (3) If any State requires a notice that contains all the information required in a notification listed in this section, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of this section for that notification.
- (4)
 - (i) Before a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in § 63.13).
 - (ii) After a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each notification submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any notifications at its discretion.

(b) *Initial notifications.*

(1)

- (i) The requirements of this paragraph apply to the owner or operator of an affected source when such source becomes subject to a relevant standard.
- (ii) If an area source subsequently becomes a major source that is subject to the emission standard or other requirement, such source shall be subject to the notification requirements of this section. Area sources previously subject to major source requirements that become major sources again are also subject to the notification requirements of this paragraph and must submit the notification according to the requirements of paragraph (k) of this section.
- (iii) Affected sources that are required under this paragraph to submit an initial notification may use the application for approval of construction or reconstruction under § 63.5(d) of this subpart, if relevant, to fulfill the initial notification requirements of this paragraph.

(2) The owner or operator of an affected source that has an initial startup before the effective date of a relevant standard under this part shall notify the Administrator in writing that the source is subject to the relevant standard. The notification, which shall be submitted not later than 120 calendar days after the effective date of the relevant standard (or within 120 calendar days after the source becomes subject to the relevant standard), shall provide the following information:

- (i) The name and address of the owner or operator;
- (ii) The address (i.e., physical location) of the affected source;
- (iii) An identification of the relevant standard, or other requirement, that is the basis of the notification and the source's compliance date;
- (iv) A brief description of the nature, size, design, and method of operation of the source and an identification of the types of emission points within the affected source subject to the relevant standard and types of hazardous air pollutants emitted; and
- (v) A statement of whether the affected source is a major source or an area source.

(3) [Reserved]

(4) The owner or operator of a new or reconstructed major affected source for which an application for approval of construction or reconstruction is required under § 63.5(d) must provide the following information in writing to the Administrator:

- (i) A notification of intention to construct a new major-emitting affected source, reconstruct a major-emitting affected source, or reconstruct a major source such that the source becomes a major-emitting affected source with the application for approval of construction or reconstruction as specified in § 63.5(d)(1)(i); and

(ii)-(iv) [Reserved]

- (v) A notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.

(5) The owner or operator of a new or reconstructed affected source for which an application for approval of construction or reconstruction is not required under § 63.5(d) must provide the following information in writing to the Administrator:

- (i) A notification of intention to construct a new affected source, reconstruct an affected source, or reconstruct a source such that the source becomes an affected source, and
 - (ii) A notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.
 - (iii) Unless the owner or operator has requested and received prior permission from the Administrator to submit less than the information in § 63.5(d), the notification must include the information required on the application for approval of construction or reconstruction as specified in § 63.5(d)(1)(i).
- (c) **Request for extension of compliance.** If the owner or operator of an affected source cannot comply with a relevant standard by the applicable compliance date for that source, or if the owner or operator has installed BACT or technology to meet LAER consistent with § 63.6(i)(5) of this subpart, he/she may submit to the Administrator (or the State with an approved permit program) a request for an extension of compliance as specified in § 63.6(i)(4) through § 63.6(i)(6).
- (d) **Notification that source is subject to special compliance requirements.** An owner or operator of a new source that is subject to special compliance requirements as specified in § 63.6(b)(3) and § 63.6(b)(4) shall notify the Administrator of his/her compliance obligations not later than the notification dates established in paragraph (b) of this section for new sources that are not subject to the special provisions.
- (e) **Notification of performance test.** 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 performance test is scheduled to begin to allow the Administrator to review and approve the site-specific test plan required under § 63.7(c), if requested by the Administrator, and to have an observer present during the test.
- (f) **Notification of opacity and visible emission observations.** The owner or operator of an affected source shall notify the Administrator in writing of the anticipated date for conducting the opacity or visible emission observations specified in § 63.6(h)(5), if such observations are required for the source by a relevant standard. The notification shall be submitted with the notification of the performance test date, as specified in paragraph (e) of this section, or if no performance test is required or visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the initial performance test required under § 63.7, the owner or operator shall deliver or postmark the notification not less than 30 days before the opacity or visible emission observations are scheduled to take place.
- (g) **Additional notification requirements for sources with continuous monitoring systems.** The owner or operator of an affected source required to use a CMS by a relevant standard shall furnish the Administrator written notification as follows:
 - (1) A notification of the date the CMS performance evaluation under § 63.8(e) is scheduled to begin, submitted simultaneously with the notification of the performance test date required under § 63.7(b). If no performance test is required, or if the requirement to conduct a performance test has been waived for an affected source under § 63.7(h), the owner or operator shall notify the Administrator in writing of the date of the performance evaluation at least 60 calendar days before the evaluation is scheduled to begin;

- (2) A notification that COMS data results will be used to determine compliance with the applicable opacity emission standard during a performance test required by § 63.7 in lieu of Method 9 or other opacity emissions test method data, as allowed by § 63.6(h)(7)(ii), if compliance with an opacity emission standard is required for the source by a relevant standard. The notification shall be submitted at least 60 calendar days before the performance test is scheduled to begin; and
- (3) A notification that the criterion necessary to continue use of an alternative to relative accuracy testing, as provided by § 63.8(f)(6), has been exceeded. The notification shall be delivered or postmarked not later than 10 days after the occurrence of such exceedance, and it shall include a description of the nature and cause of the increased emissions.

(h) ***Notification of compliance status.***

- (1) The requirements of paragraphs (h)(2) through (h)(4) of this section apply when an affected source becomes subject to a relevant standard.

(2)

- (i) Before a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit to the Administrator a notification of compliance status, signed by the responsible official who shall certify its accuracy, attesting to whether the source has complied with the relevant standard. The notification shall list—

- (A) The methods that were used to determine compliance;
- (B) The results of any performance tests, opacity or visible emission observations, continuous monitoring system (CMS) performance evaluations, and/or other monitoring procedures or methods that were conducted;
- (C) The methods that will be used for determining continuing compliance, including a description of monitoring and reporting requirements and test methods;
- (D) The type and quantity of hazardous air pollutants emitted by the source (or surrogate pollutants if specified in the relevant standard), reported in units and averaging times and in accordance with the test methods specified in the relevant standard;
- (E) If the relevant standard applies to both major and area sources, an analysis demonstrating whether the affected source is a major source (using the emissions data generated for this notification);
- (F) A description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method); and
- (G) A statement by the owner or operator of the affected existing, new, or reconstructed source as to whether the source has complied with the relevant standard or other requirements.

- (ii) The notification must be sent before the close of business on the 60th day following the completion of the relevant compliance demonstration activity specified in the relevant standard (unless a different reporting period is specified in the standard, in which case the letter must be sent before the close of business on the day the report of the relevant testing or monitoring results is required to be delivered or postmarked). For example, the notification shall be sent

before close of business on the 60th (or other required) day following completion of the initial performance test and again before the close of business on the 60th (or other required) day following the completion of any subsequent required performance test. If no performance test is required but opacity or visible emission observations are required to demonstrate compliance with an opacity or visible emission standard under this part, the notification of compliance status shall be sent before close of business on the 30th day following the completion of opacity or visible emission observations. Notifications may be combined as long as the due date requirement for each notification is met.

- (3) After a title V permit has been issued to the owner or operator of an affected source, the owner or operator of such source shall comply with all requirements for compliance status reports contained in the source's title V permit, including reports required under this part. After a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit the notification of compliance status to the appropriate permitting authority following completion of the relevant compliance demonstration activity specified in the relevant standard.

(4) [Reserved]

- (5) If an owner or operator of an affected source submits estimates or preliminary information in the application for approval of construction or reconstruction required in § 63.5(d) in place of the actual emissions data or control efficiencies required in paragraphs (d)(1)(ii)(H) and (d)(2) of § 63.5, the owner or operator shall submit the actual emissions data and other correct information as soon as available but no later than with the initial notification of compliance status required in this section.

- (6) Advice on a notification of compliance status may be obtained from the Administrator.

(i) ***Adjustment to time periods or postmark deadlines for submittal and review of required communications.***

(1)

- (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (i)(2) and (i)(3) of this section, the owner or operator of an affected source remains strictly subject to the requirements of this part.
- (ii) An owner or operator shall request the adjustment provided for in paragraphs (i)(2) and (i)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

- (2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

- (3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

- (4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

(j) ***Change in information already provided.*** Any change in the information already provided under this section shall be provided to the Administrator within 15 calendar days after the change. The owner or operator of a major source that reclassifies to area source status is also subject to the notification requirements of this paragraph. The owner or operator may submit the application for reclassification with the regulatory authority (e.g., permit application) according to paragraph (k) of this section to fulfill the requirements of this paragraph, but the information required in paragraphs (j)(1) through (4) of this section must be included. A source which reclassified after January 25, 2018, and before January 19, 2021, and has not yet provided the notification of a change in information is required to provide such notification no later than February 2, 2021, according to the requirements of paragraph (k) of this section. Beginning January 19, 2021, the owner or operator of a major source that reclassifies to area source status must submit the notification according to the requirements of paragraph (k) of this section. A notification of reclassification must contain the following information:

- (1) The name and address of the owner or operator;
- (2) The address (i.e., physical location) of the affected source;
- (3) An identification of the standard being reclassified from and to (if applicable); and
- (4) Date of effectiveness of the reclassification.

(k) ***Electronic submission of notifications or reports.*** If you are required to submit notifications or reports following the procedure specified in this paragraph (k), you must submit notifications or reports to the EPA via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The notification or report must be submitted by the deadline specified. The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as confidential business information (CBI). Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit the information claimed to be CBI according to the procedures in paragraph (k)(3) of this section.

- (1) If you are required to electronically submit a notification or report by this paragraph (k) through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with the electronic submittal requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (k)(1)(i) through (vii) of this section.
 - (i) You must have been or will be precluded from accessing CEDRI and submitting a required notification or report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.
 - (ii) The outage must have occurred within the period of time beginning 5 business days prior to the date that the notification or report is due.
 - (iii) The outage may be planned or unplanned.
 - (iv) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
 - (v) You must provide to the Administrator a written description identifying:

- (A) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;
 - (B) A rationale for attributing the delay in submitting beyond the regulatory deadline to EPA system outage;
 - (C) Measures taken or to be taken to minimize the delay in submitting; and
 - (D) The date by which you propose to submit, or if you have already met the electronic submittal requirement in this paragraph (k) at the time of the notification, the date you submitted the notification or report.
- (vi) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.
- (vii) In any circumstance, the notification or report must be submitted electronically as soon as possible after the outage is resolved.
- (2) If you are required to electronically submit a notification or report by this paragraph (k) through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with the electronic submittal requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (k)(2)(i) through (v) of this section.
 - (i) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a notification or report electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).
 - (ii) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in submitting through CEDRI.
 - (iii) You must provide to the Administrator:
 - (A) A written description of the force majeure event;
 - (B) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;
 - (C) Measures taken or to be taken to minimize the delay in reporting; and
 - (D) The date by which you propose to submit the notification or report, or if you have already met the electronic submittal requirement in this paragraph (k) at the time of the notification, the date you submitted the notification or report.
 - (iv) The decision to accept the claim of force majeure and allow an extension to the submittal deadline is solely within the discretion of the Administrator.
 - (v) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

- (3) If you wish to assert a CBI claim for some of the information submitted under paragraph (k) of this section, you must submit a complete file, including information claimed to be CBI, to the EPA following the procedures in paragraphs (k)(3)(i) through (iv) of this section. Where a subpart specifies a specific file format for the report or notification for which you are asserting a claim of CBI, the complete file that you submit under this paragraph (k)(3) must be in the same file format specified in the subpart.
- (i) Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data are not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available.
- (ii) You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described in paragraph (k) of this section.
- (iii) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described above, should include clear CBI markings. Electronic Reporting Tool (ERT) files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Sector Lead for the subpart for which you are submitting your notification or report. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link.
- (iv) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: U.S. EPA, Attn: OAQPS Document Control Officer, Mail Drop: C404-02, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, NC 27711. ERT files should also be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should also be flagged to the attention of the Sector Lead for the subpart for which you are submitting your notification or report. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

[59 FR 12430, Mar. 16, 1994, as amended at 64 FR 7468, Feb. 12, 1999; 67 FR 16604, Apr. 5, 2002; 68 FR 32601, May 30, 2003; 85 FR 73885, Nov. 19, 2020; 89 FR 73307, Sept. 10, 2024]

§ 63.10 Recordkeeping and reporting requirements.

(a) *Applicability and general information.*

- (1) The applicability of this section is set out in § 63.1(a)(4).
- (2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

- (3) If any State requires a report that contains all the information required in a report listed in this section, an owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of this section for that report.
- (4)
 - (i) Before a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in § 63.13).
 - (ii) After a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each report submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any reports at its discretion.
- (5) If an owner or operator of an affected source in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such source under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. For each relevant standard established pursuant to section 112 of the Act, the allowance in the previous sentence applies in each State beginning 1 year after the affected source's compliance date for that standard. Procedures governing the implementation of this provision are specified in § 63.9(i).
- (6) If an owner or operator supervises one or more stationary sources affected by more than one standard established pursuant to section 112 of the Act, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required for each source shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the latest compliance date for any relevant standard established pursuant to section 112 of the Act for any such affected source(s). Procedures governing the implementation of this provision are specified in § 63.9(i).
- (7) If an owner or operator supervises one or more stationary sources affected by standards established pursuant to section 112 of the Act (as amended November 15, 1990) and standards set under part 60, part 61, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required by each relevant (i.e., applicable) standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the relevant section 112 standard, or 1 year after the stationary source is required to be in compliance with the applicable part 60 or part 61 standard, whichever is latest. Procedures governing the implementation of this provision are specified in § 63.9(i).

(b) *General recordkeeping requirements.*

- (1) The owner or operator of an affected source subject to the provisions of this part shall maintain files of all information (including all reports and notifications) required by this part recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.
- (2) The owner or operator of an affected source subject to the provisions of this part shall maintain relevant records for such source of—
 - (i) The occurrence and duration of each startup or shutdown when the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards;
 - (ii) The occurrence and duration of each malfunction of operation (i.e., process equipment) or the required air pollution control and monitoring equipment;
 - (iii) All required maintenance performed on the air pollution control and monitoring equipment;
 - (iv)
 - (A) Actions taken during periods of startup or shutdown when the source exceeded applicable emission limitations in a relevant standard and when the actions taken are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan (see § 63.6(e)(3)); or
 - (B) Actions taken during periods of malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) when the actions taken are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan (see § 63.6(e)(3));
 - (v) All information necessary, including actions taken, to demonstrate conformance with the affected source's startup, shutdown, and malfunction plan (see § 63.6(e)(3)) when all actions taken during periods of startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), and malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using a "checklist," or some other effective form of recordkeeping, in order to minimize the recordkeeping burden for conforming events);
 - (vi) Each period during which a CMS is malfunctioning or inoperative (including out-of-control periods);
 - (vii) All required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of CMS data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to report);

- (A) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (b)(2)(vii) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.
 - (B) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (b)(2)(vii) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.
 - (C) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (b)(2)(vii), if the administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.
- (viii) All results of performance tests, CMS performance evaluations, and opacity and visible emission observations;
 - (ix) All measurements as may be necessary to determine the conditions of performance tests and performance evaluations;
 - (x) All CMS calibration checks;
 - (xi) All adjustments and maintenance performed on CMS;
 - (xii) Any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements under this part, if the source has been granted a waiver under paragraph (f) of this section;
 - (xiii) All emission levels relative to the criterion for obtaining permission to use an alternative to the relative accuracy test, if the source has been granted such permission under § 63.8(f)(6); and
 - (xiv) All documentation supporting initial notifications and notifications of compliance status under § 63.9.
- (3) If an owner or operator determines that his or her existing or new stationary source is in the source category regulated by a standard established pursuant to section 112 of the Act, but that source is not subject to the relevant standard (or other requirement established under this part) because of enforceable limitations on the source's potential to emit, or the source otherwise qualifies for an exclusion, the owner or operator must keep a record of the applicability determination. The applicability determination must be kept on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source subject to

the relevant standard (or other requirement established under this part), whichever comes first if the determination is made prior to January 19, 2021. The applicability determination must be kept until the source changes its operations to become an affected source subject to the relevant standard (or other requirement established under this part) if the determination was made on or after January 19, 2021. The record of the applicability determination must be signed by the person making the determination and include an emissions analysis (or other information) that demonstrates the owner or operator's conclusion that the source is unaffected (e.g., because the source is an area source). The analysis (or other information) must be sufficiently detailed to allow the Administrator to make an applicability finding for the source with regard to the relevant standard or other requirement. If applicable, the analysis must be performed in accordance with requirements established in relevant subparts of this part for this purpose for particular categories of stationary sources. If relevant, the analysis should be performed in accordance with EPA guidance materials published to assist sources in making applicability determinations under section 112 of the Act, if any. The requirements to determine applicability of a standard under § 63.1(b)(3) and to record the results of that determination under this paragraph (b)(3) of this section shall not by themselves create an obligation for the owner or operator to obtain a title V permit.

- (c) ***Additional recordkeeping requirements for sources with continuous monitoring systems.*** In addition to complying with the requirements specified in paragraphs (b)(1) and (b)(2) of this section, the owner or operator of an affected source required to install a CMS by a relevant standard shall maintain records for such source of—
- (1) All required CMS measurements (including monitoring data recorded during unavoidable CMS breakdowns and out-of-control periods);
 - (2)-(4) [Reserved]
 - (5) The date and time identifying each period during which the CMS was inoperative except for zero (low-level) and high-level checks;
 - (6) The date and time identifying each period during which the CMS was out of control, as defined in § 63.8(c)(7);
 - (7) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions and parameter monitoring exceedances, as defined in the relevant standard(s), that occurs during startups, shutdowns, and malfunctions of the affected source;
 - (8) The specific identification (i.e., the date and time of commencement and completion) of each time period of excess emissions and parameter monitoring exceedances, as defined in the relevant standard(s), that occurs during periods other than startups, shutdowns, and malfunctions of the affected source;
 - (9) [Reserved]
 - (10) The nature and cause of any malfunction (if known);
 - (11) The corrective action taken or preventive measures adopted;
 - (12) The nature of the repairs or adjustments to the CMS that was inoperative or out of control;
 - (13) The total process operating time during the reporting period; and
 - (14) All procedures that are part of a quality control program developed and implemented for CMS under § 63.8(d).

- (15) In order to satisfy the requirements of paragraphs (c)(10) through (c)(12) of this section and to avoid duplicative recordkeeping efforts, the owner or operator may use the affected source's startup, shutdown, and malfunction plan or records kept to satisfy the recordkeeping requirements of the startup, shutdown, and malfunction plan specified in § 63.6(e), provided that such plan and records adequately address the requirements of paragraphs (c)(10) through (c)(12).

(d) **General reporting requirements.**

- (1) Notwithstanding the requirements in this paragraph or paragraph (e) of this section, and except as provided in § 63.16, the owner or operator of an affected source subject to reporting requirements under this part shall submit reports to the Administrator in accordance with the reporting requirements in the relevant standard(s).
- (2) **Reporting results of performance tests.** Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of any performance test under § 63.7 to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of a required performance test to the appropriate permitting authority. The owner or operator of an affected source shall report the results of the performance test to the Administrator (or the State with an approved permit program) before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator. The results of the performance test shall be submitted as part of the notification of compliance status required under § 63.9(h).
- (3) **Reporting results of opacity or visible emission observations.** The owner or operator of an affected source required to conduct opacity or visible emission observations by a relevant standard shall report the opacity or visible emission results (produced using Test Method 9 or Test Method 22, or an alternative to these test methods) along with the results of the performance test required under § 63.7. If no performance test is required, or if visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the performance test required under § 63.7, the owner or operator shall report the opacity or visible emission results before the close of business on the 30th day following the completion of the opacity or visible emission observations.
- (4) **Progress reports.** The owner or operator of an affected source who is required to submit progress reports as a condition of receiving an extension of compliance under § 63.6(i) shall submit such reports to the Administrator (or the State with an approved permit program) by the dates specified in the written extension of compliance.
- (5)
- (i) **Periodic startup, shutdown, and malfunction reports.** If actions taken by an owner or operator during a startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan (see § 63.6(e)(3)), the owner or operator shall state such information in a startup, shutdown, and malfunction report. Actions taken to minimize emissions during such startups, shutdowns, and malfunctions shall be summarized in the report and may be done in checklist form; if actions taken are the same for each event, only one checklist is necessary. Such a report shall also include the number, duration, and a brief description for each type of malfunction which

occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. Reports shall only be required if a startup or shutdown caused the source to exceed any applicable emission limitation in the relevant emission standards, or if a malfunction occurred during the reporting period. The startup, shutdown, and malfunction report shall consist of a letter, containing the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, that shall be submitted to the Administrator semiannually (or on a more frequent basis if specified otherwise in a relevant standard or as established otherwise by the permitting authority in the source's title V permit). The startup, shutdown, and malfunction report shall be delivered or postmarked by the 30th day following the end of each calendar half (or other calendar reporting period, as appropriate). If the owner or operator is required to submit excess emissions and continuous monitoring system performance (or other periodic) reports under this part, the startup, shutdown, and malfunction reports required under this paragraph may be submitted simultaneously with the excess emissions and continuous monitoring system performance (or other) reports. If startup, shutdown, and malfunction reports are submitted with excess emissions and continuous monitoring system performance (or other periodic) reports, and the owner or operator receives approval to reduce the frequency of reporting for the latter under paragraph (e) of this section, the frequency of reporting for the startup, shutdown, and malfunction reports also may be reduced if the Administrator does not object to the intended change. The procedures to implement the allowance in the preceding sentence shall be the same as the procedures specified in paragraph (e)(3) of this section.

- (ii) ***Immediate startup, shutdown, and malfunction reports.*** Notwithstanding the allowance to reduce the frequency of reporting for periodic startup, shutdown, and malfunction reports under paragraph (d)(5)(i) of this section, any time an action taken by an owner or operator during a startup or shutdown that caused the source to exceed any applicable emission limitation in the relevant emission standards, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator shall report the actions taken for that event within 2 working days after commencing actions inconsistent with the plan followed by a letter within 7 working days after the end of the event. The immediate report required under this paragraph (d)(5)(ii) shall consist of a telephone call (or facsimile (FAX) transmission) to the Administrator within 2 working days after commencing actions inconsistent with the plan, and it shall be followed by a letter, delivered or postmarked within 7 working days after the end of the event, that contains the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, describing all excess emissions and/or parameter monitoring exceedances which are believed to have occurred (or could have occurred in the case of malfunctions), and actions taken to minimize emissions in conformance with § 63.6(e)(1)(i). Notwithstanding the requirements of the previous sentence, after the effective date of an approved permit program in the State in which an affected source is located, the owner or operator may make alternative reporting arrangements, in advance, with the permitting authority in that State. Procedures governing the arrangement of alternative reporting requirements under this paragraph (d)(5)(ii) are specified in § 63.9(i).

- (e) ***Additional reporting requirements for sources with continuous monitoring systems —***

- (1) **General.** When more than one CEMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required for each CEMS.
- (2) **Reporting results of continuous monitoring system performance evaluations.**
 - (i) The owner or operator of an affected source required to install a CMS by a relevant standard shall furnish the Administrator a copy of a written report of the results of the CMS performance evaluation, as required under § 63.8(e), simultaneously with the results of the performance test required under § 63.7, unless otherwise specified in the relevant standard.
 - (ii) The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under § 63.7 and described in § 63.6(d)(6) shall furnish the Administrator two or, upon request, three copies of a written report of the results of the COMS performance evaluation conducted under § 63.8(e). The copies shall be furnished at least 15 calendar days before the performance test required under § 63.7 is conducted.
- (3) **Excess emissions and continuous monitoring system performance report and summary report.**
 - (i) Excess emissions and parameter monitoring exceedances are defined in relevant standards. The owner or operator of an affected source required to install a CMS by a relevant standard shall submit an excess emissions and continuous monitoring system performance report and/or a summary report to the Administrator semiannually, except when—
 - (A) More frequent reporting is specifically required by a relevant standard;
 - (B) 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
 - (C) [Reserved]
 - (D) The affected source is complying with the Performance Track Provisions of § 63.16, which allows less frequent reporting.
 - (ii) **Request to reduce frequency of excess emissions and continuous monitoring system performance reports.** Notwithstanding the frequency of reporting requirements specified in paragraph (e)(3)(i) of this section, an owner or operator who is required by a relevant standard to submit excess emissions and continuous monitoring system performance (and summary) reports on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:
 - (A) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected source's excess emissions and continuous monitoring system performance reports continually demonstrate that the source is in compliance with the relevant standard;
 - (B) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the relevant standard; and
 - (C) The Administrator does not object to a reduced frequency of reporting for the affected source, as provided in paragraph (e)(3)(iii) of this section.
 - (iii) The frequency of reporting of excess emissions and continuous monitoring system performance (and summary) reports required to comply with a relevant standard 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 frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the 5-year recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. 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 the frequency of reporting, 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.

- (iv) As soon as CMS data indicate that the source is not in compliance with any emission limitation or operating parameter specified in the relevant standard, the frequency of reporting shall revert to the frequency specified in the relevant standard, and the owner or operator shall submit an excess emissions and continuous monitoring system performance (and summary) report for the noncomplying emission points at the next appropriate reporting period following the noncomplying event. After demonstrating ongoing compliance with the relevant standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard, as provided for in paragraphs (e)(3)(ii) and (e)(3)(iii) of this section.
- (v) **Content and submittal dates for excess emissions and monitoring system performance reports.** All excess emissions and monitoring system performance reports and all summary reports, if required, shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate. Written reports of excess emissions or exceedances of process or control system parameters shall include all the information required in paragraphs (c)(5) through (c)(13) of this section, in §§ 63.8(c)(7) and 63.8(c)(8), and in the relevant standard, and they shall contain the name, title, and signature of the responsible official who is certifying the accuracy of the report. When no excess emissions or exceedances of a parameter have occurred, or a CMS has not been inoperative, out of control, repaired, or adjusted, such information shall be stated in the report.
- (vi) **Summary report.** As required under paragraphs (e)(3)(vii) and (e)(3)(viii) of this section, one summary report shall be submitted for the hazardous air pollutants monitored at each affected source (unless the relevant standard specifies that more than one summary report is required, e.g., one summary report for each hazardous air pollutant monitored). The summary report shall be entitled "Summary Report—Gaseous and Opacity Excess Emission and Continuous Monitoring System Performance" and shall contain the following information:
 - (A) The company name and address of the affected source;
 - (B) An identification of each hazardous air pollutant monitored at the affected source;
 - (C) The beginning and ending dates of the reporting period;
 - (D) A brief description of the process units;
 - (E) The emission and operating parameter limitations specified in the relevant standard(s);
 - (F) The monitoring equipment manufacturer(s) and model number(s);

- (G) The date of the latest CMS certification or audit;
 - (H) The total operating time of the affected source during the reporting period;
 - (I) An emission data summary (or similar summary if the owner or operator monitors control system parameters), including the total duration of excess emissions during the reporting period (recorded in minutes for opacity and hours for gases), 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 startup/shutdown, control equipment problems, process problems, other known causes, and other unknown causes;
 - (J) A CMS performance summary (or similar summary if the owner or operator monitors control system parameters), including the total CMS downtime during the reporting period (recorded in minutes for opacity and hours for gases), the total duration of CMS downtime expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total CMS downtime during the reporting period into periods that are due to monitoring equipment malfunctions, nonmonitoring equipment malfunctions, quality assurance/quality control calibrations, other known causes, and other unknown causes;
 - (K) A description of any changes in CMS, processes, or controls since the last reporting period;
 - (L) The name, title, and signature of the responsible official who is certifying the accuracy of the report; and
 - (M) The date of the report.
- (vii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is less than 1 percent of the total operating time for the reporting period, and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report shall be submitted, and the full excess emissions and continuous monitoring system performance report need not be submitted unless required by the Administrator.
- (viii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is 1 percent or greater of the total operating time for the reporting period, or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, both the summary report and the excess emissions and continuous monitoring system performance report shall be submitted.
- (4) ***Reporting continuous opacity monitoring system data produced during a performance test.*** The owner or operator of an affected source required to use a COMS shall record the monitoring data produced during a performance test required under § 63.7 and shall furnish the Administrator a written report of the monitoring results. The report of COMS data shall be submitted simultaneously with the report of the performance test results required in paragraph (d)(2) of this section.
- (f) ***Waiver of recordkeeping or reporting requirements.***
- (1) Until a waiver of a recordkeeping or reporting requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.

- (2) Recordkeeping or reporting requirements may be waived upon written application to the Administrator if, in the Administrator's judgment, the affected source is achieving the relevant standard(s), or the source is operating under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.
- (3) If an application for a waiver of recordkeeping or reporting is made, the application shall accompany the request for an extension of compliance under § 63.6(i), any required compliance progress report or compliance status report required under this part (such as under §§ 63.6(i) and 63.9(h)) or in the source's title V permit, or an excess emissions and continuous monitoring system performance report required under paragraph (e) of this section, whichever is applicable. The application shall include whatever information the owner or operator considers useful to convince the Administrator that a waiver of recordkeeping or reporting is warranted.
- (4) The Administrator will approve or deny a request for a waiver of recordkeeping or reporting requirements under this paragraph when he/she—
 - (i) Approves or denies an extension of compliance; or
 - (ii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or
 - (iii) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.
- (5) A waiver of any recordkeeping or reporting requirement granted under this paragraph may be conditioned on other recordkeeping or reporting requirements deemed necessary by the Administrator.
- (6) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

[59 FR 12430, Mar. 16, 1994, as amended at 64 FR 7468, Feb. 12, 1999; 67 FR 16604, Apr. 5, 2002; 68 FR 32601, May 30, 2003; 69 FR 21752, Apr. 22, 2004; 71 FR 20455, Apr. 20, 2006; 85 FR 73886, Nov. 19, 2020]

§ 63.11 Control device and work practice requirements.

(a) *Applicability.*

- (1) The applicability of this section is set out in § 63.1(a)(4).
- (2) This section contains requirements for control devices used to comply with applicable subparts of this part. The requirements are placed here for administrative convenience and apply only to facilities covered by subparts referring to this section.
- (3) This section also contains requirements for an alternative work practice used to identify leaking equipment. This alternative work practice is placed here for administrative convenience and is available to all subparts in 40 CFR parts 60, 61, 63, and 65 that require monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.

(b) *Flares.*

- (1) Owners or operators using flares to comply with the provisions of this part shall monitor these control devices to assure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators using flares shall monitor these control devices.
- (2) Flares shall be steam-assisted, air-assisted, or non-assisted.
- (3) Flares shall be operated at all times when emissions may be vented to them.
- (4) Flares shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. Test Method 22 in appendix A of part 60 of this chapter shall be used to determine the compliance of flares with the visible emission provisions of this part. The observation period is 2 hours and shall be used according to Method 22.
- (5) Flares shall be operated with a flame present at all times. The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.
- (6) An owner/operator has the choice of adhering to the heat content specifications in paragraph (b)(6)(ii) of this section, and the maximum tip velocity specifications in paragraph (b)(7) or (b)(8) of this section, or adhering to the requirements in paragraph (b)(6)(i) of this section.

(i)

- (A) Flares shall be used that have a diameter of 3 inches or greater, are nonassisted, have a hydrogen content of 8.0 percent (by volume) or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity $V_{\max}$, as determined by the following equation:

$$V_{\max} = (X_{H_2} - K_1) * K_2$$

Where:

$V_{\max}$ = Maximum permitted velocity, m/sec.

K_1 = Constant, 6.0 volume-percent hydrogen.

K_2 = Constant, 3.9(m/sec)/volume-percent hydrogen.

X_{H_2} = The volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946-77. (Incorporated by reference as specified in § 63.14).

- (B) The actual exit velocity of a flare shall be determined by the method specified in paragraph (b)(7)(i) of this section.
- (ii) Flares shall be used only with the net heating value of the gas being combusted at 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted at 7.45 MJ/scm (200 Btu/scf) or greater if the flares is non-assisted. The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^n C_i H_i$$

Where:

H_T = Net heating value of the sample, MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C.

K = Constant =

$$1.740 \times 10^{-7} \left(\frac{1}{\text{ppmv}} \right) \left(\frac{\text{g-mole}}{\text{scm}} \right) \left(\frac{\text{MJ}}{\text{kcal}} \right)$$

where the standard temperature for (g-mole/scm) is 20 °C.

C_i = Concentration of sample component i in ppmv on a wet basis, as measured for organics by Test Method 18 and measured for hydrogen and carbon monoxide by American Society for Testing and Materials (ASTM) D1946-77 or 90 (Reapproved 1994) (incorporated by reference as specified in § 63.14).

H_i = Net heat of combustion of sample component i , kcal/g-mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 or 88 or D4809-95 (incorporated by reference as specified in § 63.14) if published values are not available or cannot be calculated.

n = Number of sample components.

(7)

- (i) Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity less than 18.3 m/sec (60 ft/sec), except as provided in paragraphs (b)(7)(ii) and (b)(7)(iii) of this section. The actual exit velocity of a flare shall be determined by dividing by the volumetric flow rate of gas being combusted (in units of emission standard temperature and pressure), as determined by Test Method 2, 2A, 2C, or 2D in appendix A to 40 CFR part 60 of this chapter, as appropriate, by the unobstructed (free) cross-sectional area of the flare tip.
- (ii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in paragraph (b)(7)(i) of this section, equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec), are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).
- (iii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in paragraph (b)(7)(i) of this section, less than the velocity $V_{\max}$, as determined by the method specified in this paragraph, but less than 122 m/sec (400 ft/sec) are allowed. The maximum permitted velocity, $V_{\max}$, for flares complying with this paragraph shall be determined by the following equation:

$$\text{Log}_{10}(V_{\max}) = (H_T + 28.8)/31.7$$

Where:

$V_{\max}$ = Maximum permitted velocity, m/sec.

28.8 = Constant.

31.7 = Constant.

H_T = The net heating value as determined in paragraph (b)(6) of this section.

- (8) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity $V_{\max}$. The maximum permitted velocity, $V_{\max}$, for air-assisted flares shall be determined by the following equation:

$$V_{\max} = 8.71 + 0.708(H_T)$$

Where:

$V_{\max}$ = Maximum permitted velocity, m/sec.

8.71 = Constant.

0.708 = Constant.

H_T = The net heating value as determined in paragraph (b)(6)(ii) of this section.

- (c) **Alternative work practice for monitoring equipment for leaks.** Paragraphs (c), (d), and (e) of this section apply to all equipment for which the applicable subpart requires monitoring with a 40 CFR part 60, appendix A-7, Method 21 monitor, except for closed vent systems, equipment designated as leakless, and equipment identified in the applicable subpart as having no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background. An owner or operator may use an optical gas imaging instrument instead of a 40 CFR part 60, appendix A-7, Method 21 monitor. Requirements in the existing subparts that are specific to the Method 21 instrument do not apply under this section. All other requirements in the applicable subpart that are not addressed in paragraphs (c), (d), and (e) of this section continue to apply. For example, equipment specification requirements, and non-Method 21 instrument recordkeeping and reporting requirements in the applicable subpart continue to apply. The terms defined in paragraphs (c)(1) through (5) of this section have meanings that are specific to the alternative work practice standard in paragraphs (c), (d), and (e) of this section.

- (1) **Applicable subpart** means the subpart in 40 CFR parts 60, 61, 63, and 65 that requires monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.
- (2) **Equipment** means pumps, valves, pressure relief valves, compressors, open-ended lines, flanges, connectors, and other equipment covered by the applicable subpart that require monitoring with a 40 CFR part 60, appendix A-7, Method 21 monitor.
- (3) **Imaging** means making visible emissions that may otherwise be invisible to the naked eye.
- (4) **Optical gas imaging instrument** means an instrument that makes visible emissions that may otherwise be invisible to the naked eye.

- (5) *Repair* means that equipment is adjusted, or otherwise altered, in order to eliminate a leak.
- (6) *Leak* means:
 - (i) Any emissions imaged by the optical gas instrument;
 - (ii) Indications of liquids dripping;
 - (iii) Indications by a sensor that a seal or barrier fluid system has failed; or
 - (iv) Screening results using a 40 CFR part 60, appendix A-7, Method 21 monitor that exceed the leak definition in the applicable subpart to which the equipment is subject.
- (d) The alternative work practice standard for monitoring equipment for leaks is available to all subparts in 40 CFR parts 60, 61, 63, and 65 that require monitoring of equipment with a 40 CFR part 60, appendix A-7, Method 21 monitor.
 - (1) An owner or operator of an affected source subject to 40 CFR parts 60, 61, 63, or 65 can choose to comply with the alternative work practice requirements in paragraph (e) of this section instead of using the 40 CFR part 60, appendix A-7, Method 21 monitor to identify leaking equipment. The owner or operator must document the equipment, process units, and facilities for which the alternative work practice will be used to identify leaks.
 - (2) Any leak detected when following the leak survey procedure in paragraph (e)(3) of this section must be identified for repair as required in the applicable subpart.
 - (3) If the alternative work practice is used to identify leaks, re-screening after an attempted repair of leaking equipment must be conducted using either the alternative work practice or the 40 CFR part 60, Appendix A-7, Method 21 monitor at the leak definition required in the applicable subparts to which the equipment is subject.
 - (4) The schedule for repair is as required in the applicable subpart.
 - (5) When this alternative work practice is used for detecting leaking equipment, choose one of the monitoring frequencies listed in Table 1 to subpart A of this part in lieu of the monitoring frequency specified for regulated equipment in the applicable subpart. Reduced monitoring frequencies for good performance are not applicable when using the alternative work practice.
 - (6) When this alternative work practice is used for detecting leaking equipment, the following are not applicable for the equipment being monitored:
 - (i) Skip period leak detection and repair;
 - (ii) Quality improvement plans; or
 - (iii) Complying with standards for allowable percentage of valves and pumps to leak.
 - (7) When the alternative work practice is used to detect leaking equipment, the regulated equipment in paragraph (d)(1)(i) of this section must also be monitored annually using a 40 CFR part 60, Appendix A-7, Method 21 monitor at the leak definition required in the applicable subpart. The owner or operator may choose the specific monitoring period (for example, first quarter) to conduct the annual monitoring. Subsequent monitoring must be conducted every 12 months from the initial period. Owners or operators must keep records of the annual Method 21 screening results, as specified in paragraph (i)(4)(vii) of this section.

- (e) An owner or operator of an affected source who chooses to use the alternative work practice must comply with the requirements of paragraphs (e)(1) through (e)(5) of this section.
- (1) **Instrument specifications.** The optical gas imaging instrument must comply with the requirements specified in paragraphs (e)(1)(i) and (e)(1)(ii) of this section.
- (i) Provide the operator with an image of the potential leak points for each piece of equipment at both the detection sensitivity level and within the distance used in the daily instrument check described in paragraph (e)(2) of this section. The detection sensitivity level depends upon the frequency at which leak monitoring is to be performed.
- (ii) Provide a date and time stamp for video records of every monitoring event.
- (2) **Daily instrument check.** On a daily basis, and prior to beginning any leak monitoring work, test the optical gas imaging instrument at the mass flow rate determined in paragraph (e)(2)(i) of this section in accordance with the procedure specified in paragraphs (e)(2)(ii) through (e)(2)(iv) of this section for each camera configuration used during monitoring (for example, different lenses used), unless an alternative method to demonstrate daily instrument checks has been approved in accordance with paragraph (e)(2)(v) of this section.
- (i) Calculate the mass flow rate to be used in the daily instrument check by following the procedures in paragraphs (e)(2)(i)(A) and (e)(2)(i)(B) of this section.
- (A) For a specified population of equipment to be imaged by the instrument, determine the piece of equipment in contact with the lowest mass fraction of chemicals that are detectable, within the distance to be used in paragraph (e)(2)(iv)(B) of this section, at or below the standard detection sensitivity level.
- (B) Multiply the standard detection sensitivity level, corresponding to the selected monitoring frequency in Table 1 of subpart A of this part, by the mass fraction of detectable chemicals from the stream identified in paragraph (e)(2)(i)(A) of this section to determine the mass flow rate to be used in the daily instrument check, using the following equation.

$$E_{dic} = (E_{sds}) \sum_{i=1}^k x_i$$

Where:

E_{dic} = Mass flow rate for the daily instrument check, grams per hour

x_i = Mass fraction of detectable chemical(s) i seen by the optical gas imaging instrument, within the distance to be used in paragraph (e)(2)(iv)(B) of this section, at or below the standard detection sensitivity level, E_{sds} .

E_{sds} = Standard detection sensitivity level from Table 1 to subpart A, grams per hour

k = Total number of detectable chemicals emitted from the leaking equipment and seen by the optical gas imaging instrument.

- (ii) Start the optical gas imaging instrument according to the manufacturer's instructions, ensuring that all appropriate settings conform to the manufacturer's instructions.

- (iii) Use any gas chosen by the user that can be viewed by the optical gas imaging instrument and that has a purity of no less than 98 percent.
 - (iv) Establish a mass flow rate by using the following procedures:
 - (A) Provide a source of gas where it will be in the field of view of the optical gas imaging instrument.
 - (B) Set up the optical gas imaging instrument at a recorded distance from the outlet or leak orifice of the flow meter that will not be exceeded in the actual performance of the leak survey. Do not exceed the operating parameters of the flow meter.
 - (C) Open the valve on the flow meter to set a flow rate that will create a mass emission rate equal to the mass rate calculated in paragraph (e)(2)(i) of this section while observing the gas flow through the optical gas imaging instrument viewfinder. When an image of the gas emission is seen through the viewfinder at the required emission rate, make a record of the reading on the flow meter.
 - (v) Repeat the procedures specified in paragraphs (e)(2)(ii) through (e)(2)(iv) of this section for each configuration of the optical gas imaging instrument used during the leak survey.
 - (vi) To use an alternative method to demonstrate daily instrument checks, apply to the Administrator for approval of the alternative under § 63.177 or § 63.178, whichever is applicable.
- (3) **Leak survey procedure.** Operate the optical gas imaging instrument to image every regulated piece of equipment selected for this work practice in accordance with the instrument manufacturer's operating parameters. All emissions imaged by the optical gas imaging instrument are considered to be leaks and are subject to repair. All emissions visible to the naked eye are also considered to be leaks and are subject to repair.
- (4) **Recordkeeping.** Keep the records described in paragraphs (e)(4)(i) through (e)(4)(vii) of this section:
- (i) The equipment, processes, and facilities for which the owner or operator chooses to use the alternative work practice.
 - (ii) The detection sensitivity level selected from Table 1 to subpart A of this part for the optical gas imaging instrument.
 - (iii) The analysis to determine the piece of equipment in contact with the lowest mass fraction of chemicals that are detectable, as specified in paragraph (e)(2)(i)(A) of this section.
 - (iv) The technical basis for the mass fraction of detectable chemicals used in the equation in paragraph (e)(2)(i)(B) of this section.
 - (v) The daily instrument check. Record the distance, per paragraph (e)(2)(iv)(B) of this section, and the flow meter reading, per paragraph (e)(2)(iv)(C) of this section, at which the leak was imaged. Keep a video record of the daily instrument check for each configuration of the optical gas imaging instrument used during the leak survey (for example, the daily instrument check must be conducted for each lens used). The video record must include a time and date stamp for each daily instrument check. The video record must be kept for 5 years.

- (vi) **Recordkeeping requirements in the applicable subpart.** A video record must be used to document the leak survey results. The video record must include a time and date stamp for each monitoring event. A video record can be used to meet the recordkeeping requirements of the applicable subparts if each piece of regulated equipment selected for this work practice can be identified in the video record. The video record must be kept for 5 years.
- (vii) The results of the annual Method 21 screening required in paragraph (h)(7) of this section. Records must be kept for all regulated equipment specified in paragraph (h)(1) of this section. Records must identify the equipment screened, the screening value measured by Method 21, the time and date of the screening, and calibration information required in the existing applicable subparts.
- (5) **Reporting.** Submit the reports required in the applicable subpart. Submit the records of the annual Method 21 screening required in paragraph (h)(7) of this section to the Administrator via e-mail to CCG-AWP@EPA.GOV.

[59 FR 12430, Mar. 16, 1994, as amended at 63 FR 24444, May 4, 1998; 65 FR 62215, Oct. 17, 2000; 67 FR 16605, Apr. 5, 2002; 73 FR 78211, Dec. 22, 2008]

§ 63.12 State authority and delegations.

- (a) The provisions of this part shall not be construed in any manner to preclude any State or political subdivision thereof from—
 - (1) Adopting and enforcing any standard, limitation, prohibition, or other regulation applicable to an affected source subject to the requirements of this part, provided that such standard, limitation, prohibition, or regulation is not less stringent than any requirement applicable to such source established under this part;
 - (2) Requiring the owner or operator of an affected source to obtain permits, licenses, or approvals prior to initiating construction, reconstruction, modification, or operation of such source; or
 - (3) Requiring emission reductions in excess of those specified in subpart D of this part as a condition for granting the extension of compliance authorized by section 112(i)(5) of the Act.
- (b)
 - (1) Section 112(l) of the Act directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards and other requirements pursuant to section 112 for stationary sources located in that State. Because of the unique nature of radioactive material, delegation of authority to implement and enforce standards that control radionuclides may require separate approval.
 - (2) Subpart E of this part establishes procedures consistent with section 112(l) for the approval of State rules or programs to implement and enforce applicable Federal rules promulgated under the authority of section 112. Subpart E also establishes procedures for the review and withdrawal of section 112 implementation and enforcement authorities granted through a section 112(l) approval.
- (c) All information required to be submitted to the EPA under this part also shall be submitted to the appropriate state agency of any state to which authority has been delegated under section 112(l) of the Act, provided that each specific delegation may exempt sources from a certain federal or state reporting requirement. Any information required to be submitted electronically by this part via the EPA's CEDRI may,

at the discretion of the delegated authority, satisfy the requirements of this paragraph. The Administrator may permit all or some of the information to be submitted to the appropriate state agency only, instead of to the EPA and the state agency with the exception of federal electronic reporting requirements under this part. Sources may not be exempted from federal electronic reporting requirements.

[59 FR 12430, Mar. 16, 1994, as amended at 85 FR 73887, Nov. 19, 2020]

§ 63.13 Addresses of State air pollution control agencies and EPA Regional Offices.

- (a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted to the appropriate Regional Office of the U.S. Environmental Protection Agency indicated in the following table. If a request, report, application, submittal, or other communication is required by this part to be submitted electronically via the EPA's CEDRI then such submission satisfies the requirements of this paragraph (a).

TABLE 1 TO PARAGRAPH (a)

Region	Address	State
I	Director, Enforcement and Compliance Assurance Division, U.S. EPA Region I, 5 Post Office Square—Suite 100 (04-2), Boston, MA 02109-3912, Attn: Air Compliance Clerk	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.
II	Director, Air and Waste Management Division, 26 Federal Plaza, New York, NY 10278	New Jersey, New York, Puerto Rico, Virgin Islands.
III	Director, Air Protection Division, 1650 Arch Street, Philadelphia, PA 19103	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.
IV	Director, Air and Radiation Division, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.
V	Director, Air and Radiation Division, 77 West Jackson Blvd., Chicago, IL 60604-3507	Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.
VI	Director, Enforcement	Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Region	Address	State
	and Compliance Assurance Division; U.S. Environmental Protection Agency, 1201 Elm Street, Suite 500, Mail Code 6ECD, Dallas, Texas 75270-2102	
VII	Director, Air and Waste Management Division, 11201 Renner Boulevard, Lenexa, Kansas 66219	Iowa, Kansas, Missouri, Nebraska.
VIII	Director, Air and Toxics Technical Enforcement Program, Office of Enforcement, Compliance and Environmental Justice, Mail Code 8ENF-AT, 1595 Wynkoop Street, Denver, CO 80202-1129	Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming.
IX	Director, Air Division, 75 Hawthorne Street, San Francisco, CA 94105	Arizona, California, Hawaii, Nevada; the territories of American Samoa and Guam; the Commonwealth of the Northern Mariana Islands; the territories of Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Atoll, Palmyra Atoll, and Wake Islands; and certain U.S. Government activities in the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.
X	Director, Office of Air Quality, 1200 Sixth Avenue (OAQ-107), Seattle, WA 98101	Alaska, Idaho, Oregon, Washington.

- (b) All information required to be submitted to the Administrator under this part also shall be submitted to the appropriate State agency of any State to which authority has been delegated under section 112(l) of the Act. The owner or operator of an affected source may contact the appropriate EPA Regional Office for the mailing addresses for those States whose delegation requests have been approved.
- (c) If any State requires a submittal that contains all the information required in an application, notification, request, report, statement, or other communication required in this part, an owner or operator may send the appropriate Regional Office of the EPA a copy of that submittal to satisfy the requirements of this part for that communication.

[59 FR 12430, Mar. 16, 1994, as amended at 63 FR 66061, Dec. 1, 1998; 67 FR 4184, Jan. 29, 2002; 68 FR 32601, May 30, 2003; 68 FR 35792, June 17, 2003; 73 FR 24871, May 6, 2008; 75 FR 69532, Nov. 12, 2010; 76 FR 49673, Aug. 11, 2011; 78 FR 37977, June 25, 2013; 84 FR 34069, July 17, 2019; 84 FR 44230, Aug. 23, 2019; 85 FR 73887, Nov. 19, 2020; 89 FR 86748, Oct. 31, 2024]

§ 63.14 Incorporations by reference.

(a)

(1) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the U.S. Environmental Protection Agency (EPA) must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at the EPA and at the National Archives and Records Administration (NARA). Contact the EPA at: EPA Docket Center, Public Reading Room, EPA WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC; phone: (202) 566-1744. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov.

(2) The IBR material may be obtained from the sources in the following paragraphs of this section or from one or more private resellers listed in this paragraph (a)(2). For material that is no longer commercially available, contact: the EPA (see paragraph (a)(1) of this section).

(i) Accuris Standards Store, 321 Inverness Drive, South Englewood, CO, 80112; phone: (800) 332-6077; website: <https://store.accuristech.com>.

(ii) American National Standards Institute (ANSI), 25 West 43rd Street, Fourth Floor, New York, NY 10036-7417; phone: (212) 642-4980; email: info@ansi.org; website: www.ansi.org.

(iii) GlobalSpec, 257 Fuller Road, Suite NFE 1100, Albany, NY 12203-3621; phone: (800) 261-2052; website: <https://standards.globalspec.com>.

(iv) Nimonik Document Center, 401 Roland Way, Suite 224, Oakland, CA, 94624; phone (650) 591-7600; email: info@document-center.com; website: www.document-center.com.

(v) Techstreet, phone: (855) 999-9870; email: store@techstreet.com; website: www.techstreet.com.

(b) American Conference of Governmental Industrial Hygienists (ACGIH), Customer Service Department, 1330 Kemper Meadow Drive, Cincinnati, Ohio 45240, telephone number (513) 742-2020.

(1) Industrial Ventilation: A Manual of Recommended Practice, 22nd Edition, 1995, Chapter 3, "Local Exhaust Hoods" and Chapter 5, "Exhaust System Design Procedure." IBR approved for §§ 63.843(b) and 63.844(b).

(2) Industrial Ventilation: A Manual of Recommended Practice, 23rd Edition, 1998, Chapter 3, "Local Exhaust Hoods" and Chapter 5, "Exhaust System Design Procedure." IBR approved for §§ 63.1503, 63.1506(c), 63.1512(e), Table 2 to subpart RRR, Table 3 to subpart RRR, and appendix A to subpart RRR, and § 63.2984(e).

(3) Industrial Ventilation: A Manual of Recommended Practice for Design, 27th Edition, 2010. IBR approved for §§ 63.1503, 63.1506(c), 63.1512(e), Table 2 to subpart RRR, Table 3 to subpart RRR, and appendix A to subpart RRR, and § 63.2984(e).

(c) American Petroleum Institute (API), 200 Massachusetts Ave. NW, Suite 1100, Washington, DC 20001; phone: (202) 682-8000; website: www.api.org.

- (1) API Publication 2517, Evaporative Loss from External Floating-Roof Tanks, Third Edition, February 1989; IBR approved for §§ 63.111; 63.1402; 63.2406; 63.7944.
- (2) API Publication 2518, Evaporative Loss from Fixed-roof Tanks, Second Edition, October 1991; IBR approved for § 63.150(g).
- (3) API Manual of Petroleum Measurement Specifications (MPMS) Chapter 19.2 (API MPMS 19.2), Evaporative Loss From Floating-Roof Tanks, First Edition, April 1997; IBR approved for §§ 63.1251; 63.12005.
- (4) API Manual of Petroleum Measurement Specifications (MPMS) Chapter 19.2 (API MPMS 19.2), Evaporative Loss From Floating-Roof Tanks, Fourth Edition, August 2020; IBR approved for § 63.101(b).
- (d) American Public Health Association, 1015 18th Street NW, Washington, DC 20036; phone (844) 232-3707; email: standardmethods@subscriptionoffice.com; website: www.standardmethods.org.
 - (1) Standard Method 5210, Biochemical Oxygen Demand (BOD), revised December 10, 2019; IBR approved for § 63.457(c)
 - (2) [Reserved]
- (e) American Society of Heating, Refrigerating, and Air-Conditioning Engineers at 1791 Tullie Circle, NE., Atlanta, GA 30329 orders@ashrae.org.
 - (1) American Society of Heating, Refrigerating, and Air-Conditioning Engineers Method 52.1, *Gravimetric and Dust-Spot Procedures for Testing Air-Cleaning Devices Used in General Ventilation for Removing Particulate Matter* June 4, 1992; IBR approved for § 63.11516(d).
 - (2) ANSI/ASHRAE Standard 52.2-2017, *Method of Testing General Ventilation Air-Cleaning Devices for Removal Efficiency by Particle Size*, copyright 2017; IBR approved for § 63.11173(e).
- (f) American Society of Mechanical Engineers (ASME), Two Park Avenue, New York, NY 10016-5990; phone: (800) 843-2763; email: CustomerCare@asme.org; website: www.asme.org.
 - (1) ANSI/ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses [Part 10, Instruments and Apparatus], issued August 31, 1981; §§ 63.116(c) and (h); 63.128(a); 63.145(i); 63.309(k); 63.365(b); 63.457(k); 63.490(g); 63.772(e) and (h); 63.865(b); 63.997(e); 63.1282(d) and (g); 63.1450(a), (b), (d), (e), (g); 63.1625(b); table 5 to subpart EEEE; §§ 63.3166(a); 63.3360(e); 63.3545(a); 63.3555(a); 63.4166(a); 63.4362(a); 63.4766(a); 63.4965(a); 63.5160(d); table 4 to subpart UUUU; tables 5, 16, and 17 to subpart XXXX; table 3 to subpart YYYY; table 4 to subpart AAAAA; § 63.7322(b); table 5 to subpart DDDDD; §§ 63.7822(b); 63.7824(e); 63.7825(b); 63.8000(d); table 4 to subpart JJJJJ; table 4 to subpart KKKKK; §§ 63.9307(c); 63.9323(a); 63.9621(b) and (c); table 4 to subpart SSSSS; tables 4 and 5 of subpart UUUUU; table 1 to subpart ZZZZZ; §§ 63.11148(e); 63.11155(e); 63.11162(f); 63.11163(g); table 4 to subpart JJJJJJ; §§ 63.11410(j); 63.11551(a); 63.11646(a); 63.11945.
 - (2) [Reserved]
- (g) The Association of Florida Phosphate Chemists, P.O. Box 1645, Bartow, Florida 33830.
 - (1) Book of Methods Used and Adopted By The Association of Florida Phosphate Chemists, Seventh Edition 1991:
 - (i) Section IX, Methods of Analysis for Phosphate Rock, No. 1 Preparation of Sample, IBR approved for § 63.606(f), § 63.626(f).

- (ii) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus-P₂O₅ or Ca₃(PO₄)₂, Method A—Volumetric Method, IBR approved for § 63.606(f), § 63.626(f).
- (iii) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus-P₂O₅ or Ca₃(PO₄)₂, Method B—Gravimetric Quimociac Method, IBR approved for § 63.606(f), § 63.626(f).
- (iv) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus-P₂O₅ or Ca₃(PO₄)₂, Method C—Spectrophotometric Method, IBR approved for § 63.606(f), § 63.626(f).
- (v) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-P₂O₅, Method A—Volumetric Method, IBR approved for § 63.606(f), § 63.626(f), and (g).
- (vi) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-P₂O₅, Method B—Gravimetric Quimociac Method, IBR approved for § 63.606(f), § 63.626(f), and (g).
- (vii) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus-P₂O₅, Method C—Spectrophotometric Method, IBR approved for § 63.606(f), § 63.626(f), and (g).
- (2) [Reserved]
- (h) Association of Official Analytical Chemists (AOAC) International, Customer Services, Suite 400, 2200 Wilson Boulevard, Arlington, Virginia 22201-3301, Telephone (703) 522-3032, Fax (703) 522-5468.
 - (1) AOAC Official Method 929.01 Sampling of Solid Fertilizers, Sixteenth edition, 1995, IBR approved for § 63.626(g).
 - (2) AOAC Official Method 929.02 Preparation of Fertilizer Sample, Sixteenth edition, 1995, IBR approved for § 63.626(g).
 - (3) AOAC Official Method 957.02 Phosphorus (Total) in Fertilizers, Preparation of Sample Solution, Sixteenth edition, 1995, IBR approved for § 63.626(g).
 - (4) AOAC Official Method 958.01 Phosphorus (Total) in Fertilizers, Spectrophotometric Molybdovanadophosphate Method, Sixteenth edition, 1995, IBR approved for § 63.626(g).
 - (5) AOAC Official Method 962.02 Phosphorus (Total) in Fertilizers, Gravimetric Quinolinium Molybdophosphate Method, Sixteenth edition, 1995, IBR approved for § 63.626(g).
 - (6) AOAC Official Method 969.02 Phosphorus (Total) in Fertilizers, Alkalimetric Quinolinium Molybdophosphate Method, Sixteenth edition, 1995, IBR approved for § 63.626(g).
 - (7) AOAC Official Method 978.01 Phosphorus (Total) in Fertilizers, Automated Method, Sixteenth edition, 1995, IBR approved for § 63.626(g).
- (i) ASTM International, 100 Barr Harbor Drive, P.O. Box CB700, West Conshohocken, Pennsylvania 19428-2959; phone: (800) 262-1373; website: www.astm.org.
 - (1) ASTM D95-05 (Reapproved 2010), Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation, approved May 1, 2010, IBR approved for § 63.10005(i) and table 6 to subpart DDDDD.
 - (2) ASTM D240-09 Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter, approved July 1, 2009, IBR approved for table 6 to subpart DDDDD.

- (3) ASTM Method D388-05, Standard Classification of Coals by Rank, approved September 15, 2005, IBR approved for §§ 63.7575, 63.10042, and 63.11237.
- (4) ASTM Method D396-10, Standard Specification for Fuel Oils, including Appendix X1, approved October 1, 2010, IBR approved for § 63.10042.
- (5) ASTM D396-10, Standard Specification for Fuel Oils, approved October 1, 2010, IBR approved for §§ 63.7575 and 63.11237.
- (6) ASTM D523-89, Standard Test Method for Specular Gloss, IBR approved for § 63.782.
- (7) ASTM D975-11b, Standard Specification for Diesel Fuel Oils, approved December 1, 2011, IBR approved for § 63.7575.
- (8) ASTM D1193-77, Standard Specification for Reagent Water, IBR approved for appendix A to part 63: Method 306, Sections 7.1.1 and 7.4.2.
- (9) ASTM D1193-91, Standard Specification for Reagent Water, IBR approved for appendix A to part 63: Method 306, Sections 7.1.1 and 7.4.2.
- (10) ASTM D1331-89, Standard Test Methods for Surface and Interfacial Tension of Solutions of Surface Active Agents, IBR approved for appendix A to part 63: Method 306B, Sections 6.2, 11.1, and 12.2.2.
- (11) ASTM D1475-90, Standard Test Method for Density of Paint, Varnish Lacquer, and Related Products, IBR approved for appendix A to subpart II.
- (12) ASTM D1475-13, Standard Test Method for Density of Liquid Coatings, Inks, and Related Products, approved November 1, 2013, IBR approved for §§ 63.3151(b), 63.3941(b) and (c), 63.3951(c), 63.4141(b) and (c), 63.4551(c), 63.4741(b) and (c), 63.4751(c), and 63.4941(b) and (c).
- (13) ASTM Method D1835-05, Standard Specification for Liquefied Petroleum (LP) Gases, approved April 1, 2005, IBR approved for §§ 63.7575 and 63.11237.
- (14) ASTM D1945-03 (Reapproved 2010), Standard Test Method for Analysis of Natural Gas by Gas Chromatography, Approved January 1, 2010, IBR approved for §§ 63.670(j), 63.772(h), and 63.1282(g).
- (15) ASTM D1945-14, Standard Test Method for Analysis of Natural Gas by Gas Chromatography, Approved November 1, 2014, IBR approved for § 63.670(j).
- (16) ASTM D1946-77, Standard Method for Analysis of Reformulated Gas by Gas Chromatography, IBR approved for § 63.11(b).
- (17) ASTM D1946-90 (Reapproved 1994), Standard Method for Analysis of Reformulated Gas by Gas Chromatography, 1994, IBR approved for §§ 63.11(b), 63.987(b), and 63.1412.
- (18) ASTM D1963-85 (Reapproved 1996), Standard Test Method for Specific Gravity of Drying Oils, Varnishes, Resins, and Related Materials at 25/25 °C, approved November 29, 1985, IBR approved for § 63.3360(c).
- (19) ASTM D2013/D2013M-09, Standard Practice for Preparing Coal Samples for Analysis, (Approved November 1, 2009), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (20) ASTM D2099-00, Standard Test Method for Dynamic Water Resistance of Shoe Upper Leather by the Maeser Water Penetration Tester, IBR approved for § 63.5350.

- (21) ASTM D2111-10 (Reapproved 2015), Standard Test Methods for Specific Gravity and Density of Halogenated Organic Solvents and Their Admixtures, approved June 1, 2015, IBR approved for §§ 63.3360(c), 63.3951(c), 63.4141(b) and (c), 63.4551(c), and 63.4741(a).
- (22) ASTM D2216-05, Standard Test Methods for Laboratory Determination of Water (Moisture) Content of Soil and Rock by Mass, IBR approved for the definition of "Free organic liquids" in § 63.10692.
- (23) ASTM D2234/D2234M-10, Standard Practice for Collection of a Gross Sample of Coal, approved January 1, 2010, IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJ.
- (24) ASTM D2369-93, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A to subpart II.
- (25) ASTM D2369-95, Standard Test Method for Volatile Content of Coatings, IBR approved for appendix A to subpart II.
- (26) ASTM D2369-10 (Reapproved 2015)e1, Standard Test Method for Volatile Content of Coatings, approved June 1, 2015, IBR approved for §§ 63.3151(a), 63.3360(c), 63.3961(j), 63.4141(a) and (b), 63.4161(h), 63.4321(e), 63.4341(e), 63.4351(d), 63.4541(a), and 63.4561(j), appendix A to subpart PPPP, and §§ 63.4741(a), 63.4941(a) and (b), 63.4961(j), and 63.8055(b).
- (27) ASTM D2382-76, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for § 63.11(b).
- (28) ASTM D2382-88, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for § 63.11(b).
- (29) ASTM D2697-86 (Reapproved 1998), Standard Test Method for Volume Nonvolatile Matter in Clear or Pigmented Coatings, IBR approved for §§ 63.3521(b), and 63.5160(c).
- (30) ASTM D2697-03 (Reapproved 2014), Standard Test Method for Volume Nonvolatile Matter in Clear or Pigmented Coatings, approved July 1, 2014, IBR approved for §§ 63.3161(f), 63.3360(c), 63.3941(b), 63.4141(b), 63.4741(a) and (b), 63.4941(b), and 63.8055(b).
- (31) ASTM D2879-83, Standard Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, Approved November 28, 1983, IBR approved for §§ 63.111, 63.1402, 63.2406, 63.7944, and 63.12005.
- (32) ASTM D2879-96, Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, (Approved 1996), IBR approved for §§ 63.111, and 63.12005.
- (33) ASTM D2879-23, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved December 1, 2023; IBR approved for § 63.101(b).
- (34) ASTM D2908-74, Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved June 27, 1974, IBR approved for § 63.1329(c).
- (35) ASTM D2908-91, Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved December 15, 1991, IBR approved for § 63.1329(c).
- (36) ASTM D2908-91(Reapproved 2001), Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved December 15, 1991, IBR approved for § 63.1329(c).

- (37) ASTM D2908-91 (Reapproved 2005), Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved December 1, 2005, IBR approved for § 63.1329(c).
- (38) ASTM D2908-91 (Reapproved 2011), Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, Approved May 1, 2011, IBR approved for § 63.1329(c).
- (39) ASTM D2986-95A, "Standard Practice for Evaluation of Air Assay Media by the Monodisperse DOP (Diethyl Phthalate) Smoke Test," approved September 10, 1995, IBR approved for section 7.1.1 of Method 315 in appendix A to this part.
- (40) ASTM D3173-03 (Reapproved 2008), Standard Test Method for Moisture in the Analysis Sample of Coal and Coke, (Approved February 1, 2008), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (41) ASTM D3257-93, Standard Test Methods for Aromatics in Mineral Spirits by Gas Chromatography, IBR approved for § 63.786(b).
- (42) ASTM D3370-76, Standard Practices for Sampling Water, Approved August 27, 1976, IBR approved for § 63.1329(c).
- (43) ASTM D3370-95a, Standard Practices for Sampling Water from Closed Conduits, Approved September 10, 1995, IBR approved for § 63.1329(c).
- (44) ASTM D3370-07, Standard Practices for Sampling Water from Closed Conduits, Approved December 1, 2007, IBR approved for § 63.1329(c).
- (45) ASTM D3370-08, Standard Practices for Sampling Water from Closed Conduits, Approved October 1, 2008, IBR approved for § 63.1329(c).
- (46) ASTM D3370-10, Standard Practices for Sampling Water from Closed Conduits, Approved December 1, 2010, IBR approved for § 63.1329(c).
- (47) ASTM D3588-98 (Reapproved 2003), Standard Practice for Calculating Heat Value, Compressibility Factor, and Relative Density of Gaseous Fuels, (Approved May 10, 2003), IBR approved for §§ 63.772(h) and 63.1282(g).
- (48) ASTM D3695-88, Standard Test Method for Volatile Alcohols in Water by Direct Aqueous-Injection Gas Chromatography, IBR approved for § 63.365(e).
- (49) ASTM D3792-91, Standard Method for Water Content of Water-Reducible Paints by Direct Injection into a Gas Chromatograph, IBR approved for appendix A to subpart II.
- (50) ASTM D3912-80, Standard Test Method for Chemical Resistance of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for § 63.782.
- (51) ASTM D3960-98, Standard Practice for Determining Volatile Organic Compound (VOC) Content of Paints and Related Coatings, approved November 10, 1998, IBR approved for §§ 63.3360(c) and 63.8055(b).
- (52) ASTM D4006-11, Standard Test Method for Water in Crude Oil by Distillation, including Annex A1 and Appendix X1, (Approved June 1, 2011), IBR approved for § 63.10005(i) and table 6 to subpart DDDDD.

- (53) ASTM D4017-81, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A to subpart II.
- (54) ASTM D4017-90, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A to subpart II.
- (55) ASTM D4017-96a, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for appendix A to subpart II.
- (56) ASTM D4057-06 (Reapproved 2011), Standard Practice for Manual Sampling of Petroleum and Petroleum Products, including Annex A1, (Approved June 1, 2011), IBR approved for § 63.10005(i) and table 6 to subpart DDDDD.
- (57) ASTM D4082-89, Standard Test Method for Effects of Gamma Radiation on Coatings for Use in Light-Water Nuclear Power Plants, IBR approved for § 63.782.
- (58) ASTM D4084-07, Standard Test Method for Analysis of Hydrogen Sulfide in Gaseous Fuels (Lead Acetate Reaction Rate Method), (Approved June 1, 2007), IBR approved for table 6 to subpart DDDDD.
- (59) ASTM D4177-95 (Reapproved 2010), Standard Practice for Automatic Sampling of Petroleum and Petroleum Products, including Annexes A1 through A6 and Appendices X1 and X2, (Approved May 1, 2010), IBR approved for § 63.10005(i) and table 6 to subpart DDDDD.
- (60) ASTM D4208-02 (Reapproved 2007), Standard Test Method for Total Chlorine in Coal by the Oxygen Bomb Combustion/Ion Selective Electrode Method, approved May 1, 2007, IBR approved for table 6 to subpart DDDDD.
- (61) ASTM D4239-14e1, "Standard Test Method for Sulfur in the Analysis Sample of Coal and Coke Using High-Temperature Tube Furnace Combustion," approved March 1, 2014, IBR approved for § 63.849(f).
- (62) ASTM D4256-89, Standard Test Method for Determination of the Decontaminability of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for § 63.782.
- (63) ASTM D4256-89 (Reapproved 94), Standard Test Method for Determination of the Decontaminability of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for § 63.782.
- (64) ASTM D4282-15, Standard Test Method for Determination of Free Cyanide in Water and Wastewater by Microdiffusion, Approved July 15, 2015, IBR approved for § 63.1103(g).
- (65) ASTM D4606-03 (Reapproved 2007), Standard Test Method for Determination of Arsenic and Selenium in Coal by the Hydride Generation/Atomic Absorption Method, (Approved October 1, 2007), IBR approved for table 6 to subpart DDDDD.
- (66) ASTM D4809-95, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method), IBR approved for § 63.11(b).
- (67) ASTM D4840-99 (Reapproved 2018)^e, Standard Guide for Sampling Chain-of-Custody Procedures, approved August 15, 2018, IBR approved for appendix A to part 63.
- (68) ASTM D4891-89 (Reapproved 2006), Standard Test Method for Heating Value of Gases in Natural Gas Range by Stoichiometric Combustion, (Approved June 1, 2006), IBR approved for §§ 63.772(h) and 63.1282(g).

- (69) ASTM D5066-91 (Reapproved 2017), Standard Test Method for Determination of the Transfer Efficiency Under Production Conditions for Spray Application of Automotive Paints-Weight Basis, approved June 1, 2017, IBR approved for § 63.3161(g).
- (70) ASTM D5087-02, Standard Test Method for Determining Amount of Volatile Organic Compound (VOC) Released from Solventborne Automotive Coatings and Available for Removal in a VOC Control Device (Abatement), IBR approved for § 63.3165(e) and appendix A to subpart IIII.
- (71) ASTM D5192-09, Standard Practice for Collection of Coal Samples from Core, (Approved June 1, 2009), IBR approved for table 6 to subpart DDDDD.
- (72) ASTM D5198-09, Standard Practice for Nitric Acid Digestion of Solid Waste, (Approved February 1, 2009), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (73) ASTM D5228-92, Standard Test Method for Determination of Butane Working Capacity of Activated Carbon, (Reapproved 2005), IBR approved for § 63.11092(b).
- (74) ASTM D5291-02, Standard Test Methods for Instrumental Determination of Carbon, Hydrogen, and Nitrogen in Petroleum Products and Lubricants, IBR approved for appendix A to subpart MMMM.
- (75) ASTM D5790-95 (Reapproved 2012), Standard Test Method for Measurement of Purgeable Organic Compounds in Water by Capillary Column Gas Chromatography/Mass Spectrometry, Approved June 15, 2012, IBR approved for § 63.2485(h) and Table 4 to subpart UUUU.
- (76) ASTM D5864-11, Standard Test Method for Determining Aerobic Aquatic Biodegradation of Lubricants or Their Components, (Approved March 1, 2011), IBR approved for table 6 to subpart DDDDD.
- (77) ASTM D5865-10a, Standard Test Method for Gross Calorific Value of Coal and Coke, (Approved May 1, 2010), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (78) ASTM D5954-98 (Reapproved 2006), Test Method for Mercury Sampling and Measurement in Natural Gas by Atomic Absorption Spectroscopy, (Approved December 1, 2006), IBR approved for table 6 to subpart DDDDD.
- (79) ASTM D5965-02 (Reapproved 2013), Standard Test Methods for Specific Gravity of Coating Powders, approved June 1, 2013, IBR approved for §§ 63.3151(b) and 63.3951(c).
- (80) ASTM D6053-00, Standard Test Method for Determination of Volatile Organic Compound (VOC) Content of Electrical Insulating Varnishes, IBR approved for appendix A to subpart MMMM.
- (81) ASTM D6093-97 (Reapproved 2003), Standard Test Method for Percent Volume Nonvolatile Matter in Clear or Pigmented Coatings Using a Helium Gas Pycnometer, IBR approved for §§ 63.3521 and 63.5160(c).
- (82) ASTM D6093-97 (Reapproved 2016), Standard Test Method for Percent Volume Nonvolatile Matter in Clear or Pigmented Coatings Using a Helium Gas Pycnometer, approved December 1, 2016, IBR approved for §§ 63.3161(f), 63.3360(c), 63.3941(b), 63.4141(b), 63.4741(a) and (b), and 63.4941(b).
- (83) ASTM D6196-03 (Reapproved 2009), Standard Practice for Selection of Sorbents, Sampling, and Thermal Desorption Analysis Procedures for Volatile Organic Compounds in Air, Approved March 1, 2009, IBR approved for appendix A to this part: Method 325A and Method 325B.

- (84) ASTM D6266-00a (Reapproved 2017), Standard Test Method for Determining the Amount of Volatile Organic Compound (VOC) Released from Waterborne Automotive Coatings and Available for Removal in a VOC Control Device (Abatement), approved July 1, 2017, IBR approved for § 63.3165(e).
- (85) ASTM D6323-98 (Reapproved 2003), Standard Guide for Laboratory Subsampling of Media Related to Waste Management Activities, (Approved August 10, 2003), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (86) ASTM D6348-03, Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, including Annexes A1 through A8, Approved October 1, 2003, IBR approved for §§ 63.457(b), 63.997(e), and 63.1349, table 4 to subpart DDDD, table 5 to subpart EEEE, table 4 to subpart UUUU, table 4 subpart ZZZZ, and table 8 to subpart HHHHHHH.
- (87) ASTM D6348-03 (Reapproved 2010), Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, including Annexes A1 through A8, Approved October 1, 2010, IBR approved for §§ 63.1571(a), 63.4751(i), 63.4752(e), 63.4766(b), 63.7142(a) and (b), tables 4 and 5 to subpart JJJJJ, tables 4 and 6 to subpart KKKKK, tables 1, 2, and 5 to subpart UUUUU and appendix B to subpart UUUUU.
- (88) ASTM D6348-12e1, Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, Approved February 1, 2012, IBR approved for §§ 63.997(e), 63.1571(a), and 63.2354(b), table 5 to subpart EEEE, table 4 to subpart UUUU, §§ 63.7142(a) and (b) and 63.8000(d), and table 4 to subpart SSSSS.
- (89) ASTM D6348-12 (Reapproved 2020), Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, Approved February 1, 2012, IBR approved for §§ 63.109(a); 63.365(b); 63.509(a); 63.7322(d), (e), and (g); 63.7825(g) and (h); table 5 to subpart AAAAA.
- (90) ASTM D6350-98 (Reapproved 2003), Standard Test Method for Mercury Sampling and Analysis in Natural Gas by Atomic Fluorescence Spectroscopy, (Approved May 10, 2003), IBR approved for table 6 to subpart DDDDD.
- (91) ASTM D6357-11, Test Methods for Determination of Trace Elements in Coal, Coke, and Combustion Residues from Coal Utilization Processes by Inductively Coupled Plasma Atomic Emission Spectrometry, (Approved April 1, 2011), IBR approved for table 6 to subpart DDDDD.
- (92) ASTM D6376-10, "Standard Test Method for Determination of Trace Metals in Petroleum Coke by Wavelength Dispersive X-Ray Fluorescence Spectroscopy," Approved July 1, 2010, IBR approved for § 63.849(f).
- (93) ASTM D6420-99, Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, IBR approved for §§ 63.5799 and 63.5850.
- (94) ASTM D6420-99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (Approved October 1, 2004), IBR approved for §§ 63.457(b), 63.772(a), 63.772(e), 63.1282(a) and (d), and table 8 to subpart HHHHHHH.

- (95) ASTM D6420-99 (Reapproved 2010), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, Approved October 1, 2010, IBR approved for §§ 63.670(j); table 4 to subpart UUUU; 63.1450(f); 63.7142(b); appendix A to this part.
- (96) ASTM D6420-18, Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, approved November 1, 2018' IBR approved for §§ 63.101(b); 63.115(g); 63.116(c); 63.126(d); 63.128(a); 63.139(c); 63.145(d) and (i); 63.150(g); 63.180(d); 63.305(c); 63.482(b); 63.485(t); 63.488(b); 63.490(c) and (e); 63.496(b); 63.500(c); 63.501(a); 63.502(j); 63.503(a) and (g); 63.525(a) and (e); 63.987(b); 63.997(e); 63.2354(b); table 5 to subpart EEEE; §§ 63.2450(j); 63.8000(d).
- (97) ASTM D6522-00, Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, IBR approved for § 63.9307(c).
- (98) ASTM D6522-00 (Reapproved 2005), Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, (Approved October 1, 2005), IBR approved for table 4 to subpart ZZZZ, table 5 to subpart DDDDDD, table 4 to subpart JJJJJJ, and §§ 63.772(e) and (h)) and 63.1282(d) and (g).
- (99) ASTM D6522-11 Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, Approved December 1, 2011, IBR approved for § 63.1961(a) and table 3 to subpart YYYY.
- (100) ASTM D6721-01 (Reapproved 2006), Standard Test Method for Determination of Chlorine in Coal by Oxidative Hydrolysis Microcoulometry, (Approved April 1, 2006), IBR approved for table 6 to subpart DDDDD.
- (101) ASTM D6722-01 (Reapproved 2006), Standard Test Method for Total Mercury in Coal and Coal Combustion Residues by the Direct Combustion Analysis, (Approved April 1, 2006), IBR approved for Table 6 to subpart DDDDD and Table 5 to subpart JJJJJJ.
- (102) ASTM D6735-01 (Reapproved 2009), Standard Test Method for Measurement of Gaseous Chlorides and Fluorides from Mineral Calcining Exhaust Sources—Impinger Method, IBR approved for § 63.7142(b), tables 4 and 5 to subpart JJJJJ, and tables 4 and 6 to subpart KKKKK.
- (103) ASTM D6751-11b, Standard Specification for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels, (Approved July 15, 2011), IBR approved for §§ 63.7575 and 63.11237.
- (104) ASTM D6784-02 (Reapproved 2008), Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method), Approved April 1, 2008; IBR approved for §§ 63.2465(d); 63.11646(a); 63.11647(a) and (d); tables 1, 2, 5, 11, 12t, and 13 to subpart DDDDD; tables 4 and 5 to subpart JJJJJ; tables 4 and 6 to subpart KKKKK; table 4 to subpart JJJJJJ.
- (105) ASTM D6784-16, Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method), Approved March 1, 2016; IBR approved for §§ 63.1450(d); 63.9621; table 5 to subpart AAAAA; table 17 to subpart XXXX; table 5 to subpart UUUUU; appendix A to subpart UUUUU.

- (106) ASTM D6883-04, Standard Practice for Manual Sampling of Stationary Coal from Railroad Cars, Barges, Trucks, or Stockpiles, (Approved June 1, 2004), IBR approved for table 6 to subpart DDDDD.
- (107) ASTM D6886-18, Standard Test Method for Determination of the Weight Percent Individual Volatile Organic Compounds in Waterborne Air-Dry Coatings by Gas Chromatography, approved October 1, 2018, IBR approved for § 63.2354(c).
- (108) ASTM D7237-18, Standard Test Method for Free Cyanide and Aquatic Free Cyanide with Flow Injection Analysis (FIA) Utilizing Gas Diffusion Separation and Amperometric Detection, Approved December 1, 2018, IBR approved for § 63.1103(g).
- (109) ASTM D7430-11ae1, Standard Practice for Mechanical Sampling of Coal, (Approved October 1, 2011), IBR approved for table 6 to subpart DDDDD.
- (110) ASTM D7520-16, Standard Test Method for Determining the Opacity of a Plume in the Outdoor Ambient Atmosphere, approved April 1, 2016; IBR approved for §§ 63.1450(c), (e), and (g); 63.1453(h); 63.1625(b); table 3 to subpart LLLLL; §§ 63.7823(c) through (f), 63.7833(g); 63.11423(c).
- (111) [Reserved]
- (112) ASTM E145-94 (Reapproved 2001), Standard Specification for Gravity-Convection and Forced-Ventilation Ovens, IBR approved for appendix A to subpart PPPP.
- (113) ASTM E180-93, Standard Practice for Determining the Precision of ASTM Methods for Analysis and Testing of Industrial Chemicals, IBR approved for § 63.786(b).
- (114) ASTM E260-91, General Practice for Packed Column Gas Chromatography, IBR approved for §§ 63.750(b) and 63.786(b).
- (115) ASTM E260-96, General Practice for Packed Column Gas Chromatography, IBR approved for §§ 63.750(b) and 63.786(b).
- (116) ASTM E515-95 (Reapproved 2000), Standard Test Method for Leaks Using Bubble Emission Techniques, IBR approved for § 63.425(i).
- (117) ASTM E711-87 (Reapproved 2004), Standard Test Method for Gross Calorific Value of Refuse-Derived Fuel by the Bomb Calorimeter, (Approved August 28, 1987), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (118) ASTM E776-87 (Reapproved 2009), Standard Test Method for Forms of Chlorine in Refuse-Derived Fuel, (Approved July 1, 2009), IBR approved for table 6 to subpart DDDDD.
- (119) ASTM E871-82 (Reapproved 2006), Standard Test Method for Moisture Analysis of Particulate Wood Fuels, (Approved November 1, 2006), IBR approved for table 6 to subpart DDDDD and table 5 to subpart JJJJJJ.
- (120) ASTM UOP539-12, Refinery Gas Analysis by GC, Copyright 2012 (to UOP), IBR approved for § 63.670(j).

Note 2 to paragraph (i): Standards listed in this paragraph (i) may also be available from standards resellers including the Standards Store, <https://global.ihs.com>.

- (j) Bay Area Air Quality Management District (BAAQMD), 939 Ellis Street, San Francisco, California 94109, <http://www.arb.ca.gov/DRDB/BA/CURHTML/ST/st30.pdf>.
 - (1) "BAAQMD Source Test Procedure ST-30—Static Pressure Integrity Test, Underground Storage Tanks," adopted November 30, 1983, and amended December 21, 1994, IBR approved for § 63.11120(a).
 - (2) [Reserved]
- (k) British Standards Institute, 389 Chiswick High Road, London W4 4AL, United Kingdom.
 - (1) BS EN 1593:1999, Non-destructive Testing: Leak Testing—Bubble Emission Techniques, IBR approved for § 63.425(i).
 - (2) BS EN 14662-4:2005, Ambient air quality standard method for the measurement of benzene concentrations—Part 4: Diffusive sampling followed by thermal desorption and gas chromatography, Published June 27, 2005, IBR approved for appendix A to this part: Method 325A and Method 325B.
- (l) California Air Resources Board (CARB), 1001 I Street, P.O. Box 2815, Sacramento, CA 95812-2815, Telephone (916) 327-0900, <http://www.arb.ca.gov/>.
 - (1) Method 310, "Determination of Volatile Organic Compounds (VOC) in Consumer Products and Reactive Organic Compounds (ROC) in Aerosol Coating Products," amended May 25, 2018, IBR approved for § 63.8055(b).
 - (2) Method 428, "Determination Of Polychlorinated Dibenzo-P-Dioxin (PCDD), Polychlorinated Dibenzofuran (PCDF), and Polychlorinated Biphenyle Emissions from Stationary Sources," amended September 12, 1990, IBR approved for § 63.849(a)(13) and (14).
 - (3) Method 429, Determination of Polycyclic Aromatic Hydrocarbon (PAH) Emissions from Stationary Sources, Adopted September 12, 1989, Amended July 28, 1997, IBR approved for § 63.1625(b).
 - (4) California Air Resources Board Vapor Recovery Test Procedure TP-201.1—"Volumetric Efficiency for Phase I Vapor Recovery Systems," adopted April 12, 1996, and amended February 1, 2001 and October 8, 2003, IBR approved for § 63.11120(b).
 - (5) California Air Resources Board Vapor Recovery Test Procedure TP-201.1E—"Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves," adopted October 8, 2003, IBR approved for § 63.11120(a).
 - (6) California Air Resources Board Vapor Recovery Test Procedure TP-201.3—"Determination of 2-Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities," adopted April 12, 1996 and amended March 17, 1999, IBR approved for § 63.11120(a).
- (m) Composite Panel Association, 19465 Deerfield Avenue, Suite 306, Leesburg, VA 20176, Telephone (703)724-1128, and www.compositepanel.org.
 - (1) ANSI A135.4-2012, Basic Hardboard, approved June 8, 2012, IBR approved for § 63.4781.
 - (2) [Reserved]
- (n) Environmental Protection Agency. Air and Radiation Docket and Information Center, 1200 Pennsylvania Avenue NW., Washington, DC 20460, telephone number (202) 566-1745.
 - (1) *California Regulatory Requirements Applicable to the Air Toxics Program*, November 16, 2010, IBR approved for § 63.99(a).

- (2) New Jersey's *Toxic Catastrophe Prevention Act Program*, (July 20, 1998), IBR approved for § 63.99(a).
- (3) Delaware Department of Natural Resources and Environmental Control, Division of Air and Waste Management, *Accidental Release Prevention Regulation*, sections 1 through 5 and sections 7 through 14, effective January 11, 1999, IBR approved for § 63.99(a).
- (4) State of Delaware Regulations Governing the Control of Air Pollution (October 2000), IBR approved for § 63.99(a).
- (5) Massachusetts Department of Environmental Protection regulations at 310 CMR 7.26(10)-(16), *Air Pollution Control*, effective as of September 5, 2008, corrected March 6, 2009, and 310 CMR 70.00, *Environmental Results Program Certification*, effective as of December 28, 2007. IBR approved for § 63.99(a).
- (6)
 - (i) New Hampshire Regulations at Env-Sw 2100, *Management and Control of Asbestos Disposal Sites Not Operated after July 9, 1981*, effective September 1, 2018, (including a letter from Robert R. Scott, Commissioner, Department of Environmental Services, State of New Hampshire, to David J. Alukonis, Director, Office of Legislative Services, dated October 23, 2018, certifying that the enclosed rule, Env-Sw 2100, is the official version of this rule), IBR approved for § 63.99(a).
 - (ii) New Hampshire Code of Administrative Rules: Chapter Env-A 1800, *Asbestos Management and Control*, effective as of May 5, 2017 (certified with June 23, 2017 letter from Clark B. Freise, Assistant Commissioner, Department of Environmental Services, State of New Hampshire), as follows: Revision Notes #1 and #2; Part Env-A 1801-1807, excluding Env-A 1801.02(e), Env-A 1801.07, Env-A 1802.02, Env-A 1802.04, Env-A 1802.07-1802.09, Env-A 1802.13, Env-A 1802.15-1802.17, Env-A 1802.25, Env-A 1802.31, Env-A 1802.37, Env-A 1802.40, Env-A 1802.44, and Env-A 1803.05-1803.09; and Appendices B, C, and D; IBR approved for § 63.99(a).
- (7) Maine Department of Environmental Protection regulations at Chapter 125, *Perchloroethylene Dry Cleaner Regulation*, effective as of June 2, 1991, last amended on June 24, 2009. IBR approved for § 63.99(a).
- (8) California South Coast Air Quality Management District's "Spray Equipment Transfer Efficiency Test Procedure for Equipment User, May 24, 1989," IBR approved for §§ 63.11173(e) and 63.11516(d).
- (9) California South Coast Air Quality Management District's "Guidelines for Demonstrating Equivalency with District Approved Transfer Efficient Spray Guns, September 26, 2002," Revision 0, IBR approved for §§ 63.11173(e) and 63.11516(d).
- (10) Rhode Island Regulations at Title 250 Department of Environmental Management, Chapter 120 Air Resources, Subchapter 05 Air Pollution Control:
 - (i) 250-RICR-120-05-0. Part 0 General Definitions Regulation, effective as of January 4, 2022, excluding 0.2 "Application"; IBR approved for § 63.99(a).
 - (ii) 250-RICR-120-05-36. Part 36 Control of Emissions from Organic Solvent Cleaning, effective as of June 13, 2022, excluding 36.2 "Application", 36.5.A.28, "Industrial solvent cleaning", 36.6.D, and 36.17 "Requirements for Industrial Cleaning Solvents"; IBR approved for § 63.99(a).
- (11) [Reserved]

- (12) Alaska Statute 42.45.045. Renewable energy grant fund and recommendation program, available at <http://www.legis.state.ak.us/basis/folio.asp>, IBR approved for § 63.6675.
- (13) Vermont Air Pollution Control Regulations, Chapter 5, Air Pollution Control, section 5-253.11, Perchloroethylene Dry Cleaning, effective as of December 15, 2016. Incorporation by reference approved for § 63.99(a).
- (o) U.S. Environmental Protection Agency (EPA), 1200 Pennsylvania Avenue NW, Washington, DC 20460; phone: (202) 272-0167; website: www.epa.gov/aboutepa/forms/contact-epa.
 - (1) EPA/100/R-10/005, Recommended Toxicity Equivalence Factors (TEFs) for Human Health Risk Assessments of 2, 3, 7, 8-Tetrachlorodibenzo-p-dioxin and Dioxin-Like Compounds, December 2010; IBR approved for §§ 63.1450(f); 63.1459; table 2 to subpart QQQ; table 1 to subpart AAAAA. (Available at <https://www.epa.gov/sites/default/files/2013-09/documents/tefs-for-dioxin-epa-00-r-10-005-final.pdf>.)
 - (2) EPA-453/R-01-005, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Integrated Iron and Steel Plants—Background Information for Proposed Standards, Final Report, January 2001; IBR approved for § 63.7491(g).
 - (3) EPA-454/B-08-002, Quality Assurance Handbook for Air Pollution Measurement Systems; Volume IV: Meteorological Measurements, Version 2.0 (Final), Issued March 2008; IBR approved for §§ 63.184(c); 63.7792(b).
 - (4) EPA-454/R-98-015, Fabric Filter Bag Leak Detection Guidance, September 1997; IBR approved for §§ 63.548(e); 63.864(e); 63.6012(c); 63.7525(j); 63.8450(e); 63.8600(e); 63.9632(a); 63.9804(f); 63.11224(f); 63.11423(e). (Available at: <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=2000D5T6.pdf>).
 - (5) EPA-454/R-99-005, Office of Air Quality Planning and Standards (OAQPS), Meteorological Monitoring Guidance for Regulatory Modeling Applications, February 2000; IBR approved for appendix A to this part.
 - (6) EPA/600/R-12/531, EPA Traceability Protocol for Assay and Certification of Gaseous Calibration Standards, May 2012; IBR approved for § 63.2163(b).
 - (7) EPA-625/3-89-016, Interim Procedures for Estimating Risks Associated with Exposures to Mixtures of Chlorinated Dibenzo-p-Dioxins and -Dibenzofurans (CDDs and CDFs) and 1989 Update, March 1989; IBR approved for § 63.1513(d).
 - (8) EPA-821-R-02-019, Method 1631 Revision E, Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Absorption Fluorescence Spectrometry, Revision E, August 2002; IBR approved for table 6 to subpart DDDDD.
 - (9) EPA Method 200.8, Determination of Trace Elements in Waters and Wastes by Inductively Coupled Plasma—Mass Spectrometry, Revision 5.4, 1994; IBR approved for table 6 to subpart DDDDD.
 - (10) In EPA Publication No. SW-846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (Available from: www.epa.gov/hw-sw846/sw-846-compendium):
 - (i) SW-846-0011, Sampling for Selected Aldehyde and Ketone Emissions from Stationary Sources, Revision 0, December 1996; IBR approved for table 4 to subpart DDDD.

- (ii) SW-846-3020A, Acid Digestion of Aqueous Samples And Extracts For Total Metals For Analysis By GFAA Spectroscopy, Revision 1, July 1992; IBR approved for table 6 to subpart DDDDD; table 5 to subpart JJJJJJ.
- (iii) SW-846-3050B, Acid Digestion of Sediments, Sludges, and Soils, Revision 2, December 1996; IBR approved for table 6 to subpart DDDDD; table 5 to subpart JJJJJJ.
- (iv) SW-846-5030B, Purge-And-Trap For Aqueous Samples, Revision 2, December 1996; IBR approved for §§ 63.109(b), (c), (d), and (e); 63.509(b) and (c); 63.2492(b) and (c).
- (v) SW-846-5031, Volatile, Nonpurgeable, Water-Soluble Compounds by Azeotropic Distillation, Revision 0, December 1996; IBR approved for §§ 63.109(b), (c), (d), and (e); 63.509(b) and (c); 63.2492(b) and (c).
- (vi) SW-846-7470A, Mercury In Liquid Waste (Manual Cold-Vapor Technique), Revision 1, September 1994; IBR approved for table 6 to subpart DDDDD; table 5 to subpart JJJJJJ.
- (vii) SW-846-7471B, Mercury In Solid Or Semisolid Waste (Manual Cold-Vapor Technique), Revision 2, February 2007; IBR approved for table 6 to subpart DDDDD; table 5 to subpart JJJJJJ.
- (viii) SW-846-8015C, Nonhalogenated Organics by Gas Chromatography, Revision 3, February 2007; IBR approved for §§ 63.11960; 63.11980; table 10 to subpart HHHHHHH.
- (ix) SW-846-8260B, Volatile Organic Compounds by Gas Chromatography/Mass Spectrometry (GC/MS), Revision 2, December 1996; IBR approved for §§ 63.1107(a); 63.11960; 63.11980; table 10 to subpart HHHHHHH.
- (x) SW-846-8260D, Volatile Organic Compounds By Gas Chromatography/Mass Spectrometry, Revision 4, June 2018; IBR approved for §§ 63.109(b), (c), (d), and (e); 63.509(b) and (c); 63.2492(b) and (c).
- (xi) SW-846-8270D, Semivolatile Organic Compounds by Gas Chromatography/Mass Spectrometry (GC/MS), Revision 4, February 2007; IBR approved for §§ 63.1107(a); 63.11960; 63.11980; table 10 to subpart HHHHHHH.
- (xii) SW-846-8315A, Determination of Carbonyl Compounds by High Performance Liquid Chromatography (HPLC), Revision 1, December 1996; IBR approved for §§ 63.11960; 63.11980; table 10 to subpart HHHHHHH.
- (xiii) SW-846-5050, Bomb Preparation Method for Solid Waste, Revision 0, September 1994; IBR approved for table 6 to subpart DDDDD.
- (xiv) SW-846-6010C, Inductively Coupled Plasma-Atomic Emission Spectrometry, Revision 3, February 2007; IBR approved for table 6 to subpart DDDDD.
- (xv) SW-846-6020A, Inductively Coupled Plasma-Mass Spectrometry, Revision 1, February 2007; IBR approved for table 6 to subpart DDDDD.
- (xvi) SW-846-7060A, Arsenic (Atomic Absorption, Furnace Technique), Revision 1, September 1994; IBR approved for table 6 to subpart DDDDD.
- (xvii) SW-846-7740, Selenium (Atomic Absorption, Furnace Technique), Revision 0, September 1986; IBR approved for table 6 to subpart DDDDD.

- (xviii) SW-846-9056, Determination of Inorganic Anions by Ion Chromatography, Revision 1, February 2007; IBR approved for table 6 to subpart DDDDD.
- (xix) SW-846-9076, Test Method for Total Chlorine in New and Used Petroleum Products by Oxidative Combustion and Microcoulometry, Revision 0, September 1994; IBR approved for table 6 to subpart DDDDD.
- (xx) SW-846-9250, Chloride (Colorimetric, Automated Ferricyanide AAI), Revision 0, September 1986; IBR approved for table 6 to subpart DDDDD.

(11)-(30) [Reserved]

- (31) EPA/100/R-10/005, Recommended Toxicity Equivalence Factors (TEFs) for Human Health Risk Assessments of 2, 3, 7, 8-Tetrachlorodibenzo-p-dioxin and Dioxin-Like Compounds, December 2010; IBR approved for § 63.1459 and table 2 to subpart QQQ. (Available at <https://www.epa.gov/sites/default/files/2013-09/documents/tefs-for-dioxin-epa-00-r-10-005-final.pdf>.)
- (p) International Standards Organization (ISO), 1, ch. de la Voie-Creuse, Case postale 56, CH-1211 Geneva 20, Switzerland, + 41 22 749 01 11, <http://www.iso.org/iso/home.htm>.
 - (1) ISO 6978-1:2003(E), Natural Gas—Determination of Mercury—Part 1: Sampling of Mercury by Chemisorption on Iodine, First edition, October 15, 2003, IBR approved for table 6 to subpart DDDDD.
 - (2) ISO 6978-2:2003(E), Natural gas—Determination of Mercury—Part 2: Sampling of Mercury by Amalgamation on Gold/Platinum Alloy, First edition, October 15, 2003, IBR approved for table 6 to subpart DDDDD.
 - (3) ISO 16017-2:2003(E): Indoor, ambient and workplace air—sampling and analysis of volatile organic compounds by sorbent tube/thermal desorption/capillary gas chromatography—Part 2: Diffusive sampling, May 15, 2003, IBR approved for appendix A to this part: Method 325A and Method 325B.
- (q) National Council of the Paper Industry for Air and Stream Improvement, Inc. (NCASI), P.O. Box 133318, Research Triangle Park, NC 27709-3318 or at <http://www.ncasi.org>.
 - (1) NCASI Method DI/MEOH-94.03, Methanol in Process Liquids and Wastewaters by GC/FID, Issued May 2000, IBR approved for §§ 63.457 and 63.459.
 - (2) NCASI Method CI/WP-98.01, Chilled Impinger Method For Use At Wood Products Mills to Measure Formaldehyde, Methanol, and Phenol, 1998, Methods Manual, IBR approved for table 4 to subpart DDDD.
 - (3) NCASI Method DI/HAPS-99.01, Selected HAPs In Condensates by GC/FID, Issued February 2000, IBR approved for § 63.459(b).
 - (4) NCASI Method IM/CAN/WP-99.02, Impinger/Canister Source Sampling Method for Selected HAPs and Other Compounds at Wood Products Facilities, January 2004, Methods Manual, IBR approved for table 4 to subpart DDDD.
 - (5) NCASI Method ISS/FP A105.01, Impinger Source Sampling Method for Selected Aldehydes, Ketones, and Polar Compounds, December 2005, Methods Manual, IBR approved for table 4 to subpart DDDD and §§ 63.4751(i) and 63.4752(e).
- (r) National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, (703) 605-6000 or (800) 553-6847; or for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800.

- (1) Handbook 44, Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices 1998, IBR approved for § 63.1303(e).
- (2) "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846, Third Edition. (A suffix of "A" in the method number indicates revision one (the method has been revised once). A suffix of "B" in the method number indicates revision two (the method has been revised twice).
 - (i) Method 0023A, "Sampling Method for Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofuran Emissions from Stationary Sources," Revision 2, dated August 2018, IBR approved for § 63.1208(b).
 - (ii) Method 9071B, "n-Hexane Extractable Material (HEM) for Sludge, Sediment, and Solid Samples," dated April 1998, IBR approved for § 63.7824(e).
 - (iii) Method 9095A, "Paint Filter Liquids Test," dated December 1996, IBR approved for §§ 63.7700(b) and 63.7765.
 - (iv) Method 9095B, "Paint Filter Liquids Test," (revision 2), dated November 2004, IBR approved for the definition of "Free organic liquids" in §§ 63.10692, 63.10885(a), and the definition of "Free liquids" in § 63.10906.
 - (v) SW-846 74741B, Revision 2, "Mercury in Solid or Semisolid Waste (Manual Cold-Vapor Technique)," February 2007, IBR approved for § 63.11647(f).
- (3) National Institute of Occupational Safety and Health (NIOSH) test method compendium, "NIOSH Manual of Analytical Methods," NIOSH publication no. 94-113, Fourth Edition, August 15, 1994.
 - (i) NIOSH Method 2010, "Amines, Aliphatic," Issue 2, August 15, 1994, IBR approved for § 63.7732(g).
 - (ii) [Reserved]
- (s) North American Electric Reliability Corporation, 1325 G Street, NW., Suite 600, Washington, DC 20005-3801, <http://www.nerc.com>, http://www.nerc.com/files/EOP0002-3_1.pdf.
 - (1) North American Electric Reliability Corporation Reliability Standard EOP-002-3, Capacity and Energy Emergencies, adopted August 5, 2010, IBR approved for § 63.6640(f).
 - (2) [Reserved]
- (t) Technical Association of the Pulp and Paper Industry (TAPPI), 15 Technology Parkway South, Norcross, GA 30092, (800) 332-8686, <http://www.tappi.org>.
 - (1) TAPPI T 266, Determination of Sodium, Calcium, Copper, Iron, and Manganese in Pulp and Paper by Atomic Absorption Spectroscopy (Reaffirmation of T 266 om-02), Draft No. 2, July 2006, IBR approved for table 6 to subpart DDDDD.
 - (2) [Reserved]
- (u) Texas Commission on Environmental Quality (TCEQ) Library, Post Office Box 13087, Austin, Texas 78711-3087; phone: (512) 239-0028; email: info@www.tceq.texas.gov; website: www.tceq.texas.gov.

- (1) "Air Stripping Method (Modified El Paso Method) for Determination of Volatile Organic Compound Emissions from Water Sources," Revision Number One, dated January 2003, Sampling Procedures Manual, Appendix P: Cooling Tower Monitoring, January 31, 2003; IBR approved for §§ 63.104(f) and (g); 63.654(c) and (g); 63.655(i); 63.1086(e); 63.1089; 63.2490(d); 63.2525(r); 63.11920. (Available from: www.tceq.texas.gov/downloads/compliance/investigations/assistance/samplingappp.pdf).
- (2) [Reserved]

[79 FR 11277, Feb. 27, 2014]

Editorial Note: For FEDERAL REGISTER citations affecting § 63.14, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 63.15 Availability of information and confidentiality.

(a) *Availability of information.*

- (1) With the exception of information protected through part 2 of this chapter, all reports, records, and other information collected by the Administrator under this part are available to the public. In addition, a copy of each permit application, compliance plan (including the schedule of compliance), notification of compliance status, excess emissions and continuous monitoring systems performance report, and title V permit is available to the public, consistent with protections recognized in section 503(e) of the Act.
- (2) The availability to the public of information provided to or otherwise obtained by the Administrator under this part shall be governed by part 2 of this chapter.

(b) *Confidentiality.*

- (1) If an owner or operator is required to submit information entitled to protection from disclosure under section 114(c) of the Act, the owner or operator may submit such information separately. The requirements of section 114(c) shall apply to such information.
- (2) The contents of a title V permit shall not be entitled to protection under section 114(c) of the Act; however, information submitted as part of an application for a title V permit may be entitled to protection from disclosure.

§ 63.16 Performance Track Provisions.

- (a) Notwithstanding any other requirements in this part, an affected source at any major source or any area source at a Performance Track member facility, which is subject to regular periodic reporting under any subpart of this part, may submit such periodic reports at an interval that is twice the length of the regular period specified in the applicable subparts; provided, that for sources subject to permits under 40 CFR part 70 or 71 no interval so calculated for any report of the results of any required monitoring may be less frequent than once in every six months.
- (b) Notwithstanding any other requirements in this part, the modifications of reporting requirements in paragraph (c) of this section apply to any major source at a Performance Track member facility which is subject to requirements under any of the subparts of this part and which has:
 - (1) Reduced its total HAP emissions to less than 25 tons per year;
 - (2) Reduced its emissions of each individual HAP to less than 10 tons per year; and

- (3) Reduced emissions of all HAPs covered by each MACT standard to at least the level required for full compliance with the applicable emission standard.
- (c) For affected sources at any area source at a Performance Track member facility and which meet the requirements of paragraph (b)(3) of this section, or for affected sources at any major source that meet the requirements of paragraph (b) of this section:
 - (1) If the emission standard to which the affected source is subject is based on add-on control technology, and the affected source complies by using add-on control technology, then all required reporting elements in the periodic report may be met through an annual certification that the affected source is meeting the emission standard by continuing to use that control technology. The affected source must continue to meet all relevant monitoring and recordkeeping requirements. The compliance certification must meet the requirements delineated in Clean Air Act section 114(a)(3).
 - (2) If the emission standard to which the affected source is subject is based on add-on control technology, and the affected source complies by using pollution prevention, then all required reporting elements in the periodic report may be met through an annual certification that the affected source is continuing to use pollution prevention to reduce HAP emissions to levels at or below those required by the applicable emission standard. The affected source must maintain records of all calculations that demonstrate the level of HAP emissions required by the emission standard as well as the level of HAP emissions achieved by the affected source. The affected source must continue to meet all relevant monitoring and recordkeeping requirements. The compliance certification must meet the requirements delineated in Clean Air Act section 114(a)(3).
 - (3) If the emission standard to which the affected source is subject is based on pollution prevention, and the affected source complies by using pollution prevention and reduces emissions by an additional 50 percent or greater than required by the applicable emission standard, then all required reporting elements in the periodic report may be met through an annual certification that the affected source is continuing to use pollution prevention to reduce HAP emissions by an additional 50 percent or greater than required by the applicable emission standard. The affected source must maintain records of all calculations that demonstrate the level of HAP emissions required by the emission standard as well as the level of HAP emissions achieved by the affected source. The affected source must continue to meet all relevant monitoring and recordkeeping requirements. The compliance certification must meet the requirements delineated in Clean Air Act section 114(a)(3).
 - (4) Notwithstanding the provisions of paragraphs (c)(1) through (3), of this section, for sources subject to permits under 40 CFR part 70 or 71, the results of any required monitoring and recordkeeping must be reported not less frequently than once in every six months.

[69 FR 21753, Apr. 22, 2004]

Table 1 to Subpart A of Part 63—Detection Sensitivity Levels (grams per hour)

Monitoring frequency per subpart ^a	Detection sensitivity level
Bi-Monthly	60
Semi-Quarterly	85
Monthly	100

^a When this alternative work practice is used to identify leaking equipment, the owner or operator must choose one of the monitoring frequencies listed in this table, in lieu of the monitoring frequency specified in the applicable subpart. Bi-monthly means every other month. Semi-quarterly means twice per quarter. Monthly means once per month.

[73 FR 78213, Dec. 22, 2008]

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

Title 40 —Protection of Environment

Chapter I —Environmental Protection Agency

Subchapter C —Air Programs

Part 63 —National Emission Standards for Hazardous Air Pollutants for Source Categories

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

Source: 57 FR 61992, Dec. 29, 1992, unless otherwise noted.

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

What This Subpart Covers

- § 63.6580 What is the purpose of subpart ZZZZ?
- § 63.6585 Am I subject to this subpart?
- § 63.6590 What parts of my plant does this subpart cover?
- § 63.6595 When do I have to comply with this subpart?

Emission and Operating Limitations

- § 63.6600 What emission limitations and operating limitations must I meet if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?
- § 63.6601 What emission limitations must I meet if I own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than or equal to 500 brake HP located at a major source of HAP emissions?
- § 63.6602 What emission limitations and other requirements must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?
- § 63.6603 What emission limitations, operating limitations, and other requirements must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?
- § 63.6604 What fuel requirements must I meet if I own or operate a stationary CI RICE?

General Compliance Requirements

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

Testing and Initial Compliance Requirements

- § 63.6610 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?
- § 63.6611 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a new or reconstructed 4SLB SI stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions?

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

§ 63.6615 When must I conduct subsequent performance tests?

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

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

§ 63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?

Continuous Compliance Requirements

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

§ 63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?

Notifications, Reports, and Records

§ 63.6645 What notifications must I submit and when?

§ 63.6650 What reports must I submit and when?

§ 63.6655 What records must I keep?

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

Other Requirements and Information

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

§ 63.6670 Who implements and enforces this subpart?

§ 63.6675 What definitions apply to this subpart?

Table 1a to Subpart ZZZZ of Part 63

Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

Table 1b to Subpart ZZZZ of Part 63

Operating Limitations for Existing, New, and Reconstructed SI 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

Table 2a to Subpart ZZZZ of Part 63

Emission Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and New and Reconstructed 4SLB Stationary RICE $\geq$ 250 HP Located at a Major Source of HAP Emissions

Table 2b to Subpart ZZZZ of Part 63

Operating Limitations for New and Reconstructed 2SLB and CI

Stationary RICE >500 HP Located at a Major Source of HAP
Emissions, New and Reconstructed 4SLB Stationary RICE $\geq$ 250
HP Located at a Major Source of HAP Emissions, Existing CI
Stationary RICE >500 HP

Table 2c to Subpart ZZZZ of Part 63

Requirements for Existing Compression Ignition Stationary
RICE Located at a Major Source of HAP Emissions and Existing
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Source of HAP Emissions

Table 2d to Subpart ZZZZ of Part 63

Requirements for Existing Stationary RICE Located at Area
Sources of HAP Emissions

Table 3 to Subpart ZZZZ of Part 63

Subsequent Performance Tests

Table 4 to Subpart ZZZZ of Part 63

Requirements for Performance Tests

Table 5 to Subpart ZZZZ of Part 63

Initial Compliance With Emission Limitations, Operating
Limitations, and Other Requirements

Table 6 to Subpart ZZZZ of Part 63

Continuous Compliance With Emission Limitations, and Other
Requirements

Table 7 to Subpart ZZZZ of Part 63

Requirements for Reports

Table 8 to Subpart ZZZZ of Part 63

Applicability of General Provisions to Subpart ZZZZ

Appendix A to Subpart ZZZZ of Part 63

Protocol for Using an Electrochemical Analyzer to Determine
Oxygen and Carbon Monoxide Concentrations From Certain
Engines

**Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary
Reciprocating Internal Combustion Engines**

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

WHAT THIS SUBPART COVERS

§ 63.6580 What is the purpose of subpart ZZZZ?

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

[73 FR 3603, Jan. 18, 2008]

§ 63.6585 Am I subject to this subpart?

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

- (a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.
- (b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.
- (c) An area source of HAP emissions is a source that is not a major source.
- (d) If you are an owner or operator of an area source subject to this subpart, your status as an entity subject to a standard or other requirements under this subpart does not subject you to the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.
- (e) If you are an owner or operator of a stationary RICE used for national security purposes, you may be eligible to request an exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C.
- (f) The emergency stationary RICE listed in paragraphs (f)(1) through (3) of this section are not subject to this subpart. The stationary RICE must meet the definition of an emergency stationary RICE in § 63.6675, which includes operating according to the provisions specified in § 63.6640(f).
 - (1) Existing residential emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).
 - (2) Existing commercial emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).
 - (3) Existing institutional emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

[69 FR 33506, June 15, 2004, as amended at 73 FR 3603, Jan. 18, 2008; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

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

This subpart applies to each affected source.

- (a) **Affected source.** An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.
 - (1) **Existing stationary RICE.**
 - (i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.
 - (ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.
 - (iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.
 - (iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.
 - (2) **New stationary RICE.**
 - (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.
 - (ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.
 - (iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.
 - (3) **Reconstructed stationary RICE.**
 - (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after December 19, 2002.
 - (ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.
 - (iii) A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.
- (b) **Stationary RICE subject to limited requirements.**

- (1) An affected source which meets either of the criteria in paragraphs (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of § 63.6645(f).
 - (i) The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
 - (ii) The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
- (2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of § 63.6645(f) and the requirements of §§ 63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.
- (3) The following stationary RICE do not have to meet the requirements of this subpart and of subpart A of this part, including initial notification requirements:
 - (i) Existing spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;
 - (ii) Existing spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;
 - (iii) Existing emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
 - (iv) Existing limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;
 - (v) Existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(c) **Stationary RICE subject to Regulations under 40 CFR Part 60.** An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

- (1) A new or reconstructed stationary RICE located at an area source;
- (2) A new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;
- (3) A new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake HP located at a major source of HAP emissions;
- (4) A new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;
- (5) A new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

- (6) A new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;
- (7) A new or reconstructed compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010; 75 FR 51588, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

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

(a) Affected sources.

- (1) If you have an existing stationary RICE, excluding existing non-emergency CI stationary RICE, with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations, operating limitations and other requirements no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013. If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than October 19, 2013.
- (2) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart no later than August 16, 2004.
- (3) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.
- (4) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.
- (5) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.
- (6) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

- (7) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.
- (b) **Area sources that become major sources.** If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, the compliance dates in paragraphs (b)(1) and (2) of this section apply to you.
 - (1) Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source.
 - (2) Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.
- (c) If you own or operate an affected source, you must meet the applicable notification requirements in § 63.6645 and in 40 CFR part 63, subpart A.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 78 FR 6701, Jan. 30, 2013]

EMISSION AND OPERATING LIMITATIONS

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

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

- (a) If you own or operate an existing, new, or reconstructed spark ignition 4SRB stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 1a to this subpart and the operating limitations in Table 1b to this subpart which apply to you.
- (b) If you own or operate a new or reconstructed 2SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, a new or reconstructed 4SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, or a new or reconstructed CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.
- (c) If you own or operate any of the following stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the emission limitations in Tables 1a, 2a, 2c, and 2d to this subpart or operating limitations in Tables 1b and 2b to this subpart: an

existing 2SLB stationary RICE; an existing 4SLB stationary RICE; a stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis; an emergency stationary RICE; or a limited use stationary RICE.

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

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

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

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

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010]

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

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

[78 FR 6701, Jan. 30, 2013]

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

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

- (a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart that apply to you.
- (b) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meets either paragraph (b)(1) or (2) of this section, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. Existing stationary

non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meet either paragraph (b)(1) or (2) of this section must meet the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart.

- (1) The area source is located in an area of Alaska that is not accessible by the Federal Aid Highway System (FAHS).
- (2) The stationary RICE is located at an area source that meets paragraphs (b)(2)(i), (ii), and (iii) of this section.
 - (i) The only connection to the FAHS is through the Alaska Marine Highway System (AMHS), or the stationary RICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.
 - (ii) At least 10 percent of the power generated by the stationary RICE on an annual basis is used for residential purposes.
 - (iii) The generating capacity of the area source is less than 12 megawatts, or the stationary RICE is used exclusively for backup power for renewable energy.
- (c) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located on an offshore vessel that is an area source of HAP and is a nonroad vehicle that is an Outer Continental Shelf (OCS) source as defined in 40 CFR 55.2, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. You must meet all of the following management practices:
 - (1) Change oil every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first. Sources have the option to utilize an oil analysis program as described in § 63.6625(i) in order to extend the specified oil change requirement.
 - (2) Inspect and clean air filters every 750 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.
 - (3) Inspect fuel filters and belts, if installed, every 750 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.
 - (4) Inspect all flexible hoses every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.
- (d) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and that is subject to an enforceable state or local standard that requires the engine to be replaced no later than June 1, 2018, you may until January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018, choose to comply with the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart instead of the applicable emission limitations in Table 2d, operating limitations in Table 2b, and crankcase ventilation system requirements in § 63.6625(g). You must comply with the emission limitations in Table 2d and operating limitations in Table 2b that apply for non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than

June 1, 2018. You must also comply with the crankcase ventilation system requirements in § 63.6625(g) by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018.

- (e) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 3 (Tier 2 for engines above 560 kilowatt (kW)) emission standards in Table 1 of 40 CFR 89.112, you may comply with the requirements under this part by meeting the requirements for Tier 3 engines (Tier 2 for engines above 560 kW) in 40 CFR part 60 subpart IIII instead of the emission limitations and other requirements that would otherwise apply under this part for existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions.
- (f) An existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP must meet the definition of remote stationary RICE in § 63.6675 on the initial compliance date for the engine, October 19, 2013, in order to be considered a remote stationary RICE under this subpart. Owners and operators of existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that meet the definition of remote stationary RICE in § 63.6675 of this subpart as of October 19, 2013 must evaluate the status of their stationary RICE every 12 months. Owners and operators must keep records of the initial and annual evaluation of the status of the engine. If the evaluation indicates that the stationary RICE no longer meets the definition of remote stationary RICE in § 63.6675 of this subpart, the owner or operator must comply with all of the requirements for existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that are not remote stationary RICE within 1 year of the evaluation.

[75 FR 9675, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6701, Jan. 30, 2013; 89 FR 70515, Aug. 30, 2024]

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

- (a) If you own or operate an existing non-emergency, non-black start CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel.
- (b) Beginning January 1, 2015, if you own or operate an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates for the purpose specified in § 63.6640(f)(4)(ii), you must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.
- (c) [Reserved]
- (d) Existing CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2), or are on offshore vessels that meet § 63.6603(c) are exempt from the requirements of this section.

[78 FR 6702, Jan. 30, 2013, as amended at 85 FR 78463, Dec. 4, 2020; 87 FR 48607, Aug. 10, 2022]

GENERAL COMPLIANCE REQUIREMENTS

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

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

[75 FR 9675, Mar. 3, 2010, as amended at 78 FR 6702, Jan. 30, 2013]

TESTING AND INITIAL COMPLIANCE REQUIREMENTS

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

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

- (a) You must conduct the initial performance test or other initial compliance demonstrations in Table 4 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).
- (b) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must demonstrate initial compliance with either the proposed emission limitations or the promulgated emission limitations no later than February 10, 2005 or no later than 180 days after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).
- (c) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, and you chose to comply with the proposed emission limitations when demonstrating initial compliance, you must conduct a second performance test to demonstrate compliance with the promulgated emission limitations by December 13, 2007 or after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).
- (d) An owner or operator is not required to conduct an initial performance test on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (d)(1) through (5) of this section.
 - (1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.
 - (2) The test must not be older than 2 years.

- (3) The test must be reviewed and accepted by the Administrator.
- (4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.
- (5) The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

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

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

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

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 51589, Aug. 20, 2010]

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

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

- (a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).
- (b) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) of this section.
 - (1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.
 - (2) The test must not be older than 2 years.
 - (3) The test must be reviewed and accepted by the Administrator.
 - (4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

[75 FR 9676, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010]

§ 63.6615 When must I conduct subsequent performance tests?

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

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

- (a) You must conduct each performance test in Tables 3 and 4 of this subpart that applies to you.
- (b) Each performance test must be conducted according to the requirements that this subpart specifies in Table 4 to this subpart. If you own or operate a non-operational stationary RICE that is subject to performance testing, you do not need to start up the engine solely to conduct the performance test. Owners and operators of a non-operational engine can conduct the performance test when the engine is started up again. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load for the stationary RICE listed in paragraphs (b)(1) through (4) of this section.
 - (1) Non-emergency 4SRB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.
 - (2) New non-emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP located at a major source of HAP emissions.
 - (3) New non-emergency 2SLB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.
 - (4) New non-emergency CI stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.
- (c) [Reserved]
- (d) You must conduct three separate test runs for each performance test required in this section, as specified in § 63.7(e)(3). Each test run must last at least 1 hour, unless otherwise specified in this subpart.
- (e)
 - (1) You must use Equation 1 of this section to determine compliance with the percent reduction requirement:

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

Where:

C_i = concentration of carbon monoxide (CO), total hydrocarbons (THC), or formaldehyde at the control device inlet,

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

R = percent reduction of CO, THC, or formaldehyde emissions.

- (2) You must normalize the CO, THC, or formaldehyde concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide (CO₂). If pollutant concentrations are to be corrected to 15 percent oxygen and CO₂ concentration is measured in lieu of oxygen concentration measurement, a CO₂ correction factor is needed. Calculate the CO₂ correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.

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

$$F_O = \frac{0.209 F_d}{F_C} \quad (Eq. 2)$$

Where:

F_O = Fuel factor based on the ratio of oxygen volume to the ultimate CO₂ volume produced by the fuel at zero percent excess air.

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

F_d = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm³/J (dscf/10⁶ Btu).

F_C = Ratio of the volume of CO₂ produced to the gross calorific value of the fuel from Method 19, dsm³/J (dscf/10⁶ Btu)

- (ii) Calculate the CO₂ correction factor for correcting measurement data to 15 percent O₂, as follows:

$$X_{CO2} = \frac{5.9}{F_O} \quad (Eq. 3)$$

Where:

X_{CO2} = CO₂ correction factor, percent.

5.9 = 20.9 percent O₂—15 percent O₂, the defined O₂ correction value, percent.

- (iii) Calculate the CO, THC, and formaldehyde gas concentrations adjusted to 15 percent O₂ using CO₂ as follows:

$$C_{adj} = C_d \frac{X_{CO2}}{\%CO_2} \quad (Eq. 4)$$

Where:

C_{adj} = Calculated concentration of CO, THC, or formaldehyde adjusted to 15 percent O₂.

C_d = Measured concentration of CO, THC, or formaldehyde, uncorrected.

X_{CO_2} = CO₂ correction factor, percent.

%CO₂ = Measured CO₂ concentration measured, dry basis, percent.

- (f) If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitation to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or NSCR, you must petition the Administrator for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Administrator.
- (g) If you petition the Administrator for approval of operating limitations, your petition must include the information described in paragraphs (g)(1) through (5) of this section.
 - (1) Identification of the specific parameters you propose to use as operating limitations;
 - (2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters, and how limitations on these parameters will serve to limit HAP emissions;
 - (3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;
 - (4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and
 - (5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.
- (h) If you petition the Administrator for approval of no operating limitations, your petition must include the information described in paragraphs (h)(1) through (7) of this section.
 - (1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally (e.g., operator adjustment, automatic controller adjustment, etc.) or unintentionally (e.g., wear and tear, error, etc.) on a routine basis or over time;
 - (2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;
 - (3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;
 - (4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;
 - (5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;
 - (6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

- (7) A discussion of why, from your point of view, it is infeasible or unreasonable to adopt the parameters as operating limitations.
- (i) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided.
- (j) Beginning on February 26, 2025, within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test following the procedure specified in § 63.9(k). Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test must be included as an attachment in the ERT or alternate electronic file.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9676, Mar. 3, 2010; 78 FR 6702, Jan. 30, 2013; 89 FR 70516, Aug. 30, 2024]

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

- (a) If you elect to install a CEMS as specified in Table 5 of this subpart, you must install, operate, and maintain a CEMS to monitor CO and either O₂ or CO₂ according to the requirements in paragraphs (a)(1) through (4) of this section. If you are meeting a requirement to reduce CO emissions, the CEMS must be installed at both the inlet and outlet of the control device. If you are meeting a requirement to limit the concentration of CO, the CEMS must be installed at the outlet of the control device.
 - (1) Each CEMS must be installed, operated, and maintained according to the applicable performance specifications of 40 CFR part 60, appendix B.
 - (2) You must conduct an initial performance evaluation and an annual relative accuracy test audit (RATA) of each CEMS according to the requirements in § 63.8 and according to the applicable performance specifications of 40 CFR part 60, appendix B as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.
 - (3) As specified in § 63.8(c)(4)(ii), each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. You must have at least two data points, with each representing a different 15-minute period, to have a valid hour of data.
 - (4) The CEMS data must be reduced as specified in § 63.8(g)(2) and recorded in parts per million or parts per billion (as appropriate for the applicable limitation) at 15 percent oxygen or the equivalent CO₂ concentration.

- (5) Beginning on February 26, 2025, within 60 days after the date of completing each continuous emissions monitoring system (CEMS) performance evaluation (as defined in § 63.2) that includes a relative accuracy test audit (RATA), you must submit the results of the performance evaluation following the procedures specified in § 63.9(k). The results of performance evaluations of CEMS measuring RATA pollutants that are supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the XML schema listed on the EPA's ERT website. The results of performance evaluations of CEMS measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be included as an attachment in the ERT or alternate electronic file.
- (b) If you are required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of this subpart, you must install, operate, and maintain each CPMS according to the requirements in paragraphs (b)(1) through (6) of this section. For an affected source that is complying with the emission limitations and operating limitations on March 9, 2011, the requirements in paragraph (b) of this section are applicable September 6, 2011.
 - (1) You must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of this section and in § 63.8(d). As specified in § 63.8(f)(4), you may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs (b)(1) through (5) of this section in your site-specific monitoring plan.
 - (i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;
 - (ii) Sampling interface (e.g., thermocouple) location such that the monitoring system will provide representative measurements;
 - (iii) Equipment performance evaluations, system accuracy audits, or other audit procedures;
 - (iv) Ongoing operation and maintenance procedures in accordance with provisions in § 63.8(c)(1)(ii) and (c)(3); and
 - (v) Ongoing reporting and recordkeeping procedures in accordance with provisions in § 63.10(c), (e)(1), and (e)(2)(i).
 - (2) You must install, operate, and maintain each CPMS in continuous operation according to the procedures in your site-specific monitoring plan.
 - (3) The CPMS must collect data at least once every 15 minutes (see also § 63.6635).
 - (4) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.
 - (5) You must conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in your site-specific monitoring plan at least annually.
 - (6) You must conduct a performance evaluation of each CPMS in accordance with your site-specific monitoring plan.

- (c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your stationary RICE in a manner which reasonably minimizes HAP emissions.
- (d) If you are operating a new or reconstructed emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must install a non-resettable hour meter prior to the startup of the engine.
- (e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:
 - (1) An existing stationary RICE with a site rating of less than 100 HP located at a major source of HAP emissions;
 - (2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions;
 - (3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;
 - (4) An existing non-emergency, non-black start stationary CI RICE with a site rating less than or equal to 300 HP located at an area source of HAP emissions;
 - (5) An existing non-emergency, non-black start 2SLB stationary RICE located at an area source of HAP emissions;
 - (6) An existing non-emergency, non-black start stationary RICE located at an area source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.
 - (7) An existing non-emergency, non-black start 4SLB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;
 - (8) An existing non-emergency, non-black start 4SRB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;
 - (9) An existing, non-emergency, non-black start 4SLB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and
 - (10) An existing, non-emergency, non-black start 4SRB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year.
- (f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.
- (g) If you own or operate an existing non-emergency, non-black start CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (2) of this section. Owners and operators must follow the manufacturer's

specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2) do not have to meet the requirements of this paragraph (g). Existing CI engines located on offshore vessels that meet § 63.6603(c) do not have to meet the requirements of this paragraph (g).

- (1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or
 - (2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates and metals.
- (h) If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.
- (i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of table 2c to this subpart or in items 1 or 4 of table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil and filter change requirement in tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil and filter in table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil and filter within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil and filter changes for the engine. The analysis program must be part of the maintenance plan for the engine.
- (j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of table 2c to this subpart or in items 5, 6, 7, 8, 10, 11, or 13 of table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil and filter change requirement in tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil and filter in table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil and filter within 2 business days or before

commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil and filter changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6703, Jan. 30, 2013; 89 FR 70516, Aug. 30, 2024]

§ 63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?

- (a) You must demonstrate initial compliance with each emission limitation, operating limitation, and other requirement that applies to you according to Table 5 of this subpart.
- (b) During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of this subpart that applies to you.
- (c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in § 63.6645.
- (d) Non-emergency 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more can demonstrate initial compliance with the formaldehyde emission limit by testing for THC instead of formaldehyde. The testing must be conducted according to the requirements in Table 4 of this subpart. The average reduction of emissions of THC determined from the performance test must be equal to or greater than 30 percent.
- (e) The initial compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:
 - (1) The compliance demonstration must consist of at least three test runs.
 - (2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.
 - (3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.
 - (4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.
 - (5) You must measure O₂ using one of the O₂ measurement methods specified in Table 4 of this subpart. Measurements to determine O₂ concentration must be made at the same time as the measurements for CO or THC concentration.
 - (6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O₂ emissions simultaneously at the inlet and outlet of the control device.

[69 FR 33506, June 15, 2004, as amended at 78 FR 6704, Jan. 30, 2013]

CONTINUOUS COMPLIANCE REQUIREMENTS

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

- (a) If you must comply with emission and operating limitations, you must monitor and collect data according to this section.
- (b) Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, you must monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
- (c) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods.

[69 FR 33506, June 15, 2004, as amended at 76 FR 12867, Mar. 9, 2011]

§ 63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?

- (a) You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.
- (b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in § 63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.
- (c) The annual compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:
 - (1) The compliance demonstration must consist of at least one test run.
 - (2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.
 - (3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.
 - (4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

- (5) You must measure O₂ using one of the O₂ measurement methods specified in Table 4 of this subpart. Measurements to determine O₂ concentration must be made at the same time as the measurements for CO or THC concentration.
 - (6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O₂ emissions simultaneously at the inlet and outlet of the control device.
 - (7) If the results of the annual compliance demonstration show that the emissions exceed the levels specified in Table 6 of this subpart, the stationary RICE must be shut down as soon as safely possible, and appropriate corrective action must be taken (e.g., repairs, catalyst cleaning, catalyst replacement). The stationary RICE must be retested within 7 days of being restarted and the emissions must meet the levels specified in Table 6 of this subpart. If the retest shows that the emissions continue to exceed the specified levels, the stationary RICE must again be shut down as soon as safely possible, and the stationary RICE may not operate, except for purposes of startup and testing, until the owner/operator demonstrates through testing that the emissions do not exceed the levels specified in Table 6 of this subpart.
- (d) For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations. Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR 94.11(a).
- (e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.
- (f) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.
- (1) There is no time limit on the use of emergency stationary RICE in emergency situations.

- (2) You may operate your emergency stationary RICE for the purpose specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).
 - (i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.
 - (ii)-(iii) [Reserved]
- (3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.
- (4) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. Except as provided in paragraphs (f)(4)(i) and (ii) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.
 - (i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system.
 - (ii) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:
 - (A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.
 - (B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.
 - (C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

- (D) The power is provided only to the facility itself or to support the local transmission and distribution system.
- (E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6704, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

NOTIFICATIONS, REPORTS, AND RECORDS

§ 63.6645 What notifications must I submit and when?

- (a) You must submit all of the notifications in §§ 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following:
 - (1) An existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.
 - (2) An existing stationary RICE located at an area source of HAP emissions.
 - (3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
 - (4) A new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 HP located at a major source of HAP emissions.
 - (5) This requirement does not apply if you own or operate an existing stationary RICE less than 100 HP, an existing stationary emergency RICE, or an existing stationary RICE that is not subject to any numerical emission standards.
- (b) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart, you must submit an initial notification not later than December 13, 2004, or no later than 120 days after the source becomes subject to this subpart, whichever is later. Beginning on February 26, 2025, submit the notification electronically in portable document format (PDF) consistent with § 63.9(k).
- (c) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions on or after August 16, 2004, you must submit an initial notification not later than 120 days after you become subject to this subpart. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).
- (d) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart and you are required to submit an initial notification, you must submit an initial notification not later than July 16, 2008, or no later than 120 days after the source becomes subject to this subpart, whichever is later. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).

- (e) If you start up your new or reconstructed stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions on or after March 18, 2008, and you are required to submit an initial notification, you must submit an initial notification not later than 120 days after you become subject to this subpart. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).
- (f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with § 63.6590(b), your notification should include the information in § 63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions).
- (g) If you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in § 63.7(b)(1).
- (h) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to this subpart, you must submit a Notification of Compliance Status according to § 63.9(h)(2)(ii).
 - (1) For each initial compliance demonstration required in Table 5 to this subpart that does not include a performance test, you must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration.
 - (2) Before February 26, 2025, for each initial compliance demonstration required in table 5 to this subpart that includes a performance test conducted according to the requirements in table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to § 63.10(d)(2). Beginning on February 26, 2025, for each initial compliance demonstration required in table 5 to this subpart that includes a performance test conducted according to the requirements in table 3 to this subpart, you must submit the Notification of Compliance Status, including a summary of the performance test results, in PDF to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), before the close of business on the 60th day following the completion of the performance test following the procedure specified in § 63.9(k), except any Confidential Business Information (CBI) is to be submitted according to paragraphs (h)(2)(i) and (ii) of this section. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report, you must submit a complete file, including information claimed to be CBI, to the EPA following the procedures in paragraphs (h)(2)(i) and (ii) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (h)(2).

- (i) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described in paragraph (h)(2) of this section, should include clear CBI markings and be flagged to the attention of the Reciprocating Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link.
 - (ii) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711, Attention Reciprocating Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.
- (i) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and subject to an enforceable state or local standard requiring engine replacement and you intend to meet management practices rather than emission limits, as specified in § 63.6603(d), you must submit a notification by March 3, 2013, stating that you intend to use the provision in § 63.6603(d) and identifying the state or local regulation that the engine is subject to.

[73 FR 3606, Jan. 18, 2008, as amended at 75 FR 9677, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6705, Jan. 30, 2013; 85 FR 73912, Nov. 19, 2020; 89 FR 70516, Aug. 30, 2024]

§ 63.6650 What reports must I submit and when?

- (a) You must submit each report in Table 7 of this subpart that applies to you.
- (b) Unless the Administrator has approved a different schedule for submission of reports under § 63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.
 - (1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in § 63.6595.
 - (2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in § 63.6595.
 - (3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.
 - (4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

- (5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (b)(4) of this section.
- (6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on December 31.
- (7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in § 63.6595.
- (8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.
- (9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.
- (c) The Compliance report must contain the information in paragraphs (c)(1) through (8) of this section.
 - (1) Company name and address.
 - (2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.
 - (3) Date of report and beginning and ending dates of the reporting period.
 - (4) If you had a malfunction during the reporting period, the compliance report must include the starting and ending date and time, the duration (in hours), and a brief description for each malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with § 63.6605(b), including actions taken to correct a malfunction.
 - (5) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.
 - (6) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.
 - (7) Engine site rating in brake HP, year construction of the engine commenced (as defined in § 63.2, where the exact year is not known, provide the best estimate), and type of engine (CI, SI 2SLB, SI 4SLB, or SI 4SRB).
 - (8) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
 - (9) An engine can be claimed as exempt from reporting coordinates (latitude/longitude) via CEDRI if:
 - (i) During the reporting period, the engine will be owned by, or operated by or for, an agency of the Federal Government responsible for national defense; and
 - (ii) The agency determines that disclosing the coordinates to the general public would be a threat to national security.

- (d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (8) of this section and the information in paragraphs (d)(1) and (2) of this section.
 - (1) The total operating time (in hours) of the stationary RICE at which the deviation occurred during the reporting period.
 - (2) Information on the number, duration (in hours), and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.
 - (3) A description of any changes in processes, or controls since the last reporting period.
- (e) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in this subpart, you must include information in paragraphs (c)(1) through (8) and (e)(1) through (13) of this section.
 - (1) The date and time that each malfunction started and stopped.
 - (2) The start and end date and time and the duration (in hours) that each CMS was inoperative, except for zero (low-level) and high-level checks.
 - (3) The start and end date and time and the duration (in hours) that each CMS was out-of-control, including the information in § 63.8(c)(8).
 - (4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period.
 - (5) A summary of the total duration (in hours) of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.
 - (6) A breakdown of the total duration (in hours) of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.
 - (7) A summary of the total duration (in hours) of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.
 - (8) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.
 - (9) [Reserved]
 - (10) A brief description of the CMS.
 - (11) The date of the latest CMS certification or audit.
 - (12) A description of any changes in CMS, processes, or controls since the last reporting period.
 - (13) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.
- (f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant

to table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. Beginning on February 26, 2025, the semiannual and annual compliance report required in table 7 of this subpart must be submitted according to paragraph (i) of this section. Only those elements required under this subpart are required to be submitted according to paragraph (i) of this section.

- (g) If you are operating as a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must submit an annual report according to Table 7 of this subpart by the date specified unless the Administrator has approved a different schedule, according to the information described in paragraphs (b)(1) through (b)(5) of this section. You must report the data specified in (g)(1) through (g)(3) of this section.
 - (1) Fuel flow rate of each fuel and the heating values that were used in your calculations. You must also demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10 percent or more of the total fuel consumption on an annual basis.
 - (2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.
 - (3) Any problems or errors suspected with the meters.
- (h) If you own or operate an emergency stationary RICE with a site rating of more than 100 brake HP that operates for the purpose specified in § 63.6640(f)(4)(ii), you must submit an annual report according to the requirements in paragraphs (h)(1) through (3) of this section.
 - (1) The report must contain the following information:
 - (i) Company name and address where the engine is located.
 - (ii) Date of the report and beginning and ending dates of the reporting period.
 - (iii) Engine site rating in brake HP, year construction of the engine commenced (as defined in § 63.2, where the exact year is not known, provide the best estimate), and type of engine (CI, SI 2SLB, SI 4SLB, or SI 4SRB).
 - (iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
 - (v)-(vi) [Reserved]
 - (vii) Hours spent for operation for the purpose specified in § 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in § 63.6640(f)(4)(ii). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.
 - (viii) If there were no deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.

- (ix) If there were deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), information on the number, duration (in hours), and cause of deviations, and the corrective action taken.
- (2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.
- (3) Before February 26, 2025, the annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 63.13. Beginning on February 26, 2025, the annual report must be submitted according to paragraph (i) of this section.
- (i) Beginning on February 26, 2025 for the annual report specified in § 63.6650(h) and February 26, 2025 or one year after the report becomes available in CEDRI, whichever is later for all other semiannual or annual reports, submit all semiannual and annual subsequent compliance reports using the appropriate electronic report template on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/cedri>) for this subpart and following the procedure specified in § 63.9(k), except any CBI must be submitted according to the procedures in § 63.6645(h). The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010; 78 FR 6705, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70517, Aug. 30, 2024]

§ 63.6655 What records must I keep?

- (a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.
 - (1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in § 63.10(b)(2)(xiv).
 - (2) Records of the occurrence and duration (in hours) of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.
 - (3) Records of performance tests and performance evaluations as required in § 63.10(b)(2)(viii).
 - (4) Records of all required maintenance performed on the air pollution control and monitoring equipment.
 - (5) Records of actions taken during periods of malfunction to minimize emissions in accordance with § 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
- (b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.
 - (1) Records described in § 63.10(b)(2)(vi) through (xi).

- (2) Previous (i.e., superseded) versions of the performance evaluation plan as required in § 63.8(d)(3).
- (3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in § 63.8(f)(6)(i), if applicable.
- (c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.
- (d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.
- (e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;
 - (1) An existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.
 - (2) An existing stationary emergency RICE.
 - (3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.
- (f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purpose specified in § 63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.
 - (1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.
 - (2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 78 FR 6706, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70518, Aug. 30, 2024]

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

- (a) Your records must be in a form suitable and readily available for expeditious review according to § 63.10(b)(1).
- (b) As specified in § 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
- (c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1).

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

OTHER REQUIREMENTS AND INFORMATION

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

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

[75 FR 9678, Mar. 3, 2010]

§ 63.6670 Who implements and enforces this subpart?

- (a) This subpart is implemented and enforced by the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out whether this subpart is delegated to your State, local, or tribal agency.
- (b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.
- (c) The authorities that will not be delegated to State, local, or tribal agencies are:
 - (1) Approval of alternatives to the non-opacity emission limitations and operating limitations in § 63.6600 under § 63.6(g).
 - (2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f) and as defined in § 63.90.
 - (3) Approval of major alternatives to monitoring under § 63.8(f) and as defined in § 63.90.
 - (4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f) and as defined in § 63.90.
 - (5) Approval of a performance test which was conducted prior to the effective date of the rule, as specified in § 63.6610(b).
 - (6) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

[69 FR 33506, June 15, 2004, as amended at 89 FR 70518, Aug. 30, 2024]

§ 63.6675 What definitions apply to this subpart?

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

Alaska Railbelt Grid means the service areas of the six regulated public utilities that extend from Fairbanks to Anchorage and the Kenai Peninsula. These utilities are Golden Valley Electric Association; Chugach Electric Association; Matanuska Electric Association; Homer Electric Association; Anchorage Municipal Light & Power; and the City of Seward Electric System.

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

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

Backup power for renewable energy means an engine that provides backup power to a facility that generates electricity from renewable energy resources, as that term is defined in Alaska Statute 42.45.045(l)(5) (incorporated by reference, see § 63.14).

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

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

Commercial emergency stationary RICE means an emergency stationary RICE used in commercial establishments such as office buildings, hotels, stores, telecommunications facilities, restaurants, financial institutions such as banks, doctor's offices, and sports and performing arts facilities.

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

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

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

- (1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation or operating limitation;
- (2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or
- (3) Fails to meet any emission limitation or operating limitation in this subpart during malfunction, regardless or whether or not such failure is permitted by this subpart.
- (4) Fails to satisfy the general duty to minimize emissions established by § 63.6(e)(1)(i).

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

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

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and CO₂.

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

Emergency stationary RICE means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary RICE must comply with the requirements specified in § 63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in § 63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.

- (1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc.
- (2) The stationary RICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 63.6640(f).
- (3) The stationary RICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 63.6640(f)(4)(i) or (ii).

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

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

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

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

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

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

Institutional emergency stationary RICE means an emergency stationary RICE used in institutional establishments such as medical centers, nursing homes, research centers, institutions of higher education, correctional facilities, elementary and secondary schools, libraries, religious establishments, police stations, and fire stations.

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

Landfill gas means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO₂.

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

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

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

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

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

- (1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;
- (2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated;
- (3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and
- (4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated.

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

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

Non-selective catalytic reduction (NSCR) means an add-on catalytic nitrogen oxides (NO_x) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, NO_x, CO, and volatile organic compounds (VOC) into CO₂, nitrogen, and water.

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

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

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

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

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

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

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

Propane means a colorless gas derived from petroleum and natural gas, with the molecular structure C₃H₈.

Remote stationary RICE means stationary RICE meeting any of the following criteria:

- (1) Stationary RICE located in an offshore area that is beyond the line of ordinary low water along that portion of the coast of the United States that is in direct contact with the open seas and beyond the line marking the seaward limit of inland waters.

- (2) Stationary RICE located on a pipeline segment that meets both of the criteria in paragraphs (2)(i) and (ii) of this definition.
 - (i) A pipeline segment with 10 or fewer buildings intended for human occupancy and no buildings with four or more stories within 220 yards (200 meters) on either side of the centerline of any continuous 1-mile (1.6 kilometers) length of pipeline. Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.
 - (ii) The pipeline segment does not lie within 100 yards (91 meters) of either a building or a small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12-month period. The days and weeks need not be consecutive. The building or area is considered occupied for a full day if it is occupied for any portion of the day.
 - (iii) For purposes of this paragraph (2), the term pipeline segment means all parts of those physical facilities through which gas moves in transportation, including but not limited to pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies. Stationary RICE located within 50 yards (46 meters) of the pipeline segment providing power for equipment on a pipeline segment are part of the pipeline segment. Transportation of gas means the gathering, transmission, or distribution of gas by pipeline, or the storage of gas. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.
- (3) Stationary RICE that are not located on gas pipelines and that have 5 or fewer buildings intended for human occupancy and no buildings with four or more stories within a 0.25 mile radius around the engine. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

Residential emergency stationary RICE means an emergency stationary RICE used in residential establishments such as homes or apartment buildings.

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

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

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

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

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

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

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

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

Subpart means 40 CFR part 63, subpart ZZZZ.

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

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

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3607, Jan. 18, 2008; 75 FR 9679, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 76 FR 12867, Mar. 9, 2011; 78 FR 6706, Jan. 30, 2013; 87 FR 48608, Aug. 10, 2022]

Table 1a to Subpart ZZZZ of Part 63—Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600 and 63.6640, you must comply with the following emission limitations at 100 percent load plus or minus 10 percent for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

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

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

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
	b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O ₂	

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

[75 FR 9679, Mar. 3, 2010, as amended at 75 FR 51592, Aug. 20, 2010]

Table 1b to Subpart ZZZZ of Part 63—Operating Limitations for Existing, New, and Reconstructed SI 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600, 63.6603, 63.6630 and 63.6640, you must comply with the following operating limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
1. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and using NSCR; or existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O ₂ and using NSCR;	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 750 °F and less than or equal to 1250 °F. ¹
2. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and not using NSCR; or existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP	Comply with any operating limitations approved by the Administrator.

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

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O ₂ and not using NSCR.	

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

[78 FR 6706, Jan. 30, 2013]

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

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

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

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

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
	b. Limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbvd or less at 15 percent O ₂	

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

[75 FR 9680, Mar. 3, 2010]

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

As stated in §§ 63.6600, 63.6601, 63.6603, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions; new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions; and existing CI stationary RICE >500 HP:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
1. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and using an oxidation catalyst; and New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and using an oxidation catalyst.	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. ¹
2. Existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and using an	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of

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

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
oxidation catalyst 3. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and not using an oxidation catalyst; and New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst; and existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and not using an oxidation catalyst.	a. water from the pressure drop across the catalyst that was measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.¹ Comply with any operating limitations approved by the Administrator.

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

[78 FR 6707, Jan. 30, 2013]

Table 2c to Subpart ZZZZ of Part 63—Requirements for Existing Compression Ignition Stationary RICE Located at a Major Source of HAP Emissions and Existing Spark Ignition Stationary RICE ≤500 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600, 63.6602, and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE located at a major source of HAP emissions and existing spark ignition stationary RICE ≤500 HP located at a major source of HAP emissions

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Emergency stationary CI RICE and black start stationary CI RICE ¹	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first ². b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary ³	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. ³

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
2. Non-Emergency, non-black start stationary CI RICE <100 HP	a. Change oil and filter every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first ². b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary ³	
3. Non-Emergency, non-black start CI stationary RICE 100≤HP≤300 HP	Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent O ₂	
4. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent O ₂ ; or	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
5. Non-Emergency, non-black start stationary CI RICE >500 HP	b. Reduce CO emissions by 70 percent or more a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent O ₂ ; or b. Reduce CO emissions by 70 percent or more	
6. Emergency stationary SI RICE and black start stationary SI RICE. ¹	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; ² b. Inspect spark plugs every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary ³	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
7. Non-Emergency, non-black start stationary SI RICE <100 HP that are not 2SLB stationary RICE	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;² b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary³	
8. Non-Emergency, non-black start 2SLB stationary SI RICE <100 HP	a. Change oil and filter every 4,320 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;² b. Inspect spark plugs every 4,320 hours of	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary ³	
9. Non-emergency, non-black start 2SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 225 ppmvd or less at 15 percent O ₂	
10. Non-emergency, non-black start 4SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd or less at 15 percent O ₂	
11. Non-emergency, non-black start 4SRB stationary RICE 100≤HP≤500	Limit concentration of formaldehyde in the stationary RICE exhaust to 10.3 ppmvd or less at 15 percent O ₂	
12. Non-emergency, non-black start stationary RICE 100≤HP≤500 which	Limit concentration of CO in the stationary RICE exhaust to 177 ppmvd or	

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	less at 15 percent O ₂	

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

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

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

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

As stated in §§ 63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

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

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
2. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O ₂ ; or	
	b. Reduce CO emissions by 70 percent or more	
3. Non-Emergency, non-black start CI stationary RICE >500 HP	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O ₂ ; or	
	b. Reduce CO emissions by 70 percent or more	
4. Emergency stationary CI RICE and black start stationary CI RICE. ²	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; ¹	
	b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
5. Emergency stationary SI RICE; black start stationary SI RICE; non-emergency, non-black start 4SLB stationary RICE >500 HP that operate 24 hours or less per calendar year; non-emergency, non-black start 4SRB stationary RICE >500 HP that operate 24 hours or less per calendar year.²	first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
6. Non-emergency, non-black start 2SLB stationary RICE	within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary a. Change oil and filter every 4,320 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
7. Non-emergency, non-black start 4SLB stationary RICE ≤500 HP	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; ¹ b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
8. Non-emergency, non-black start 4SLB remote stationary RICE >500 HP	a. Change oil and filter every 2,160 hours of operation or within 1 year + 30 days of the previous	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
9. Non-emergency, non-black start 4SLB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year 10. Non-emergency, non-black start 4SRB stationary RICE ≤500 HP	change, whichever comes first;¹ b. Inspect spark plugs every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary Install an oxidation catalyst to reduce HAP emissions from the stationary RICE a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
11. Non-emergency, non-black start 4SRB remote stationary RICE >500 HP	change, whichever comes first;¹ b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary a. Change oil and filter every 2,160 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 2,160 hours of operation or	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
12. Non-emergency, non-black start 4SRB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year 13. Non-emergency, non-black start stationary RICE which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary Install NSCR to reduce HAP emissions from the stationary RICE a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 1,440 hours of operation or	

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

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

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	

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

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

[89 FR 70520, Aug. 30, 2024]

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

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

For each . . .	Complying with the requirement to . . .	You must . . .
1. New or reconstructed 2SLB stationary RICE >500 HP located at major sources; new or reconstructed 4SLB stationary RICE $\geq$ 250 HP located at major sources; and new or reconstructed CI stationary RICE >500 HP located at major sources	Reduce CO emissions and not using a CEMS	Conduct subsequent performance tests semiannually. ¹
2. 4SRB stationary RICE $\geq$ 5,000 HP located at major sources	Reduce formaldehyde emissions	Conduct subsequent performance tests semiannually. ¹
3. Stationary RICE >500 HP located at major sources and new or reconstructed 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at major sources	Limit the concentration of formaldehyde in the stationary RICE exhaust	Conduct subsequent performance tests semiannually. ¹
4. Existing non-emergency, non-black start CI stationary RICE >500 HP that are not limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours or 3 years, whichever comes first.
5. Existing non-emergency, non-black start CI stationary RICE >500 HP that are limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours or 5 years, whichever comes first.

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

[78 FR 6711, Jan. 30, 2013]

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

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

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
1. 2SLB, 4SLB, and CI stationary RICE	a. Reduce CO emissions	i. Select the sampling port location and the number/ location of traverse points at the inlet and outlet of the control device; and ii. Measure the O₂ at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005)^{1 3} (heated probe not necessary)	(a) For CO, O₂, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A-4. (b) Measurements to determine O₂ must be made at the same time as the measurements for CO concentration.

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . ..	Complying with the requirement to ...	You must ...	Using ...	According to the following requirements ...
2. 4SRB stationary RICE	a. Reduce formaldehyde or THC emissions	iii. Measure the CO at the inlet and the outlet of the control device; and	(2) ASTM D6522-00 (Reapproved 2005) ^{1 2 3} (heated probe not necessary) or method 10 of 40 CFR part 60, appendix A-4	(c) The CO concentration must be at 15 percent O ₂ , dry basis.
		iv. Measure moisture content at the inlet and outlet of the control device as needed to determine CO and O ₂ concentrations on a dry basis	(3) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03 ¹ 3	(d) Measurements to determine moisture content must be made at the same time and location as the measurements for CO concentration.
		i. Select the sampling port location and the number/ location of traverse points at the inlet and outlet of the control device; and		(a) For formaldehyde, THC, O ₂ , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half- diameter criterion of section 11.1.1 of

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		ii. Measure O₂ at the inlet and outlet of the control device; and iii. Measure moisture content at the inlet and outlet of the control device as needed to determine formaldehyde or THC and O₂ concentrations on a dry basis; and iv. If demonstrating compliance	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005)^{1 3} (heated probe not necessary) (2) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03^{1 3} (3) Method 320 or 323 of 40 CFR	method 1 of 40 CFR part 60, appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A. (b) Measurements to determine O₂ concentration must be made at the same time as the measurements for formaldehyde or THC concentration. (c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or THC concentration. (d) Formaldehyde concentration must be at 15 percent O₂, dry basis. Results of this test consist of the average of the

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		with the formaldehyde percent reduction requirement, measure formaldehyde at the inlet and the outlet of the control device	part 63, appendix A; or ASTM D6348-03, ^{1 3} provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130	three 1-hour or longer runs.
		v. If demonstrating compliance with the THC percent reduction requirement, measure THC at the inlet and the outlet of the control device	(4) (1) Method 25A, reported as propane, of 40 CFR part 60, appendix A-7	(e) THC concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
3. Stationary RICE	a. Limit the concentration of formaldehyde or CO in the stationary	i. Select the sampling port location and the number/ location of traverse points		(a) For formaldehyde, CO, O ₂ , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
	RICE exhaust	at the exhaust of the stationary RICE; and		points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A. If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O ₂ concentration of the stationary RICE exhaust at the sampling port location; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005) ^{1 3} (heated probe not necessary)	(b) Measurements to determine O ₂ concentration must be made at the same time and location as the measurements for formaldehyde or CO concentration.
		iii. Measure moisture content of the stationary RICE exhaust at the sampling port location as	(2) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63,	(c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or CO concentration.

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		needed to determine formaldehyde or CO and O₂ concentrations on a dry basis; and iv. Measure formaldehyde at the exhaust of the stationary RICE; or v. Measure CO at the exhaust of the stationary RICE	appendix A, or ASTM D6348-03^{1 3} (3) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348-03,^{1 3} provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130 (4) Method 10 of 40 CFR part 60, appendix A-4, ASTM D6522-00 (2005),^{1 3} method 320	(d) Formaldehyde concentration must be at 15 percent O₂, dry basis. Results of this test consist of the average of the three 1-hour or longer runs. (e) CO concentration must be at 15 percent O₂, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

For each . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
			of 40 CFR part 63, appendix A, or ASTM D6348-03 ¹ ₃	

¹ You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).

² You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

³ Incorporated by reference, see § 63.14.

[88 FR 18413, Mar. 29, 2023]

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

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

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions and using oxidation catalyst, and using a CPMS	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
2. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, using oxidation catalyst, and using a CPMS	i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions and not using oxidation catalyst	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.
4. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, and not using oxidation catalyst	i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
5. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions, and using a CEMS	operating parameters (if any) during the initial performance test. i. You have installed a CEMS to continuously monitor CO and either O₂ or CO₂ at both the inlet and outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and iii. The average reduction of CO calculated using § 63.6620 equals or exceeds the required percent reduction. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved during the 4-hour period.
6. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, and using a CEMS	i. You have installed a CEMS to continuously monitor CO and either O₂ or CO₂ at the outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and iii. The average concentration of CO calculated using § 63.6620 is less than or equal to the CO emission limitation. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average concentration measured during the 4-hour period.
7. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde	i. The average reduction of emissions of formaldehyde

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
	emissions and using NSCR	determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction, or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
8. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and not using NSCR	i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.
9. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB	a. Limit the concentration of formaldehyde in the stationary	i. The average formaldehyde concentration, corrected to 15 percent O ₂ , dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
stationary RICE >500 HP located at a major source of HAP	RICE exhaust and using oxidation catalyst or NSCR	ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
10. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	i. The average formaldehyde concentration, corrected to 15 percent O₂, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.
11. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Reduce CO emissions	i. The average reduction of emissions of CO or formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction.
12. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust	i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent O ₂ , dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable.
13. Existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and	a. Install an oxidation catalyst	i. You have conducted an initial compliance demonstration as specified in § 63.6630(e) to show

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
that are operated more than 24 hours per calendar year 14. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O₂; ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1350 °F. i. You have conducted an initial compliance demonstration as specified in § 63.6630(e) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O₂, or the average reduction of emissions of THC is 30 percent or more; ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1250 °F.

[78 FR 6712, Jan. 30, 2013]

Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations, and Other Requirements

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	a. Reduce CO emissions and using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved ^a ; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
2. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE $\geq$250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	a. Reduce CO emissions and not using an oxidation catalyst, and using a CPMS	drop across the catalyst is within the operating limitation established during the performance test. i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved ^a; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or	a. Reduce CO emissions or	i. Collecting the monitoring data

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, new or reconstructed non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP	limit the concentration of CO in the stationary RICE exhaust, and using a CEMS	according to § 63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction or concentration of CO emissions according to § 63.6620; and ii. Demonstrating that the catalyst achieves the required percent reduction of CO emissions over the 4-hour averaging period, or that the emission remain at or below the CO concentration limit; and iii. Conducting an annual RATA of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
4. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and using NSCR	i. Collecting the catalyst inlet temperature data according to § 63.6625(b); and ii. Reducing these data to 4-hour rolling averages; and iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and iv. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
5. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and not using NSCR	i. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and ii. Reducing these

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
6. Non-emergency 4SRB stationary RICE with a brake HP $\geq 5,000$ located at a major source of HAP	a. Reduce formaldehyde emissions	data to 4-hour rolling averages; and iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved, or to demonstrate that the average reduction of emissions of THC determined from the performance test is equal to or greater than 30 percent. ^a
7. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary	i. Conducting semiannual performance tests for formaldehyde to demonstrate that your

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
	RICE exhaust and using oxidation catalyst or NSCR	emissions remain at or below the formaldehyde concentration limit ^a; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
8. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed ^a After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.	a. Limit the concentration	i. Conducting semiannual

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
non-emergency 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at a major source of HAP	of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit ^a ; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
9. Existing emergency and black start stationary RICE ≤ 500 HP located at a major source of HAP, existing non-emergency stationary RICE < 100 HP located at a major source of HAP, existing emergency and black start stationary RICE located at an area source of HAP, existing non-emergency stationary CI RICE ≤ 300 HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency stationary SI RICE located at an	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
area source of HAP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, existing non-emergency 4SLB and 4SRB stationary RICE ≤500 HP located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate 24 hours or less per calendar year, and existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are remote stationary RICE 10. Existing stationary CI RICE >500 HP that are not limited use stationary RICE	a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and using oxidation catalyst	instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
11. Existing stationary CI RICE >500 HP that are not limited use stationary RICE	a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust,	ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test. i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
	and not using oxidation catalyst	appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
12. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration	i. Conducting performance tests every 8,760 hours or 5 years,

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
	of CO in the stationary RICE exhaust, and using an oxidation catalyst	whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
13. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and not using an oxidation catalyst	demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test. i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
14. Existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install an oxidation catalyst	rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test. i. Conducting annual compliance demonstrations as specified in § 63.6640(c) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O₂; and either ii. Collecting the catalyst inlet temperature data according to § 63.6625(b), reducing these data to 4-hour rolling averages;

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
15. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	and maintaining the 4-hour rolling averages within the limitation of greater than 450 °F and less than or equal to 1350 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1350 °F. i. Conducting annual compliance demonstrations as specified in § 63.6640(c) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O₂, or the average reduction of emissions of THC is 30 percent or more; and either

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		ii. Collecting the catalyst inlet temperature data according to § 63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than or equal to 750 °F and less than or equal to 1250 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1250 °F.

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

[78 FR 6715, Jan. 30, 2013]

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

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

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
1. Existing non-emergency, non-black start stationary RICE $100 \leq \text{HP} \leq 500$ located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE > 500 HP located at a major source of HAP; existing non-emergency 4SRB stationary RICE > 500 HP located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE > 300 HP located at an area source of HAP; new or reconstructed non-emergency stationary RICE > 500 HP located at a major source of HAP; and new or reconstructed non-emergency 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at a major source of HAP	Compliance report	a. If there are no deviations from any emission limitations or operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in § 63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), the information in § 63.6650(e); or c. If you had a malfunction during the reporting period, the information in § 63.6650(c)(4)	i. Semiannually according to the requirements in § 63.6650(b)(1)-(5) and (i) for engines that are not limited use stationary RICE subject to numerical emission limitations; and ii. Annually according to the requirements in § 63.6650(b)(6)-(9) and (i) for engines that are limited use stationary RICE subject to numerical emission limitations. i. Semiannually according to the requirements in § 63.6650(b) and (i). i. Semiannually according to the requirements in § 63.6650(b) and (i).

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
2. New or reconstructed non-emergency stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	Report	a. The fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas or digester gas, is equivalent to 10 percent or more of the gross heat input on an annual basis; and b. The operating limits provided in your federally enforceable permit, and any deviations from these limits; and c. Any problems or errors suspected with the meters	i. Annually, according to the requirements in § 63.6650. i. See item 2.a.i. i. See item 2.a.i.
3. Existing non-emergency, non-black start 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that operate more than 24 hours per calendar year	Compliance report	a. The results of the annual compliance demonstration, if conducted during the reporting period	i. Semiannually according to the requirements in § 63.6650(b)(1)-(5) and (i).
4. Emergency stationary RICE that operate for the purposes specified in § 63.6640(f)(4)(ii)	Report	a. The information in § 63.6650(h)(1)	i. Annually according to the requirements in § 63.6650(h)(2)-(3) and (i).

[89 FR 70522, Aug. 30, 2024]

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

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

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.1	General applicability of the General Provisions	Yes	Additional terms defined in § 63.6675.
§ 63.2	Definitions	Yes	
§ 63.3	Units and abbreviations	Yes	
§ 63.4	Prohibited activities and circumvention	Yes	
§ 63.5	Construction and reconstruction	Yes	
§ 63.6(a)	Applicability	Yes	
§ 63.6(b)(1)-(4)	Compliance dates for new and reconstructed sources	Yes	
§ 63.6(b)(5)	Notification	Yes	
§ 63.6(b)(6)	[Reserved]		
§ 63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources	Yes	
§ 63.6(c)(1)-(2)	Compliance dates for existing sources	Yes	
§ 63.6(c)(3)-(4)	[Reserved]		
§ 63.6(c)(5)	Compliance dates for existing area sources that become major sources	Yes	
§ 63.6(d)	[Reserved]		
§ 63.6(e)	Operation and maintenance	No	
§ 63.6(f)(1)	Applicability of standards	No	
§ 63.6(f)(2)	Methods for determining compliance	Yes	
§ 63.6(f)(3)	Finding of compliance	Yes	
§ 63.6(g)(1)-(3)	Use of alternate standard	Yes	
§ 63.6(h)	Opacity and visible emission standards	No	Subpart ZZZZ does not contain opacity or visible emission standards.
§ 63.6(i)	Compliance extension procedures and criteria	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.6(j)	Presidential compliance exemption	Yes	
§ 63.7(a)(1)-(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at §§ 63.6610, 63.6611, and 63.6612.
§ 63.7(a)(3)	CAA section 114 authority	Yes	
§ 63.7(b)(1)	Notification of performance test	Yes	Except that § 63.7(b)(1) only applies as specified in § 63.6645.
§ 63.7(b)(2)	Notification of rescheduling	Yes	Except that § 63.7(b)(2) only applies as specified in § 63.6645.
§ 63.7(c)	Quality assurance/test plan	Yes	Except that § 63.7(c) only applies as specified in § 63.6645.
§ 63.7(d)	Testing facilities	Yes	
§ 63.7(e)(1)	Conditions for conducting performance tests	No	Subpart ZZZZ specifies conditions for conducting performance tests at § 63.6620.
§ 63.7(e)(2)	Conduct of performance tests and reduction of data	Yes	Subpart ZZZZ specifies test methods at § 63.6620.
§ 63.7(e)(3)	Test run duration	Yes	
§ 63.7(e)(4)	Administrator may require other testing under section 114 of the CAA	Yes	
§ 63.7(f)	Alternative test method provisions	Yes	
§ 63.7(g)	Performance test data analysis, recordkeeping, and reporting	Yes	
§ 63.7(h)	Waiver of tests	Yes	
§ 63.8(a)(1)	Applicability of monitoring requirements	Yes	Subpart ZZZZ contains specific requirements for monitoring at § 63.6625.
§ 63.8(a)(2)	Performance specifications	Yes	
§ 63.8(a)(3)	[Reserved]		
§ 63.8(a)(4)	Monitoring for control devices	No	
§ 63.8(b)(1)	Monitoring	Yes	
§ 63.8(b)(2)-(3)	Multiple effluents and multiple monitoring systems	Yes	
§ 63.8(c)(1)	Monitoring system	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
	operation and maintenance		
§ 63.8(c)(1)(i)	Routine and predictable SSM	No	
§ 63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan	Yes	
§ 63.8(c)(1)(iii)	Compliance with operation and maintenance requirements	No	
§ 63.8(c)(2)-(3)	Monitoring system installation	Yes	
§ 63.8(c)(4)	Continuous monitoring system (CMS) requirements	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§ 63.8(c)(5)	COMS minimum procedures	No	Subpart ZZZZ does not require COMS.
§ 63.8(c)(6)-(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.
§ 63.8(d)	CMS quality control	Yes	
§ 63.8(e)	CMS performance evaluation	Yes	Except for § 63.8(e)(5)(ii), which applies to COMS. Except that § 63.8(e) only applies as specified in § 63.6645.
§ 63.8(f)(1)-(5)	Alternative monitoring method	Yes	Except that § 63.8(f)(4) only applies as specified in § 63.6645.
§ 63.8(f)(6)	Alternative to relative accuracy test	Yes	Except that § 63.8(f)(6) only applies as specified in § 63.6645.
§ 63.8(g)	Data reduction	Yes	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§ 63.6635 and 63.6640.
§ 63.9(a)	Applicability and State delegation of notification requirements	Yes	
§ 63.9(b)(1)-(5)	Initial notifications	Yes	Except that § 63.9(b)(3) is reserved. Except that § 63.9(b) only applies as specified in § 63.6645.
§ 63.9(c)	Request for compliance	Yes	Except that § 63.9(c) only applies as

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.9(d)	extension Notification of special compliance requirements for new sources	Yes	specified in § 63.6645. Except that § 63.9(d) only applies as specified in § 63.6645.
§ 63.9(e)	Notification of performance test	Yes	Except that § 63.9(e) only applies as specified in § 63.6645.
§ 63.9(f)	Notification of visible emission (VE)/opacity test	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(1)	Notification of performance evaluation	Yes	Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(g)(2)	Notification of use of COMS data	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded	Yes	If alternative is in use. Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(h)(1)-(6)	Notification of compliance status	Yes	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. § 63.9(h)(4) is reserved. Except that § 63.9(h) only applies as specified in § 63.6645.
§ 63.9(i)	Adjustment of submittal deadlines	Yes	
§ 63.9(j)	Change in previous information	Yes	
§ 63.9(k)	Electronic reporting procedures	Yes	Only as specified in §§ 63.9(j), 63.6620, 63.6625, 63.6645, and 63.6650.
§ 63.10(a)	Administrative provisions for recordkeeping/reporting	Yes	
§ 63.10(b)(1)	Record retention	Yes	Except that the most recent 2 years of data do not have to be retained on site.
§ 63.10(b)(2)(i)-(v)	Records related to SSM	No	
§ 63.10(b)(2)(vi)-(xi)	Records	Yes	
§	Record when under	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
63.10(b)(2)(xii)	waiver		
§ 63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes	For CO standard if using RATA alternative.
§ 63.10(b)(2)(xiv)	Records of supporting documentation	Yes	
§ 63.10(b)(3)	Records of applicability determination	Yes	
§ 63.10(c)	Additional records for sources using CEMS	Yes	Except that § 63.10(c)(2)-(4) and (9) are reserved.
§ 63.10(d)(1)	General reporting requirements	Yes	
§ 63.10(d)(2)	Report of performance test results	Yes	
§ 63.10(d)(3)	Reporting opacity or VE observations	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.10(d)(4)	Progress reports	Yes	
§ 63.10(d)(5)	Startup, shutdown, and malfunction reports	No	
§ 63.10(e)(1) and (2)(i)	Additional CMS Reports	Yes	
§ 63.10(e)(2)(ii)	COMS-related report	No	Subpart ZZZZ does not require COMS.
§ 63.10(e)(3)	Excess emission and parameter exceedances reports	No	Excess emissions and exceedance reporting is specified in § 63.6650.
§ 63.10(e)(4)	Reporting COMS data	No	Subpart ZZZZ does not require COMS.
§ 63.10(f)	Waiver for recordkeeping/reporting	Yes	
§ 63.11	Flares	No	
§ 63.12	State authority and delegations	Yes	
§ 63.13	Addresses	Yes	
§ 63.14	Incorporation by reference	Yes	
§ 63.15	Availability of information	Yes	

[89 FR 70522, Aug. 30, 2024]

Appendix A to Subpart ZZZZ of Part 63—Protocol for Using an Electrochemical Analyzer to Determine Oxygen and Carbon Monoxide Concentrations From Certain Engines

1.0 Scope and Application. What is this Protocol?

This protocol is a procedure for using portable electrochemical (EC) cells for measuring carbon monoxide (CO) and oxygen (O₂) concentrations in controlled and uncontrolled emissions from existing stationary 4-stroke lean burn and 4-stroke rich burn reciprocating internal combustion engines as specified in the applicable rule.

1.1 Analytes. What does this protocol determine?

This protocol measures the engine exhaust gas concentrations of carbon monoxide (CO) and oxygen (O₂).

Analyte	CAS No.	Sensitivity
Carbon monoxide (CO)	630-08-0	Minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.
Oxygen (O ₂)	7782-44-7	

1.2 Applicability. When is this protocol acceptable?

This protocol is applicable to 40 CFR part 63, subpart ZZZZ. Because of inherent cross sensitivities of EC cells, you must not apply this protocol to other emissions sources without specific instruction to that effect.

1.3 Data Quality Objectives. How good must my collected data be?

Refer to Section 13 to verify and document acceptable analyzer performance.

1.4 Range. What is the targeted analytical range for this protocol?

The measurement system and EC cell design(s) conforming to this protocol will determine the analytical range for each gas component. The nominal ranges are defined by choosing up-scale calibration gas concentrations near the maximum anticipated flue gas concentrations for CO and O₂, or no more than twice the permitted CO level.

1.5 Sensitivity. What minimum detectable limit will this protocol yield for a particular gas component?

The minimum detectable limit depends on the nominal range and resolution of the specific EC cell used, and the signal to noise ratio of the measurement system. The minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.

2.0 Summary of Protocol

In this protocol, a gas sample is extracted from an engine exhaust system and then conveyed to a portable EC analyzer for measurement of CO and O₂ gas concentrations. This method provides measurement system performance specifications and sampling protocols to ensure reliable data. You may use additions to, or modifications of vendor supplied measurement systems (e.g., heated or unheated sample lines, thermocouples, flow meters, selective gas scrubbers, etc.) to meet the design specifications of this protocol. Do not make changes to the measurement system from the as-verified configuration (Section 3.12).

3.0 Definitions

- 3.1 Measurement System.** The total equipment required for the measurement of CO and O₂ concentrations. The measurement system consists of the following major subsystems:
- 3.1.1 Data Recorder.** A strip chart recorder, computer or digital recorder for logging measurement data from the analyzer output. You may record measurement data from the digital data display manually or electronically.
 - 3.1.2 Electrochemical (EC) Cell.** A device, similar to a fuel cell, used to sense the presence of a specific analyte and generate an electrical current output proportional to the analyte concentration.
 - 3.1.3 Interference Gas Scrubber.** A device used to remove or neutralize chemical compounds that may interfere with the selective operation of an EC cell.
 - 3.1.4 Moisture Removal System.** Any device used to reduce the concentration of moisture in the sample stream so as to protect the EC cells from the damaging effects of condensation and to minimize errors in measurements caused by the scrubbing of soluble gases.
 - 3.1.5 Sample Interface.** The portion of the system used for one or more of the following: sample acquisition; sample transport; sample conditioning or protection of the EC cell from any degrading effects of the engine exhaust effluent; removal of particulate matter and condensed moisture.
- 3.2 Nominal Range.** The range of analyte concentrations over which each EC cell is operated (normally 25 percent to 150 percent of up-scale calibration gas value). Several nominal ranges can be used for any given cell so long as the calibration and repeatability checks for that range remain within specifications.
- 3.3 Calibration Gas.** A vendor certified concentration of a specific analyte in an appropriate balance gas.
- 3.4 Zero Calibration Error.** The analyte concentration output exhibited by the EC cell in response to zero-level calibration gas.
- 3.5 Up-Scale Calibration Error.** The mean of the difference between the analyte concentration exhibited by the EC cell and the certified concentration of the up-scale calibration gas.

- 3.6 Interference Check.** A procedure for quantifying analytical interference from components in the engine exhaust gas other than the targeted analytes.
- 3.7 Repeatability Check.** A protocol for demonstrating that an EC cell operated over a given nominal analyte concentration range provides a stable and consistent response and is not significantly affected by repeated exposure to that gas.
- 3.8 Sample Flow Rate.** The flow rate of the gas sample as it passes through the EC cell. In some situations, EC cells can experience drift with changes in flow rate. The flow rate must be monitored and documented during all phases of a sampling run.
- 3.9 Sampling Run.** A timed three-phase event whereby an EC cell's response rises and plateaus in a sample conditioning phase, remains relatively constant during a measurement data phase, then declines during a refresh phase. The sample conditioning phase exposes the EC cell to the gas sample for a length of time sufficient to reach a constant response. The measurement data phase is the time interval during which gas sample measurements can be made that meet the acceptance criteria of this protocol. The refresh phase then purges the EC cells with CO-free air. The refresh phase replenishes requisite O₂ and moisture in the electrolyte reserve and provides a mechanism to de-gas or desorb any interference gas scrubbers or filters so as to enable a stable CO EC cell response. There are four primary types of sampling runs: pre-sampling calibrations; stack gas sampling; post-sampling calibration checks; and measurement system repeatability checks. Stack gas sampling runs can be chained together for extended evaluations, providing all other procedural specifications are met.
- 3.10 Sampling Day.** A time not to exceed twelve hours from the time of the pre-sampling calibration to the post-sampling calibration check. During this time, stack gas sampling runs can be repeated without repeated recalibrations, providing all other sampling specifications have been met.
- 3.11 Pre-Sampling Calibration/Post-Sampling Calibration Check.** The protocols executed at the beginning and end of each sampling day to bracket measurement readings with controlled performance checks.
- 3.12 Performance-Established Configuration.** The EC cell and sampling system configuration that existed at the time that it initially met the performance requirements of this protocol.

4.0 Interferences.

When present in sufficient concentrations, NO and NO₂ are two gas species that have been reported to interfere with CO concentration measurements. In the likelihood of this occurrence, it is the protocol user's responsibility to employ and properly maintain an appropriate CO EC cell filter or scrubber for removal of these gases, as described in Section 6.2.12.

5.0 Safety. [Reserved]

6.0 Equipment and Supplies.

6.1 What equipment do I need for the measurement system?

The system must maintain the gas sample at conditions that will prevent moisture condensation in the sample transport lines, both before and as the sample gas contacts the EC cells. The essential components of the measurement system are described below.

6.2 Measurement System Components.

- 6.2.1 Sample Probe.** A single extraction-point probe constructed of glass, stainless steel or other non-reactive material, and of length sufficient to reach any designated sampling point. The sample probe must be designed to prevent plugging due to condensation or particulate matter.
- 6.2.2 Sample Line.** Non-reactive tubing to transport the effluent from the sample probe to the EC cell.
- 6.2.3 Calibration Assembly (optional).** A three-way valve assembly or equivalent to introduce calibration gases at ambient pressure at the exit end of the sample probe during calibration checks. The assembly must be designed such that only stack gas or calibration gas flows in the sample line and all gases flow through any gas path filters.
- 6.2.4 Particulate Filter (optional).** Filters before the inlet of the EC cell to prevent accumulation of particulate material in the measurement system and extend the useful life of the components. All filters must be fabricated of materials that are non-reactive to the gas mixtures being sampled.
- 6.2.5 Sample Pump.** A leak-free pump to provide undiluted sample gas to the system at a flow rate sufficient to minimize the response time of the measurement system. If located upstream of the EC cells, the pump must be constructed of a material that is non-reactive to the gas mixtures being sampled.
- 6.2.8 Sample Flow Rate Monitoring.** An adjustable rotameter or equivalent device used to adjust and maintain the sample flow rate through the analyzer as prescribed.
- 6.2.9 Sample Gas Manifold (optional).** A manifold to divert a portion of the sample gas stream to the analyzer and the remainder to a by-pass discharge vent. The sample gas manifold may also include provisions for introducing calibration gases directly to the analyzer. The manifold must be constructed of a material that is non-reactive to the gas mixtures being sampled.
- 6.2.10 EC cell.** A device containing one or more EC cells to determine the CO and O₂ concentrations in the sample gas stream. The EC cell(s) must meet the applicable performance specifications of Section 13 of this protocol.
- 6.2.11 Data Recorder.** A strip chart recorder, computer or digital recorder to make a record of analyzer output data. The data recorder resolution (i.e., readability) must be no greater than 1 ppm for CO; 0.1 percent for O₂; and one degree (either °C or °F) for temperature. Alternatively, you may use a digital or analog meter having the same resolution to observe and manually record the analyzer responses.
- 6.2.12 Interference Gas Filter or Scrubber.** A device to remove interfering compounds upstream of the CO EC cell. Specific interference gas filters or scrubbers used in the performance-established configuration of the analyzer must continue to be used. Such a filter or scrubber must have a means to determine when the removal agent is exhausted. Periodically replace or replenish it in accordance with the manufacturer's recommendations.

7.0 Reagents and Standards. What calibration gases are needed?

- 7.1 Calibration Gases.** CO calibration gases for the EC cell must be CO in nitrogen or CO in a mixture of nitrogen and O₂. Use CO calibration gases with labeled concentration values certified by the manufacturer to be within ± 5 percent of the label value. Dry ambient air (20.9 percent O₂) is acceptable for calibration of the O₂ cell. If needed, any lower percentage O₂ calibration gas must be a mixture of O₂ in nitrogen.
- 7.1.1 Up-Scale CO Calibration Gas Concentration.** Choose one or more up-scale gas concentrations such that the average of the stack gas measurements for each stack gas sampling run are between 25 and 150 percent of those concentrations. Alternatively, choose an up-scale gas that does not exceed twice the concentration of the applicable outlet standard. If a measured gas value exceeds 150 percent of the up-scale CO calibration gas value at any time during the stack gas sampling run, the run must be discarded and repeated.
- 7.1.2 Up-Scale O₂ Calibration Gas Concentration.**
- Select an O₂ gas concentration such that the difference between the gas concentration and the average stack gas measurement or reading for each sample run is less than 15 percent O₂. When the average exhaust gas O₂ readings are above 6 percent, you may use dry ambient air (20.9 percent O₂) for the up-scale O₂ calibration gas.
- 7.1.3 Zero Gas.** Use an inert gas that contains less than 0.25 percent of the up-scale CO calibration gas concentration. You may use dry air that is free from ambient CO and other combustion gas products (e.g., CO₂).

8.0 Sample Collection and Analysis

- 8.1 Selection of Sampling Sites.**
- 8.1.1 Control Device Inlet.** Select a sampling site sufficiently downstream of the engine so that the combustion gases should be well mixed. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.
- 8.1.2 Exhaust Gas Outlet.** Select a sampling site located at least two stack diameters downstream of any disturbance (e.g., turbocharger exhaust, crossover junction or recirculation take-off) and at least one-half stack diameter upstream of the gas discharge to the atmosphere. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.
- 8.2 Stack Gas Collection and Analysis.** Prior to the first stack gas sampling run, conduct that the pre-sampling calibration in accordance with Section 10.1. Use Figure 1 to record all data. Zero the analyzer with zero gas. Confirm and record that the scrubber media color is correct and not exhausted. Then position the probe at the sampling point and begin the sampling run at the same flow rate used during the up-scale calibration. Record the start time. Record all EC cell output responses and the flow rate during the "sample conditioning phase" once per minute until constant readings are obtained. Then begin the "measurement data phase" and record readings every 15 seconds for at least two minutes (or eight readings), or as otherwise required to achieve two continuous minutes of data that meet the specification given in Section 13.1. Finally, perform the

"refresh phase" by introducing dry air, free from CO and other combustion gases, until several minute-to-minute readings of consistent value have been obtained. For each run use the "measurement data phase" readings to calculate the average stack gas CO and O₂ concentrations.

- 8.3 EC Cell Rate.** Maintain the EC cell sample flow rate so that it does not vary by more than ± 10 percent throughout the pre-sampling calibration, stack gas sampling and post-sampling calibration check. Alternatively, the EC cell sample flow rate can be maintained within a tolerance range that does not affect the gas concentration readings by more than ± 3 percent, as instructed by the EC cell manufacturer.

9.0 Quality Control (Reserved)

10.0 Calibration and Standardization

- 10.1 Pre-Sampling Calibration.** Conduct the following protocol once for each nominal range to be used on each EC cell before performing a stack gas sampling run on each field sampling day. Repeat the calibration if you replace an EC cell before completing all of the sampling runs. There is no prescribed order for calibration of the EC cells; however, each cell must complete the measurement data phase during calibration. Assemble the measurement system by following the manufacturer's recommended protocols including for preparing and preconditioning the EC cell. Assure the measurement system has no leaks and verify the gas scrubbing agent is not depleted. Use Figure 1 to record all data.

- 10.1.1 Zero Calibration.** For both the O₂ and CO cells, introduce zero gas to the measurement system (e.g., at the calibration assembly) and record the concentration reading every minute until readings are constant for at least two consecutive minutes. Include the time and sample flow rate. Repeat the steps in this section at least once to verify the zero calibration for each component gas.

- 10.1.2 Zero Calibration Tolerance.** For each zero gas introduction, the zero level output must be less than or equal to ± 3 percent of the up-scale gas value or ± 1 ppm, whichever is less restrictive, for the CO channel and less than or equal to ± 0.3 percent O₂ for the O₂ channel.

- 10.1.3 Up-Scale Calibration.** Individually introduce each calibration gas to the measurement system (e.g., at the calibration assembly) and record the start time. Record all EC cell output responses and the flow rate during this "sample conditioning phase" once per minute until readings are constant for at least two minutes. Then begin the "measurement data phase" and record readings every 15 seconds for a total of two minutes, or as otherwise required. Finally, perform the "refresh phase" by introducing dry air, free from CO and other combustion gases, until readings are constant for at least two consecutive minutes. Then repeat the steps in this section at least once to verify the calibration for each component gas. Introduce all gases to flow through the entire sample handling system (i.e., at the exit end of the sampling probe or the calibration assembly).

- 10.1.4 Up-Scale Calibration Error.** The mean of the difference of the "measurement data phase" readings from the reported standard gas value must be less than or equal to ± 5 percent or ± 1 ppm for CO or ± 0.5 percent O₂, whichever is less restrictive, respectively. The maximum allowable deviation from the mean measured value of any single "measurement data phase" reading must be less than or equal to ± 2 percent or ± 1 ppm for CO or ± 0.5 percent O₂, whichever is less restrictive, respectively.

- 10.2 Post-Sampling Calibration Check.** Conduct a stack gas post-sampling calibration check after the stack gas sampling run or set of runs and within 12 hours of the initial calibration. Conduct up-scale and zero calibration checks using the protocol in Section 10.1. Make no changes to the sampling system or EC cell calibration until all post-sampling calibration checks have been recorded. If either the zero or up-scale calibration error exceeds the respective specification in Sections 10.1.2 and 10.1.4 then all measurement data collected since the previous successful calibrations are invalid and re-calibration and re-sampling are required. If the sampling system is disassembled or the EC cell calibration is adjusted, repeat the calibration check before conducting the next analyzer sampling run.

11.0 Analytical Procedure

The analytical procedure is fully discussed in Section 8.

12.0 Calculations and Data Analysis

Determine the CO and O₂ concentrations for each stack gas sampling run by calculating the mean gas concentrations of the data recorded during the “measurement data phase”.

13.0 Protocol Performance

Use the following protocols to verify consistent analyzer performance during each field sampling day.

- 13.1 Measurement Data Phase Performance Check.** Calculate the mean of the readings from the “measurement data phase”. The maximum allowable deviation from the mean for each of the individual readings is ± 2 percent, or ± 1 ppm, whichever is less restrictive. Record the mean value and maximum deviation for each gas monitored. Data must conform to Section 10.1.4. The EC cell flow rate must conform to the specification in Section 8.3.

Example: A measurement data phase is invalid if the maximum deviation of any single reading comprising that mean is greater than ± 2 percent or ± 1 ppm (the default criteria). For example, if the mean = 30 ppm, single readings of below 29 ppm and above 31 ppm are disallowed).

- 13.2 Interference Check.** Before the initial use of the EC cell and interference gas scrubber in the field, and semi-annually thereafter, challenge the interference gas scrubber with NO and NO₂ gas standards that are generally recognized as representative of diesel-fueled engine NO and NO₂ emission values. Record the responses displayed by the CO EC cell and other pertinent data on Figure 1 or a similar form.

13.2.1 Interference Response. The combined NO and NO₂ interference response should be less than or equal to ± 5 percent of the up-scale CO calibration gas concentration.

- 13.3 Repeatability Check.** Conduct the following check once for each nominal range that is to be used on the CO EC cell within 5 days prior to each field sampling program. If a field sampling program lasts longer than 5 days, repeat this check every 5 days. Immediately repeat the check if the EC cell is replaced or if the EC cell is exposed to gas concentrations greater than 150 percent of the highest up-scale gas concentration.

- 13.3.1 **Repeatability Check Procedure.** Perform a complete EC cell sampling run (all three phases) by introducing the CO calibration gas to the measurement system and record the response. Follow Section 10.1.3. Use Figure 1 to record all data. Repeat the run three times for a total of four complete runs. During the four repeatability check runs, do not adjust the system except where necessary to achieve the correct calibration gas flow rate at the analyzer.
- 13.3.2 **Repeatability Check Calculations.** Determine the highest and lowest average “measurement data phase” CO concentrations from the four repeatability check runs and record the results on Figure 1 or a similar form. The absolute value of the difference between the maximum and minimum average values recorded must not vary more than ±3 percent or ±1 ppm of the up-scale gas value, whichever is less restrictive.

14.0 Pollution Prevention (Reserved)

15.0 Waste Management (Reserved)

16.0 Alternative Procedures (Reserved)

17.0 References

- (1) *“Development of an Electrochemical Cell Emission Analyzer Test Protocol”* , Topical Report, Phil Juneau, Emission Monitoring, Inc., July 1997.
- (2) *“Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Emissions from Natural Gas-Fired Engines, Boilers, and Process Heaters Using Portable Analyzers”* , EMC Conditional Test Protocol 30 (CTM-30), Gas Research Institute Protocol GRI-96/0008, Revision 7, October 13, 1997.
- (3) *“ICAC Test Protocol for Periodic Monitoring”* , EMC Conditional Test Protocol 34 (CTM-034), The Institute of Clean Air Companies, September 8, 1999.
- (4) *“Code of Federal Regulations”* , Protection of Environment, 40 CFR, Part 60, Appendix A, Methods 1-4; 10.

TABLE 1: APPENDIX A—SAMPLING RUN DATA.

	Facility_____	Engine I.D._____	Date_____	
Run	(-)	(-)	(-)	(-)
Type:				
(X)	Pre-Sample Calibration	Stack Gas Sample	Post-Sample Cal. Check	Repeatability Check

Run #	1	1	2	2	3	3	4	4	Time	Scrub. OK	Flow- Rate
Gas	O ₂	CO	O ₂	CO	O ₂	CO	O ₂	CO			
Sample Cond. Phase											
"											
"											
"											
Measurement Data Phase											
"											
"											
"											
"											
"											
"											
"											
Mean Refresh Phase											
"											
"											
"											
"											

[78 FR 6721, Jan. 30, 2013]

Appendix H

Highlighted 40 CFR Part 60 Subpart OOOOb

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

Title 40 —Protection of Environment

Chapter I —Environmental Protection Agency

Subchapter C —Air Programs

Part 60 —Standards of Performance for New Stationary Sources

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

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

Subpart OOOOb Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After December 6, 2022

- § 60.5360b** What is the purpose of this subpart?
- § 60.5365b** Am I subject to this subpart?
- § 60.5370b** When must I comply with this subpart?
- § 60.5371b** What GHG and VOC standards apply to super-emitter events?
- § 60.5375b** What GHG and VOC standards apply to well completions at well affected facilities?
- § 60.5376b** What GHG and VOC standards apply to gas well liquids unloading operations at well affected facilities?
- § 60.5377b** What GHG and VOC standards apply to associated gas wells at well affected facilities?
- § 60.5380b** What GHG and VOC standards apply to centrifugal compressor affected facilities?
- § 60.5385b** What GHG and VOC standards apply to reciprocating compressor affected facilities?
- § 60.5386b** What test methods and procedures must I use for my centrifugal compressor and reciprocating compressor affected facilities?
- § 60.5390b** What GHG and VOC standards apply to process controller affected facilities?
- § 60.5393b** What GHG and VOC standards apply to pump affected facilities?
- § 60.5395b** What GHG and VOC standards apply to storage vessel affected facilities?
- § 60.5397b** What GHG and VOC standards apply to fugitive emissions components affected facilities?
- § 60.5398b** What alternative GHG and VOC standards apply to fugitive emissions components affected facilities and what inspection and monitoring requirements apply to covers and closed vent systems when using an alternative technology?
- § 60.5399b** What are the alternative means of emission limitations for GHG and VOC emissions from well completions, liquids unloading operations, centrifugal compressors, reciprocating compressors, fugitive emissions components, and process unit equipment affected facilities; and what are the alternative fugitive emissions standards based on State, local, and Tribal programs?
- § 60.5400b** What GHG and VOC standards apply to process unit equipment affected facilities?
- § 60.5401b** What are the alternative GHG and VOC standards for process unit equipment affected

facilities?

- § 60.5402b What are the exceptions to the GHG and VOC standards for process unit equipment affected facilities?
- § 60.5403b What test methods and procedures must I use for my process unit equipment affected facilities?
- § 60.5405b What standards apply to sweetening unit affected facilities?
- § 60.5406b What test methods and procedures must I use for my sweetening unit affected facilities?
- § 60.5407b What are the requirements for monitoring of emissions and operations from my sweetening unit affected facilities?
- § 60.5408b What is an optional procedure for measuring hydrogen sulfide in acid gas—Tutwiler Procedure?
- § 60.5410b How do I demonstrate initial compliance with the standards for each of my affected facilities?
- § 60.5411b What additional requirements must I meet to determine initial compliance for my covers and closed vent systems?
- § 60.5412b What additional requirements must I meet for determining initial compliance of my control devices?
- § 60.5413b What are the performance testing procedures for control devices?
- § 60.5415b How do I demonstrate continuous compliance with the standards for each of my affected facilities?
- § 60.5416b What are the initial and continuous cover and closed vent system inspection and monitoring requirements?
- § 60.5417b What are the continuous monitoring requirements for my control devices?
- § 60.5420b What are my notification, reporting, and recordkeeping requirements?
- § 60.5421b What are my additional recordkeeping requirements for process unit equipment affected facilities?
- § 60.5422b What are my additional reporting requirements for process unit equipment affected facilities?
- § 60.5423b What are my additional recordkeeping and reporting requirements for sweetening unit affected facilities?
- § 60.5424b What are my additional recordkeeping and reporting requirements if I comply with the alternative GHG and VOC standards for fugitive emissions components affected facilities and covers and closed vent systems?
- § 60.5425b What parts of the General Provisions apply to me?
- § 60.5430b What definitions apply to this subpart?
- § 60.5432b How do I determine whether a well is a low pressure well using the low pressure well equation?

§§ 60.5433b–60.5439b *[Reserved]*

Table 1 to Subpart OOOOb of Part 60

Alternative Technology Periodic Screening Frequency at Well
Sites, Centralized Production Facilities, and Compressor Stations
Subject to AVO Inspections With Quarterly OGI or EPA Method 21
Monitoring

Table 2 to Subpart OOOOb of Part 60

Alternative Technology Periodic Screening Frequency at Well
Sites and Centralized Production Facilities Subject to AVO
Inspections and/or Semiannual OGI or EPA Method 21
Monitoring

Table 3 to Subpart OOOOb of Part 60

Required Minimum Initial SO₂ Emission Reduction Efficiency (Z_i)

Table 4 to Subpart OOOOb of Part 60

Required Minimum SO₂ Emission Reduction Efficiency (Z_c)

Table 5 to Subpart OOOOb of Part 60

Applicability of General Provisions to Subpart OOOOb

**Subpart OOOOb—Standards of Performance for Crude Oil and Natural Gas Facilities for Which
Construction, Modification or Reconstruction Commenced After December 6, 2022**

Source: 89 FR 17043, Mar. 8, 2024, unless otherwise noted.

§ 60.5360b What is the purpose of this subpart?

- (a) **Scope.** This subpart establishes emission standards and compliance schedules for the control of the pollutant greenhouse gases (GHG). The greenhouse gas standard in this subpart is in the form of a limitation on emissions of methane from affected facilities in the crude oil and natural gas source category that commence construction, modification, or reconstruction after December 6, 2022. This subpart also establishes emission standards and compliance schedules for the control of volatile organic compounds (VOC) and sulfur dioxide (SO₂) emissions from affected facilities in the crude oil and natural gas source category that commence construction, modification, or reconstruction after December 6, 2022.
- (b) **Prevention of Significant Deterioration (PSD) and title V thresholds for Greenhouse Gases.**
 - (1) For the purposes of 40 CFR 51.166(b)(49)(ii), with respect to GHG emissions from affected facilities, the “pollutant that is subject to the standard promulgated under section 111 of the Act” shall be considered the pollutant that otherwise is subject to regulation under the Act as defined in 40 CFR 51.166(b)(48) and in any State Implementation Plan (SIP) approved by the EPA that is interpreted to incorporate, or specifically incorporates, 40 CFR 51.166(b)(48).

- (2) For the purposes of 40 CFR 52.21(b)(50)(ii), with respect to GHG emissions from affected facilities, the “pollutant that is subject to the standard promulgated under section 111 of the Act” shall be considered the pollutant that otherwise is subject to regulation under the Clean Air Act as defined in 40 CFR 52.21(b)(49).
- (3) For the purposes of 40 CFR 70.2, with respect to GHG emissions from affected facilities, the “pollutant that is subject to any standard promulgated under section 111 of the Act” shall be considered the pollutant that otherwise is “subject to regulation” as defined in 40 CFR 70.2.
- (4) For the purposes of 40 CFR 71.2, with respect to GHG emissions from affected facilities, the “pollutant that is subject to any standard promulgated under section 111 of the Act” shall be considered the pollutant that otherwise is “subject to regulation” as defined in 40 CFR 71.2.
- (c) **Exemption.** You are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not otherwise required by law to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a). Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart.

§ 60.5365b Am I subject to this subpart?

You are subject to the applicable provisions of this subpart if you are the owner or operator of one or more of the onshore affected facilities listed in paragraphs (a) through (i) of this section, that is located within the Crude Oil and Natural Gas source category, as defined in § 60.5430b, for which you commence construction, modification, or reconstruction after December 6, 2022. Facilities located inside and including the Local Distribution Company (LDC) custody transfer station are not subject to this subpart.

- (a) Each well affected facility, which is a single well drilled for the purpose of producing oil or natural gas.
 - (1) In addition to § 60.14, a “modification” of an existing well occurs when:
 - (i) An existing well is hydraulically fractured, or
 - (ii) An existing well is hydraulically refractured.
 - (2) For the purposes of a well affected facility, a liquids unloading event is not considered to be a modification.
 - (3) Except as provided in § 60.5365b(e)(3)(ii)(C) and (i)(3)(ii), any action described by paragraphs (a)(1)(i) and (ii) of this section, by itself, does not affect the modification status of process unit equipment, centrifugal or reciprocating compressors, pumps, or process controllers.
- (b) Each centrifugal compressor affected facility, which is a single centrifugal compressor. A centrifugal compressor located at a well site is not an affected facility under this subpart. A centrifugal compressor located at a centralized production facility is an affected facility under this subpart.
- (c) Each reciprocating compressor affected facility, which is a single reciprocating compressor. A reciprocating compressor located at a well site is not an affected facility under this subpart. A reciprocating compressor located at a centralized production facility is an affected facility under this subpart.
- (d) Each process controller affected facility, which is the collection of natural gas-driven process controllers at a well site, centralized production facility, onshore natural gas processing plant, or a compressor station. Natural gas-driven process controllers that function as emergency shutdown devices and process controllers that are not driven by natural gas are not included in the affected facility.

- (1) For the purposes of § 60.5390b, in addition to the definition in § 60.14, a modification occurs when the number of natural gas-driven process controllers in the affected facility is increased by one or more.
- (2) For the purposes of § 60.5390b, owners and operators may choose to apply reconstruction as defined in § 60.15(b) based on the fixed capital cost of the new process controllers in accordance with paragraph (d)(2)(i) of this section, or the definition of reconstruction based on the number of natural gas-driven process controllers in the affected facility in accordance with paragraph (d)(2)(ii) of this section. Owners and operators may choose which definition of reconstruction to apply and whether to comply with paragraph (d)(2)(i) or (ii) of this section; they do not need to apply both. If owners and operators choose to comply with paragraph (d)(2)(ii) of this section they may demonstrate compliance with § 60.15(b)(1) by showing that more than 50 percent of the number of natural gas-driven process controllers in the affected facility is replaced. That is, if an owner or operator meets the definition of reconstruction through the “number of controllers” criterion in (d)(2)(ii) of this section, they will have shown that the “fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility,” as required in § 60.15(b)(1). Therefore, an owner or operator may comply with the remaining provisions of § 60.15 that reference “fixed capital cost” through an initial showing that the number of natural gas-driven process controllers replaced exceeds 50 percent. For purposes of paragraphs (d)(2)(i) and (ii), “commenced” means that an owner or operator has undertaken a continuous program of natural gas-driven process controller replacement or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of natural gas-driven process controller replacement.
 - (i) If the owner or operator applies the definition of reconstruction in § 60.15(b)(1), reconstruction occurs when the fixed capital cost of the new process controllers exceeds 50 percent of the fixed capital cost that would be required to replace all the natural gas-driven process controllers in the affected facility. The “fixed capital cost of the new process controllers” includes the fixed capital cost of all natural gas-driven process controllers which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 24-month rolling period following December 6, 2022.
 - (ii) If the owner or operator applies the definition of reconstruction based on the percentage of natural gas-driven process controllers replaced, reconstruction occurs when greater than 50 percent of the natural gas-driven process controllers at a site are replaced. The percentage includes all natural gas-driven process controllers which are or will be replaced pursuant to all continuous programs of natural gas-driven process controller replacement which are commenced within any 24-month rolling period following December 6, 2022. If an owner or operator determines reconstruction based on the percentage of natural gas-driven process controllers that are replaced, the owner or operator must also comply with § 60.15(a).
- (e) Each storage vessel affected facility, which is a tank battery that has the potential for emissions as specified in either paragraph (e)(1)(i) or (ii) of this section. A tank battery with the potential for emissions below both of the thresholds specified in paragraphs (e)(1)(i) and (ii) of this section is not a storage vessel affected facility provided the owner/operator keeps records of the potential for emissions calculation for the life of the storage vessel or until such time the tank battery becomes a storage vessel affected facility because the potential for emissions meets or exceeds either threshold specified in either paragraph (e)(1)(i) or (ii) of this section.

(1)

- (i) Potential for VOC emissions equal to or greater than 6 tons per year (tpy) as determined in paragraph (e)(2) of this section.
 - (ii) Potential for methane emissions equal to or greater than 20 tpy as determined in paragraph (e)(2) of this section.
- (2) The potential for VOC and methane emissions must be calculated as the cumulative emissions from all storage vessels within the tank battery as specified by the applicable requirements in paragraphs (e)(2)(i) through (iii) of this section. The determination may take into account requirements under a legally and practicably enforceable limit in an operating permit or other requirement established under a Federal, state, local, or Tribal authority.
- (i) Beginning January 22, 2027, or upon startup, whichever is later, for purposes of determining the applicability of a storage vessel tank battery as an affected facility, a legally and practicably enforceable limit must include the elements provided in paragraphs (e)(2)(i)(A) through (F) of this section.
 - (A) A quantitative production limit and quantitative operational limit(s) for the equipment, or quantitative operational limits for the equipment;
 - (B) An averaging time period for the production limit in (e)(2)(i)(A) of this section, if a production-based limit is used, that is equal to or less than 30 days;
 - (C) Established parametric limits for the production and/or operational limit(s) in paragraph (e)(2)(i)(A) of this section, and where a control device is used to achieve an operational limit, an initial compliance demonstration (*i.e.*, performance test) for the control device that establishes the parametric limits;
 - (D) Ongoing monitoring of the parametric limits in (e)(2)(i)(C) of this section that demonstrates continuous compliance with the production and/or operational limit(s) in (e)(2)(i)(A) of this section;
 - (E) Recordkeeping by the owner or operator that demonstrates continuous compliance with the limit(s) in (e)(2)(i)(A) through (D) of this section; and
 - (F) Periodic reporting that demonstrates continuous compliance.
 - (ii) For each tank battery located at a well site or centralized production facility, you must determine the potential for VOC and methane emissions within 30 days after startup of production, or within 30 days after an action specified in paragraphs (e)(3)(i) and (ii) of this section, except as provided in paragraph (e)(5)(iv) of this section. Beginning January 22, 2027, the potential for VOC and methane emissions must be calculated using a generally accepted model or calculation methodology that accounts for flashing, working, and breathing losses, based on the maximum average daily throughput to the tank battery determined for a 30-day period of production.
 - (iii) For each tank battery not located at a well site or centralized production facility, including each tank battery located at a compressor station or onshore natural gas processing plant, you must determine the potential for VOC and methane emissions prior to startup of the compressor station, onshore natural gas processing plant, or other facility within 30 days after an action specified in paragraphs (e)(3)(i) and (ii) of this section, using either method described in paragraph (e)(2)(iii)(A) or (B) of this section.

- (A) Determine the potential for VOC and methane emissions using a generally accepted model or calculation methodology that accounts for flashing, working and breathing losses and based on the throughput to the tank battery established in a legally and practicably enforceable limit in an operating permit or other requirement established under a Federal, state, local, or Tribal authority; or
 - (B) Determine the potential for VOC and methane emissions using a generally accepted model or calculation methodology that accounts for flashing, working and breathing losses and based on projected maximum average daily throughput. Maximum average daily throughput is determined using a generally accepted engineering model (e.g., volumetric condensate rates from the tank battery based on the maximum gas throughput capacity of each producing facility) to project the maximum average daily throughput for the tank battery.
- (3) For the purposes of § 60.5395b, the following definitions of “reconstruction” and “modification” apply for determining when an existing tank battery becomes a storage vessel affected facility under this subpart.
 - (i) “Reconstruction” of a tank battery occurs when the potential for VOC or methane emissions to meet or exceed either of the thresholds specified in paragraphs (e)(1)(i) or (ii) of this section and—
 - (A) At least half of the storage vessels are replaced in the existing tank battery that consists of more than one storage vessel; or
 - (B) The provisions of § 60.15 are met for the existing tank battery.
 - (ii) “Modification” of a tank battery occurs when any of the actions in paragraphs (e)(3)(ii)(A) through (D) of this section occurs and the potential for VOC or methane emissions meet or exceed either of the thresholds specified in paragraphs (e)(1)(i) or (ii) of this section.
 - (A) A storage vessel is added to an existing tank battery;
 - (B) One or more storage vessels are replaced such that the cumulative storage capacity of the existing tank battery increases;
 - (C) Beginning January 22, 2027, or upon startup, whichever is later, for tank batteries at well sites or centralized production facilities, an existing tank battery receives additional crude oil, condensate, intermediate hydrocarbons, or produced water throughput from actions, including but not limited to, the addition of operations or a production well, or changes to operations or a production well (including hydraulic fracturing or refracturing of the well).
 - (D) Beginning January 22, 2027, or upon startup, whichever is later, for tank batteries not located at a well site or centralized production facility, including each tank battery at compressor stations or onshore natural gas processing plants, an existing tank battery receives additional fluids which cumulatively exceed the throughput used in the most recent (i.e., prior to an action in paragraph (e)(3)(ii)(A), (B), or (D) of this section) determination of the potential for VOC or methane emissions.
- (4) A storage vessel affected facility that subsequently has its potential for VOC emissions decrease to less than 6 tpy shall remain an affected facility under this subpart.

- (5) For storage vessels not subject to a legally and practicably enforceable limit in an operating permit or other requirement established under Federal, state, local, or Tribal authority, any vapor from the storage vessel that is recovered and routed to a process through a vapor recovery unit designed and operated as specified in this section is not required to be included in the determination of potential for VOC or methane emissions for purposes of determining affected facility status, provided you comply with the requirements of paragraphs (e)(5)(i) through (iv) of this section.
 - (i) You meet the cover requirements specified in § 60.5411b(b).
 - (ii) You meet the closed vent system requirements specified in § 60.5411b(a)(2) through (4) and (c).
 - (iii) You must maintain records that document compliance with paragraphs (e)(5)(i) and (ii) of this section.
 - (iv) In the event of removal of apparatus that recovers and routes vapor to a process, or operation that is inconsistent with the conditions specified in paragraphs (e)(5)(i) and (ii) of this section, you must determine the storage vessel's potential for VOC emissions according to this section within 30 days of such removal or operation.
- (6) The requirements of this paragraph (e)(6) apply to each storage vessel affected facility immediately upon startup, startup of production, or return to service. A storage vessel affected facility or portion of a storage vessel affected facility that is reconnected to the original source of liquids remains a storage vessel affected facility subject to the same requirements that applied before being removed from service. Any storage vessel that is used to replace a storage vessel affected facility, or portion of a storage vessel affected facility, or used to expand a storage vessel affected facility assumes the affected facility status of the storage vessel affected facility being replaced or expanded.
- (7) A storage vessel with a capacity greater than 100,000 gallons used to recycle water that has been passed through two stage separation is not a storage vessel affected facility.
- (f) Each process unit equipment affected facility, which is the group of all equipment within a process unit at an onshore natural gas processing plant is an affected facility.
 - (1) Addition or replacement of equipment for the purpose of process improvement that is accomplished without a capital expenditure shall not by itself be considered a modification under this subpart.
 - (2) Equipment associated with a compressor station, dehydration unit, sweetening unit, underground storage vessel, field gas gathering system, or liquefied natural gas unit is covered by §§ 60.5400b, 60.5401b, 60.5402b, 60.5421b, and 60.5422b if it is located at an onshore natural gas processing plant. Equipment not located at the onshore natural gas processing plant site is exempt from the provisions of §§ 60.5400b, 60.5401b, 60.5402b, 60.5421b, and 60.5422b.
- (g) Each sweetening unit affected facility as defined by paragraphs (g)(1) and (2) of this section.
 - (1) Each sweetening unit that processes natural gas produced from either onshore or offshore wells is an affected facility; and
 - (2) Each sweetening unit that processes natural gas followed by a sulfur recovery unit is an affected facility.

- (3) Facilities that have a design capacity less than 2 long tons per day (LT/D) of hydrogen sulfide (H₂S) in the acid gas (expressed as sulfur) are required to comply with recordkeeping and reporting requirements specified in § 60.5423b(e) but are not required to comply with §§ 60.5405b through 60.5407b and §§ 60.5410b(i) and 60.5415b(k).
- (4) Sweetening facilities producing acid gas that is completely re-injected into oil-or-gas-bearing geologic strata or that is otherwise not released to the atmosphere are not subject to §§ 60.5405b through 60.5407b, 60.5410b(i), 60.5415b(k), and 60.5423b.
- (h) Each pump affected facility, which is the collection of natural gas-driven pumps at a well site, centralized production facility, onshore natural gas processing plant, or a compressor station. Pumps that are not driven by natural gas are not included in the pump affected facility.
 - (1) For the purposes of § 60.5393b, in addition to the definition in § 60.14, a modification occurs when the number of natural gas-driven pumps in the affected facility is increased by one or more.
 - (2) For the purposes of § 60.5393b, owners and operators may choose to apply reconstruction as defined in § 60.15(b) based on the fixed capital cost of the new pumps in accordance with paragraph (h)(2)(i) of this section, or the definition of reconstruction based on the number of natural gas-driven pumps in the affected facility in accordance with paragraph (h)(2)(ii) of this section. Owners and operators may choose which definition of reconstruction to apply and whether to comply with paragraph (h)(2)(i) or (ii) of this section; they do not need to apply both. If owners and operators choose to comply with paragraph (h)(2)(ii) of this section they may demonstrate compliance with § 60.15(b)(1) by showing that more than 50 percent of the number of natural gas-driven pumps is replaced. That is, if an owner or operator meets the definition of reconstruction through the “number of pumps” criterion in paragraph (h)(2)(ii) of this section, they will have shown that the “fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility,” as required in § 60.15(b)(1). Therefore, an owner or operator may comply with the remaining provisions of § 60.15 that reference “fixed capital cost” through an initial showing that the number of natural gas-driven pumps replaced exceeds 50 percent. For purposes of paragraphs (h)(2)(i) and (ii) of this section, “commenced” means that an owner or operator has undertaken a continuous program of component replacement or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of natural gas-driven pump replacement.
 - (i) If the owner or operator applies the definition of reconstruction in § 60.15, reconstruction occurs when the fixed capital cost of the new pumps exceeds 50 percent of the fixed capital cost that would be required to replace all the natural gas-driven pumps in the affected facility. The “fixed capital cost of the new pumps” includes the fixed capital cost of all natural gas-driven pumps which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 24-month rolling period following December 6, 2022.
 - (ii) If the owner or operator applies the definition of reconstruction based on the percentage of natural gas-driven pumps replaced, reconstruction occurs when greater than 50 percent of the natural gas-driven pumps in the affected facility are replaced. The percentage includes all natural gas-driven pumps which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 24-month rolling period following December 6, 2022. If an owner or operator determines reconstruction based on the percentage of natural gas-driven pumps that are replaced, the owner or operator must comply with § 60.15(a).

- (3) A natural gas-driven pump that is in operation less than 90 days per calendar year is not part of an affected facility under this subpart. For the purposes of this section, any period of operation during a calendar day counts toward the 90-calendar day threshold.
- (i) Each fugitive emissions components affected facility, which is the collection of fugitive emissions components at a well site, centralized production facility, or a compressor station.
 - (1) For purposes of § 60.5397b and § 60.5398b, a “modification” to a well site occurs when:
 - (i) A new well is drilled at an existing well site;
 - (ii) A well at an existing well site is hydraulically fractured; or
 - (iii) A well at an existing well site is hydraulically refractured.
 - (2) For purposes of § 60.5397b and § 60.5398b, a “modification” to centralized production facility occurs when:
 - (i) Any of the actions in paragraphs (i)(1)(i) through (iii) of this section occurs at an existing centralized production facility;
 - (ii) A well sending production to an existing centralized production facility is modified, as defined in paragraphs (i)(1)(i) through (iii) of this section; or
 - (iii) A well site subject to the requirements of § 60.5397b or § 60.5398b removes all major production and processing equipment, such that it becomes a wellhead only well site and sends production to an existing centralized production facility.
 - (3) For purposes of §§ 60.5397b and 60.5398b, a “modification” to a compressor station occurs when:
 - (i) An additional compressor is installed at a compressor station; or
 - (ii) One or more compressors at a compressor station is replaced by one or more compressors of greater total horsepower than the compressor(s) being replaced. When one or more compressors is replaced by one or more compressors of an equal or smaller total horsepower than the compressor(s) being replaced, installation of the replacement compressor(s) does not trigger a modification of the compressor station for purposes of §§ 60.5397b and 60.5398b.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62888, Aug. 1, 2024; 90 FR 35981, July 31, 2025]

§ 60.5370b When must I comply with this subpart?

- (a) You must be in compliance with the standards of this subpart no later than May 7, 2024, or upon initial startup, whichever date is later, except as specified in paragraph (a)(1) of this section for reciprocating compressor affected facilities, paragraphs (a)(2) and (3) of this section for storage vessel affected facilities, paragraph (a)(4) of this section for process unit equipment affected facilities at onshore natural gas processing plants, paragraph (a)(5) of this section for process controllers, paragraph (a)(6) of this section for pumps, paragraph (a)(7) of this section for centrifugal compressor affected facilities, paragraph (a)(8) of this section for enclosed combustion devices, paragraph (a)(9) of this section for enclosed combustion devices or flares, and paragraphs § 60.5377b(b) or (c) for associated gas wells.
 - (1) You must comply with the requirements of § 60.5385b for your reciprocating compressor affected facility as specified in paragraph (a)(1)(i), (ii), or (iii) of this section, as applicable.

- (i) You must comply with the requirements of § 60.5385b(a)(1) on or before 8,760 hours of operation after May 7, 2024, on or before 8,760 hours of operation after last rod packing replacement, or on or before 8,760 hours of operation after startup, whichever date is later; and
 - (ii) You must comply with the requirements of § 60.5385b(a)(2) within 8,760 hours after compliance with § 60.5385b(a)(1) and (d)(3).
 - (iii) You must comply with the requirements of § 60.5385b(d)(1) and (2) for your reciprocating compressor upon initial startup.
- (2) You must comply with the requirements of paragraphs § 60.5395b(a)(1) for your storage vessel affected facility as specified in paragraphs (a)(2)(i) or (ii) of this section, as applicable.
- (i) Within 30 days after startup of production, or within 30 days after reconstruction or modification of the storage vessel affected facility, for each storage vessel affected facility located at a well site or centralized production facility.
 - (ii) Prior to startup of the compressor station or onshore natural gas processing plant, or within 30 days after reconstruction or modification of the storage vessel affected facility, for each storage vessel affected facility located at a compressor station or onshore natural gas processing plant.
- (3) You must comply with the requirements of paragraph § 60.5395b(a)(2) as specified in paragraph (a)(3)(i) or (ii) of this section, as applicable:
- (i) For each storage vessel affected facility located at a well site or centralized production facility, you must achieve the required emissions reductions within 30 days after the determination in paragraph (a)(2)(i) of this section.
 - (ii) For storage vessel affected facilities located at a compressor station or onshore natural gas processing plant, you must achieve the required emissions reductions within 30 days after the determination in paragraph (a)(2)(ii) of this section.
- (4) Except as specified in paragraph (a)(4)(i) and (ii) of this section, you must comply with the requirements of § 60.5400b or as an alternative, the requirements in § 60.5401b, for all process unit equipment affected facilities at a natural gas processing plant, as soon as practicable but no later than 180 days after the initial startup of the process unit.
- (i) If complying with § 60.5400b, beginning January 22, 2027, or 180 days after startup, whichever is later, you must comply with the requirements of § 60.5400b(h)(2)(ii).
 - (ii) If complying with § 60.5401b, beginning January 22, 2027, or 180 days after startup, whichever is later, you must comply with the requirements of § 60.5401b(i)(2)(ii).
- (5) For process controller affected facilities, you must comply with the requirements of paragraph (a)(5)(i) or (ii) of this section, as applicable.
- (i) Any process controller affected facilities may comply with § 60.5390b(b)(1) and (2) or (3) as an alternative to compliance with § 60.5390b(a) until January 22, 2027.
 - (ii) On or after January 22, 2027, process controller affected facilities must comply with § 60.5390b(a) or (b), as specified in those paragraphs.
- (6) For pump affected facilities, you must comply with the requirements of paragraph (a)(6)(i) or (ii) of this section, as applicable.

- (i) Any pump affected facility may comply with § 60.5393b(b)(2) through (8), as applicable, as an alternative to compliance with § 60.5393b(a) until May 7, 2025.
 - (ii) On or after May 7, 2025, pump affected facilities must comply with § 60.5393b(a) or (b), as specified in those paragraphs.
- (7) For centrifugal compressor affected facilities, you must comply with the requirements of paragraph (a)(7)(i) or (ii) of this section, as applicable.
 - (i) You must comply with the requirements of § 60.5380b(a)(1) and (2) or (a)(3) for your centrifugal compressor upon initial startup.
 - (ii) Each centrifugal compressor affected facility that uses dry seals, each self-contained wet seal compressor, and each centrifugal compressor on the Alaska North Slope equipped with sour seal oil separator and capture system, complying with one of the alternatives in § 60.5380b(a)(4), (5), or (6), must comply with the specified performance-based volumetric flow rate work practice standards on or before 8,760 hours of operation after May 7, 2024, on or before 8,760 hours of operation after last seal replacement, or on or before 8,760 hours of operation after startup, whichever date is later.
- (8) For an enclosed combustion device, you must comply with the requirements of paragraph (a)(8)(i) of this section, as applicable.
 - (i) Beginning January 22, 2027, or 180 days after startup, whichever is later, you must comply with the performance testing procedures of § 60.5413b(b).
 - (ii) [Reserved]
- (9) For an enclosed combustion device or for a flare, you must comply with the requirements of paragraph (a)(9)(i), (ii), or (iii) of this section, as applicable.
 - (i) Beginning November 28, 2025, or 180 days after startup, whichever is later, you must comply with the continuous monitoring systems requirements of § 60.5417b(d)(8)(i) through (iv).
 - (ii) Beginning May 7, 2024 or 180 days after startup, whichever is later, you must comply with the visible emission observation requirements of § 60.5417b(d)(8)(v).
 - (iii) Beginning November 28, 2025, or 180 days after startup, whichever is later, you must comply with the continuous monitoring systems requirements of § 60.5417b(d)(8)(vi) for enclosed combustion devices or flares that are air-assisted or steam-assisted.
- (b) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating 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, opacity observations, review of operating and maintenance procedures, and inspection of the source. The provisions for exemption from compliance during periods of startup, shutdown and malfunctions provided for in 40 CFR 60.8(c) do not apply to this subpart.
- (c) You are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not otherwise required by law to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a). Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62891, Aug. 1, 2024; 90 FR 35982, July 31, 2025]

§ 60.5371b What GHG and VOC standards apply to super-emitter events?

The provisions of this section will not apply between July 31, 2025, and January 22, 2027. The provisions of this section will apply after January 22, 2027. This section applies to super-emitter events. For purposes of this section, a super-emitter event is defined as any emissions event that is located at or near an oil and natural gas facility (e.g., individual well site, centralized production facility, natural gas processing plant, or compressor station) and that is detected using remote detection methods and has quantified emission rate of 100 kg/hr of methane or greater. Paragraph (a) of this section describes the qualifications one must meet to apply to be a third-party notifier of super-emitter events. Paragraph (b) of this section describes the procedures for certifying third-party notifiers, as well as the procedures for petitioning the Agency for removal of a third-party notifier from the list of certified notifiers. Paragraph (c) of this section contains the required information that must be included in any notification submitted to the EPA from a certified third-party notifier and a timetable for notifications. The EPA shall review these notifications and if the EPA determines the notification is complete and does not contain information that the EPA finds to be erroneous or inaccurate to a reasonable degree of certainty, the EPA shall assign the notification a unique notification identification number, provide the notification to the owner or operator of the oil and natural gas facility identified in the notification, and post the notification, except for the owner/operator attribution, at www.epa.gov/super-emitter. Upon receiving such notification, owners or operators must take the actions listed in paragraphs (d) and (e) of this section. The EPA shall post the reports submitted under paragraph (e) of this section, § 60.5371(b) and § 60.5371a(b) of subparts OOOO and OOOOa of this part, and applicable State or Federal plan implementing § 60.5388c(b) of subpart OOOOc of this part, including owner/operator attributions that have been confirmed by the reports; where the reporting deadlines have passed but no reports have been received, the EPA intends to post owner/operator attributions that the EPA reasonably believes to be accurate. The reports will be publicly available at www.epa.gov/super-emitter.

- (a) **Qualifications for third-party notifiers.** An entity may apply to the Administrator under paragraph (b) of this section for approval as a third-party notifier if it meets the qualifications in this paragraph (a). The entity must be a person, as defined in 42 U.S.C. 7602(e), excluding the owner or operator of the site where the super-emitter event is detected, the Administrator, or the delegated authority. The entity must use a method that has been approved under § 60.5398b(d) for one of the technologies specified in paragraphs (a)(1) through (3) of this section.
 - (1) Satellite detection of methane emissions.
 - (2) Remote-sensing equipment on aircraft.
 - (3) Mobile monitoring platforms.
- (b) **Third-party notifier certification.** An entity meeting the qualifications in paragraph (a) of this section may apply to be certified as a third-party notifier. Only entities certified as third-party notifiers may submit information on super-emitter events to the EPA under paragraph (c) of this section. An entity seeking certification as a third-party notifier must submit a request to the Administrator as described in paragraph (b)(1) of this section. Certified third-party notifiers must follow the recordkeeping requirements in paragraph (b)(2) of this section; failure to maintain the required records may result in loss of certification status. The Administrator will determine whether the request for certification is adequate and issue an approval or disapproval of the request as described in paragraph (b)(3) of this section. A certified third-party notifier must re-apply when material changes are made, as described in paragraph (b)(4) of this section. A third-party notifier may be removed from the list of certified notifiers as detailed in paragraph (b)(5) of this section.

- (1) A request to be certified as a third-party notifier must be submitted to: U.S. EPA, Attn: Leader, Measurement Technology Group, Mail Drop: E143-02, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, NC 27711. The request must include the supporting information in paragraphs (b)(1)(i) through (vi) of this section. If your submittal includes information claimed to be CBI, submit the portion of the information claimed as CBI to the OAQPS CBI office. The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov and should include clear CBI markings and be flagged to the attention of the Leader, Measurement Technology Group. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link. If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: U.S. EPA, Attn: OAQPS Document Control Officer and Measurement Technology Group Leader, Mail Drop: C404-02, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, NC 27711. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.
 - (i) General identification information for the candidate third-party notifier requesting certification as a third-party notifier including the mailing address, the physical address, the name of a principal officer and an email address for the principal officer, and name of the certifying official(s) and the certifying official(s)'s email address.
 - (ii) Description of the technologies the entity will use to identify emissions that are 100 kg/hr of methane or greater. At a minimum, the description must include the following:
 - (A) Reference to the approval of the method to be used under § 60.5398b(d).
 - (B) Memorandum of Understanding (MOU) or contracting agreements with the technology provider(s) that will be used to identify super-emitter events (if applicable).
 - (iii) Curriculum vitae of the certifying official(s) detailing their work history, education, skill set, and training for evaluating the results of the technologies that will be used to identify super-emitter events.
 - (iv) The candidate third-party notifier's standard operating procedure(s) detailing the procedures and processes for data review. At a minimum, this must include the following:
 - (A) Procedures for evaluating the emission data provided by the technology, including the accuracy of the data and whether the data was collected in compliance with the method requirements approved under § 60.5398b(d).
 - (B) Process for verifying the accuracy of the locality of emissions.
 - (C) Process for identifying and verifying the owner or operator of a site where a super-emitter event occurs, including the source of information that will be used to make the identification.
 - (D) Procedures for handling potentially erroneous data.
 - (v) Description of the systems used for maintaining essential records identified in paragraph (b)(2) of this section.

- (vi) A Quality Management Plan consistent with EPA's Quality Management Plan Standard (Directive No: CIO 2015-S-01.0, January 17, 2023) for Non-EPA organizations.
- (2) Certified third-party notifiers must maintain the records identified in paragraphs (b)(2)(i) through (iii) of this section. Upon request, the certified third-party notifier must make these records available to the Administrator for review.
 - (i) Records for all surveys conducted by or sponsored by the certified third-party notifier, including outputs (e.g., emission rates, locations) and associated data needed to confirm the accuracy of the outputs and the performance of the method used.
 - (ii) Records of all notifications of super-emitter events provided to the EPA. Retain any information collected that is used to evaluate the validity of a super-emitter event but which is not required to be submitted as part of the notification.
 - (iii) A copy of any records and/or identification of any databases used in the identification of the potential owner or operator of the site where a super-emitter event occurred.
- (3) Based upon the Administrator's judgment of the completeness, reasonableness, and accuracy of the entity's request, the Administrator will approve or disapprove the entity for certification as a third-party notifier. For those third parties that receive approval, the Administrator will provide you a unique notifier ID. Starting 15 calendar days after being approved as a certified third-party notifier, the notifier may submit notifications of super-emitter events to the EPA as outlined in paragraph (c) of this section. All approved third-party notifiers shall be posted on the EPA website at www.epa.gov/emc-third-party-certifications.
- (4) If a third-party notifier intends to make any significant changes to their procedures for identifying super-emitter events, meaning a change to the technology used to identify super-emitter events or a change to the certifying official(s), you must request an amendment to your certification and be recertified under paragraph (b)(1) of this section.
- (5) A certified third-party notifier may be removed from the list of approved third-party notifiers in any of the circumstances listed in paragraphs (b)(5)(i) through (iii) of this section. Entities removed from the list of approved third-party notifiers cannot submit notifications to the EPA under paragraph (c) of this section. Entities may be added back to the list of approved third-party notifiers by receiving approval of a new certification request submitted under paragraph (b)(1) of this section.
 - (i) If a certified third-party notifier has made material changes to their procedures for identifying super-emitter events, meaning a change to the technology used to identify super-emitter events or a change to the certifying official, without seeking recertification.
 - (ii) If the Administrator finds that the certified third-party notifier has persistently submitted data with significant errors (e.g., misidentification of the owner or operator) or if the third-party notifier has engaged in illegal activity during the assessment of a super-emitter event (e.g., trespassing).
 - (iii) If the Administrator receives a petition from an owner or operator to remove a certified third-party notifier from the list of approved notifiers, as set forth below, and the Administrator makes the finding noted below. Any owner or operator that has received more than three notices with meaningful and/or demonstrable errors of a super-emitter event at the same oil and natural gas facility (e.g., a well site, centralized production facility, natural gas processing plant, or compressor station) from the EPA that were submitted to the EPA by the same third

party may petition the Administrator to remove that third party from the list of approved notifiers, by providing evidence that the claimed super-emitter events did not occur. Such petitions may not be used to dispute the methodology that were approved through the process described in § 60.5398b(d). The third party will be given the opportunity to respond to the petition. If, in the Administrator's discretion, the Administrator determines that the three notifications contain meaningful and/or demonstrable errors, including that the third party did not use the methane detection technology identified in their submittal, the emissions event did not exceed the threshold of 100 kg/hr of methane, the third-party knowingly misidentified the date of a super-emitter event, the third party may be removed by the Administrator from the list of approved notifiers. The failure of the owner or operator to find the source of the super-emitter event upon subsequent inspection shall not be proof, by itself, of demonstrable error.

(c) **Notification of super-emitter events.** Notifications must be submitted to the EPA using the Super-Emitter Program Portal (available at <http://www.epa.gov/super-emitter>). Notifications must contain the information specified in paragraphs (c)(1) through (8) of this section. The EPA will review the submitted notifications of super-emitter events for completeness and accuracy. If the EPA determines that the notification is complete and does not contain information that the EPA finds to be inaccurate to a reasonable degree of certainty, the EPA will assign the notification a unique notification report identification number, make the notification publicly available at www.epa.gov/super-emitter, and provide the super-emitter event notification to the owner or operator identified in the notification. The EPA will not review and provide the notification to an owner or operator if the notification is submitted after the date specified in paragraph (c)(9) of this section.

- (1) Unique Third-Party Notifier ID.
- (2) Date of detection of the super-emitter event. If multiple surveys were required to detect and quantify the super-emitter event, the date of detection is the date of the final survey.
- (3) Location of super-emitter event in latitude and longitude coordinates in decimal degrees to an accuracy and precision of four (4) decimals of a degree using the North American Datum of 1983.
- (4) Owner(s) or operator(s) of any oil and natural gas facility (e.g., individual well site, centralized production facility, natural gas processing plant, or compressor station) within 50 meters of the latitude and longitude coordinates of the super-emitter event, if available.
- (5) Identification of the detection technology and reference to the approval of the technology used under § 60.5398b(d).
- (6) Documentation (e.g., imagery) depicting the detected super-emitter event and the site from which the super-emitter event was detected.
- (7) Quantified emission rate of the super-emitter event in kg/hr and associated uncertainty bounds (e.g., 1- σ) of the measurement.
- (8) Attestation statement, signed and dated by the third-party notifier certifying official submitting the data collected. The attestation must state: "I certify that I have been approved to be a notifier under 40 CFR 60.5371b(b) and that the emission detection information included in this notification was collected and interpreted as described in this notification. Based on my professional knowledge and experience, and inquiry of personnel involved in the collection and analysis of the data, the certification submitted herein is true, accurate, and complete."

- (9) The third-party notifier must submit the notification within 15 calendar days of the date of detection of the super-emitter event.

(d) **Identification of super-emitter events.** Within 5 calendar days of receiving a notification from the EPA of a super-emitter event, the owner or operator of an oil and natural gas facility (e.g., a well site, centralized production facility, natural gas processing plant, or compressor station) must initiate a super-emitter event investigation. The investigation must be conducted in accordance with this paragraph (d) and completed within 15 days of receiving the notification from the EPA. The owner or operator must maintain records of its super-emitter event investigations and report the findings from the investigation according to the requirements in paragraph (e) of this section.

- (1) If you do not own or operate an oil and natural gas facility within 50 meters from the latitude and longitude provided in the notification, report this result to the EPA under paragraph (e) of this section. Your super-emitter event investigation is deemed complete.

- (2) If you own or operate an oil and natural gas facility within 50 meters from the latitude and longitude provided in the notification, you must investigate to determine the source of super-emitter event. The investigation may include but is not limited to the actions specified below in paragraphs (d)(2)(i) through (v) of this section.

- (i) Review any maintenance activities (e.g., liquids unloading) or process activities from the affected facilities subject to regulation under this subpart, starting from the date of detection of the super-emitter event as identified in the notification, until the date of investigation, to determine if the activities indicate any potential source(s) of the super-emitter event emissions.

- (ii) Review all monitoring data from control devices (e.g., flares) from the affected facilities subject to regulation under this subpart from the initial date of detection of the super-emitter event as identified in the notification until the date of receiving the notification from the EPA. Identify any malfunctions of control devices or periods when the control devices were not in compliance with applicable requirements and that indicate a potential source of the super-emitter event emissions.

- (iii) If you conducted a fugitive emissions survey or periodic screening event in accordance with § 60.5397b or § 60.5398b(b) between the initial date of detection of the super-emitter event as identified in the notification and the date the notification from the EPA was received, review the results of the survey to identify any potential source(s) of the super-emitter event emissions.

- (iv) If you conduct continuous monitoring with advanced methane detection technology in accordance with § 60.5398b(c), review the monitoring data collected on or after the initial date of detection of the super-emitter event as identified in the notification, until the date of receiving the notification from the EPA.

- (v) Screen the entire oil and natural gas facility with OGI, Method 21 of appendix A-7 to this part, or an alternative test method(s) approved per § 60.5398b(d), to determine if a super-emitter event is present.

- (3) If the source of the super-emitter event was found to be from fugitive emission components at a well site, centralized production facility, or compressor station subject to this subpart, you must comply with the repair requirements under § 60.5397b and the associated recordkeeping and reporting requirements under § 60.5420b(b)(9) and (c)(14).

- (e) **Super-emitter event report.** You must submit the results of the super-emitter event investigation conducted under paragraph (d) of this section to the EPA in accordance with paragraph (e)(1) of this section. If the super-emitter event (*i.e.*, emission at 100 kg/hr of methane or more) is ongoing at the time of the initial report, submit the additional information in accordance with paragraph (e)(2) of this section. You must attest to the information included in the report as specified in paragraph (e)(3) of this section.
- (1) Within 15 days of receiving a notification from the EPA under paragraph (c) of this section, you must submit a report of the super-emitter event investigation conducted under paragraph (d) of this section through the Super-Emitter Program Portal. You must include the applicable information in paragraphs (e)(1)(i) through (viii) of this section in the report. If you have identified a demonstrable error in the notification, the report may include a statement of the demonstrable error.
- (i) Notification Report ID of the super-emitter event notification.
 - (ii) Identification of whether you are the owner or operator of an oil and natural gas facility within 50 meters from the latitude and longitude provided in the EPA notification. If you do not own or operate an oil and natural gas facility within 50 meters from the latitude and longitude provided in the EPA notification, you are not required to report the information in paragraphs (e)(1)(iii) through (viii) of this section.
 - (iii) General identification information for the facility, including, facility name, the physical address, applicable ID Number (*e.g.*, EPA ID Number, API Well ID Number), the owner or operator or responsible official (where applicable) and their email address.
 - (iv) Identification of whether there is an affected facility or associated equipment subject to regulation under this subpart at this oil and natural gas facility.
 - (v) Indication of whether you were able to identify the source of the super-emitter event. If you indicate you were unable to identify the source of the super-emitter event, you must certify that all applicable investigations specified in paragraphs (d)(2)(i) through (v) of this section have been conducted for all affected facilities and associated equipment subject to this subpart that are at this oil and natural gas facility, and you have determined that the affected facilities and associated equipment are not the source of the super-emitter event. If you indicate that you were not able to identify the source of the super-emitter event, you are not required to report the information in paragraphs (e)(1)(vi) through (viii) of this section.
 - (vi) The source(s) of the super-emitter event.
 - (vii) Identification of whether the source of the super-emitter event is equipment subject to regulation under this subpart. If the source of the super-emitter event is equipment subject to regulation under this subpart, identify the applicable regulation(s) under this subpart.
 - (viii) Indication of whether the super-emitter event is ongoing at the time of the initial report submittal (*i.e.*, emissions at 100 kg/hr of methane or more).
 - (A) If the super-emitter event is not ongoing at the time of the initial report submittal, provide the actual (or if unknown) estimated date and time the super-emitter event ended.
 - (B) If the super-emitter event is ongoing at the time of the initial report submittal, provide a short narrative of your plan to end the super-emitter event, including the targeted end date for the efforts to be completed and the super-emitter event ended.

- (2) If the super-emitter event is ongoing at the time of the initial report submittal, within 5 business days of the date the super-emitter event ends, you must update your initial report through the Super-Emitter Program Portal to provide the end date and time of the super-emitter event.
- (3) You must sign the following attestation when submitting data into the Super-Emitter Program Portal: "I certify that the information provided in this report regarding the specified super-emitter event was prepared under my direction or supervision. I further certify that the investigations were conducted, and this report was prepared pursuant to the requirements of § 60.5371b(d) and (e). Based on my professional knowledge and experience, and inquiry of personnel involved in the assessment, the certification submitted herein is true, accurate, and complete. I am aware that knowingly false statements may be punishable by fine or imprisonment."

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62891, Aug. 1, 2024; 90 FR 35982, July 31, 2025]

§ 60.5375b What GHG and VOC standards apply to well completions at well affected facilities?

- (a) You must comply with the requirements of paragraphs (a)(1) through (3) of this section for each well completion operation with hydraulic fracturing and refracturing at a well affected facility, except as provided in paragraphs (f), (g) and (h) of this section. You must maintain a log as specified in paragraph (b) of this section.
 - (1) For each stage of the well completion operation, follow the requirements specified in paragraphs (a)(1)(i) through (iii) of this section.
 - (i) During the initial flowback stage, route the flowback into one or more well completion vessels or storage vessels and commence operation of a separator unless it is technically infeasible for a separator to function. The separator may be a production separator, but the production separator also must be designed to accommodate flowback. Any gas present in the initial flowback stage is not subject to control under this section.
 - (ii) During the separation flowback stage, route all recovered liquids from the separator to one or more well completion vessels or storage vessels, re-inject the recovered liquids into the well or another well, or route the recovered liquids to a collection system. Route the recovered gas from the separator into a gas flow line or collection system, re-inject the recovered gas into the well or another well, use the recovered gas as an onsite fuel source, or use the recovered gas for another useful purpose that a purchased fuel or raw material would serve. If it is technically infeasible to route the recovered gas as required above, follow the requirements of paragraph (a)(2) of this section. If, at any time during the separation flowback stage, it is technically infeasible for a separator to function, you must comply with paragraph (a)(1)(i) of this section.
 - (iii) You must have the separator onsite or otherwise available for use at a centralized production facility or well pad that services the well completion affected facility during well completions. The separator must be available and ready for use to comply with paragraph (a)(1)(ii) of this section during the entirety of the flowback period, except as provided in paragraphs (a)(1)(iii)(A) through (C) of this section.
 - (A) A well that is not hydraulically fractured or refractured with liquids, or that does not generate condensate, intermediate hydrocarbon liquids, or produced water such that there is no liquid collection system at the well site is not required to have a separator onsite.

- (B) If conditions allow for liquid collection, then the operator must immediately stop the well completion operation, install a separator, and restart the well completion operation in accordance with paragraph (a)(1) of this section.
 - (C) The owner or operator of a well that meets the criteria of paragraph (a)(1)(iii)(A) or (B) of this section must submit the report in § 60.5420b(b)(2) and maintain the records in § 60.5420b(c)(1)(iii).
- (2) If it is technically infeasible to route the recovered gas as required in paragraph (a)(1)(ii) of this section, then you must capture and direct recovered gas to a completion combustion device, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a completion combustion device may negatively impact tundra, permafrost or waterways. After January 22, 2027, completion combustion devices must be equipped with a reliable continuous pilot flame.
- (3) You have a general duty to safely maximize resource recovery and minimize releases to the atmosphere during flowback and subsequent recovery.
- (b) You must maintain a log for each well completion operation at each well affected facility. The log must be completed on a daily basis for the duration of the well completion operation and must contain the records specified in § 60.5420b(c)(1)(iii).
- (c) You must demonstrate initial compliance with the well completion operation standards that apply to well affected facilities as required by § 60.5410b(a).
- (d) You must demonstrate continuous compliance with the well completion operation standards that apply to well affected facilities as required by § 60.5415b(a).
- (e) You must perform the required notification, reporting and recordkeeping as required by § 60.5420b(a)(2), (b)(1) and (2), and (c)(1).
- (f) For each well affected facility specified in paragraphs (f)(1) and (2) of this section, you must comply with the requirements of paragraphs (f)(3) and (4) of this section.
 - (1) Each well completion operation with hydraulic fracturing at a wildcat or delineation well.
 - (2) Each well completion operation with hydraulic fracturing at a non-wildcat low pressure well or non-delineation low pressure well.
 - (3) You must comply with paragraph (f)(3)(i) of this section. You must also comply with paragraph (b) of this section. As an alternative, if you are able to operate a separator, you may comply with paragraph (b) and (f)(3)(ii) of this section. Compliance with paragraphs (f)(3)(i) or (ii) of this section is not required if you meet the requirements of paragraph (g) of this section.
 - (i) Route all flowback to a completion combustion device, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a completion combustion device may negatively impact tundra, permafrost or waterways. After January 22, 2027, completion combustion devices must be equipped with a reliable continuous pilot flame.
 - (ii) Route all flowback into one or more well completion vessels and commence operation of a separator unless it is technically infeasible for a separator to function. You must have the separator onsite or otherwise available for use at the wildcat well, delineation well, or low pressure well. The separator must be available and ready for use to comply with paragraph (f)(3)(ii) of this section during the entirety of the flowback period. Any gas present in the

flowback before the separator can function is not subject to control under this section. Capture and direct recovered gas to a completion combustion device, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a completion combustion device may negatively impact tundra, permafrost, or waterways. After January 22, 2027, completion combustion devices must be equipped with a reliable continuous pilot flame.

- (4) You must submit the notification as specified in § 60.5420b(a)(2), submit annual reports as specified in § 60.5420b(b)(1) and (2) and maintain records specified in § 60.5420b(c)(1)(i) through (iii) and (vii) for each wildcat well, each delineation well, and each low pressure well.
- (g) For each well completion affected facility with less than 300 scf of gas per stock tank barrel of oil produced, you must comply with paragraphs (g)(1) and (2) of this section.
 - (1) You must maintain records specified in § 60.5420b(c)(1)(vi).
 - (2) You must submit reports specified in § 60.5420b(b)(1) and (2).
- (h) A well modified in accordance with § 60.5365b(a)(1)(ii) (i.e., an existing well that is hydraulically refractured) is exempt from the well completion operation standards in paragraphs (b) through (d) of this section, when the requirements of paragraphs (a)(1) through (3) of this section are met.

[89 FR 17043, Mar. 8, 2024, as amended at 90 FR 35982, July 31, 2025]

§ 60.5376b What GHG and VOC standards apply to gas well liquids unloading operations at well affected facilities?

- (a) **General requirements.** You must comply with the requirements of this section for each gas well liquids unloading operation at your gas well affected facility as specified by paragraphs (a)(1) and (2) of this section. You have a general duty to safely maximize resource recovery and minimize releases to the atmosphere during gas well liquids unloading operations.
 - (1) If a gas well liquids unloading operation technology or technique employed does not result in venting of methane and VOC emissions to the atmosphere, you must comply with the requirements specified in paragraphs (a)(1)(i) and (ii) and (d) and (e) of this section. If an unplanned venting event occurs, you must meet the requirements specified in paragraphs (c) through (f) of this section.
 - (i) Comply with the recordkeeping requirements specified in § 60.5420b(c)(2)(i).
 - (ii) Submit the information specified in § 60.5420b(b)(1) and (b)(3)(i) in the annual report.
 - (2) If a gas well liquids unloading operation technology or technique vents methane and VOC emissions to the atmosphere, you must comply with the requirements specified in paragraphs (b) and (c), or paragraph (g) of this section.
- (b) **Work Practice Standards.** If a gas well liquids unloading operation employs a technology or technique that vents methane and VOC emissions to the atmosphere, you must comply with the requirements in paragraphs (b)(1) through (3) and paragraphs (c) through (f) of this section.
 - (1) Employ best management practices to minimize venting of methane and VOC emissions as specified in paragraph (c) of this section for each gas well liquids unloading operation.
 - (2) Comply with the recordkeeping requirements specified in § 60.5420b(c)(2)(ii).
 - (3) Submit the information specified in § 60.5420b(b)(1) and (b)(3)(ii) in the annual report.

- (c) **Best management practice requirements.** For each gas well liquids unloading operation complying with paragraphs (a)(2) and (b) of this section, you must develop, maintain, and follow a best management practice plan to minimize venting of methane and VOC emissions to the maximum extent possible from each gas well liquids unloading operation. This best management practice plan must meet the minimum criteria specified in paragraphs (c)(1) through (4) of this section.
 - (1) Include steps that create a differential pressure to minimize the need to vent a well to unload liquids,
 - (2) Include steps to reduce wellbore pressure as much as possible prior to opening the well to the atmosphere,
 - (3) Unload liquids through the separator where feasible, and
 - (4) Close all wellhead vents to the atmosphere and return the well to production as soon as practicable.
- (d) **Initial compliance.** You must demonstrate initial compliance with the standards that apply to well liquids unloading operations at your well affected facilities as required by § 60.5410b(b).
- (e) **Continuous compliance.** You must demonstrate continuous compliance with the standards that apply to well liquids unloading operations at your well affected facilities as required by § 60.5415b(b).
- (f) **Recordkeeping and reporting.** You must perform the required notification, recordkeeping and reporting requirements as specified in § 60.5420b(b)(3) and (c)(2).
- (g) **Other compliance options.** Reduce methane and VOC emissions from well affected facility gas wells that unload liquids by 95.0 percent by complying with the requirements specified in paragraphs (g)(1) and (2) of this section and meeting the initial and continuous compliance and recordkeeping and reporting requirements specified in paragraphs (g)(3) through (5) of this section.
 - (1) You must route emissions through a closed vent system to a control device that meets the conditions specified in § 60.5412b.
 - (2) You must route emissions through a closed vent system that meets the requirements of § 60.5411b(a) and (c).
 - (3) You must demonstrate initial compliance with standards that apply to well affected facility gas well liquids unloading as required by § 60.5410b(b).
 - (4) You must demonstrate continuous compliance with standards that apply to well affected facility gas well liquids unloading as required by § 60.5415b(b).
 - (5) You must perform the reporting as required by § 60.5420b(b)(1), (3), and (11) through (13), as applicable, and the recordkeeping as required by § 60.5420b(c)(2), (8), and (10) through (13), as applicable.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62891, Aug. 1, 2024]

§ 60.5377b What GHG and VOC standards apply to associated gas wells at well affected facilities?

- (a) You must comply with either paragraph (a)(1), (2), (3), or (4) of this section for each associated gas well upon startup and at all times, except as provided in paragraphs (b) through (f) of this section. You must also comply with paragraphs (h), (i), and (j) of this section.

- (1) Recover the associated gas from the separator and route the recovered gas into a gas gathering flow line or collection system to a sales line.
 - (2) Recover the associated gas from the separator and use the recovered gas as an onsite fuel source.
 - (3) Recover the associated gas from the separator and use the recovered gas for another useful purpose that a purchased fuel or raw material would serve.
 - (4) Recover the associated gas from the separator and reinject the recovered gas into the well or inject the recovered gas into another well.
- (b) For associated gas wells that commenced construction between May 7, 2024 and May 7, 2026, you can comply with the requirements in paragraph (f) of this section continually upon startup instead of paragraph (a) of this section until May 7, 2026 if you demonstrate and certify that it is not feasible to comply with paragraphs (a)(1), (2), (3), and (4) of this section due to technical reasons in accordance with paragraph (g) of this section. After May 7, 2026 you must continually comply with paragraph (a) of this section at all times.
- (c) For associated gas wells that commenced construction between December 6, 2022, and May 7, 2024, and for associated gas wells that undergo reconstruction or modification after December 6, 2022, you can comply with the requirements in paragraph (f) of this section instead of paragraph (a) of this section if you demonstrate and certify that it is not feasible to comply with paragraph (a)(1), (2), (3), and (4) of this section due to technical reasons in accordance with paragraph (g) of this section. Associated gas wells that are modified or reconstructed must comply with paragraph (a) or (f) of this section upon startup and at all times thereafter.
- (d) If you are complying with paragraph (a) of this section, you may temporarily route the associated gas to a flare or control device that achieves a 95.0 percent reduction in VOC and methane emissions in the situations and for the durations identified in paragraphs (d)(1), (2), (3), or (4) of this section. The associated gas must be routed through a closed vent system that meets the requirements of § 60.5411b(a) and (c) and the control device must meet the conditions specified in § 60.5412b during the period when the associated gas is routed to the flare. Records must be kept of all instances in which associated gas is temporarily routed to a flare or to a control device in accordance with § 60.5420b(c)(3)(i)(B) and reported in the annual report in accordance with § 60.5420b(b)(4)(i)(B).
- (1) During a malfunction or incident that endangers the safety of operator personnel or the public you are allowed to route to a flare or control device for 24 hours or less per incident.
 - (2) During repair, maintenance including blow downs, a production test, or commissioning, you are allowed to route to a flare or control device for 24 hours or less per incident.
 - (3) For wells complying with paragraph (a)(1) of this section, during a temporary interruption in service from the gathering or pipeline system you are allowed to route to a flare or route to a control device for the duration of the temporary interruption not to exceed 30 days per incident.
 - (4) During periods when the composition of the associated gas does not meet pipeline specifications for sources complying with paragraph (a)(1) of this section, or when the composition of the associated gas does not meet the quality requirements for use as a fuel for sources complying with paragraph (a)(2) of this section, or when the composition of the associated gas does not meet the quality requirements for another useful purpose for sources complying with paragraph (a)(3) of this section, you are allowed to route to a flare or control device until the associated gas meets the required specifications or for 72 hours per incident, whichever is less.

- (e) If you are complying with paragraph (a), (d), or (f) of this section, you may vent the associated gas in the situations and for the durations identified in paragraphs (e)(1), (2), or (3) of this section per incident. The cumulative period of venting must not exceed 24 hours for any calendar year. Records must be kept of all venting instances in accordance with § 60.5420b(c)(3)(ii) and reported in the annual report in accordance with § 60.5420b(b)(4)(ii).
 - (1) For up to 12 hours per incident to protect the safety of personnel.
 - (2) For up to 30 minutes per incident during bradenhead monitoring.
 - (3) For up to 30 minutes per incident during a packer leakage test.
- (f) You must route the associated gas to a control device that reduces methane and VOC emissions by at least 95.0 percent. The associated gas must be routed through a closed vent system that meets the requirements of § 60.5411b(a) and (c) and the control device must meet the conditions specified in § 60.5412b.
 - (1) For associated gas wells identified in paragraph (b) of this section, you can comply with the requirements in paragraph (f) of this section for up to a one year period if you demonstrate and certify that it is not feasible to comply with paragraph (a)(1), (2), (3), and (4) of this section due to technical reasons in accordance with paragraph (g) of this section. This allowance is renewable each year with an updated technical infeasibility demonstration and certification in accordance with paragraph (g) of this section. Associated gas wells identified in paragraph (b) of this section are not allowed to comply with the requirements in paragraph (f) of this section after May 7, 2026.
 - (2) For associated gas wells identified in paragraph (c) of this section, you can comply with the requirements in paragraph (f) of this section for up to a one year period if you demonstrate and certify that it is not feasible to comply with paragraph (a)(1), (2), (3), and (4) of this section due to technical reasons in accordance with paragraph (g) of this section. This allowance is renewable each year with an updated technical infeasibility demonstration and certification in accordance with paragraph (g) of this section.
- (g) For affected sources identified in paragraphs (b) and (c) of this section that are complying with the requirements in paragraph (f) of this section, you must demonstrate that it is not feasible to comply with paragraph (a)(1), (2), (3), and (4) of this section due to technical reasons by providing a detailed analysis documenting and certifying the technical reasons for this infeasibility.
 - (1) The demonstration must address the technical infeasibility for all options identified in (a)(1), (2), (3), and (4) of this section.
 - (2) This demonstration must be certified by a professional engineer or another qualified individual with expertise in the uses of associated gas. The following certification, signed and dated by the qualified professional engineer or other qualified individual shall state: "I certify that the assessment of technical and safety infeasibility was prepared under my direction or supervision. I further certify that the assessment was conducted, and this report was prepared pursuant to the requirements of § 60.5377b(b). Based on my professional knowledge and experience, and inquiry of personnel involved in the assessment, the certification submitted herein is true, accurate, and complete."
 - (3) This demonstration and certification are valid for no more than 12 months. You must re-analyze the feasibility of complying with paragraphs (a)(1), (2), (3), and (4) of this section and finalize a new demonstration and certification each year.

- (4) Documentation of these demonstrations, along with the certifications, must be maintained in accordance with § 60.5420b(c)(3)(iii) and submitted in annual reports in accordance with § 60.5420b(b)(4)(iii)(C) and (D).
- (h) You must demonstrate initial compliance with the standards that apply to associated gas wells as required by § 60.5410b(c).
- (i) You must demonstrate continuous compliance with the standards that apply to associated gas wells as required by § 60.5415b(c).
- (j) You must perform the reporting as required by § 60.5420b(b)(1) and (4), and (b)(11) and (12), as applicable; and the recordkeeping as required by § 60.5420b(c)(3) and (8), and (c)(10) through (13), as applicable.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62891, Aug. 1, 2024]

§ 60.5380b What GHG and VOC standards apply to centrifugal compressor affected facilities?

Each centrifugal compressor affected facility must comply with the GHG and VOC standards in paragraphs (a) through (d) of this section.

- (a) Each centrifugal compressor affected facility that uses wet seals must comply with the GHG and VOC standards in paragraphs (a)(1), (2), or (3) of this section. Each self-contained wet seal compressor, and each centrifugal compressor on the Alaska North Slope equipped with sour seal oil separator and capture system, must comply with the GHG and VOC standards in paragraphs (a)(1) and (2) of this section, or one of the alternatives in (a)(3) through (5) of this section, as applicable, and (a)(8) of this section. Each centrifugal compressor affected facility that uses dry seals must comply with paragraphs (a)(6) through (8) of this section, or with one of the alternatives in paragraph (a)(9) of this section.
 - (1) You must reduce methane and VOC emissions from each centrifugal compressor wet seal fluid degassing system by 95.0 percent.
 - (2) If you use a control device to reduce emissions, you must equip the wet seal fluid degassing system with a cover that meets the requirements of § 60.5411b(b). The cover must be connected through a closed vent system that meets the requirements of § 60.5411b(a) and (c) and the closed vent system must be routed to a control device that meets the conditions specified in § 60.5412b.
 - (3) As an alternative to routing the closed vent system to a control device, you may route the closed vent system to a process. If you route the emissions to a process, you must equip the wet seal fluid degassing system with a cover that meets the requirements of § 60.5411b(b). The cover must be connected through a closed vent system that meets the requirements of § 60.5411b(a) and (c).
 - (4) If you own or operate a self-contained wet seal centrifugal compressor you may comply with the GHG and VOC requirements as specified in paragraph (a)(4)(i) through (iii) of this section, using volumetric flow rate as a surrogate, in lieu of meeting the requirements specified in paragraphs (a)(1) and (2) of this section. You must determine the volumetric flow rate in accordance with paragraph (a)(7)(i) of this section.
 - (i) The volumetric flow rate must not exceed 3 standard cubic feet per minute (scfm) per seal. If the individual seals are manifolded to a single open-ended vent line, the volumetric flow rate must not exceed the sum of the individual seals multiplied by 3 scfm. If the volumetric flow

rate, measured in accordance with paragraph (a)(7)(i) of this section exceeds 3 scfm multiplied by the number of wet seals connected to the vent, the seals connected to the measured vent must be repaired as provided in paragraph (a)(8) of this section.

- (ii) You must conduct your first volumetric flow rate measurement from your self-contained wet seal compressor on or before 8,760 hours of operation after May 7, 2024 or on or before 8,760 hours of operation after startup, whichever date is later.
 - (iii) You must conduct subsequent volumetric flow rate measurements from your self-contained wet seal centrifugal compressor on or before 8,760 hours of operation after the previous measurement which demonstrates compliance with the 3 scfm volumetric flow rate per seal. If the individual seals are manifolded to a single open-ended vent line, the volumetric flow rate must not exceed the sum of the individual seals multiplied by 3 scfm.
- (5) If you own or operate a centrifugal compressor on the Alaska North Slope equipped with seal oil separator and capture system, you may comply with the GHG and VOC requirements specified in paragraphs (a)(5)(i) through (iii) of this section using volumetric flow rate as a surrogate, in lieu of meeting the requirements specified in paragraphs (a)(1) and (2). You must determine the volumetric flow rate in accordance with paragraph (a)(7)(ii) of this section.
- (i) The volumetric flow rate per seal must not exceed 9 scfm per seal. If the individual seals are manifolded to a single open-ended vent line, the volumetric flow rate must not exceed the sum of the individual seals multiplied by 9 scfm. If the volumetric flow rate, measured in accordance with paragraph (a)(7)(ii) of this section exceeds 9 scfm multiplied by the number of wet seals connected to the vent, the seals connected to the measured vent must be repaired as provided in paragraph (a)(8) of this section.
 - (ii) You must conduct your first volumetric flow rate measurement from your Alaska North Slope centrifugal compressor equipped with a sour seal oil separator and capture system on or before 8,760 hours of operation after May 7, 2024 or on or before 8,760 hours of operation after startup, whichever date is later.
 - (iii) You must conduct subsequent volumetric flow rate measurements from your Alaska North Slope centrifugal compressor equipped with sour seal separator and capture system on or before 8,760 hours of operation after the previous measurement which demonstrates compliance with the 9 scfm volumetric flow rate per seal. If the individual seals are manifolded to a single open-ended vent line, the volumetric flow rate must not exceed the sum of the individual seals multiplied by 9 scfm.
- (6) If you own or operate a centrifugal compressor equipped with dry seals, you must comply with the GHG and VOC requirements as specified in paragraphs (a)(6)(i) through (iii), using volumetric flow rate as a surrogate. You must determine the volumetric flow rate in accordance with paragraph (a)(7)(iii) of this section.
- (i) The volumetric flow rate per seal must not exceed 10 standard cubic feet per minute (scfm) per seal. If the individual seals are manifolded to a single open-ended vent line, the volumetric flow rate must not exceed the sum of the individual seals multiplied by 10 scfm. If the volumetric flow rate, measured in accordance with paragraph (a)(7)(iii) of this section exceeds 10 scfm multiplied by the number of dry seals connected to the vent, the seals connected to the measured vent must be repaired as provided in paragraph (a)(8) of this section.

- (ii) You must conduct your first volumetric flow rate measurement from your centrifugal compressor equipped with a dry seal on or before 8,760 hours of operation after May 7, 2024 or on or before 8,760 hours of operation after startup, whichever date is later.
 - (iii) You must conduct subsequent volumetric flow rate measurements from your centrifugal compressor equipped with dry seals on or before 8,760 hours of operation after the previous measurement which demonstrates compliance with the 10 scfm volumetric flow rate per seal. If the individual seals are manifolded to a single open-ended vent line, the volumetric flow rate must not exceed the sum of the individual seals multiplied by 10 scfm.
- (7) You must determine the volumetric flow rate for your centrifugal compressor, as specified in paragraphs (a)(7)(i) through (iii) of this section.
- (i) You must determine the volumetric flow rate from your self-contained wet seal centrifugal compressor wet seal as specified in paragraph (a)(7)(i)(A) or (B) of this section. If the volumetric flow rate exceeds 3 scfm multiplied by the number of wet seals connected to the vent, the wet seals connected to the measured vent must be repaired as provided in paragraph (a)(8) of this section.
 - (A) For self-contained wet seal centrifugal compressors in operating-mode or in standby-pressurized-mode, determine volumetric flow rate at standard conditions from each self-contained wet seal centrifugal compressor wet seal using one of the methods specified in paragraphs (a)(7)(i)(A)(1) through (3) of this section.
 - (1) You may choose to use any of the methods set forth in § 60.5386b(a) to screen for leaks/emissions. For the purposes of this paragraph, when using any of the methods in § 60.5386b(a), emissions are detected whenever a leak is detected according to the method. If emissions are detected using the methods set forth in § 60.5386b(a), then you must use one of the methods specified in paragraph (a)(7)(i)(A)(2) or (3) of this section to determine the volumetric flow rate. If emissions are not detected using the methods in § 60.5386b(a), then you may assume that the volumetric emissions are zero.
 - (2) Use a temporary or permanent flow meter according to methods set forth in § 60.5386b(b).
 - (3) Use a high-volume sampler according to the method set forth in § 60.5386b(c).
 - (B) For conducting measurements on manifolded groups of self-contained wet seal centrifugal compressor seals, you must determine the volumetric flow rate from the self-contained wet seal centrifugal compressor seal as specified in paragraph (a)(7)(i)(B)(1) or (2) of this section.
 - (1) Measure at a single point in the manifold downstream of all self-contained wet seal centrifugal compressor seal inputs and, if practical, prior to comingling with other non-compressor emission sources.
 - (2) Determine the volumetric flow rate at standard conditions from the common stack using one of the methods specified in paragraph (a)(7)(i)(A)(1) through (3) of this section.

- (ii) You must determine the volumetric flow rate from your centrifugal compressor on the Alaska North Slope equipped with sour seal oil separator and capture system as specified in paragraph (a)(7)(ii)(A) or (B) of this section. If the volumetric flow rate exceeds 9 scfm multiplied by the number of wet seals connected to the vent, the wet seals connected to the measured vent must be repaired as provided in paragraph (a)(8) of this section.
 - (A) For centrifugal compressors in operating-mode or in standby-pressurized-mode, determine volumetric flow rate at standard conditions from each centrifugal compressor on the Alaska North Slope equipped with a sour seal oil separator and capture system using one of the methods specified in paragraphs (a)(7)(ii)(A)(1) through (3) of this section.
 - (1) You may choose to use any of the methods set forth in § 60.5386b(a) to screen for leaks/emissions. For the purposes of this paragraph, when using any of the methods in § 60.5386b(a), emissions are detected whenever a leak is detected according to the method. If emissions are detected using the methods set forth in § 60.5386b(a), then you must use one of the methods specified in paragraph (a)(7)(ii)(A)(2) or (3) of this section to determine the volumetric flow rate. If emissions are not detected using the methods in § 60.5386b(a), then you may assume that the volumetric emissions are zero.
 - (2) Use a temporary or permanent flow meter according to methods set forth in § 60.5386b(b).
 - (3) Use a high-volume sampler according to the method set forth in § 60.5386b(c).
 - (B) For conducting measurements on manifolded groups of centrifugal compressors on the Alaska North Slope equipped with sour seal oil separators and capture systems, you must determine the volumetric flow rate from the centrifugal compressors equipped with sour seal oil separators and capture systems as specified in paragraph (a)(7)(ii)(B)(1) or (2) of this section.
 - (1) Measure at a single point in the manifold downstream of all centrifugal compressors on the Alaska North Slope equipped with sour seal oil separator and capture system wet seal inputs and, if practical, prior to comingling with other non-compressor emission sources.
 - (2) Determine the volumetric flow rate at standard conditions from the common stack using one of the methods specified in paragraph (a)(7)(ii)(A)(1) through (3) of this section.
- (iii) You must determine the volumetric flow rate from your centrifugal compressor equipped with dry seals as specified in paragraph (a)(7)(iii)(A) or (B) of this section. If the volumetric flow rate exceeds 10 scfm multiplied by the number of dry seals connected to the vent, the dry seals connected to the measured vent must be repaired as provided in paragraph (a)(8) of this section.
 - (A) For centrifugal compressors equipped with dry seals in operating-mode or in standby-pressurized-mode, determine volumetric flow rate at standard conditions from each centrifugal compressor equipped with dry seals using one of the methods specified in paragraphs (a)(7)(iii)(A)(1) through (3) of this section.

- (1) You may choose to use any of the methods set forth in § 60.5386b(a) to screen for leaks/emissions. For the purposes of this paragraph, when using any of the methods in § 60.5386b(a), emissions are detected whenever a leak is detected according to the method. If emissions are detected using the methods set forth in § 60.5386b(a), then you must use one of the methods specified in paragraph (a)(7)(iii)(A)(2) or (3) of this section to determine the volumetric flow rate. If emissions are not detected using the methods in § 60.5386b(a), then you may assume that the volumetric emissions are zero.
 - (2) Use a temporary or permanent flow meter according to methods set forth in § 60.5386b(b).
 - (3) Use a high-volume sampler according to the method set forth in § 60.5386b(c).
 - (B) For conducting measurements on manifolded groups of centrifugal compressors equipped with dry seals, you must determine the volumetric flow rate from the dry seal centrifugal compressors as specified in paragraph (a)(7)(iii)(B)(1) or (2) of this section.
 - (1) Measure at a single point in the manifold downstream of all centrifugal compressors equipped with dry seals inputs and, if practical, prior to comingling with other non-compressor emission sources.
 - (2) Determine the volumetric flow rate at standard conditions from the common stack using one of the methods specified in paragraph (a)(7)(iii)(A)(1) through (3) of this section.
- (8) The seal must be repaired within 90 calendar days after the date of the volumetric emissions measurement that exceeds the applicable required flow rate per seal. You must conduct follow-up volumetric flow rate measurements from seal vents using the methods specified in paragraph (a)(7) of this section within 15 days after the repair to document that the rate has been reduced to less than the applicable required flow rate per seal. If the individual seals are manifolded to a single open-ended vent line or vent, the volumetric flow rate must be reduced to less than the sum of the individual seals multiplied by the applicable required flow rate per seal specified in paragraph (a)(4) through (6) of this section, as applicable. Delay of repair will be allowed if the conditions in paragraphs (a)(8)(i) or (ii) of this section are met.
 - (i) If the repair of the wet or dry seal is technically infeasible, would require a vent blowdown, a compressor station shutdown, or would be unsafe to repair during operation of the unit, the repair must be completed during the next scheduled compressor station shutdown for maintenance, after a scheduled vent blowdown, or within 2 years of the date of the volumetric emissions measurement that exceeds the applicable required flow rate per seal, whichever is earliest. A vent blowdown is the opening of one or more blowdown valves to depressurize major production and processing equipment, other than a storage vessel.
 - (ii) If the repair requires replacement of the compressor seal or a part thereof, but the replacement cannot be acquired and installed within the repair timelines specified under this section due to the condition specified in paragraph (a)(8)(ii)(A) of this section, the repair must be completed in accordance with paragraph (a)(8)(ii)(B) of this section and documented in accordance with § 60.5420b(c)(4)(iii)(F) through (H).
 - (A) Seal or part thereof supplies had been sufficiently stocked but are depleted at the time of the required repair.

- (B) The required replacement must be ordered no later than 10 calendar days after the centrifugal compressor seal is added to the delay of repair list due to parts unavailability. The repair must be completed as soon as practicable, but no later than 30 calendar days after receipt of the replacement seal or part, unless the repair requires a compressor station shutdown. If the repair requires a compressor station shutdown, the repair must be completed in accordance with the timeframe specified in paragraph (a)(8)(i) of this section.
- (9) As an alternative to meeting the requirements for centrifugal compressors with dry seals specified in paragraphs (a)(6) through (8) of this section, owners or operators are allowed to comply with the standard by meeting the requirements specified in paragraphs (a)(9)(i) and (ii), or (a)(9)(iii) of this section.
 - (i) You must reduce methane and VOC emissions from each centrifugal compressor dry seal system by 95.0 percent.
 - (ii) If you use a control device to reduce emissions, you must equip the dry seal system with a cover that meets the requirements of § 60.5411b(b). The cover must be connected through a closed vent system that meets the requirements of § 60.5411b(a) and (c) and the closed vent system must be routed to a control device that meets the conditions specified in § 60.5412b.
 - (iii) As an alternative to routing the closed vent system to a control device, you may route the closed vent system to a process. If you route the emissions to a process, you must equip the dry seal system with a cover that meets the requirements of § 60.5411b(b). The cover must be connected through a closed vent system that meets the requirements of § 60.5411b(a) and (c).
- (b) You must demonstrate initial compliance with the standards that apply to centrifugal compressor affected facilities as required by § 60.5410b(d).
- (c) You must demonstrate continuous compliance with the standards that apply to centrifugal compressor affected facilities as required by § 60.5415b(d).
- (d) You must perform the reporting as required by § 60.5420b(b)(1) and (5), and (b)(11) through (13), as applicable; and the recordkeeping as required by § 60.5420b(c)(4), and (8) through (13), as applicable.

§ 60.5385b What GHG and VOC standards apply to reciprocating compressor affected facilities?

Each reciprocating compressor affected facility must comply with the GHG and VOC standards, using volumetric flow rate as a surrogate, in paragraphs (a) through (c) of this section, or the GHG and VOC standards in paragraph (d) of this section. You must also comply with the requirements in paragraphs (e) through (g) of this section.

- (a) The volumetric flow rate of each cylinder, measured in accordance with paragraph (b) or (c) of this section, must not exceed 2 scfm per individual cylinder. If the individual cylinders are manifolded to a single open-ended vent line, the volumetric flow rate must not exceed the sum of the individual cylinders multiplied by 2 scfm. You must conduct measurements of the volumetric flow rate in accordance with the schedule specified in paragraphs (a)(1) and (2) of this section and determine the volumetric flow rate per cylinder in accordance with paragraph (b) or (c) of this section. If the volumetric flow rate, measured in accordance with paragraph (b) or (c) of this section, for a cylinder exceeds 2 scfm per cylinder (or a combined volumetric flow rate greater than the number of compression cylinders multiplied by 2 scfm), the rod packing or packings must be repaired or replaced as provided in paragraph (a)(3) of this section.

- (1) You must conduct your first volumetric flow rate measurements from your reciprocating compressor rod packing vent on or before 8,760 hours of operation after May 7, 2024, or on or before 8,760 hours of operation after last rod packing replacement, or on or before 8,760 hours of operation after startup, whichever date is later.
- (2) You must conduct subsequent volumetric flow rate measurements from your reciprocating compressor rod packing vent on or before 8,760 hours of operation after the previous measurement which demonstrates compliance with the applicable volumetric flow rate of 2 scfm per cylinder (or a combined volumetric flow rate greater than the number of compression cylinders multiplied by 2 scfm), or on or before 8,760 hours of operation after last rod packing replacement, whichever date is later.
- (3) The rod packing must be repaired or replaced within 90 calendar days after the date of the volumetric emissions measurement that exceeded 2 scfm per cylinder. You must conduct follow-up volumetric flow rate measurements from compressor vents using the methods specified in paragraph (b) or (c) of this section within 15 days after the repair (or rod packing replacement) to document that the rate has been reduced to less than 2 scfm per cylinder. Delay of repair will be allowed if the conditions in paragraph (a)(3)(i) or (ii) of this section are met.
 - (i) If the repair (or rod packing replacement) is technically infeasible, would require a vent blowdown, a compressor station shutdown, or would be unsafe to repair during operation of the unit, the repair (or rod packing replacement) must be completed during the next scheduled compressor station shutdown for maintenance, after a scheduled vent blowdown, or within 2 years of the date of the volumetric emissions measurement that exceeds the applicable required flow rate per cylinder, whichever is earliest. A vent blowdown is the opening of one or more blowdown valves to depressurize major production and processing equipment, other than a storage vessel.
 - (ii) If the repair requires replacement of the rod packing or a part, but the replacement cannot be acquired and installed within the repair timelines specified under this section due to the condition specified in paragraph (a)(3)(ii)(A) of this section, the repair must be completed in accordance with paragraph (a)(3)(ii)(B) of this section and documented in accordance with § 60.5420b(c)(5)(viii) through (x).
 - (A) Rod packing or part supplies had been sufficiently stocked but are depleted at the time of the required repair.
 - (B) The required rod packing or part replacement must be ordered no later than 10 calendar days after the reciprocating compressor is added to the delay of repair list due to parts unavailability. The repair must be completed as soon as practicable, but no later than 30 calendar days after receipt of the replacement rod packing or part, unless the repair requires a compressor station shutdown. If the repair requires a compressor station shutdown, the repair must be completed in accordance with the timeframe specified in paragraph (a)(3)(i) of this section.
- (b) You must determine the volumetric flow rate per cylinder from your reciprocating compressor as specified in paragraph (b)(1) or (2) of this section.
 - (1) For reciprocating compressor rod packing equipped with an open-ended vent line on compressors in operating or standby pressurized mode, determine the volumetric flow rate of the rod packing using one of the methods specified in paragraphs (b)(1)(i) through (iii) of this section.

- (i) Determine the volumetric flow rate at standard conditions from the open-ended vent line using a high-volume sampler according to methods set forth in § 60.5386b(c).
 - (ii) Determine the volumetric flow rate at standard conditions from the open-ended vent line using a temporary or permanent meter, according to methods set forth in § 60.5386b(b).
 - (iii) Any of the methods set forth in § 60.5386b(a) to screen for leaks and emissions. For the purposes of this paragraph, emissions are detected whenever a leak is detected according to any of the methods in § 60.5386b(a). If emissions are detected using the methods set forth in § 60.5386b(a), then you must use one of the methods specified in paragraph (b)(1)(i) and (ii) of this section to determine the volumetric flow rate per cylinder. If emissions are not detected using the methods in § 60.5386b(a), then you may assume that the volumetric flow rate is zero.
- (2) For reciprocating compressor rod packing not equipped with an open-ended vent line on compressors in operating or standby pressurized mode, you must determine the volumetric flow rate of the rod packing using the methods specified in paragraphs (b)(2)(i) and (ii) of this section.
 - (i) You must use the methods described in § 60.5386b(a) to conduct leak detection of emissions from the rod packing case into an open distance piece, or, for compressors with a closed distance piece, you must conduct annual leak detection of emissions from the rod packing vent, distance piece vent, compressor crank case breather cap, or other vent emitting gas from the rod packing.
 - (ii) You must measure emissions found in paragraph (b)(2)(i) of this section using a meter or high-volume sampler according to methods set forth in § 60.5386b(b) or (c).
- (c) For conducting measurements on manifolded groups of reciprocating compressor affected facilities, you must determine the volumetric flow rate from reciprocating compressor rod packing vent as specified in paragraph (c)(1) and (2) of this section.
 - (1) Measure at a single point in the manifold downstream of all compressor vent inputs and, if practical, prior to comingling with other non-compressor emission sources.
 - (2) Determine the volumetric flow rate per cylinder at standard conditions from the common stack using one of the methods specified in paragraph (c)(2)(i) through (iv) of this section.
 - (i) A temporary or permanent flow meter according to the methods set forth in § 60.5386b(b).
 - (ii) A high-volume sampler according to methods set forth § 60.5386b(c).
 - (iii) An alternative method, as set forth in § 60.5386b(d).
 - (iv) Any of the methods set forth in § 60.5386b(a) to screen for emissions. For the purposes of this paragraph, emissions are detected whenever a leak is detected when using any of the methods in § 60.5386b(a). If emissions are detected using the methods set forth in § 60.5386b(a), then you must use one of the methods specified in paragraph (c)(2)(i) through (iii) of this section to determine the volumetric flow rate per cylinder. If emissions are not detected using the methods in § 60.5386b(a), then you may assume that the volumetric flow rate is zero.
- (d) As an alternative to complying with the GHG and VOC standards in paragraphs (a) through (c) of this section, owners or operators can meet the requirements specified in paragraph (d)(1), (2), or (3) of this section.

- (1) Collect the methane and VOC emissions from your reciprocating compressor rod packing using a rod packing emissions collection system that is operated to route the rod packing emissions to a process. In order to comply with this option, you must equip the reciprocating compressor with a cover that meets the requirements of § 60.5411b(b). The cover must be connected through a closed vent system that meets the requirements of § 60.5411b(a) and (c).
- (2) Reduce methane and VOC emissions from each rod packing emissions collection system by using a control device that reduces methane and VOC emissions by 95.0 percent. In order to comply with this option, you must equip the reciprocating compressor with a cover that meets the requirements of § 60.5411b(b). The cover must be connected through a closed vent system that meets the requirements of § 60.5411b(a) and (c) and the closed vent system must be routed to a control device that meets the conditions specified in § 60.5412b.
- (3) As an alternative to conducting the required volumetric flow rate measurements under paragraph (a) of this section, an owner or operator can choose to comply by replacing the rod packing on or before 8,760 hours of operation after startup, on or before 8,760 hours of operation after May 7, 2024, on or before 8,760 hours of operation after the previous flow rate measurement, or on or before 8,760 hours of operation after the date of the most recent compressor rod packing replacement, whichever date is later.
- (e) You must demonstrate initial compliance with standards that apply to reciprocating compressor affected facilities as required by § 60.5410b(e).
- (f) You must demonstrate continuous compliance with standards that apply to reciprocating compressor affected facilities as required by § 60.5415b(g).
- (g) You must perform the reporting requirements as specified in § 60.5420b(b)(1), (6), and (11) through (13), as applicable; and the recordkeeping requirements as specified in § 60.5420b(c)(5) and (8) through (13), as applicable.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62891, Aug. 1, 2024]

§ 60.5386b What test methods and procedures must I use for my centrifugal compressor and reciprocating compressor affected facilities?

- (a) You must use one of the methods described in paragraph (a)(1) and (2) of this section to screen for emissions or leaks from the reciprocating compressor rod packing when complying with § 60.5385b(b)(1)(iii) and from applicable wet seal centrifugal compressor and dry seal centrifugal compressor vents when complying with § 60.5380b(a)(3) through (6).
- (1) **OGI instrument.** Use an OGI instrument for equipment leak detection as specified in either paragraph (a)(1)(i) or (ii) of this section. For the purposes of paragraphs (a)(1)(i) and (ii) of this section, any visible emissions observed by the OGI instrument from reciprocating rod packing or compressor dry or wet seal vent is a leak.
 - (i) **OGI instrument as specified in appendix K of this part.** For reciprocating compressor, applicable wet seal centrifugal compressor, and dry seal centrifugal compressor affected facilities located at onshore natural gas processing plants, use an OGI instrument to screen for emissions from reciprocating rod packing or centrifugal compressor dry seal vent in accordance with the protocol specified in appendix K of this part.

(ii) *OGI instrument as specified in § 60.5397b of this subpart.* For reciprocating compressor, applicable wet seal centrifugal compressor, and dry seal centrifugal compressor affected facilities located at centralized production facilities, compressor stations, or other location that is not an onshore natural gas processing plant, use an OGI instrument to screen for emissions from reciprocating rod packing or compressor dry seals in accordance with the elements of § 60.5397b(c)(7).

(2) **Method 21.** Use Method 21 in appendix A-7 to this part according to § 60.5403b(b)(1) and (2). For the purposes of this section, an instrument reading of 500 parts per million by volume (ppmv) above background or greater is a leak.

(b) You must determine natural gas volumetric flow rate using a rate meter which meets the requirement in Method 2D in appendix A-1 of this part. Rate meters must be calibrated on an annual basis according to the requirements in Method 2D.

(c) You must use a high-volume sampler to measure emissions of the reciprocating compressor rod packing, applicable centrifugal compressor wet seal vent, or centrifugal compressor dry seal vent in accordance with paragraphs (c)(1) through (7) of this section.

(1) You must use a high-volume sampler designed to capture the entirety of the emissions from the applicable vent and measure the entire range of methane concentrations being emitted as well as the total volumetric flow at standard conditions. You must develop a standard operating procedure for this device and document these procedures in the appropriate monitoring plan. In order to get reliable results, persons using this device should be knowledgeable in its operation and the requirements in this section.

(2) This procedure may involve hazardous materials, operations, and equipment. This procedure may not address all of the safety problems associated with its use. It is the responsibility of the user of this procedure to establish appropriate safety and health practices and determine the applicability of regulatory limitations prior to performing this procedure.

(3) The high-volume sampler must include a methane gas sensor(s) which meets the requirements in paragraphs (c)(3)(i) through (iii) of this section.

(i) The methane sensor(s) must be selective to methane with minimal interference, less than 2.5 percent for the sum of responses to other compounds in the gas matrix. You must document the minimal interference through empirical testing or through data provided by the manufacturer of the sensor.

(ii) The methane sensor(s) must have a measurement range over the entire expected range of concentrations.

(iii) The methane sensor(s) must be capable of taking a measurement once every second, and the data system must be capable of recording these results for each sensor at all times during operation of the sampler.

(4) The high-volume sampler must be designed such that it is capable of sampling sufficient volume in order to capture all emissions from the applicable vent. Your high-volume sampler must include a flow measurement sensor(s) which meets the requirements of paragraphs (c)(4)(i) and (ii) of this section.

- (i) The flow measurement sensor must have a measurement range over the entire expected range of flow rates sampled. If needed multiple sensors may be used to capture the entire range of expected flow rates.
 - (ii) The flow measurement sensor(s) must be capable of taking a measurement once every second, and the data system must be capable of recording these results for each sensor at all times during operation of the sampler.
- (5) You must calibrate your methane sensor(s) according to the procedures in paragraphs (c)(5)(i)(A) and (B) of this section, and flow measurement sensors must be calibrated according to the procedures in paragraph (c)(5)(ii) of this section.
 - (i) For Methane Sensor Calibration:
 - (A) Initially and on a semi-annual basis, determine the linearity at four points through the measurement range for each methane sensor using methane gaseous calibration cylinder standards. At each point, the difference between the cylinder value and the sensor reading must be less than 5 percent of the respective calibration gas value. If the sensor does not meet this requirement, perform corrective action on the sensor, and do not use the sampler until these criteria can be met.
 - (B) Prior to and at the end of each testing day, challenge each sensor at two points, a low point, and a mid-point, using methane gaseous calibration cylinder standards. At each point, the difference between the cylinder value and the sensor reading must be less than 5 percent of the respective calibration gas value. If the sensor does not meet this requirement, perform corrective action on the sensor and do not use the sampler again until these criteria can be met. If the post-test calibration check fails at either point, invalidate the data from all tests performed subsequent to the last passing calibration check.
 - (ii) Flow measurement sensors must meet the requirements in Method 2D in appendix A-1 of this part. Rate meters must be calibrated on an annual basis according to the requirements in Method 2D. If your flow sensor relies on ancillary temperature and pressure measurements to correct the flow rate to standard conditions, the temperature and pressure sensors must also be calibrated on an annual basis. Standard conditions are defined as 20 °C (68 °F) and 760 mm Hg (29.92 in. Hg).
- (6) You must conduct sampling of the reciprocating compressor rod packing, applicable wet seal centrifugal compressor, or dry seal centrifugal compressor vent in accordance with the procedures in paragraphs (c)(6)(i) through (v) of this section.
 - (i) The instrument must be operated consistent with manufacturer recommendations; users are encouraged to develop a standard operating procedure to document the exact procedures used for sampling.
 - (ii) Identify the rod packing, applicable wet seal centrifugal compressor, or dry seal centrifugal compressor vent to be measured and record the signal to noise ratio (S/N) of the engine. Collect a background methane sample in ppmv for a minimum of one minute and record the result along with the date and time.

- (iii) Approach the vent with the sample hose and adjust the sampler so that you are measuring at the full flow rate. Then, adjust the flow rate to ensure the measured methane concentration is within the calibrated range of the methane sensor and minimum methane concentration is at least 2 ppmv higher than the background concentration. Sample for a period of at least one minute and record the average flow rate in standard cubic feet per minute and the methane sample concentration in ppmv, along with the date and time. Standard conditions are defined as 20 °C (68 °F) and 760 mm Hg (29.92 in. Hg).
- (iv) Calculate the leak rate according to the following equation:

Equation 1 to paragraph (c)(6)(iv)

$$Q = V \left(\frac{CH_{4S} - CH_{4B}}{1000000} \right)$$

Where:

CH_{4B} = background methane concentration, ppmv

CH_{4S} = methane sample concentration, ppmv

V = Average flow rate of the sampler, scfm

Q = Methane emission rate, scfm

- (v) You must collect at least three separate one-minute measurements and determine the average leak rate. The relative percent difference of these three separate samples should be less than 10 percent.
- (7) If the measured natural gas flow determined as specified in paragraph (c)(6) of this section exceeds 70.0 percent of the manufacturer's reported maximum sampling flow rate you must either use a temporary or permanent flow meter according to paragraph (b) of this section or use another method meeting the requirements in paragraph (d) of this section to determine the leak or flow rate.
- (d) As an alternative to a high-volume sampler, you may use any other method that has been validated in accordance with the procedures specified in Method 301 in appendix A in 40 CFR part 63, subject to Administrator approval, as specified in § 60.8(b).

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62892, Aug. 1, 2024]

§ 60.5390b What GHG and VOC standards apply to process controller affected facilities?

Each process controller affected facility must comply with the GHG and VOC standards in this section.

- (a) Beginning January 22, 2027, or upon startup, whichever is later, you must design and operate each process controller affected facility with zero methane and VOC emissions to the atmosphere, except as provided in paragraph (b) of this section.

- (1) If you comply by routing the emissions to a process, emissions must be routed to a process through a closed vent system.
 - (2) If you comply by using a self-contained natural gas-driven process controller, you must design and operate each self-contained natural gas-driven process controller with no identifiable emissions, as demonstrated by § 60.5416b(b).
- (b) For each process controller affected facility located at a site in Alaska that does not have access to electrical power, you may comply with either paragraphs (b)(1) and (2) of this section or with paragraph (b)(3) of this section, instead of complying with paragraph (a) of this section.
- (1) With the exception of natural gas-driven continuous bleed controllers that meet the condition in paragraph (b)(1)(i) of this section and that comply with paragraph (b)(1)(ii) of this section, each natural gas-driven continuous bleed process controller in the process controller affected facility must have a bleed rate less than or equal to 6 standard cubic feet per hour (scfh).
 - (i) A natural gas-driven continuous bleed process controller with a bleed rate higher than 6 scfh may be used if the requirements of paragraph (b)(1)(ii) of this section are met.
 - (ii) You demonstrate that a natural gas-driven continuous bleed controller with a bleed rate higher than 6 scfh is required. The demonstration must be based on the specific functional need, including but not limited to response time, safety, or positive actuation.
 - (2) Each natural gas-driven intermittent vent process controller in the process controller affected facility must comply with the requirements in paragraphs (b)(2)(i) and (ii) of this section.
 - (i) Each natural gas-driven intermittent vent process controller must not emit to the atmosphere during idle periods.
 - (ii) You must monitor each natural gas-driven intermittent vent process controller to ensure that it is not emitting to the atmosphere during idle periods, as specified in paragraphs (b)(2)(ii)(A) through (C) of this section.
 - (A) Monitoring must be conducted at the same frequency as specified for fugitive emissions components affected facilities located at the same type of site, as specified in § 60.5397b(g).
 - (B) You must include the monitoring of each natural gas-driven intermittent vent process controller in the monitoring plan required in § 60.5397b(b).
 - (C) When monitoring identifies emissions to the atmosphere from a natural gas-driven intermittent vent controller during idle periods, you must take corrective action by repairing or replacing the natural gas-driven intermittent vent process controller within 5 calendar days of the date the emissions to the atmosphere were detected. After the repair or replacement of a natural gas-driven intermittent vent process controller, you must re-survey the natural gas-driven intermittent vent process controller within five days to verify that it is not venting emissions during idle periods.
 - (3) You must reduce methane and VOC emissions from all controllers in the process controller affected facility by 95.0 percent. You must route emissions through a closed vent system to a control device that meets the conditions specified in § 60.5412b.

- (c) If you route process controller emissions to a process or a control device, you must route the process controller affected facility emissions through a closed vent system that meets the requirements of § 60.5411b(a) and (c).
- (d) You must demonstrate initial compliance with standards that apply to process controller affected facilities as required by § 60.5410b(f).
- (e) You must demonstrate continuous compliance with standards that apply to process controller affected facilities as required by § 60.5415b(h).
- (f) You must perform the reporting as required by § 60.5420b(b)(1), (7), and (11) through (13), as applicable, and the recordkeeping as required by § 60.5420b(c)(6), (8), and (10) through (13), as applicable.

[89 FR 17043, Mar. 8, 2024, as amended at 90 FR 35983, July 31, 2025]

§ 60.5393b What GHG and VOC standards apply to pump affected facilities?

Each pump affected facility must comply with the GHG and VOC standards in this section.

- (a) For each pump affected facility meeting the criteria specified in paragraphs (a)(1) or (2) of this section, you must design and operate the pump affected facility with zero methane and VOC emissions to the atmosphere. If you comply by routing the pump affected facility emissions to a process, the emissions must be routed to the process through a closed vent system.
 - (1) The pump affected facility is located at a site that has access to electrical power.
 - (2) The pump affected facility is located at a site that does not have access to electrical power and has three or more natural gas-driven diaphragm pumps.
- (b)
 - (1) For each pump affected facility located at a site that does not have access to electrical power and that also has fewer than three natural gas-driven diaphragm pumps, you must comply with paragraph (b)(2) or (3) of this section, except as provided in paragraphs (b)(4) through (8) of this section.
 - (2) Emissions from the pump affected facility must be routed through a closed vent system to a process if a vapor recovery unit is onsite.
 - (3) If a vapor recovery unit is not onsite, you must reduce methane and VOC emissions from the pump affected facility by 95.0 percent. You must route affected pump facility emissions through a closed vent system to a control device meeting the conditions specified in § 60.5412b.
 - (4) You are not required to install an emissions control device or a vapor recovery unit, if such a unit is necessary to enable emissions to be routed to a process, solely for the purpose of complying with the requirements of paragraph (b)(2) or (3) of this section. If no control device capable of achieving a 95.0 percent emissions reduction and no vapor recovery unit is present on site, you must comply with paragraph (b)(5) or (6) of this section, as applicable. For the purposes of this section, boilers and process heaters are not considered to be control devices.

- (5) If an emissions control device is on site but is unable to achieve a 95.0 percent emissions reduction, you must route the pump affected facility emissions through a closed vent system to that control device. You must certify that there is no vapor recovery unit on site and that there is no control device capable of achieving a 95.0 percent emissions reduction on site.
- (6) If there is no vapor recovery unit on site and no emission control device is on site, you must certify that there is no vapor recovery unit or emissions control device on site. If you subsequently install a control device or vapor recovery unit, you must meet the requirements of paragraphs (b)(6)(i) and (ii) of this section.
 - (i) You must be in compliance with the requirements of paragraphs (b)(1) through (3) of this section, as applicable, within 30 days of startup of the control device or vapor recovery unit.
 - (ii) You must maintain the records in § 60.5420b(c)(15)(ii) through (iv), as applicable. You are no longer required to maintain the records in § 60.5420b(c)(15)(v) certifying that there is no vapor recovery unit or control device on site.
- (7) If an owner or operator complying with paragraph (b)(1) of this section determines, through an engineering assessment, that routing the pump affected facility emissions to a control device or to a process is technically infeasible, the requirements specified in paragraphs (b)(7)(i) through (iii) of this section must be met.
 - (i) The owner or operator must conduct the assessment of technical infeasibility in accordance with the criteria in paragraph (b)(7)(ii) of this section and have it certified by either a qualified professional engineer or an in-house engineer with expertise on the design and operation of the pump affected facility and the control device or processes at the site in accordance with paragraph (b)(7)(iii) of this section.
 - (ii) The assessment of technical infeasibility to route emissions from the pump affected facility to an existing control device or process must include, but is not limited to, safety considerations, distance from the control device or process, pressure losses and differentials in the closed vent system, and the ability of the control device or process to handle the pump affected facility emissions which are routed to them. The assessment of technical infeasibility must be prepared under the direction or supervision of the qualified professional engineer or in-house engineer who signs the certification in accordance with paragraph (b)(7)(iii) of this section.
 - (iii) The following certification, signed and dated by the qualified professional engineer or in-house engineer, must state: "I certify that the assessment of technical infeasibility was prepared under my direction or supervision. I further certify that the assessment was conducted and this report was prepared pursuant to the requirements of § 60.5393b(b)(7)(ii). Based on my professional knowledge and experience, and inquiry of personnel involved in the assessment, the certification submitted herein is true, accurate, and complete."
- (8) If the pump affected facility emissions are routed to a control device or process and the control device or process is subsequently removed from the location or is no longer available, such that there is no option to route to a control device or process, you are no longer required to be in compliance with the requirements of paragraphs (b)(2) or (3) of this section, and instead must comply with paragraph (b)(6) of this section.
- (c) If you use a control device or route to a process to reduce emissions, you must route the pump affected facility emissions through a closed vent system that meets the requirements of § 60.5411b(a) and (c).

- (d) You must demonstrate initial compliance with standards that apply to pump affected facilities as required by § 60.5410b(g).
- (e) You must demonstrate continuous compliance with the standards that apply to pump affected facilities as required by § 60.5415b(e).
- (f) You must perform the reporting as required by § 60.5420b(b)(1), (10), and (11) through (13), as applicable; and the recordkeeping as required by § 60.5420b(c)(8), (10) through (13), and (15), as applicable.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62892, Aug. 1, 2024]

§ 60.5395b What GHG and VOC standards apply to storage vessel affected facilities?

Each storage vessel affected facility must comply with the GHG and VOC standards in this section, except as provided in paragraph (e) of this section.

- (a) **General requirements.** You must comply with the requirements of paragraphs (a)(1) and (2) of this section. After 12 consecutive months of compliance with paragraph (a)(2) of this section, you may continue to comply with paragraph (a)(2) of this section, or you may comply with paragraph (a)(3) of this section, if applicable. If you choose to meet the requirements of paragraph (a)(3) of this section, you are not required to comply with the requirements of paragraph (a)(2) of this section except as provided in paragraphs (a)(3)(i) and (ii) of this section.
 - (1) Determine the potential for methane and VOC emissions in accordance with § 60.5365b(e)(2).
 - (2) Reduce methane and VOC emissions by 95.0 percent.
 - (3) Maintain the uncontrolled actual VOC emissions at less than 4 tpy and the actual methane emissions at less than 14 tpy from the storage vessel affected facility without considering control. Prior to using the uncontrolled actual VOC and methane emission rates for compliance purposes, you must demonstrate that the uncontrolled actual VOC emissions have remained less than 4 tpy and the uncontrolled actual methane emissions have remained less than 14 tpy as determined monthly for 12 consecutive months. After such demonstration, you must determine the uncontrolled actual rolling 12-month determination VOC and methane emissions rates each month. The uncontrolled actual VOC and methane emissions must be calculated using a generally accepted model or calculation methodology which account for flashing, working and breathing losses, and the calculations must be based on the actual average throughput, temperature, and separator pressure for the month. You may no longer comply with this paragraph and must instead comply with paragraph (a)(2) of this section if your storage vessel affected facility meets the conditions specified in paragraphs (a)(3)(i) or (ii) of this section.
 - (i) If a well feeding the storage vessel affected facility undergoes fracturing or refracturing, you must comply with paragraph (a)(2) of this section as soon as liquids from the well following fracturing or refracturing are routed to the storage vessel affected facility.
 - (ii) If the rolling 12-month emissions determination required in this section indicates that VOC emissions increase to 4 tpy or greater or the methane emissions increase to 14 tpy or greater from your storage vessel affected facility and the increase is not associated with fracturing or refracturing of a well feeding the storage vessel affected facility, you must comply with paragraph (a)(2) of this section within 30 days of the monthly determination.
- (b) **Control requirements.**

- (1) Except as required in paragraph (b)(2) of this section, if you use a control device to reduce methane and VOC emissions from your storage vessel affected facility, you must meet all of the design and operational criteria specified in paragraphs (b)(1)(i) through (iii) of this section.
 - (i) Each storage vessel in the tank battery must be equipped with a cover that meets the requirements of § 60.5411b(b);
 - (ii) The tank battery must be equipped with one or more closed vent system that meets the requirements of § 60.5411b(a) and (c); and
 - (iii) The vapors collected in paragraphs (b)(1)(ii) of this section must be routed to a control device that meets the conditions specified in § 60.5412b. As an alternative to routing the closed vent system to a control device, you may route the closed vent system to a process.
 - (2) For storage vessel affected facilities that do not have flashing emissions and that are not located at well sites or centralized production facilities, you may use a floating roof to reduce emissions. If you use a floating roof to reduce emissions, you must meet the requirements of § 60.112b(a)(1) or (2) and the relevant monitoring, inspection, recordkeeping, and reporting requirements in subpart Kb of this part. You must submit a statement that you are complying with § 60.112b(a)(1) or (2) with the initial annual report specified in § 60.5420b(b)(1) and (8).
- (c) **Requirements for storage vessel affected facilities that are removed from service or returned to service.** If you remove a storage vessel affected facility from service or remove a portion of a storage vessel affected facility from service, you must comply with the applicable paragraphs (c)(1) through (4) of this section. A storage vessel is not an affected facility under this subpart for the period that it is removed from service.
- (1) For a storage vessel affected facility to be removed from service, you must comply with the requirements of paragraphs (c)(1)(i) and (ii) of this section.
 - (i) You must completely empty and degas each storage vessel, such that each storage vessel no longer contains crude oil, condensate, produced water or intermediate hydrocarbon liquids. A storage vessel where liquid is left on walls, as bottom clingage or in pools due to floor irregularity is considered to be completely empty.
 - (ii) You must submit a notification as required in § 60.5420b(b)(8)(vii) in your next annual report, identifying each storage vessel affected facility removed from service during the reporting period and the date of its removal from service.
 - (2) For a portion of a storage vessel affected facility to be removed from service, you must comply with the requirements of paragraphs (c)(2)(i) through (iv) of this section.
 - (i) You must completely empty and degas the storage vessel(s), such that the storage vessel(s) no longer contains crude oil, condensate, produced water or intermediate hydrocarbon liquids. A storage vessel where liquid is left on walls, as bottom clingage or in pools due to floor irregularity is considered to be completely empty.
 - (ii) You must disconnect the storage vessel(s) from the tank battery by isolating the storage vessel(s) from the tank battery such that the storage vessel(s) is no longer manifolded to the tank battery by liquid or vapor transfer.

- (iii) You must submit a notification as required in § 60.5420b(b)(8)(vii) in your next annual report, identifying each storage vessel removed from service during the reporting period, the impacted storage vessel affected facility, and the date of its removal from service.
- (iv) The remaining storage vessel(s) in the tank battery remain a storage vessel affected facility and must continue to comply with the applicable requirements of paragraphs (a) and (b) of this section.
- (3) If a storage vessel identified in paragraph (c)(1)(ii) or (c)(2)(iii) of this section is returned to service, you must determine its affected facility status as provided in § 60.5365b(e)(6).
- (4) For each storage vessel affected facility or portion of a storage vessel affected facility returned to service during the reporting period, you must submit a notification in your next annual report as required in § 60.5420b(b)(8)(viii), identifying each storage vessel affected facility or portion of a storage vessel affected facility and the date of its return to service.
- (d) **Compliance, notification, recordkeeping, and reporting.** You must comply with paragraphs (d)(1) through (3) of this section.
 - (1) You must demonstrate initial compliance with standards as required by § 60.5410b(j).
 - (2) You must demonstrate continuous compliance with standards as required by § 60.5415b(i).
 - (3) You must perform the required reporting as required by § 60.5420b(b)(1) and (8) and (b)(11) through (13), as applicable; and the recordkeeping as required by § 60.5420b(c)(7) and (c)(8) through (13), as applicable.
- (e) **Exemptions.** This subpart does not apply to storage vessels subject to and controlled in accordance with the requirements for storage vessels in subpart Kb of this part, and 40 CFR part 63, subparts G, CC, HH, or WW.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62892, Aug. 1, 2024]

§ 60.5397b What GHG and VOC standards apply to fugitive emissions components affected facilities?

This section applies to fugitive emissions components affected facilities. You must comply with the requirements of paragraphs (a) through (l) of this section to reduce fugitive emissions of methane and VOC. The requirements of this section are independent of the cover and closed vent system requirements of § 60.5411b.

- (a) **General requirements.** You must monitor all fugitive emissions components affected facilities in accordance with paragraphs (b) through (g) of this section. You must repair all sources of fugitive emissions in accordance with paragraph (h) of this section. You must demonstrate initial compliance in accordance with paragraph (i) of this section. You must keep records in accordance with paragraph (j) of this section and report in accordance with paragraph (k) of this section. You must meet the requirements for well closures in accordance with paragraph (l) of this section.
- (b) **Develop fugitive emissions monitoring plan.** You must develop a fugitive emissions monitoring plan that covers all fugitive emissions components affected facilities within each company-defined area in accordance with paragraphs (c) and (d) of this section.
- (c) **Elements of fugitive emissions monitoring plan.** Your fugitive emissions monitoring plan must include the elements specified in paragraphs (c)(1) through (8) of this section, at a minimum.

- (1) Frequency for conducting surveys. Surveys must be conducted at least as frequently as required by paragraphs (f) and (g) of this section.
- (2) Technique for determining fugitive emissions (i.e., AVO or other detection methods, Method 21 of appendix A-7 to this part, and/or OGI and meeting the requirements of paragraphs (c)(7)(i) through (vii) of this section).
- (3) Manufacturer and model number of fugitive emissions detection equipment to be used, if applicable.
- (4) Procedures and timeframes for identifying and repairing fugitive emissions components from which fugitive emissions are detected, including timeframes for fugitive emission components that are unsafe to repair. Your repair schedule must meet the requirements of paragraph (h) of this section at a minimum.
- (5) Procedures and timeframes for verifying fugitive emission component repairs.
- (6) Records that will be kept and the length of time records will be kept.
- (7) If you are using OGI, your plan must also include the elements specified in paragraphs (c)(7)(i) through (vii) of this section.
 - (i) Verification that your OGI equipment meets the specifications of paragraphs (c)(7)(i)(A) and (B) of this section. This verification is an initial verification, and may either be performed by the facility, by the manufacturer, or by a third party. For the purposes of complying with the fugitive emissions monitoring program with OGI, fugitive emissions are defined as any visible emissions observed using OGI.
 - (A) Your OGI equipment must be capable of imaging gases in the spectral range for the compound of highest concentration in the potential fugitive emissions.
 - (B) Your OGI equipment must be capable of imaging a gas that is half methane, half propane at a concentration of 10,000 ppm at a flow rate of ≤ 60 g/hr from a quarter inch diameter orifice.
 - (ii) Procedure for a daily verification check.
 - (iii) Procedure for determining the operator's maximum viewing distance from the equipment and how the operator will ensure that this distance is maintained.
 - (iv) Procedure for determining maximum wind speed during which monitoring can be performed and how the operator will ensure monitoring occurs only at wind speeds below this threshold.
 - (v) Procedures for conducting surveys, including the items specified in paragraphs (c)(7)(v)(A) through (C) of this section.
 - (A) How the operator will ensure an adequate thermal background is present in order to view potential fugitive emissions.
 - (B) How the operator will deal with adverse monitoring conditions, such as wind.
 - (C) How the operator will deal with interferences (e.g., steam).
 - (vi) Training and experience needed prior to performing surveys.
 - (vii) Procedures for calibration and maintenance. At a minimum, procedures must comply with those recommended by the manufacturer.

- (8) If you are using Method 21 of appendix A-7 to this part, your plan must also include the elements specified in paragraphs (c)(8)(i) through (iv) of this section. For the purposes of complying with the fugitive emissions monitoring program using Method 21 of appendix A-7 to this part a fugitive emission is defined as an instrument reading of 500 ppmv or greater.
- (i) **Verification that your monitoring equipment meets the requirements specified in Section 6.0 of Method 21 of appendix A-7 to this part.** For purposes of instrument capability, the fugitive emissions definition shall be 500 ppmv or greater methane using a FID-based instrument. If you wish to use an analyzer other than an FID-based instrument, you must develop a site-specific fugitive emission definition that would be equivalent to 500 ppmv methane using a FID-based instrument (e.g., 10.6 eV PID with a specified isobutylene concentration as the fugitive emission definition would provide equivalent response to your compound of interest).
- (ii) **Procedures for conducting surveys.** At a minimum, the procedures shall ensure that the surveys comply with the relevant sections of Method 21 of appendix A-7 to this part, including Section 8.3.1.
- (iii) **Procedures for calibration.** The instrument must be calibrated before use each day of its use by the procedures specified in Method 21 of appendix A-7 to this part. At a minimum, you must also conduct precision tests at the interval specified in Method 21 of appendix A-7 to this part, Section 8.1.2, and a calibration drift assessment at the end of each monitoring day. The calibration drift assessment must be conducted as specified in paragraph (c)(8)(iii)(A) of this section. Corrective action for drift assessments is specified in paragraphs (c)(8)(iii)(B) and (C) of this section.
- (A) Check the instrument using the same calibration gas that was used to calibrate the instrument before use. Follow the procedures specified in Method 21 of appendix A-7 to this part, Section 10.1, except do not adjust the meter readout to correspond to the calibration gas value. If multiple scales are used, record the instrument reading for each scale used. Divide the arithmetic difference of the initial and post-test calibration response by the corresponding calibration gas value for each scale and multiply by 100 to express the calibration drift as a percentage.
- (B) If a calibration drift assessment shows a negative drift of more than 10 percent, then all equipment with instrument readings between the fugitive emission definition multiplied by (100 minus the percent of negative drift) divided by 100 and the fugitive emission definition that was monitored since the last calibration must be re-monitored.
- (C) If any calibration drift assessment shows a positive drift of more than 10 percent from the initial calibration value, then, at the owner/operator's discretion, all equipment with instrument readings above the fugitive emission definition and below the fugitive emission definition multiplied by (100 plus the percent of positive drift) divided by 100 monitored since the last calibration may be re-monitored.
- (iv) **Procedures for monitoring yard piping (other than buried yard piping).** At a minimum, place the probe inlet at the surface of the yard piping and run the probe down the length of the piping. Connection points on the piping must be monitored following the procedures specified in Method 21 of appendix A-7 to this part.
- (d) **Additional elements of fugitive emissions monitoring plan.** Each fugitive emissions monitoring plan must include the elements specified in paragraphs (d)(1) and (2) of this section, at a minimum, as applicable.

- (1) If you are using OGI, your plan must include procedures to ensure that all fugitive emissions components, except buried yard piping and associated components (e.g., connectors), are monitored during each survey. Example procedures include, but are not limited to, a sitemap with an observation path, a written narrative of where the fugitive emissions components are located and how they will be monitored, or an inventory of fugitive emissions components.
 - (2) If you are using Method 21 of appendix A-7 to this part, your plan must include a list of fugitive emissions components to be monitored and method for determining the location of fugitive emissions components to be monitored in the field (e.g., tagging, identification on a process and instrumentation diagram, etc.). Your fugitive emissions monitoring plan must include the written plan developed for all of the fugitive emissions components designated as difficult-to-monitor in accordance with paragraph (g)(2) of this section, and the written plan for fugitive emissions components designated as unsafe-to-monitor in accordance with paragraph (g)(3) of this section.
- (e) **Monitoring of fugitive emissions components.** Each fugitive emissions component, except buried yard piping and associated components (e.g., connectors), shall be observed or monitored for fugitive emissions during each monitoring survey.
- (f) **Initial monitoring survey.** You must conduct initial monitoring surveys according to the requirements specified in paragraphs (f)(1) through (4) of this section.
- (1) At single wellhead only sites and small sites, you must conduct an initial monitoring survey using audible, visual, and olfactory (AVO), or any other detection methods (e.g., OGI), within 90 days of the startup of production, for each fugitive emissions components affected facility or by June 6, 2024 whichever date is later.
 - (2) For multi-wellhead only well sites, well sites or centralized production facilities that contain the major production and processing equipment specified in paragraphs (g)(1)(iv)(A), (B), (C), or (D) of this section, and compressor station sites, you must conduct an initial monitoring survey using OGI or Method 21 of appendix A-7 to this part within 90 days of the startup of production, for each fugitive emissions components affected facility or by June 6, 2024 whichever date is later.
 - (3) For a modified or reconstructed fugitive emissions components affected facility, the initial monitoring survey must be conducted within 90 days of the startup of production for each fugitive emissions components affected facility after the modification or reconstruction or by June 6, 2024, whichever date is later.
 - (4) Notwithstanding the deadlines specified in paragraphs (f)(1) through (3) of this section, for each fugitive emissions components affected facility located on the Alaskan North Slope that starts up production between September and March, you must conduct an initial monitoring survey within 6 months of the startup of production for a new well site, within 6 months of the first day of production after a modification of the fugitive emissions components affected facility, or by the following June 30, whichever date is latest.
- (g) **Monitoring frequency.** A monitoring survey of each fugitive emissions components affected facility must be performed as specified in paragraph (g)(1) of this section, with the exceptions noted in paragraphs (g)(2) through (4) of this section. Monitoring for fugitive emissions components affected facilities located at well sites and centralized production facilities that have wells located onsite must continue at the specified frequencies in paragraphs (g)(1)(i), (ii), (iii), (iv) and (vi) of this section until the well closure requirements of paragraph (l) of this section are completed.

- (1) A monitoring survey of the fugitive emissions components affected facilities must be conducted using the methods and at the frequencies specified in paragraphs (g)(1)(i) through (vi) of this section.
 - (i) A monitoring survey of the fugitive emissions component affected facilities located at single wellhead only well sites must be conducted at least quarterly using AVO, or any other detection method, after the initial survey except as specified in paragraph (g)(1)(vi) of this section. Any indications of fugitive emissions using these methods are considered fugitive emissions that must be repaired in accordance with paragraph (h) of this section.
 - (ii) A monitoring survey of the fugitive emissions component affected facilities located at small well sites must be conducted at least quarterly using AVO, or any other detection method, after the initial survey except as specified in paragraph (g)(1)(vi) of this section. Any indications of fugitive emissions using these methods are considered fugitive emissions that must be repaired in accordance with paragraph (h) of this section. At small well sites with an uncontrolled storage vessel, a visual inspection of all thief hatches and other openings on the storage vessel that are fugitive emissions components must be conducted in conjunction with the monitoring survey to ensure that they are kept closed and sealed at all times except during times of adding or removing material, inspecting or sampling material, or during required maintenance operations. If evidence of a deviation from this requirement is found, you must take corrective action. At small well sites with a separator, a visual inspection of all separator dump valves to ensure the dump valve is free of debris and not stuck in an open position must be conducted in conjunction with the monitoring survey. Any dump valve not operating as designed must be repaired.
 - (iii) A monitoring survey of the fugitive emissions components affected facilities located at multi-wellhead only well sites must be conducted in accordance with paragraphs (g)(1)(iii)(A) and (B) of this section, except as specified in paragraph (g)(1)(vi) of this section.
 - (A) A monitoring survey must be conducted at least quarterly using AVO, or any other detection method, after the initial survey. Any indications of fugitive emissions using these methods are considered fugitive emissions that must be repaired in accordance with paragraph (h) of this section.
 - (B) A monitoring survey must be conducted at least semiannually using OGI or Method 21 of appendix A-7 to this part after the initial survey. Consecutive semiannual surveys must be conducted at least 4 months apart and no more than 7 months apart.
 - (iv) A monitoring survey of the fugitive emissions components affected facilities located at well sites or centralized production facilities that contain the major production and processing equipment specified in paragraphs (g)(1)(iv)(A), (B), (C), or (D) must be conducted at the frequencies in paragraphs (g)(1)(iv)(E) and (F) of this section, except as specified in paragraph (g)(1)(vi) of this section.
 - (A) One or more controlled storage vessels or tank batteries.
 - (B) One or more control devices.
 - (C) One or more natural gas-driven process controllers or pumps.
 - (D) Two or more pieces of major production and processing equipment not specified in paragraphs (g)(1)(iv)(A) through (C) of this section.

- (E) A monitoring survey must be conducted at least bimonthly using AVO, or any other detection method, after the initial survey. Any indications of fugitive emissions using these methods are considered fugitive emissions that must be repaired in accordance with paragraph (h) of this section. A visual inspection of all thief hatches and other openings on storage vessels (or tank batteries) that are fugitive emissions components must be conducted in conjunction with the monitoring survey to ensure that they are kept closed and sealed at all times except during times of adding or removing material, inspecting or sampling material, or during required maintenance operations. If evidence of a deviation from this requirement is found, you must take corrective action. A visual inspection must be conducted of all separator dump valves to ensure the dump valve is free of debris and not stuck in an open position must be conducted in conjunction with the monitoring survey. Any dump valve not operating as designed must be repaired.
- (F) A monitoring survey must be conducted at least quarterly using OGI or Method 21 of appendix A-7 to this part after the initial survey. Consecutive quarterly monitoring surveys must be conducted at least 60 calendar days apart.
- (v) A monitoring survey of the fugitive emissions components affected facility located at a compressor station must be conducted at the frequencies in paragraphs (g)(1)(v)(A) and (B) of this section, except as specified in paragraph (g)(1)(vi) of this section,
 - (A) A monitoring survey must be conducted at least monthly using AVO, or any other detection method, after the initial survey. Any indications of fugitive emissions using these methods are considered fugitive emissions that must be repaired in accordance with paragraph (h) of this section.
 - (B) A monitoring survey must be conducted at least quarterly using OGI or Method 21 of appendix A-7 to this part after the initial survey. Consecutive quarterly monitoring surveys must be conducted at least 60 calendar days apart.
- (vi) A monitoring survey of the fugitive emissions components affected facility located on the Alaska North Slope must be conducted using OGI of this part or Method 21 of appendix A-7 to this part at least annually. Consecutive annual monitoring surveys must be conducted at least 9 months apart and no more than 13 months apart.
- (2) If you are using Method 21 of appendix A-7 to this part, fugitive emissions components that cannot be monitored without elevating the monitoring personnel more than 2 meters above the surface may be designated as difficult-to-monitor. Fugitive emissions components that are designated difficult-to-monitor must meet the specifications of paragraphs (g)(2)(i) through (iv) of this section.
 - (i) A written plan must be developed for all the fugitive emissions components designated difficult-to-monitor. This written plan must be incorporated into the fugitive emissions monitoring plan required by paragraphs (b), (c), and (d) of this section.
 - (ii) The plan must include the identification and location of each fugitive emissions component designated as difficult-to-monitor.
 - (iii) The plan must include an explanation of why each fugitive emissions component designated as difficult-to-monitor is difficult-to-monitor.
 - (iv) The plan must include a schedule for monitoring the difficult-to-monitor fugitive emissions components at least once per calendar year.

- (3) If you are using Method 21 of appendix A-7 to this part, fugitive emissions components that cannot be monitored because monitoring personnel would be exposed to immediate danger while conducting a monitoring survey may be designated as unsafe-to-monitor. Fugitive emissions components that are designated unsafe-to-monitor must meet the specifications of paragraphs (g)(3)(i) through (iv) of this section.
 - (i) A written plan must be developed for all the fugitive emissions components designated unsafe-to-monitor. This written plan must be incorporated into the fugitive emissions monitoring plan required by paragraphs (b), (c), and (d) of this section.
 - (ii) The plan must include the identification and location of each fugitive emissions component designated as unsafe-to-monitor.
 - (iii) The plan must include an explanation of why each fugitive emissions component designated as unsafe-to-monitor is unsafe-to-monitor.
 - (iv) The plan must include a schedule for monitoring the fugitive emissions components designated as unsafe-to-monitor.
- (4) The requirements of paragraphs (g)(1)(iv)(F) and (g)(1)(v)(B) of this section are waived during a quarterly monitoring period for any fugitive emissions components affected facility located within an area that has an average calendar month temperature below 0 degrees Fahrenheit for two of three consecutive calendar months of a quarterly monitoring period. The calendar month temperature average for each month within the quarterly monitoring period must be determined using historical monthly average temperatures over the previous three years as reported by a National Oceanic and Atmospheric Administration source or other source approved by the Administrator. The requirements of paragraph (g)(1)(iv) and (v) of this section shall not be waived for two consecutive quarterly monitoring periods.
- (h) **Repairs.** Each identified source of fugitive emissions shall be repaired in accordance with paragraphs (h)(1) and (2) of this section.
 - (1) A first attempt at repair shall be made in accordance with paragraphs (h)(1)(i) and (ii) of this section.
 - (i) A first attempt at repair shall be made no later than 15 calendar days after detection of fugitive emissions that were identified using AVO.
 - (ii) If you are complying with paragraph (g)(1)(i) through (vi) of this section using OGI or Method 21 of appendix A-7 to this part, a first attempt at repair shall be made no later than 30 calendar days after detection of the fugitive emissions.
 - (2) Repair shall be completed as soon as practicable, but no later than 15 calendar days after the first attempt at repair as required in paragraph (h)(1)(i) of this section, and 30 calendar days after the first attempt at repair as required in paragraph (h)(1)(ii) of this section.
 - (3) Delay of repair will be allowed if the conditions in paragraphs (h)(3)(i) or (ii) of this section are met.
 - (i) If the repair is technically infeasible, would require a vent blowdown, a compressor station shutdown, a well shutdown or well shut-in, or would be unsafe to repair during operation of the unit, the repair must be completed during the next scheduled compressor station shutdown for maintenance, scheduled well shutdown, scheduled well shut-in, after a scheduled vent

blowdown, or within 2 years of detecting the fugitive emissions, whichever is earliest. A vent blowdown is the opening of one or more blowdown valves to depressurize major production and processing equipment, other than a storage vessel.

(ii) If the repair requires replacement of a fugitive emissions component or a part thereof, but the replacement cannot be acquired and installed within the repair timelines specified in paragraphs (h)(1) and (2) of this section due to either of the conditions specified in paragraph (h)(3)(ii)(A) or (B) of this section, the repair must be completed in accordance with paragraph (h)(3)(ii)(C) of this section and documented in accordance with § 60.5420b(c)(14)(v)(I).

(A) Valve assembly supplies had been sufficiently stocked but are depleted at the time of the required repair.

(B) A replacement fugitive emissions component or a part thereof requires custom fabrication.

(C) The required replacement must be ordered no later than 10 calendar days after the first attempt at repair. The repair must be completed as soon as practicable, but no later than 30 calendar days after receipt of the replacement component, unless the repair requires a compressor station or well shutdown. If the repair requires a compressor station or well shutdown, the repair must be completed in accordance with the timeframe specified in paragraph (h)(3)(i) of this section.

(4) Each identified source of fugitive emissions must be resurveyed to complete repair according to the requirements of paragraphs (h)(4)(i) through (v) of this section, to ensure that there are no fugitive emissions.

(i) The operator may resurvey the fugitive emissions components to verify repair using either Method 21 of appendix A-7 to this part or OGI, except as specified in paragraph (h)(4)(v) of this section.

(ii) For each repair that cannot be made during the monitoring survey when the fugitive emissions are initially found, a digital photograph must be taken of that component, or the component must be tagged during the monitoring survey when the fugitive emissions were initially found for identification purposes and subsequent repair. The digital photograph must include the date that the photograph was taken and must clearly identify the component by location within the site (e.g., the latitude and longitude of the component or by other descriptive landmarks visible in the picture).

(iii) Operators that use Method 21 of appendix A-7 to this part to resurvey the repaired fugitive emissions components are subject to the resurvey provisions specified in paragraphs (h)(4)(iii)(A) and (B) of this section.

(A) A fugitive emissions component is repaired when the Method 21 instrument indicates a concentration of less than 500 ppmv above background or when no soap bubbles are observed when the alternative screening procedures specified in section 8.3.3 of Method 21 of appendix A-7 to this part are used.

(B) Operators must use the Method 21 monitoring requirements specified in paragraph (c)(8)(ii) of this section or the alternative screening procedures specified in section 8.3.3 of Method 21 of appendix A-7 to this part.

- (iv) Operators that use OGI to resurvey the repaired fugitive emissions components are subject to the resurvey provisions specified in paragraphs (h)(4)(iv)(A) and (B) of this section.
 - (A) A fugitive emissions component is repaired when the OGI instrument shows no indication of visible emissions.
 - (B) Operators must use the OGI monitoring requirements specified in paragraph (c)(7) of this section.
- (v) For fugitive emissions identified using AVO detection methods, the operator may resurvey using those same methods, Method 21 of appendix A-7 to this part, or OGI. For operators that use AVO detection methods, a fugitive emissions component is repaired when there are no indications of fugitive emissions using these methods.
- (i) **Initial compliance.** You must demonstrate initial compliance with the standards that apply to fugitive emissions components affected facilities as required by § 60.5410b(k).
- (j) **Continuous compliance.** You must demonstrate continuous compliance with the standards that apply to fugitive emissions components affected facilities as required by § 60.5415b(l).
- (k) **Reporting and recordkeeping.** You must comply with the reporting requirements as specified in § 60.5420b(b)(1) and (9), and the recordkeeping requirements as specified in § 60.5420b(c)(14).
- (l) **Well closure requirements.** You must complete the requirements specified in paragraphs (l)(1) through (4) of this section.
 - (1) You must submit a well closure plan to the Administrator within 30 days of the cessation of production from all wells located at the well site as specified in § 60.5420b(a)(4)(i). The well closure plan must include, at a minimum, the information specified in paragraphs (l)(1)(i) through (iii) of this section.
 - (i) Description of the steps necessary to close all wells at the well site, including permanent plugging of all wells;
 - (ii) Description of the financial requirements and disclosure of financial assurance to complete closure; and
 - (iii) Description of the schedule for completing all activities in the well closure plan.
 - (2) You must submit a notification as specified in § 60.5420b(a)(4)(ii) of intent to close the well site to the Administrator 60 days before you begin well closure activities.
 - (3) You must conduct a survey of the well site using OGI, including each closed well, after completing all well closure activities outlined in the well closure plan specified in paragraph (l)(1) of this section. If any emissions are imaged by the OGI instrument, then you must take steps to eliminate those emissions and you must resurvey the source of emissions. You must repeat steps to eliminate emissions and resurvey the source of emissions until no emissions are imaged by the OGI instrument. You must update the well closure plan specified in paragraph (l)(1) of this section to include the video of the OGI survey demonstrating closure of all wells at the site.
 - (4) You must maintain the records specified in § 60.5420b(c)(14) and submit the reports specified in § 60.5420b(b)(9).

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§ 60.5398b What alternative GHG and VOC standards apply to fugitive emissions components affected facilities and what inspection and monitoring requirements apply to covers and closed vent systems when using an alternative technology?

This section provides alternative GHG and VOC standards for fugitive emissions components affected facilities in § 60.5397b and alternative continuous inspection and monitoring requirements for covers and closed vent systems in § 60.5416b(a)(1)(ii) and (iii), (2)(ii) through (iv), and (3)(iii) and (iv). If you choose to use an alternative standard under this section, you must submit the notification under paragraph (a) of this section. If you choose to demonstrate compliance with the alternative GHG and VOC standards through periodic screening, you are subject to the requirements in paragraph (b) of this section. If you choose to demonstrate compliance through a continuous monitoring system, you are subject to the requirements in paragraph (c) of this section. The technology used for periodic screenings under paragraph (b) of this section or continuous monitoring under paragraph (c) of this section must be approved in accordance with paragraph (d) of this section.

- (a) **Notification.** If you choose to demonstrate compliance with the alternative GHG and VOC standards in either paragraph (b) or (c) of this section, you must notify the Administrator of adoption of the alternative standards in the first annual report following implementation of the alternative standards, as specified in § 60.5424b(a). Once you have implemented the alternative standards, you must continue to comply with the alternative standards.
- (b) **Periodic Screening.** You may choose to demonstrate compliance for your fugitive emissions components affected facility and compliance with continuous inspection and monitoring requirements for your covers and closed vent systems through periodic screenings using any methane measurement technology approved in accordance with paragraph (d) of this section. If you choose to demonstrate compliance using periodic screenings, you must comply with the requirements in paragraphs (b)(1) through (5) of this section and comply with the recordkeeping and reporting requirements in § 60.5424b.
 - (1) You must use one or more alternative test method(s) approved per paragraph (d) of this section to conduct periodic screenings.
 - (i) The required frequencies for conducting periodic screenings are listed in tables 1 and 2 to this subpart. You must choose the appropriate frequency for conducting periodic screenings based on the minimum aggregate detection threshold of the method used to conduct the periodic screenings. You must also use tables 1 and 2 to this subpart to determine whether you must conduct an annual fugitive emissions survey using OGI, except as provided in paragraph (b)(1)(ii) of this section.
 - (ii) For well sites, centralized production facilities, and compressor stations subject to quarterly OGI monitoring surveys in § 60.5397b(g)(1)(iv) and/or (v), prior to March 9, 2026, if you use an alternative test method approved per paragraph (d) of this section with a minimum aggregated detection threshold less than or equal to 3 kg/hr, in lieu of conducting periodic screening events at the frequency specified in paragraph (b)(1)(i) of this section, you may conduct periodic screening events quarterly. After March 9, 2026, you must conduct periodic screening events at the frequency specified in paragraph (b)(1)(i) of this section.
 - (iii) Use of table 1 or 2 to this subpart is based on the required frequency for conducting monitoring surveys in § 60.5397b(g)(1)(i) through (v).
 - (iv) You may replace one or more individual periodic screening events required by table 1 or 2 to this subpart with an OGI survey. The OGI survey must be conducted according to the requirements outlined in § 60.5397b.

- (v) If you use multiple methods to conduct periodic screenings, you must conduct all periodic screenings, regardless of the method used for the individual periodic screening event, at the frequency required for the alternative test method with the highest aggregate detection threshold (e.g., if you use methods with aggregate detection thresholds of 15 kg/hr, your periodic screenings must be conducted monthly). You must also conduct an annual OGI survey if an annual OGI survey is required for the alternative test method with the highest aggregate detection threshold.
- (2) You must develop a monitoring plan that covers the collection of fugitive emissions components, covers, and closed vent systems at each site where you will use periodic screenings to demonstrate compliance. You may develop a site-specific monitoring plan, or you may include multiple sites that you own or operate in one plan. At a minimum, the monitoring plan must contain the information specified in paragraphs (b)(2)(i) through (ix) of this section.
 - (i) Identification of each site that will be monitored through periodic screening, including latitude and longitude coordinates of the site in decimal degrees to an accuracy and precision of at least four decimals of a degree using the North American Datum of 1983.
 - (ii) Identification of the alternative test method(s) approved per paragraph (d) of this section that will be used for periodic screenings and the spatial resolution (i.e., component-level, area-level, or facility-level) of the technology used for each method.
 - (iii) Identification of and contact information for the entities that will be performing the periodic screenings.
 - (iv) Required frequency for conducting periodic screenings, based on the criteria outlined in paragraph (b)(1) of this section.
 - (v) If you are required to conduct an annual OGI survey by paragraph (b)(1)(i) or (iii) of this section or you choose to replace any individual screening event with an OGI survey, your monitoring plan must also include the information required by § 60.5397b(b).
 - (vi) Procedures for conducting monitoring surveys required by paragraphs (b)(5)(ii)(A), (b)(5)(iii)(A), and (b)(5)(iv)(A) of this section. At a minimum, your monitoring plan must include the information required by § 60.5397b(c)(2), (3), (7), and (8), and (d), as applicable. The provisions of § 60.5397b(d)(3) do not apply for purposes of conducting monitoring surveys required by paragraphs (b)(5)(ii) through (iv) of this section.
 - (vii) Procedures and timeframes for identifying and repairing fugitive emissions components, covers, and closed vent systems from which emissions are detected.
 - (viii) Procedures and timeframes for verifying repairs for fugitive emissions components, covers, and closed vent systems.
 - (ix) Records that will be kept and the length of time records will be kept.
- (3) You must conduct the initial screening of your site according to the timeframes specified in (b)(3)(i) through (v) of this section.
 - (i) Within 90 days of the startup of production for each fugitive emissions components affected facility and storage vessel affected facility located at a new well site or centralized production facility.

- (ii) Within 90 days of the startup of a new compressor station for each fugitive emissions components affected facility and storage vessel affected facility located at a new compressor station.
 - (iii) Within 90 days of the startup of production after modification for each modified fugitive emissions components affected facility and storage vessel affected facility at a well site or centralized production facility.
 - (iv) Within 90 days of modification for each modified fugitive emissions components affected facility and storage vessel affected facility at a compressor station.
 - (v) No later than the final date by which the next monitoring survey required by § 60.5397b(g)(1)(i) through (v) would have been required to be conducted if you were previously complying with the requirements in § 60.5397b and § 60.5416b(a)(1)(ii) and (iii), (2)(ii) through (iv), and (3)(iii) and (iv).
- (4) If you are required to conduct an annual OGI survey by paragraph (b)(1)(i) or (iii) of this section, you must conduct OGI surveys according to the schedule in paragraphs (b)(4)(i) through (iv) of this section.
- (i) You must conduct the initial OGI survey no later than 12 calendar months after conducting the initial screening event in paragraph (b)(3) of this section.
 - (ii) Each subsequent OGI survey must be conducted no later than 12 calendar months after the previous OGI survey was conducted. Each identified source of fugitive emissions during the OGI survey shall be repaired in accordance with § 60.5397b(h).
 - (iii) If you replace a periodic screening event with an OGI survey or you are required to conduct a monitoring survey in accordance with paragraph (b)(5)(ii)(A) of this section prior to the date that your next OGI survey under paragraph (b)(4)(ii) of this section is due, the OGI survey conducted in lieu of the periodic screening event or the monitoring survey under paragraph (b)(5)(ii)(A) of this section can be used to fulfill the requirements of paragraph (b)(4)(ii) of this section. The next OGI survey is required to be conducted no later than 12 calendar months after the date of the survey conducted under paragraph (b)(1)(iv) or (b)(5)(ii)(A) of this section.
 - (iv) You cannot use a monitoring survey conducted under paragraph (b)(5)(iii)(A) or (b)(5)(iv)(A) of this section to fulfill the requirements of paragraph (b)(4)(ii) of this section unless the monitoring survey included all fugitive emission components at the site.
- (5) You must investigate confirmed detections of emissions from periodic screening events and repair each identified source of emissions in accordance with paragraphs (b)(5)(i) through (vii) of this section.
- (i) You must receive the results of the periodic screening no later than 5 calendar days after the screening event occurs.
 - (ii) If you use an alternative test method with a facility-level spatial resolution to conduct a periodic screening event and the results of the periodic screening event indicate a confirmed detection of emissions from an affected facility, you must take the actions listed in paragraphs (b)(5)(ii)(A) through (C) of this section.

- (A) You must conduct a monitoring survey of all the fugitive emissions components in an affected facility using either OGI or EPA Method 21 to appendix A-7 of this part. You must follow the procedures in your monitoring plan when conducting the survey.
 - (B) You must inspect all covers and closed vent system(s) with OGI or Method 21 to appendix A-7 to this part in accordance with the requirements in § 60.5416b(b)(1) through (4), as applicable.
 - (C) You must conduct a visual inspection of all covers and closed vent systems to identify if there are any defects, as defined in § 60.5416b(a)(1)(ii), (a)(2)(iii), or (a)(3)(i), as applicable.
- (iii) If you use an alternative test method with an area-level spatial resolution to conduct a periodic screening event and the results of the periodic screening event indicate a confirmed detection of emissions from an affected facility, you must take the actions listed in paragraphs (b)(5)(iii)(A) and (B) of this section, as applicable.
- (A) You must conduct a monitoring survey of all your fugitive emissions components located within a 4-meter radius of the location of the periodic screening's confirmed detection using either OGI or EPA Method 21 to appendix A-7 of this part. You must follow the procedures in your monitoring plan when conducting the survey.
 - (B) If the confirmed detection occurred in the portion of a site that contains a storage vessel or a closed vent system, you must inspect all covers and all closed vent systems that are connected to all storage vessels and closed vent systems that are within a 2-meter radius of the location of the periodic screening's confirmed detection (*i.e.*, you must inspect the whole system that is connected to the portion of the system in the radius of the detected event, not just the portion of the system that falls within the radius of the detected event).
 - (1) You must inspect the cover(s) and closed vent system(s) with OGI or Method 21 to appendix A-7 to this part in accordance with the requirements in § 60.5416b(b)(1) through (4), as applicable.
 - (2) You must conduct a visual inspection of the closed vent system(s) and cover(s) to identify if there are any defects, as defined in § 60.5416b(a)(1)(ii), (a)(2)(iii), or (a)(3)(i), as applicable.
- (iv) If you use an alternative test method with a component-level spatial resolution to conduct a periodic screening event and the results of the periodic screening event indicate a confirmed detection of emissions from an affected facility, you must take the actions listed in paragraphs (b)(5)(iv)(A) and (B) of this section, as applicable.
- (A) You must conduct a monitoring survey of all the fugitive emissions components located within a 1-meter radius of the location of the periodic screening's confirmed detection using either OGI or EPA Method 21 to appendix A-7 of this part. You must follow the procedures in your monitoring plan when conducting the survey.
 - (B) If the confirmed detection occurred in the portion of a site that contains a storage vessel or a closed vent system, you must inspect all covers and all closed vent systems that are connected to all storage vessels and closed vent systems that are within a 0.5-meter radius of the location of the periodic screening's confirmed detection (*i.e.*, you must

inspect the whole system that is connected to the portion of the system in the radius of the detected event, not just the portion of the system that falls within the radius of the detected event).

- (1) You must inspect the cover(s) and closed vent system(s) with OGI or Method 21 to appendix A-7 to this part in accordance with the requirements in § 60.5416b(b)(1) through (4), as applicable.
- (2) You must conduct a visual inspection of the closed vent system(s) and cover(s) to identify if there are any defects, as defined in § 60.5416b(a)(1)(ii), (a)(2)(iii), or (a)(3)(i), as applicable.
- (v) You must repair all sources of fugitive emissions in accordance with § 60.5397b(h) and all emissions or defects of covers and closed vent systems in accordance with § 60.5416b(b)(5), except as specified in this paragraph (b)(5)(v). Except as allowed by § 60.5397b(h)(3) and § 60.5416b(b)(6), all repairs must be completed, including the resurvey verifying the repair, within 30 days of receiving the results of the periodic screening in paragraph (b)(5)(i) of this section.
- (vi) If the results of the periodic screening event in paragraph (b)(5)(i) of this section indicate a confirmed detection at an affected facility, and the ground-based monitoring survey and inspections required by paragraphs (b)(5)(ii) through (iv) of this section demonstrate the confirmed detection was caused by a failure of a control device used to demonstrate continuous compliance under this subpart, you must initiate an investigative analysis to determine the underlying primary and other contributing cause(s) of such failure within 24 hours of receiving the results of the monitoring survey and/or inspection. As part of the investigation, you must determine if the control device is operating in compliance with the applicable requirements of § 60.5415b and § 60.5417b, and if not, what actions are necessary to bring the control device into compliance with those requirements as soon as possible and prevent future failures of the control device from the same underlying cause(s).
- (vii) If the results of the inspections required in paragraphs (b)(5)(ii) through (iv) of this section indicate that there is an emission or defect in your cover or closed vent system, you must perform an investigative analysis to determine the underlying primary and other contributing cause(s) of emissions from your cover or closed vent system within 5 days of completing the inspection required by paragraphs (b)(5)(ii) through (iv) of this section. The investigative analysis must include a determination as to whether the system was operated outside of the engineering design analysis and whether updates are necessary for the cover or closed vent system to prevent future emissions from the cover and closed vent system.
- (6) You must maintain records as specified in § 60.5420b(c)(4) through (7), (14), and (15), and § 60.5424b(c).
- (7) You must submit reports as specified in § 60.5424b.
- (c) **Continuous monitoring.** You may choose to demonstrate compliance for your fugitive emissions components affected facility and compliance with continuous inspection and monitoring requirements for your covers and closed vent systems through continuous monitoring using a technology approved in accordance with paragraph (d) of this section. If you choose to demonstrate compliance using continuous monitoring, you must comply and develop a monitoring plan consistent with the requirements in paragraphs (c)(1) through (9) of this section and comply with the recordkeeping and reporting requirements in § 60.5424b.

- (1) For the purpose of this section, continuous monitoring means the ability of a methane monitoring system to determine and record a valid methane mass emissions rate or equivalent of affected facilities at least once for every 12-hour block.
 - (i) The detection threshold of the system must be such that it can detect at least 0.40 kg/hr (0.88 lb/hr) of methane.
 - (ii) The health of the devices used within the continuous monitoring system must be confirmed for power and function at least twice every six-hour block.
 - (iii) The continuous monitoring system must transmit all applicable valid data at least once every 24-hours. The continuous monitoring system must transmit all valid data collected, including health checks required in paragraph (c)(1)(ii) of this section.
 - (iv) The continuous monitoring system must continuously collect data as specified in paragraph (c)(1) of this section, except as specified in paragraphs (c)(1)(iv)(A) through (D) of this section:
 - (A) The rolling 12-month average operational downtime of the continuous monitoring system must be less than or equal to 10 percent.
 - (B) Operational downtime of the continuous monitoring system is defined as a period of time for which any monitor fails to collect or transmit data as specified in paragraph (c)(1) of this section or any monitor is out-of-control as specified in paragraph (c)(1)(iv)(C) of this section.
 - (C) A monitor is out-of-control if it fails ongoing quality assurance checks, as specified in the alternative test method approved under paragraph (d) of this section, or if the monitor output is outside of range. The beginning of the out-of-control period is defined as the time of the failure of the quality assurance check. The end of the out-of-control period is defined as the time when either the monitor passes a subsequent quality assurance check, or a new monitor is installed. The out-of-control period for a monitor outside of range starts at the time when the monitor first reads outside of range and ends when the monitor reads within range again.
 - (D) The downtime for the continuous monitoring system must be calculated each calendar month. Once 12 months of data are available, at the end of each calendar month, you must calculate the 12-month average by averaging that month with the previous 11 calendar months. You must determine the rolling 12-month average by recalculating the 12-month average at the end of each month.
- (2) You must develop a monitoring plan that covers the collection of fugitive emissions components, covers, and closed vent systems for each site where continuous monitoring will be used to demonstrate compliance. At a minimum, the monitoring plan must contain the information specified in paragraphs (c)(2)(i) through (xii) of this section.
 - (i) Identification of each site to be monitored through continuous monitoring, including latitude and longitude coordinates of the site in decimal degrees to an accuracy and precision of at least four decimals of a degree using the North American Datum of 1983.
 - (ii) Identification of the alternative test method(s) approved under paragraph (d) of this section used for the continuous monitoring, including the detection principle; the manufacturer, make, and model; instrument manual, if applicable; and the manufacturer's recommended maintenance schedule.

- (iii) If the continuous monitoring system is administered through a third-party provider, contact information where the provider can be reached 24 hours a day.
 - (iv) Number and location of monitors. If the continuous monitoring system uses open path technology, you must identify the location of any reflectors used. These locations should be identified by latitude and longitude coordinates in decimal degrees to an accuracy and precision of at least five decimals of a degree using the North American Datum of 1983.
 - (v) Discussion of system calibration requirements, including but not limited to, the calibration procedures and calibration schedule for the detection systems and meteorology systems.
 - (vi) Identification of critical components and infrastructure (e.g., power, data systems) and procedures for their repairs.
 - (vii) Procedures for out-of-control periods.
 - (viii) Procedures for establishing baseline emissions, including the identification of any sources with methane emissions not subject to this subpart. The procedures for establishing the baseline emissions must account for variability in the operation of the site. Operation of the site during the development of the baseline emissions must represent the site's expected annual production or throughput.
 - (ix) Procedures for determining when a fugitive emissions event is detected by the continuous monitoring technology.
 - (x) Procedures and timeframes for identifying and repairing fugitive emissions components, covers, and closed vent systems from which emissions are detected.
 - (xi) Procedures and timeframes for verifying repairs for fugitive emissions components, covers, and closed vent systems.
 - (xii) Records that will be kept and the length of time records will be kept.
- (3) You must install and begin conducting monitoring with your continuous monitoring system according to the timeframes specified in paragraphs (c)(3)(i) through (v) of this section.
- (i) Within 120 days of the startup of production for each fugitive emissions components affected facility and storage vessel affected facility located at a new well site or centralized production facility.
 - (ii) Within 120 days of the startup of a new compressor station for each fugitive emissions components affected facility and storage vessel affected facility located at a new compressor station.
 - (iii) Within 120 days of the startup of production after modification for each modified fugitive emissions components affected facility and storage vessel affected facility at a well site or centralized production facility.
 - (iv) Within 120 days of modification for each modified fugitive emissions components affected facility and storage vessel affected facility at a compressor station.
 - (v) No later than the final date by which the next monitoring survey required by § 60.5397b(g)(1)(i) through (v) would have been required to be conducted if you were previously complying with the requirements in § 60.5397b and § 60.5416b(a)(1)(ii) and (iii), (2)(ii) through (iv), and (3)(iii) and (iv).

- (4) You are subject to the following action-levels as specified in paragraphs (c)(4)(i) and (ii) of this section for any affected facilities located at a well site, centralized production facility, or compressor station.
 - (i) For affected facilities located at a wellhead only well site, the action levels are as follows:
 - (A) The 90-day rolling average action-level is 1.2 kg/hr (2.6 lb/hr) of methane over the site-specific baseline emissions.
 - (B) The 7-day rolling average action level is 15 kg/hr (34 lb/hr) of methane over site-specific baseline emissions.
 - (ii) For affected facilities located at well sites with major production and processing equipment (including small well sites), centralized production facilities, and compressor stations, the action levels are as follows:
 - (A) The 90-day rolling average action-level is 1.6 kg/hr (3.6 lb/hr) of methane over the site-specific baseline emissions.
 - (B) The 7-day rolling average action level is 21 kg/hr (46 lb/hr) of methane over the site-specific baseline emissions.
- (5) You must establish site-specific baseline emissions upon initial installation and activation of a continuous monitoring system. You must establish the baseline emissions under the conditions outlined in paragraphs (c)(5)(i) through (iii) of this section. You must determine the baseline emission rates according to paragraphs (c)(5)(iv) and (v) of this section. The baseline must be established initially and any time there is a major change to the processing equipment at a well site (including small well sites), centralized production facility, or compressor station.
 - (i) Inspect all fugitive emissions components according to the requirements in § 60.5397b and covers and closed vent systems according to the requirements in § 60.5416b. This includes all fugitive emissions components, covers, and closed vent systems, regardless of whether they are regulated by this subpart. Repairs of any fugitive emissions, leaks, or defects found during the inspection must be completed prior to beginning the period in paragraph (c)(5)(iii) of this section.
 - (ii) Verify control devices (e.g., flares) on all affected sources are operating in compliance with the applicable requirements of § 60.5415b and § 60.5417b. You must ensure that all control devices are operating in compliance with the applicable regulations prior to beginning the period in paragraph (b)(5)(iii) of this section. Verify that all other methane emission sources (e.g., reciprocating engines) located at the site are operating consistent with any applicable regulations. You must ensure that these sources are operating in compliance with the applicable regulations prior to beginning the period in paragraph (b)(5)(iii) of this section.
 - (iii) Using the alternative test method approved under paragraph (d) of this section, record the site-level emission rate from your continuous monitoring system for 30 operating days. You must minimize any activities that are not normal, day-to-day activities during this 30 operating day period. Document any maintenance activities and the period (including the start date and time and end date and time) such activities occurred during the 30 operating day period.
 - (iv) Determine the site-specific baseline by calculating the mean emission rate (kg/hr of methane) for the 30 operating day period, less any time periods when maintenance activities were conducted.

- (v) The site-specific baseline emission rate must be no more than 10 times the applicable 90-day action-level defined in paragraphs (c)(4)(i) and (ii) of this section.
- (6) Calculate the emission rate from your site according to paragraphs (c)(6)(i) through (iii) of this section. Compare the emission rate calculated in this paragraph (c)(6) to the appropriate action levels in paragraph (c)(4) of this section to determine whether you have exceeded an action level.
 - (i) Each calendar day, calculate the daily average mass emission rate in kg/hr of methane from your continuous monitoring system.
 - (ii) Once the system has been operating for 7 calendar days, at the end of each calendar day calculate the 7-day average mass emission rate by averaging the mass emission rate from that day with the mass emission rate from the previous 6 calendar days. Subtract the site-specific baseline mass emission rate from the 7-day average mass emission rate when comparing the mass emission rate to the applicable action level. Determine the 7-day rolling average by recalculating the 7-day average each calendar day, less the site-specific baseline.
 - (iii) Once the system has been operating for 90 calendar days, at the end of each calendar day calculate the 90-day average mass emission rate by averaging the mass emission rate from that day with the mass emission rate from the previous 89 calendar days. Subtract the site-specific baseline emission rate from the 90-day average mass emission rate when comparing the mass emission rate to the applicable action level. Determine the 90-day rolling average by recalculating the 90-day average each calendar day, less the site-specific baseline.
- (7) Within 5 days of determining that either of your action levels in paragraph (c)(4) of this section has been exceeded, you must initiate an investigative analysis to determine the underlying primary and contributing cause(s) of such exceedance and actions to be taken to reduce the mass emission rate below the applicable action level.
 - (i) You must complete the investigative analysis and take initial steps to bring the mass emission rate below the action level no later than 5 days after determining there is an exceedance of the action level in paragraph (c)(4)(i)(B) or (c)(4)(ii)(B) of this section.
 - (ii) You must complete the investigative analysis and take initial steps to bring the mass emission rate below the action level no later than 30 days after determining there is an exceedance of the action level in paragraph (c)(4)(i)(A) or (c)(4)(ii)(A) of this section.
- (8) You must develop a mass emission rate reduction plan if you meet any of the criteria in paragraphs (c)(8)(i) through (iii) of this section. The plan must describe the action(s) completed to date to reduce the mass emission rate below the action level, additional measures that you propose to employ to reduce methane emissions below the action level, and a schedule for completion of these measures. You must submit the plan to the Administrator within 60 days of initially determining there is an exceedance of an action level in paragraph (c)(4) of this section.
 - (i) If, upon completion of the initial actions required under paragraph (c)(7) of this section, the average mass emission rate for the following 30-day period is not below the applicable action level in paragraph (c)(4)(i)(A) or (c)(4)(ii)(A) of this section. The beginning of the 30-day period starts on the calendar day following completion of the initial actions in paragraph (c)(7) of this section.

(ii) If, upon completion of the initial actions required under paragraph (c)(6) of this section, the average mass emission rate for the following 24-hour period is not below the applicable action level in paragraph (c)(4)(i)(B) or (c)(4)(ii)(B) of this section. The average mass emission rate will be the mass emission rate calculated according to paragraph (c)(6)(i) of this section for the calendar day following completion of the initial corrective actions in paragraph (c)(7) of this section.

(iii) All actions needed to reduce the average mass emission rate below the action level require more than 30 days to implement.

(9) You must maintain the records as specified in § 60.5420b(c)(4) through (c)(7), (c)(14) and (c)(15), and § 60.5424b(e). You must submit the reports as specified in § 60.5420b(b)(1), and (b)(4) through (10) and § 60.5424b.

(d) **Alternative Test Method for Methane Detection Technology.** Any alternative test method for methane detection technology used to meet the requirements specified in paragraphs (b) or (c) of this section or § 60.5371b must be approved by the Administrator as specified in this paragraph (d). Approval of an alternative test method for methane detection technology will include consideration of the combination of the measurement technology and the standard protocol for its operation. Any entity meeting the requirements in paragraph (d)(2) of this section may submit a request for an alternative test method for methane detection technology. At a minimum, the request must follow the requirements outlined in paragraph (d)(3) of this section. Approved alternative test methods for methane detection technology that are broadly applicable will be posted on the EPA's Emission Measurement Center web page (<https://www.epa.gov/emc/oil-and-gas-alternative-test-methods>). Any owner or operator that meets the specific applicability for the alternative test method, as outlined in the alternative test method for methane detection technology, may use the alternative test method to comply with the requirements of paragraph (b) or (c) of this section, as applicable, in lieu of the requirements for fugitive emissions components affected facilities in § 60.5397b and covers and closed vent systems in § 60.5416b(a)(1)(ii) and (iii), (a)(2)(ii) through (iv), and (a)(3)(iii) and (iv). Certified third-party notifiers may use the alternative test method to identify super-emitter events in § 60.5371b(b)(1)(ii).

(1) A request for an alternative test method for methane detection technology, along with the required supporting information, must be submitted to the EPA through the alternative methane detection technology portal at <https://www.epa.gov/emc/oil-and-gas-alternative-test-methods>. The EPA may make all the information submitted through the portal available to the public without further notice to you. Do not use the portal to submit information you claim as confidential business information (CBI). If you wish to assert a CBI claim for some of the information in your submittal, submit the portion of the information claimed as CBI to the OAQPS CBI office. Clearly mark the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using the portal cannot later be claimed CBI. The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov and should include clear CBI markings and be flagged to the attention of the Leader, Measurement Technology Group. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link. If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: U.S. EPA, Attn: OAQPS Document Control Officer and Measurement Technology

Group Leader, Mail Drop: C404-02, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, North Carolina 27711. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

- (i) The Administrator will complete an initial review for completeness within 90 days of receipt and notify the submitter of the results of the review.
 - (ii) If the entity submitting the request does not meet the requirements in paragraph (d)(2) of this section or the request does not contain the information in paragraph (d)(3) of this section, the submitter will be notified. The submitter may choose to revise the information and submit a new request for an alternative test method.
 - (iii) Within 270 days of receipt of an alternative test method request that was determined to be complete, the Administrator will determine whether the requested alternative test method is adequate for indicating compliance with the requirements for monitoring fugitive emissions components affected facilities in § 60.5397b and continuous inspection and monitoring of covers and closed vent systems in § 60.5416b and/or for identifying super-emitter events in § 60.5371b, except that the Administrator is not required to make determinations on such requests for methods for identifying super emitter events in § 60.5371b before January 22, 2027. The Administrator will issue either an approval or disapproval in writing to the submitter. Approvals may be considered site-specific or more broadly applicable. Broadly applicable alternative test methods and approval letters will be posted at <https://www.epa.gov/emc/oil-andgas-approved-alternative-test-methods-approvals>. If the Administrator fails to provide the submitter a decision on approval or disapproval within 270 days, the alternative test method will be given conditional approval status and posted on this same web page, except that conditional approval will not be given for purposes of identifying super-emitter events in § 60.5371b before January 22, 2027. If the Administrator finds any deficiencies in the request and disapproves the request in writing, the owner or operator may choose to revise the information and submit a new request for an alternative test method.
 - (iv) If the Administrator finds reasonable grounds to dispute the results obtained by any alternative test method for the purposes of demonstrating compliance with a relevant standard, the Administrator may require you to demonstrate compliance according to § 60.5397b for fugitive emissions components affected facilities and § 60.5416b for covers and closed vent systems.
- (2) Any entity may submit an alternative test method for consideration, so long as you meet the requirements in paragraphs (d)(2)(i) through (iv) of this section.
- (i) An entity is limited to any individual or organization located in or that has representation in the United States.
 - (ii) If an entity is not considered an owner or operator of an affected facility regulated under this subpart or subpart OOOOa of this part or is not the owner or operator of a designated facility regulated under subpart OOOOc of this part, the provisions of paragraphs (d)(2)(ii)(A) and (B) of this section apply.
 - (A) The entity must directly represent the provider of the measurement system using advanced methane detection technology.
 - (B) The measurement system must have been applied to methane measurements or monitoring in the oil and gas sector either domestically or internationally.

- (iii) The underlying technology or technologies must be readily available for use, meaning that the measurement system using these technologies has either been:
 - (A) Sold, leased, or licensed, or offered for sale, lease, or license to the general public or;
 - (B) Developed by an owner or operator for internal use and/or use by external partners.
 - (iv) The entity must be able to provide and submit to the Administrator the information required in paragraph (d)(3) of this section.
- (3) The request must contain the information specified in paragraphs (d)(3)(i) through (vii) of this section.
- (i) The submitter's name, mailing address, phone number and email address.
 - (ii) The desired applicability of the technology (*i.e.*, site-specific, basin-specific, or broadly applicable across the sector, super-emitter detection).
 - (iii) Description of the measurement technology, including the physical components, the scientific theory, and the known limitations. At a minimum, this description must contain the information in paragraphs (d)(3)(iii)(A) through (D) of this section.
 - (A) Description of scientific theory and appropriate references outlining the underlying technology (*e.g.*, reference material, literature review).
 - (B) Description of the physical instrumentation.
 - (C) Type of measurement and application (*e.g.*, remote or in-situ measurements, mobile, airborne).
 - (D) Known limitation of the technology, including application limitations and weather limitations.
 - (iv) Description of how the measurement technology is converted to a methane mass emission rate (*i.e.*, kg/hr of methane) or equivalent. At a minimum this description must contain the information in paragraphs (d)(3)(iv)(A) through (F) of this section.
 - (A) Detailed workflow and description covering all steps and processes from measurement technology signal output to final, validated mass emission rate or equivalent. These workflows must cover the material in paragraph (d)(3)(v) of this section and put all technical components into context. The workflow must also cover the technology from data collection to generation of the final product and identify any raw data processing procedures; identification of whether processing steps are manual or automated, and when and what quality assurance checks are made to the data, including raw data, processed data, and output data.
 - (B) Description of how any meteorological data used are collected or sourced, including a description how the data are used.
 - (C) Description of any model(s) (*e.g.*, AERMOD) used, including how inputs are determined or derived.
 - (D) All calculations used, including the defined variables for any of these calculations and a description of their purposes.

- (E) Descriptions of a-priori methods and datasets used, including source and version numbers when applicable.
- (F) Description of algorithms/machine learning procedures used in the data processing, if applicable.
- (v) Description of how all data collected and generated by the measurement system are handled and stored. At a minimum this description must contain the information in paragraphs (d)(3)(v)(A) through (C) of this section.
 - (A) How the data, including metadata, are collected, maintained, and stored.
 - (B) A description of how raw data streams are processed and manipulated, including how the resultant data processing is documented and how version controlled is maintained.
 - (C) A description of what data streams are provided to the end-user of the data and how the data are delivered to the end-user.
- (vi) Supporting information verifying that the technology meets the aggregate detection threshold(s) defined in paragraphs (b) and/or (c) of this section or in § 60.5371b, including supporting data to demonstrate the aggregate detection threshold of the measurement technology as applied in the field and if applicable, how probability of detection is determined. For the purpose of this subpart the average aggregate detection threshold is the average of all site-level detection thresholds from a single deployment (e.g., a singular flight that surveys multiple well sites, centralized production facility, and/or compressor stations) of a technology, unless this technology is to be applied to § 60.5371b. When the technology is applied to § 60.5371b, then the aggregate detection threshold is the average of all site-level detection thresholds from a single deployment in the same basin and field. At a minimum, you must provide the information identified in paragraphs (d)(3)(vi)(A) through (D) of this section.
 - (A) Published reports (e.g., scientific papers) produced by either the submitting entity or an outside entity evaluating the submitted measurement technology that has been independently evaluated. The published reports must identify either a site-level or aggregate detection threshold and be accompanied with sufficient supporting data to evaluate whether the performance metrics of the alternative testing procedures in paragraph (d)(3)(vi)(C) of this section are adequate and the data was collected consistent with those alternative testing procedures. The supporting data may be included in the published report or may be submitted separately.
 - (B) Standard operating procedures including safety considerations, measurement limitations, personnel qualification/responsibilities, equipment and supplies, data and record management, and quality assurance/quality control (i.e., initial and ongoing calibration procedures, data quality indicators, and data quality objectives).
 - (C) Detailed description of the alternative testing procedure(s), preferably in the format described in Guideline Document 45 on the Emission Measurement Center's website (available at <https://www.epa.gov/sites/default/files/2020-08/documents/gd-045.pdf>). The detailed description must address all key elements of the requested method(s) and must include objectives to ensure the detection threshold(s) required in paragraph (d)(3)(vi) of this section are maintained, including procedures for verifying the detection threshold and/or or probability of detection is maintained under field conditions.

- (D) Any documents provided to end-users of the data generated by the measurement system, including but not limited to client products, manuals, and frequently asked questions documents.
- (vii) If the technology will be used to monitor the collection of fugitive emissions components, covers, and closed vent systems at a well site, centralized production facility, or compressor station, you must submit supporting information verifying the spatial resolution of technology, as defined in paragraphs (d)(3)(vii)(A) through (C) of this section. This supporting information must be in the form of a published reports (e.g., scientific papers) produced by either the submitting entity or an outside entity evaluating the submitted measurement technology that has been independently evaluated. The report must include sufficient supporting data to evaluate whether the performance metrics of the alternative testing procedures in paragraph (d)(3)(vi)(C) of this section are adequate and the data was collected consistent with those alternative testing procedures.
 - (A) Facility-level spatial resolution means a technology with the ability to identify emissions within the boundary of a well site, centralized production facility, or compressor station.
 - (B) Area-level spatial resolution means a technology with the ability to identify emissions within a radius of 2 meters of the emission source.
 - (C) Component-level spatial resolution means a technology with the ability to identify emissions within a radius of 0.5 meter of the emission source.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62892, Aug. 1, 2024; 90 FR 35983, July 31, 2025]

§ 60.5399b What are the alternative means of emission limitations for GHG and VOC emissions from well completions, liquids unloading operations, centrifugal compressors, reciprocating compressors, fugitive emissions components, and process unit equipment affected facilities; and what are the alternative fugitive emissions standards based on State, local, and Tribal programs?

This section provides procedures for the submittal and approval of alternative means of emission limitation for GHG and VOC based on work practices for well completions, liquids unloading operations, centrifugal compressors, reciprocating compressors, fugitive emissions components and process unit equipment affected facilities. This section also provides procedures for the submittal and approval of alternative fugitive emissions standards based on programs under state, local, or Tribal authorities for the fugitive emissions components affected facility. Paragraphs (a) through (d) of this section outline the procedure for submittal and approval of alternative means of emission limitation for methane and VOC. Paragraphs (e) through (i) of this section outline the procedure for submittal and approval of alternative fugitive emissions standards. The requirements for a monitoring plan specified in § 60.5397b(c) and (d) apply to the alternative fugitive emissions standards in this section.

- (a) **Alternative means of emission limitation.** If, in the Administrator's judgment, an alternative means of emission limitation will achieve a reduction in methane and VOC emissions at least equivalent to the reduction in methane and VOC emissions achieved under § 60.5375b, § 60.5376b, § 60.5380b, § 60.5385b, § 60.5397b, § 60.5400b, or § 60.5401b, the Administrator will publish, in the FEDERAL REGISTER, a notice permitting the use of that alternative means for the purpose of compliance with § 60.5375b, §

60.5376b, § 60.5380b, § 60.5385b, § 60.5397b, § 60.5400b, or § 60.5401b. The authority to approve an alternative means of emission limitation is retained by the Administrator and shall not be delegated to States under section 111(c) of the CAA.

- (b) **Notice.** Any notice under paragraph (a) of this section must be published only after notice and an opportunity for a public hearing.
- (c) **Evaluation guidelines.** Determination of equivalence to the design, equipment, work practice, or operational requirements of this section will be evaluated by the following guidelines:
 - (1) The applicant must provide information that is sufficient for demonstrating the alternative means of emission limitation achieves emission reductions that are at least equivalent to the emission reductions that would be achieved by complying with the relevant standards. At a minimum, the application must include the following information:
 - (i) Details of the specific equipment or components that would be included in the alternative.
 - (ii) A description of the alternative work practice, including, as appropriate, the monitoring method, monitoring instrument or measurement technology, and the data quality indicators for precision and bias.
 - (iii) The method detection limit of the technology, technique, or process and a description of the procedures used to determine the method detection limit. At a minimum, the applicant must collect, verify, and submit field data encompassing seasonal variations to support the determination of the method detection limit. The field data may be supplemented with modeling analyses, controlled test site data, or other documentation.
 - (iv) Any initial and ongoing quality assurance/quality control measures necessary for maintaining the technology, technique, or process, and the timeframes for conducting such measures.
 - (v) Frequency of measurements. For continuous monitoring techniques, the minimum data availability.
 - (vi) Any restrictions for using the technology, technique, or process.
 - (vii) Initial and continuous compliance procedures, including recordkeeping and reporting, if the compliance procedures are different than those specified in this subpart.
 - (2) For each technology, technique, or process for which a determination of equivalency is requested, the application must provide a demonstration that the emission reduction achieved by the alternative means of emission limitation is at least equivalent to the emission reduction that would be achieved by complying with the relevant standards in this subpart.
- (d) **Approval of alternative means of emission limitation.** Any alternative means of emission limitations approved under this section shall constitute a required work practice, equipment, design, or operational standard within the meaning of section 111(h)(1) of the CAA.
- (e) **Alternative fugitive emissions standards.** If, in the Administrator's judgment, an alternative fugitive emissions standard will achieve a reduction in methane and VOC emissions at least equivalent to the reductions achieved under § 60.5397b, the Administrator will publish, in the FEDERAL REGISTER, a notice permitting use of the alternative fugitive emissions standard for the purpose of compliance with § 60.5397b. The authority to approve alternative fugitive emissions standards is retained by the Administrator and shall not be delegated to States under section 111(c) of the CAA.

- (f) **Notice.** Any notice under paragraph (e) of this section will be published only after notice and an opportunity for public hearing.
- (g) **Evaluation guidelines.** Determination of alternative fugitive emissions standards to the design, equipment, work practice, or operational requirements of § 60.5397b will be evaluated by the following guidelines:
 - (1) The monitoring instrument, including the monitoring procedure;
 - (2) The monitoring frequency;
 - (3) The fugitive emissions definition;
 - (4) The repair requirements; and
 - (5) The recordkeeping and reporting requirements.
- (h) **Approval of alternative fugitive emissions standard.** Any alternative fugitive emissions standard approved under this section shall:
 - (1) Constitute a required design, equipment, work practice, or operational standard within the meaning of section 111(h)(1) of the CAA; and
 - (2) Be made available for use by any owner or operator in meeting the relevant standards and requirements established for affected facilities under § 60.5397b.
- (i) **Notification.**
 - (1) An owner or operator must notify the Administrator of adoption of the alternative fugitive emissions standards within the first annual report following implementation of the alternative fugitive emissions standard, as specified in § 60.5420b(a)(3).
 - (2) An owner or operator implementing one of the alternative fugitive emissions standards must submit the reports specified in § 60.5420b(b)(9)(iii). An owner or operator must also maintain the records specified by the specific alternative fugitive emissions standard for a period of at least 5 years.

§ 60.5400b What GHG and VOC standards apply to process unit equipment affected facilities?

This section applies to process unit equipment affected facilities located at an onshore natural gas processing plant. You must comply with the requirements of paragraphs (a) through (l) of this section to reduce methane and VOC emissions from equipment leaks, except as provided in § 60.5402b. As an alternative to the standards in this section, you may comply with the requirements in § 60.5401b.

- (a) **General standards.** You must comply with the requirements in paragraphs (b) through (d) of this section for each pump in light liquid service, pressure relief device in gas/vapor service, valve in gas/vapor or light liquid service, and connector in gas/vapor or light liquid service, as applicable. You must comply with the requirements in paragraph (e) of this section for each open-ended valve or line. You must comply with the requirements in paragraph (f) of this section for each closed vent system and control device used to comply with equipment leak provisions in this section. You must comply with paragraph (g) of this section for each pump, valve, and connector in heavy liquid service and pressure relief device in light liquid or heavy liquid service. You must make repairs as specified in paragraph (h) of this section. You must demonstrate initial compliance with the standards as specified in paragraph (i) of this section. You must demonstrate continuous compliance with the standards as specified in paragraph (j) of this section. You must perform the reporting as specified in paragraph (k) of this section. You must perform the recordkeeping as required in paragraph (l) of this section.

- (1) You may apply to the Administrator for permission to use an alternative means of emission limitation that achieves a reduction in emissions of methane and VOC at least equivalent to that achieved by the controls required in this subpart according to the requirements of § 60.5399b.
 - (2) Each piece of equipment is presumed to have the potential to emit methane or VOC unless an owner or operator demonstrates that the piece of equipment does not have the potential to emit methane or VOC. For a piece of equipment to be considered not to have the potential to emit methane or VOC, the methane and VOC content of a gaseous stream must be below detection limits using Method 18 of appendix A-6 to this part. Alternatively, if the piece of equipment is in wet gas service, you may choose to determine the methane and VOC content of the stream is below the detection limit of the methods described in ASTM E168-16(R2023), E169-16(R2022), or E260-96 (all incorporated by reference, see § 60.17).
- (b) **Monitoring surveys.** You must monitor for leaks using OGI in accordance with appendix K of this part, unless otherwise specified in paragraphs (c) or (d) of this section.
- (1) Monitoring surveys must be conducted bimonthly.
 - (2) Any emissions observed using OGI are defined as a leak.
- (c) **Additional requirements for pumps in light liquid service.** In addition to the requirements in paragraph (b), you must conduct weekly visual inspections of all pumps in light liquid service for indications of liquids dripping from the pump seal, except as specified in paragraphs (c)(3) and (4) of this section. If there are indications of liquids dripping from the pump seal, you must follow the procedure specified in either paragraph (c)(1) or (2) of this section.
- (1) Monitor the pump within 5 calendar days using OGI in accordance with Appendix K or the methods specified in § 60.5403b. A leak is detected if any emissions are observed using OGI or if an instrument reading of 2,000 ppmv or greater is provided using Method 21 of appendix A-7 to this part.
 - (2) Designate the visual indications of liquids dripping as a leak and repair the leak as specified in paragraph (h) of this section.
 - (3) If any pump is equipped with a closed vent system capable of capturing and transporting any leakage from the seal or seals to a process, fuel gas system, or a control device that complies with the requirements of paragraph (f) of this section, it is exempt from the weekly inspection requirements in paragraph (c) of this section.
 - (4) Any pump that is located within the boundary of an unmanned plant site is exempt from the weekly visual inspection requirements in paragraph (c) of this section, provided that each pump is visually inspected as often as practicable and at least bimonthly.
- (d) **Additional requirements for pressure relief devices in gas/vapor service.** In addition to the requirements in paragraph (b) of this section, you must monitor each pressure relief device as specified in paragraph (d)(1) of this section, except as specified in paragraphs (d)(2) and (3) of this section.
- (1) You must monitor each pressure relief device within 5 calendar days after each pressure release to detect leaks using the methods specified in § 60.5403b. A leak is detected if any emissions are observed using OGI or if an instrument reading of 500 ppmv or greater is provided using Method 21 of appendix A-7 to this part.

- (2) Any pressure relief device that is located in a nonfractionating plant that is monitored only by non-plant personnel may be monitored after a pressure release the next time the monitoring personnel are onsite or within 30 calendar days after a pressure release, whichever is sooner, instead of within 5 calendar days as specified in paragraph (d)(1) of this section. No pressure relief device described in this paragraph may be allowed to operate for more than 30 calendar days after a pressure release without monitoring.
- (3) Any pressure relief device that is routed to a process or fuel gas system or equipped with a closed vent system capable of capturing and transporting leakage through the pressure relief device to a control device as described in paragraph (f) of this section is exempt from the requirements of paragraph (d)(1) of this section.
- (e) **Open-ended valves or lines.** Each open-ended valve or line must be equipped with a cap, blind flange, plug, or a second valve, except as provided in paragraphs (e)(4) and (5) of this section. The cap, blind flange, plug, or second valve must seal the open end of the valve or line at all times except during operations requiring process fluid flow through the open-ended valve or line.
 - (1) If evidence of a leak is found at any time by AVO, or any other detection method, a leak is detected.
 - (2) Each open-ended valve or line equipped with a second valve must be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed.
 - (3) When a double block-and-bleed system is being used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall remain closed at all other times.
 - (4) Open-ended valves or lines in an emergency shutdown system which are designed to open automatically in the event of a process upset are exempt from the requirements of this section.
 - (5) Open-ended valves or lines containing materials which would autocatalytically polymerize or would present an explosion, serious overpressure, or other safety hazard if capped or equipped with a double block-and-bleed system as specified in paragraphs (e) introductory text, (e)(2), and (3) of this section are exempt from the requirements of this section.
- (f) **Closed vent systems and control devices.** Closed vent systems used to comply with the equipment leak provisions of this section must comply with the requirements in §§ 60.5411b and 60.5416b. Control devices used to comply with the equipment leak provisions of this section must comply with the requirements in §§ 60.5412b, 60.5415b(f), and 60.5417b.
- (g) **Pumps, valves, and connectors in heavy liquid service and pressure relief devices in light liquid or heavy liquid service.** If evidence of a potential leak is found at any time by AVO, or any other detection method, a leak is detected and must be repaired in accordance with paragraph (h) of this section.
- (h) **Repair requirements.** When a leak is detected, you must comply with the requirements of paragraphs (h)(1) through (5) of this section, except as provided in paragraph (h)(6) of this section.
 - (1) A weatherproof and readily visible identification tag, marked with the equipment identification number, must be attached to the leaking equipment. The identification tag on equipment may be removed after it has been repaired.

- (2) A first attempt at repair must be made as soon as practicable, but no later than 5 calendar days after the leak is detected. A first attempt at repair is not required if the leak is detected using OGI and the equipment identified as leaking would require elevating the repair personnel more than 2 meters above a support surface.
 - (i) First attempts at repair for pumps in light liquid or heavy liquid service include, but are not limited to, the practices described in paragraphs (h)(2)(i)(A) and (B) of this section, where practicable.
 - (A) Tightening the packing gland nuts.
 - (B) Ensuring that the seal flush is operating at design pressure and temperature.
 - (ii) For each valve where a leak is detected, you must comply with (h)(2)(ii)(A), (B) or (C), and (D) of this section.
 - (A) Repack the existing valve with a low-e packing.
 - (B) Replace the existing valve with a low-e valve; or
 - (C) Perform a drill and tap repair with a low-e injectable packing.
 - (D) An owner or operator is not required to utilize a low-e valve or low-e packing to replace or repack a valve if the owner or operator demonstrates that a low-e valve or low-e packing is not technically feasible. Low-e valve or low-e packing that is not suitable for its intended use is considered to be technically infeasible. Factors that may be considered in determining technical infeasibility include: retrofit requirements for installation (e.g., re-piping or space limitation), commercial unavailability for valve type, or certain instrumentation assemblies.
- (3) Repair of leaking equipment must be completed within 15 calendar days after detection of each leak, except as provided in paragraphs (h)(4), (5) and (6) of this section.
- (4) If the repair for visual indications of liquids dripping for pumps in light liquid service can be made by eliminating visual indications of liquids dripping, you must make the repair within 5 calendar days of detection.
- (5) If the repair for AVO or other indication of a leak for open-ended valves or lines; pumps, valves, or connectors in heavy liquid service; or pressure relief devices in light liquid or heavy liquid service can be made by eliminating the AVO, or other indication of a potential leak, you must make the repair within 5 calendar days of detection.
- (6) Delay of repair of equipment for which leaks have been detected is allowed if repair within 15 days is technically infeasible without a process unit shutdown or as specified in paragraphs (h)(6)(i) through (v) of this section. Repair of this equipment shall occur before the end of the next process unit shutdown. Monitoring to verify repair must occur within 15 days after startup of the process unit.
 - (i) Delay of repair of equipment is allowed for equipment which is isolated from the process, and which does not have the potential to emit methane or VOC.
 - (ii) Delay of repair for valves and connectors is allowed if the conditions in paragraphs (h)(6)(ii)(A) and (B) of this section are met.
 - (A) You must demonstrate that emissions of purged material resulting from immediate repair are greater than the fugitive emissions likely to result from delay of repair, and

- (B) When repair procedures are conducted, the purged material is collected and destroyed or recovered in a control device complying with paragraph (f) of this section.
- (iii) Delay of repair for pumps is allowed if the conditions in paragraphs (h)(6)(iii)(A) and (B) of this section are met.
 - (A) Repair requires the use of a dual mechanical seal system that includes a barrier fluid system, and
 - (B) Repair is completed as soon as practicable, but not later than 6 months after the leak was detected.
- (iv) If delay of repair is required to repack or replace the valve, you may use delay of repair. Delay of repair beyond a process unit shutdown is allowed for a valve, if valve assembly replacement is necessary during the process unit shutdown, valve assembly supplies have been depleted, and valve assembly supplies had been sufficiently stocked before the supplies were depleted. Delay of repair beyond the next process unit shutdown will not be allowed unless the next process unit shutdown occurs sooner than 6 months after the first process unit shutdown.
- (v) When delay of repair is allowed for a leaking pump, valve, or connector that remains in service, the pump, valve, or connector may be considered to be repaired and no longer subject to delay of repair requirements if two consecutive bimonthly monitoring results show no leak remains.
- (i) **Initial compliance.** You must demonstrate initial compliance with the standards that apply to equipment leaks at onshore natural gas processing plants as required by § 60.5410b(h).
- (j) **Continuous compliance.** You must demonstrate continuous compliance with the standards that apply to equipment leaks at onshore natural gas processing plants as required by § 60.5415b(j).
- (k) **Reporting.** You must perform the reporting requirements as specified in § 60.5420b(b)(1) and (11) through (13), as applicable, and § 60.5422b.
- (l) **Recordkeeping.** You must perform the recordkeeping requirements as specified in § 60.5420b(c)(8) and (10) through (13), as applicable, and § 60.5421b.

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§ 60.5401b What are the alternative GHG and VOC standards for process unit equipment affected facilities?

This section provides alternative standards for process unit equipment affected facilities located at an onshore natural gas processing plant. You may choose to comply with the standards in this section instead of the requirements in § 60.5400b. For purposes of the alternative standards provided in this section, you must comply with the requirements of paragraphs (a) through (m) of this section to reduce methane and VOC emissions from equipment leaks, except as provided in § 60.5402b.

- (a) **General standards.** You must comply with the requirements in paragraphs (b) of this section for each pump in light liquid service. You must comply with the requirements of paragraph (c) of this section for each pressure relief device in gas/vapor service. You must comply with the requirements in paragraph (d) of this section for each open-ended valve or line. You must comply with the requirements in paragraph (e) of this section for each closed vent system and control device used to comply with equipment leak provisions in this section. You must comply with paragraph (f) of this section for each valve in gas/vapor

or light liquid service. You must comply with paragraph (g) of this section for each pump, valve, and connector in heavy liquid service and pressure relief device in light liquid or heavy liquid service. You must comply with paragraph (h) of this section for each connector in gas/vapor and light liquid service. You must make repairs as specified in paragraph (i) of this section. You must demonstrate initial compliance with the standards as specified in paragraph (j) of this section. You must demonstrate continuous compliance with the standards as specified in paragraph (k) of this section. You must perform the reporting requirements as specified in paragraph (l) of this section. You must perform the recordkeeping requirements as required in paragraph (m) of this section.

- (1) You may apply to the Administrator for permission to use an alternative means of emission limitation that achieves a reduction in emissions of methane and VOC at least equivalent to that achieved by the controls required in this subpart according to the requirements of § 60.5399b.
- (2) Each piece of equipment is presumed to have the potential to emit methane or VOC unless an owner or operator demonstrates that the piece of equipment does not have the potential to emit methane or VOC. For a piece of equipment to be considered not to have the potential to emit methane or VOC, the methane and VOC content of a gaseous stream must be below detection limits using Method 18 of appendix A-6 to this part. Alternatively, if the piece of equipment is in wet gas service, you may choose to determine the methane and VOC content of the stream is below the detection limit of the methods described in ASTM E168-16(R2023), E169-16(R2022), or E260-96 (all incorporated by reference, see § 60.17).

(b) **Pumps in light liquid service.** You must monitor each pump in light liquid service monthly to detect leaks by the methods specified in § 60.5403b, except as provided in paragraphs (b)(2) through (6) of this section. A leak is defined as an instrument reading of 2,000 ppmv or greater. A pump that begins operation in light liquid service after the initial startup date for the process unit must be monitored for the first time within 30 days after the end of its startup period, except for a pump that replaces a leaking pump and except as provided in paragraphs (b)(2) through (6) of this section.

- (1) In addition to the requirements in paragraph (b) of this section, you must conduct weekly visual inspections of all pumps in light liquid service for indications of liquids dripping from the pump seal. If there are indications of liquids dripping from the pump seal, you must follow the procedure specified in either paragraph (b)(1)(i) or (ii) of this section.
 - (i) Monitor the pump within 5 days using the methods specified in § 60.5403b. A leak is defined as an instrument reading of 2,000 ppmv or greater.
 - (ii) Designate the visual indications of liquids dripping as a leak, and repair the leak as specified in paragraph (i) of this section.
- (2) Each pump equipped with a dual mechanical seal system that includes a barrier fluid system is exempt from the requirements in paragraph (b) of this section, provided the requirements specified in paragraphs (b)(2)(i) through (v) of this section are met.
 - (i) Each dual mechanical seal system meets the requirements of paragraphs (b)(2)(i)(A), (B), or (C) of this section.
 - (A) Operated with the barrier fluid at a pressure that is at all times greater than the pump stuffing box pressure; or

- (B) Equipped with a barrier fluid degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device that complies with the requirements of paragraph (e) of this section; or
 - (C) Equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.
 - (ii) The barrier fluid system is in heavy liquid service or does not have the potential to emit methane or VOC.
 - (iii) Each barrier fluid system is equipped with a sensor that will detect failure of the seal system, the barrier fluid system, or both.
 - (iv) Each pump is checked according to the requirements in paragraph (b)(1) of this section.
 - (v) Each sensor meets the requirements in paragraphs (b)(2)(v)(A) through (C) of this section.
 - (A) Each sensor as described in paragraph (b)(2)(iii) of this section is checked daily or is equipped with an audible alarm.
 - (B) You determine, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.
 - (C) If the sensor indicates failure of the seal system, the barrier fluid system, or both, based on the criterion established in paragraph (b)(2)(v)(B) of this section, a leak is detected.
- (3) Any pump that is designated, as described in § 60.5421b(b)(12), for no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background, is exempt from the requirements of paragraphs (b) introductory text, (b)(1), and (2) of this section if the pump:
 - (i) Has no externally actuated shaft penetrating the pump housing;
 - (ii) Is demonstrated to be operating with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background as measured by the methods specified in § 60.5403b; and
 - (iii) Is tested for compliance with paragraph (b)(3)(ii) of this section initially upon designation, annually, and at other times requested by the Administrator.
- (4) If any pump is equipped with a closed vent system capable of capturing and transporting any leakage from the seal or seals to a process, fuel gas system, or a control device that complies with the requirements of paragraph (e) of this section, it is exempt from paragraphs (b), (b)(1) through (3) of this section, and the repair requirements of paragraph (i) of this section.
- (5) Any pump that is designated, as described in § 60.5421b(b)(13), as an unsafe-to-monitor pump is exempt from the inspection and monitoring requirements of paragraphs (b) introductory text, (b)(1), and (b)(2)(iv) and (v) of this section if the conditions in paragraphs (b)(5)(i) and (ii) of this section are met.
 - (i) You demonstrate that the pump is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (b) of this section; and

- (ii) You have a written plan that requires monitoring of the pump as frequently as practicable during safe-to-monitor times, but not more frequently than the periodic monitoring schedule otherwise applicable, and you repair the equipment according to the procedures in paragraph (i) of this section if a leak is detected.
- (6) Any pump that is located within the boundary of an unmanned plant site is exempt from the weekly visual inspection requirements in paragraph (b)(1) and (b)(2)(iv) of this section, and the daily requirements of paragraph (b)(2)(v) of this section, provided that each pump is visually inspected as often as practicable and at least monthly.
- (c) **Pressure relief devices in gas/vapor service.** You must monitor each pressure relief device quarterly using the methods specified in § 60.5403b. A leak is defined as an instrument reading of 500 ppmv or greater above background.
 - (1) In addition to the requirements in paragraph (c) introductory text of this section, after each pressure release, you must monitor each pressure relief device within 5 calendar days after each pressure release to detect leaks. A leak is detected if an instrument reading of 500 ppmv or greater is provided using the methods specified in § 60.5403b(b).
 - (2) Any pressure relief device that is located in a nonfractionating plant that is monitored only by non-plant personnel may be monitored after a pressure release the next time the monitoring personnel are onsite or within 30 calendar days after a pressure release, whichever is sooner, instead of within 5 calendar days as specified in paragraph (c)(1) of this section.
 - (3) No pressure relief device described in paragraph (c)(2) of this section may be allowed to operate for more than 30 calendar days after a pressure release without monitoring.
 - (4) Any pressure relief device that is routed to a process or fuel gas system or equipped with a closed vent system capable of capturing and transporting leakage through the pressure relief device to a control device as described in paragraph (e) of this section is exempt from the requirements of paragraph (c) introductory text and (c)(1) of this section.
 - (5) Pressure relief devices equipped with a rupture disk are exempt from the requirements of paragraphs (c)(1) and (2) of this section provided you install a new rupture disk upstream of the pressure relief device as soon as practicable, but no later than 5 calendar days after each pressure release, except as provided in paragraph (i)(6) of this section.
- (d) **Open-ended valves or lines.** Each open-ended valve or line must be equipped with a cap, blind flange, plug, or a second valve, except as provided in paragraphs (d)(4) and (5) of this section. The cap, blind flange, plug, or second valve must seal the open end of the valve or line at all times except during operations requiring process fluid flow through the open-ended valve or line.
 - (1) If evidence of a leak is found at any time by AVO, or any other detection method, a leak is detected and must be repaired in accordance with paragraph (i) of this section. A leak is defined as an instrument reading of 500 ppmv or greater if Method 21 of appendix A-7 to this part is used.
 - (2) Each open-ended valve or line equipped with a second valve must be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed.
 - (3) When a double block-and-bleed system is being used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall remain closed at all other times.

- (4) Open-ended valves or lines in an emergency shutdown system which are designed to open automatically in the event of a process upset are exempt from the requirements of paragraphs (d) introductory text, and (d)(1) through (3) of this section.
- (5) Open-ended valves or lines containing materials which would autocatalytically polymerize or would present an explosion, serious overpressure, or other safety hazard if capped or equipped with a double block-and-bleed system as specified in paragraphs (d) introductory text, (d)(2), and (3) of this section are exempt from the requirements of this section.
- (e) **Closed vent systems and control devices.** Closed vent systems used to comply with the equipment leak provisions of this section must comply with the requirements in §§ 60.5411b and 60.5416b. Control devices used to comply with the equipment leak provisions of this section must comply with the requirements in §§ 60.5412b, 60.5415b(f), and 60.5417b.
- (f) **Valves in gas/vapor and light liquid service.** You must monitor each valve in gas/vapor and in light liquid service quarterly to detect leaks by the methods specified in § 60.5403b, except as provided in paragraphs (f)(3) through (5) of this section.
 - (1) A valve that begins operation in gas/vapor service or in light liquid service after the initial startup date for the process unit must be monitored for the first time within 90 days after the end of its startup period to ensure proper installation, except for a valve that replaces a leaking valve and except as provided in paragraphs (f)(3) through (5) of this section.
 - (2) An instrument reading of 500 ppmv or greater is a leak. You must repair each leaking valve according to the requirements in paragraph (i) of this section.
 - (3) Any valve that is designated, as described in § 60.5421b(b)(12), for no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background, is exempt from the monitoring requirements of paragraph (f) of this section if the valve:
 - (i) Has no externally actuating mechanism in contact with the process fluid;
 - (ii) Is operated with emissions less than 500 ppmv above background as determined by the methods specified in § 60.5403b; and
 - (iii) Is tested for compliance with paragraph (f)(3)(ii) of this section initially upon designation, annually, and at other times requested by the Administrator.
 - (4) Any valve that is designated, as described in § 60.5421b(b)(13), as an unsafe-to-monitor valve is exempt from the monitoring requirements of paragraph (f) of this section if the requirements in paragraphs (f)(4)(i) and (ii) of this section are met.
 - (i) You demonstrate that the valve is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (f) of this section; and
 - (ii) You have a written plan that requires monitoring of the valve as frequently as practicable during safe-to-monitor times, but not more frequently than the periodic monitoring schedule otherwise applicable, and you repair the equipment according to the procedures in paragraph (i) of this section if a leak is detected.
 - (5) Any valve that is designated, as described in § 60.5421b(b)(14), as a difficult-to-monitor valve is exempt from the monitoring requirements of paragraph (f) of this section if the requirements in paragraph (f)(5)(i) through (iii) of this section are met.

- (i) You demonstrate that the valve cannot be monitored without elevating the monitoring personnel more than 2 meters above a support surface.
- (ii) The process unit within which the valve is located has less than 3.0 percent of its total number of valves designated as difficult-to-monitor.
- (iii) You have a written plan that requires monitoring of the at least once per calendar year.

(g) ***Pumps, valves, and connectors in heavy liquid service and pressure relief devices in light liquid or heavy liquid service.*** If evidence of a potential leak is found at any time by AVO, or any other detection method, you must comply with either paragraph (g)(1) or (2) of this section.

- (1) You must monitor the equipment within 5 calendar days by the method specified in § 60.5403b and repair any leaks detected according to paragraph (i) of this section. An instrument reading of 10,000 ppmv or greater is defined as a leak.
- (2) You must designate the AVO, or other indication of a leak as a leak and repair the leak according to paragraph (i) of this section.

(h) ***Connectors in gas/vapor service and in light liquid service.*** You must initially monitor all connectors in the process unit for leaks by the later of either 12 months after the compliance date or 12 months after initial startup. If all connectors in the process unit have been monitored for leaks prior to the compliance date, no initial monitoring is required provided either no process changes have been made since the monitoring or the owner or operator can determine that the results of the monitoring, with or without adjustments, reliably demonstrate compliance despite process changes. If required to monitor because of a process change, you are required to monitor only those connectors involved in the process change.

(1) You must monitor all connectors in gas/vapor service and all connectors in light liquid service annually, except as provided in § 60.5399b, paragraph (e) of this section or paragraph (h)(2) of this section. If an instrument reading greater than or equal to 500 ppmv is measured, a leak is detected.

(2) Any connector that is designated, as described in § 60.5421b(b)(13), as an unsafe-to-monitor connector is exempt from the requirements of paragraphs (h) introductory text and (h)(1) of this section if the requirements of paragraphs (h)(2)(i) and (ii) of this section are met.

(i) You demonstrate the connector is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraphs (h) introductory text and (h)(1) of this section; and

(ii) You have a written plan that requires monitoring of the connector as frequently as practicable during safe-to-monitor times, but not more frequently than the periodic monitoring schedule otherwise applicable, and you repair the equipment according to the procedures in paragraph (i) of this section if a leak is detected.

(3) Inaccessible, ceramic, or ceramic-line connectors.

(i) Any connector that is inaccessible or that is ceramic or ceramic-lined (e.g., porcelain, glass, or glass-lined), is exempt from the monitoring requirements of paragraphs (h) and (h)(1) of this section, from the leak repair requirements of paragraph (i) of this section, and from the recordkeeping and reporting requirements of §§ 60.5421b and 60.5422b. An inaccessible connector is one that meets any of the specifications in paragraphs (h)(3)(i)(A) through (F) of this section, as applicable.

(A) Buried.

- (B) Insulated in a manner that prevents access to the connector by a monitor probe.
 - (C) Obstructed by equipment or piping that prevents access to the connector by a monitor probe.
 - (D) Unable to be reached from a wheeled scissor-lift or hydraulic-type scaffold that would allow access to connectors up to 7.6 meters (25 feet) above the ground.
 - (E) Inaccessible because it would require elevating monitoring personnel more than 2 meters (7 feet) above a permanent support surface or would require the erection of scaffold.
 - (F) Not able to be accessed at any time in a safe manner to perform monitoring. Unsafe access includes, but is not limited to, the use of a wheeled scissor-lift on unstable or uneven terrain, the use of a motorized man-lift basket in areas where an ignition potential exists, or access would require near proximity to hazards such as electrical lines or would risk damage to equipment.
- (ii) If any inaccessible, ceramic, or ceramic-lined connector is observed by AVO or other means to be leaking, the indications of a leak to the atmosphere by AVO or other means must be eliminated as soon as practicable.
- (4) Connectors which are part of an instrumentation systems and inaccessible, ceramic, or ceramic-lined connectors meeting the provisions of paragraph (h)(3) of this section, are not subject to the recordkeeping requirements of § 60.5421b(b)(1).
- (i) **Repair requirements.** When a leak is detected, comply with the requirements of paragraphs (i)(1) through (5) of this section, except as provided in paragraph (i)(6) of this section.
- (1) A weatherproof and readily visible identification tag, marked with the equipment identification number, must be attached to the leaking equipment. The identification tag on the equipment may be removed after it has been repaired.
- (2) A first attempt at repair must be made as soon as practicable, but no later than 5 calendar days after the leak is detected.
- (i) First attempts at repair for pumps in light liquid or heavy liquid service include, but are not limited to, the practices described in paragraphs (i)(2)(i)(A) and (B) of this section, where practicable.
- (A) Tightening the packing gland nuts.
- (B) Ensuring that the seal flush is operating at design pressure and temperature.
- (ii) For each valve where a leak is detected, you must comply with paragraph (i)(2)(ii)(A), (B), or (C) of this section, unless you meet the requirements of paragraph (i)(2)(ii)(D) of this section.
- (A) Repack the existing valve with a low-e packing.
- (B) Replace the existing valve with a low-e valve; or
- (C) Perform a drill and tap repair with a low-e injectable packing.
- (D) An owner or operator is not required to utilize a low-e valve or low-e packing to replace or repack a valve if the owner or operator demonstrates that a low-e valve or low-e packing is not technically feasible. Low-e valve or low-e packing that is not suitable for its intended use is considered to be technically infeasible. Factors that may be considered in

determining technical infeasibility include: retrofit requirements for installation (e.g., re-piping or space limitation), commercial unavailability for valve type, or certain instrumentation assemblies.

- (3) Repair of leaking equipment must be completed within 15 calendar days after detection of each leak, except as provided in paragraph (i)(4), (5), or (6) of this section.
- (4) If the repair for visual indications of liquids dripping for pumps in light liquid service can be made by eliminating visual indications of liquids dripping, you must make the repair within 5 calendar days of detection.
- (5) If the repair for AVO or other indication of a leak for open-ended lines or valves; pumps, valves, or connectors in heavy liquid service; or pressure relief devices in light liquid or heavy liquid service can be made by eliminating the AVO, or other indication of a potential leak, you must make the repair within 5 calendar days of detection.
- (6) Delay of repair of equipment for which leaks have been detected will be allowed if repair within 15 calendar days is technically infeasible without a process unit shutdown or as specified in paragraphs (i)(6)(i) through (v) of this section. Repair of this equipment shall occur before the end of the next process unit shutdown. Monitoring to verify repair must occur within 15 calendar days after startup of the process unit.
 - (i) Delay of repair of equipment will be allowed for equipment which is isolated from the process, and which does not have the potential to emit methane or VOC.
 - (ii) Delay of repair for valves and connectors will be allowed if the conditions in paragraphs (i)(6)(ii)(A) and (B) are met.
 - (A) You demonstrate that emissions of purged material resulting from immediate repair are greater than the fugitive emissions likely to result from delay of repair, and
 - (B) When repair procedures are conducted, the purged material is collected and destroyed or recovered in a control device complying with paragraph (e) of this section.
 - (iii) Delay of repair for pumps will be allowed if the conditions in paragraphs (i)(6)(iii)(A) and (B) are met.
 - (A) Repair requires the use of a dual mechanical seal system that includes a barrier fluid system, and
 - (B) Repair is completed as soon as practicable, but not later than 6 months after the leak was detected.
 - (iv) If delay of repair is required to repack or replace the valve, you may use delay of repair. Delay of repair beyond a process unit shutdown will be allowed for a valve, if valve assembly replacement is necessary during the process unit shutdown, valve assembly supplies have been depleted, and valve assembly supplies had been sufficiently stocked before the supplies were depleted. Delay of repair beyond the next process unit shutdown will not be allowed unless the next process unit shutdown occurs sooner than 6 months after the first process unit shutdown.
 - (v) When delay of repair is allowed for a leaking pump, valve, or connector that remains in service, the pump, valve, or connector may be considered to be repaired and no longer subject to delay of repair requirements if two consecutive monthly monitoring results show no leak remains.

- (i) **Repair requirements.** When a leak is detected, comply with the requirements of paragraphs (i)(1) through (5) of this section, except as provided in paragraph (i)(6) of this section.
 - (1) A weatherproof and readily visible identification tag, marked with the equipment identification number, must be attached to the leaking equipment. The identification tag on the equipment may be removed after it has been repaired.
 - (2) A first attempt at repair must be made as soon as practicable, but no later than 5 calendar days after the leak is detected.
 - (i) First attempts at repair for pumps in light liquid or heavy liquid service include, but are not limited to, the practices described in paragraphs (i)(2)(i)(A) and (B) of this section, where practicable.
 - (A) Tightening the packing gland nuts.
 - (B) Ensuring that the seal flush is operating at design pressure and temperature.
 - (ii) For each valve where a leak is detected, you must comply with (h)(2)(ii)(A), (B) or (C), and (D) of this section.
 - (A) Repack the existing valve with a low-e packing.
 - (B) Replace the existing valve with a low-e valve; or
 - (C) Perform a drill and tap repair with a low-e injectable packing.
 - (D) An owner or operator is not required to utilize a low-e valve or low-e packing to replace or repack a valve if the owner or operator demonstrates that a low-e valve or low-e packing is not technically feasible. Low-e valve or low-e packing that is not suitable for its intended use is considered to be technically infeasible. Factors that may be considered in determining technical infeasibility include: retrofit requirements for installation (e.g., re-piping or space limitation), commercial unavailability for valve type, or certain instrumentation assemblies.
 - (3) Repair of leaking equipment must be completed within 15 calendar days after detection of each leak, except as provided in paragraph (i)(4), (5), or (6) of this section.
 - (4) If the repair for visual indications of liquids dripping for pumps in light liquid service can be made by eliminating visual indications of liquids dripping, you must make the repair within 5 calendar days of detection.
 - (5) If the repair for AVO or other indication of a leak for open-ended lines or valves; pumps, valves, or connectors in heavy liquid service; or pressure relief devices in light liquid or heavy liquid service can be made by eliminating the AVO, or other indication of a potential leak, you must make the repair within 5 calendar days of detection.
 - (6) Delay of repair of equipment for which leaks have been detected will be allowed if repair within 15 calendar days is technically infeasible without a process unit shutdown or as specified in paragraphs (i)(6)(i) through (v) of this section. Repair of this equipment shall occur before the end of the next process unit shutdown. Monitoring to verify repair must occur within 15 calendar days after startup of the process unit.
 - (i) Delay of repair of equipment will be allowed for equipment which is isolated from the process, and which does not have the potential to emit methane or VOC.

- (ii) Delay of repair for valves and connectors will be allowed if the conditions in paragraphs (i)(6)(ii)(A) and (B) are met.
 - (A) You demonstrate that emissions of purged material resulting from immediate repair are greater than the fugitive emissions likely to result from delay of repair, and
 - (B) When repair procedures are conducted, the purged material is collected and destroyed or recovered in a control device complying with paragraph (e) of this section.
- (iii) Delay of repair for pumps will be allowed if the conditions in paragraphs (i)(6)(iii)(A) and (B) are met.
 - (A) Repair requires the use of a dual mechanical seal system that includes a barrier fluid system, and
 - (B) Repair is completed as soon as practicable, but not later than 6 months after the leak was detected.
- (iv) If delay of repair is required to repack or replace the valve, you may use delay of repair. Delay of repair beyond a process unit shutdown will be allowed for a valve, if valve assembly replacement is necessary during the process unit shutdown, valve assembly supplies have been depleted, and valve assembly supplies had been sufficiently stocked before the supplies were depleted. Delay of repair beyond the next process unit shutdown will not be allowed unless the next process unit shutdown occurs sooner than 6 months after the first process unit shutdown.
- (v) When delay of repair is allowed for a leaking pump, valve, or connector that remains in service, the pump, valve, or connector may be considered to be repaired and no longer subject to delay of repair requirements if two consecutive monthly monitoring results show no leak remains.
- (j) **Initial compliance.** You must demonstrate initial compliance with the standards that apply to equipment leaks at onshore natural gas processing plants as required by § 60.5410b(h).
- (k) **Continuous compliance.** You must demonstrate continuous compliance with the standards that apply to equipment leaks at onshore natural gas processing plants as required by § 60.5415b(j).
- (l) **Reporting.** You must perform the reporting requirements as specified in § 60.5420b(b)(1) and (11) through (13), as applicable, and § 60.5422b.
- (m) **Recordkeeping.** You must perform the recordkeeping requirements as specified in § 60.5420b(c)(8) and (10) through (13), as applicable, and § 60.5421b.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62893, Aug. 1, 2024]

§ 60.5402b What are the exceptions to the GHG and VOC standards for process unit equipment affected facilities?

- (a) You may comply with the following exceptions to the provisions of §§ 60.5400b(a) and 60.5401b(a), as applicable.

- (b) Pumps in light liquid service, pressure relief devices in gas/vapor service, valves in gas/vapor and light liquid service, and connectors in gas/vapor service and in light liquid service that are located at a nonfractionating plant that does not have the design capacity to process 283,200 standard cubic meters per day (scmd) (10 million standard cubic feet per day) or more of field gas may comply with the exceptions specified in paragraphs (b)(1) or (2) of this section.
 - (1) You are exempt from the bimonthly OGI monitoring as required under § 60.5400b(b).
 - (2) You are exempt from the routine Method 21 of appendix A-7 monitoring requirements of § 60.5401b(b), (c), (f), and (h), if complying with the alternative standards of § 60.5401b.
- (c) Pumps in light liquid service, pressure relief devices in gas/vapor service, valves in gas/vapor and light liquid service, and connectors in gas/vapor service and in light liquid service within a process unit that is located in the Alaskan North Slope are exempt from the monitoring requirements § 60.5400b(b) and (c) and § 60.5401b(b), (c), (f) and (h).
- (d) You may use the following provisions instead of § 60.5403b(d):
 - (1) Equipment is in heavy liquid service if the weight percent evaporated is 10 percent or less at 150 degrees Celsius (302 degrees Fahrenheit) as determined by ASTM D86-96 (incorporated by reference, see § 60.17).
 - (2) Equipment is in light liquid service if the weight percent evaporated is greater than 10 percent at 150 degrees Celsius (302 degrees Fahrenheit) as determined by ASTM D86-96 (incorporated by reference, see § 60.17).
- (e) Equipment that is in vacuum service, except connectors in gas/vapor and light liquid service, is excluded from the requirements of § 60.5400b(b) through (g), if it is identified as required in § 60.5421b(b)(15). Equipment that is in vacuum service is excluded from the requirements of § 60.5401b(b) through (g) if it is identified as required in § 60.5421b(b)(15).
- (f) Equipment that you designate as having the potential to emit methane or VOC less than 300 hr/yr is excluded from the requirements of § 60.5400b(b) through (g) and § 60.5401b(b) through (h), if it is identified as required in § 60.5421b(b)(16) and it meets any of the conditions specified in paragraphs (f)(1) through (3) of this section.
 - (1) The equipment has the potential to emit methane or VOC only during startup and shutdown.
 - (2) The equipment has the potential to emit methane or VOC only during process malfunctions or other emergencies.
 - (3) The equipment is backup equipment that has the potential to emit methane or VOC only when the primary equipment is out of service.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62895, Aug. 1, 2024]

§ 60.5403b What test methods and procedures must I use for my process unit equipment affected facilities?

- (a) In conducting the performance tests required in § 60.8, you must use as reference methods and procedures the test methods in appendix A to this part or other methods and procedures as specified in this section, except as provided in § 60.8(b).
- (b) You must determine compliance with the standards in § 60.5401b as follows:

- (1) Method 21 of appendix A-7 to this part shall be used to determine the presence of leaking sources. The instrument shall be calibrated before use each day of its use by the procedures specified in Method 21 of appendix A-7 to this part. The following calibration gases shall be used:
 - (i) Zero air (less than 10 ppmv of hydrocarbon in air); and
 - (ii) A mixture of methane or n-hexane and air at a concentration no more than 2,000 ppmv greater than the leak definition concentration of the equipment monitored. If the monitoring instrument's design allows for multiple calibration scales, then the lower scale shall be calibrated with a calibration gas that is no higher than 2,000 ppmv above the concentration specified as a leak, and the highest scale shall be calibrated with a calibration gas that is approximately or equal to 10,000 ppmv. If only one scale on an instrument will be used during monitoring, you need not calibrate the scales that will not be used during that day's monitoring.
 - (iii) Verification that your monitoring equipment meets the requirements specified in Section 6.0 of Method 21 of appendix A-7 to this part. For purposes of instrument capability, the leak definition shall be 500 ppmv or greater methane using a FID-based instrument for valves and connectors and 2,000 ppmv methane or greater for pumps. If you wish to use an analyzer other than a FID-based instrument, you must develop a site-specific leak definition that would be equivalent to 500 ppmv methane using a FID-based instrument (e.g., 10.6 eV PID with a specified isobutylene concentration as the leak definition would provide equivalent response to your compound of interest).
- (2) The instrument must be calibrated before use each day of its use by the procedures specified in Method 21 of appendix A-7 to this part. At minimum, you must also conduct precision tests at the interval specified in Method 21 of appendix A-7 to this part, Section 8.1.2, and a calibration drift assessment at the end of each monitoring day. The calibration drift assessment must be conducted as specified in paragraph (b)(2)(i) of this section. Corrective action for drift assessments is specified in paragraphs (b)(2)(ii) and (iii) of this section.
 - (i) Check the instrument using the same calibration gas that was used to calibrate the instrument before use. Follow the procedures specified in Method 21 of appendix A-7 to this part, Section 10.1, except do not adjust the meter readout to correspond to the calibration gas value. If multiple scales are used, record the instrument reading for each scale used. Divide the arithmetic difference of the initial and post-test calibration response by the corresponding calibration gas value for each scale and multiply by 100 to express the calibration drift as a percentage.
 - (ii) If a calibration drift assessment shows a negative drift of more than 10 percent, then all equipment with instrument readings between the fugitive emission definition multiplied by (100 minus the percent of negative drift) divided by 100 and the fugitive emission definition that was monitored since the last calibration must be re-monitored.
 - (iii) If any calibration drift assessment shows a positive drift of more than 10 percent from the initial calibration value, then, at the owner/operator's discretion, all equipment with instrument readings above the fugitive emission definition and below the fugitive emission definition multiplied by (100 plus the percent of positive drift) divided by 100 monitored since the last calibration may be re-monitored.
- (c) You shall determine compliance with the no detectable emission standards in § 60.5401b(b) and (f) as specified in paragraphs (c)(1) and (2) of this section.

- (1) The requirements of paragraph (b) of this section shall apply.
- (2) Method 21 of appendix A-7 to this part shall be used to determine the background level. All potential leak interfaces shall be traversed as close to the interface as possible. The arithmetic difference between the maximum concentration indicated by the instrument and the background level is compared with 500 ppmv for determining compliance.
- (d) You shall demonstrate that a piece of equipment is in light liquid service by showing that all of the following conditions apply:
 - (1) The vapor pressure of one or more of the organic components is greater than 0.3 kPa at 20 °C (1.2 in H₂O at 68 °F). Standard reference texts or ASTM D2879-83, -96, or -97 (all incorporated by reference, see § 60.17) shall be used to determine the vapor pressures.
 - (2) The total concentration of the pure organic components having a vapor pressure greater than 0.3 kPa at 20 °C (1.2 in H₂O at 68 °F) is equal to or greater than 20 percent by weight.
 - (3) The fluid is a liquid at operating conditions.
- (e) Samples used in conjunction with paragraphs (d) and (e) of this section shall be representative of the process fluid that is contained in or contacts the equipment, or the gas being combusted in the flare.

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§ 60.5405b What standards apply to sweetening unit affected facilities?

- (a) During the initial performance test required by § 60.8(b), you must achieve at a minimum, an SO₂ emission reduction efficiency (Z_i) to be determined from table 3 to this subpart based on the sulfur feed rate (X) and the sulfur content of the acid gas (Y) of the affected facility.
- (b) After demonstrating compliance with the provisions of paragraph (a) of this section, you must achieve at a minimum, an SO₂ emission reduction efficiency (Z_c) to be determined from table 4 to this subpart based on the sulfur feed rate (X) and the sulfur content of the acid gas (Y) of the affected facility.
- (c) You must demonstrate initial compliance with the standards that apply to sweetening unit affected facilities as required by § 60.5410b(i).
- (d) You must demonstrate continuous compliance with the standards that apply to sweetening unit affected facilities as required by § 60.5415b(k).
- (e) You must perform the reporting as required by § 60.5420b(a)(1), (b)(1), and § 60.5423b and the recordkeeping as required by § 60.5423b.

§ 60.5406b What test methods and procedures must I use for my sweetening unit affected facilities?

- (a) In conducting the performance tests required in § 60.8, you must use the test methods in appendix A to this part or other methods and procedures as specified in this section, except as provided in § 60.8(b).
- (b) During a performance test required by § 60.8, you must determine the minimum required reduction efficiencies (Z) of SO₂ emissions as required in § 60.5405b(a) and (b) as follows:
 - (1) The average sulfur feed rate (X) must be computed as follows:

Equation 1 to paragraph (b)(1)

$$X = KQ_aY$$

Where:

X = average sulfur feed rate, Mg/D (LT/D).

Q_a = average volumetric flow rate of acid gas from sweetening unit, dscm/day (dscf/day).

Y = average H₂S concentration in acid gas feed from sweetening unit, percent by volume, expressed as a decimal.

$K = (32 \text{ kg S/kg-mole}) / ((24.04 \text{ dscm/kg-mole})(1000 \text{ kg S/Mg}))$.

$= 1.331 \times 10^{-3} \text{ Mg/dscm}$, for metric units.

$= (32 \text{ lb S/lb-mole}) / ((385.36 \text{ dscf/lb-mole})(2240 \text{ lb S/long ton}))$.

$= 3.707 \times 10^{-5} \text{ long ton/dscf}$, for English units.

- (2) You must use the continuous readings from the process flowmeter to determine the average volumetric flow rate (Q_a) in dscm/day (dscf/day) of the acid gas from the sweetening unit for each run.
 - (3) You must use the Tutwiler procedure in § 60.5408b or a chromatographic procedure following ASTM E260-96 (incorporated by reference, see § 60.17) to determine the H₂S concentration in the acid gas feed from the sweetening unit (Y). At least one sample per hour (at equally spaced intervals) must be taken during each 4-hour run. The arithmetic mean of all samples must be the average H₂S concentration (Y) on a dry basis for the run. By multiplying the result from the Tutwiler procedure by 1.62×10^{-3} , the units gr/100 scf are converted to volume percent.
 - (4) Using the information from paragraphs (b)(1) and (3) of this section, tables 3 and 4 to this subpart must be used to determine the required initial (Z_i) and continuous (Z_c) reduction efficiencies of SO₂ emissions.
- (c) You must determine the emission reduction efficiency (R) achieved by the sulfur recovery technology as follows:
- (1) You must compute the emission reduction efficiency (R) achieved by the sulfur recovery technology for each run using the following equation:

Equation 2 to paragraph (c)(1)

$$R = (100S)/(S + E)$$

- (2) You must use the level indicators or manual soundings to measure the liquid sulfur accumulation rate in the product storage vessels. You must use readings taken at the beginning and end of each run, the tank geometry, sulfur density at the storage temperature, and sample duration to determine the sulfur production rate (S) in kg/hr (lb/hr) for each run.
- (3) You must compute the emission rate of sulfur for each run as follows:

Equation 3 to paragraph (c)(3)

$$E = C_e Q_{sd} / K_1$$

Where:

E = emission rate of sulfur per run, kg/hr.

C_e = concentration of sulfur equivalent (SO_2 reduced sulfur), g/dscm (lb/dscf).

Q_{sd} = volumetric flow rate of effluent gas, dscm/hr (dscf/hr).

K_1 = conversion factor, 1000 g/kg (7000 gr/lb).

- (4) The concentration (C_e) of sulfur equivalent must be the sum of the SO_2 and TRS concentrations, after being converted to sulfur equivalents. For each run and each of the test methods specified in this paragraph (c) of this section, you must use a sampling time of at least 4 hours. You must use Method 1 of appendix A-1 to this part to select the sampling site. The sampling point in the duct must be at the centroid of the cross-section if the area is less than 5 m² (54 ft²) or at a point no closer to the walls than 1 m (39 in) if the cross-sectional area is 5 m² or more, and the centroid is more than 1 m (39 in) from the wall.
- (i) You must use Method 6 or 6C of appendix A-4 to this part to determine the SO_2 concentration. You must take eight samples of 20 minutes each at 30-minute intervals. The arithmetic average must be the concentration for the run. The concentration must be multiplied by 0.5×10^{-3} to convert the results to sulfur equivalent. In place of Method 6 of appendix A to this part, you may use ANSI/ASME PTC 19.10-1981, Part 10 (manual portion only) (incorporated by reference, see § 60.17).
- (ii) You must use Method 2 of appendix A-1 to this part to determine the volumetric flow rate of the effluent gas. A velocity traverse must be conducted at the beginning and end of each run. The arithmetic average of the two measurements must be used to calculate the volumetric flow rate (Q_{sd}) for the run. For the determination of the effluent gas molecular weight, a single integrated sample over the 4-hour period may be taken and analyzed or grab samples at 1-hour intervals may be taken, analyzed, and averaged.
- (iii) You must use Method 4 of appendix A-2 to this part for moisture content. Alternatively, you must take two samples of at least 0.10 dscm (3.5 dscf) and 10 minutes at the beginning of the 4-hour run and near the end of the time period. The arithmetic average of the two runs must be the moisture content for the run.

- (iv) You must use Method 15 of appendix A-5 to this part to determine the TRS concentration from reduction-type devices or where the oxygen content of the effluent gas is less than 1.0 percent by volume. The sampling rate must be at least 3 liters/min (0.1 ft³/min) to insure minimum residence time in the sample line. You must take sixteen samples at 15-minute intervals. The arithmetic average of all the samples must be the concentration for the run. The concentration in ppmv reduced sulfur as sulfur must be multiplied by 1.333×10^{-3} to convert the results to sulfur equivalent.
- (v) You must use Method 16A of appendix A-6 to this part or ANSI/ASME PTC 19.10-1981, Part 10 (manual portion only) (incorporated by reference, see § 60.17) to determine the reduced sulfur concentration from oxidation-type devices or where the oxygen content of the effluent gas is greater than 1.0 percent by volume. You must take eight samples of 20 minutes each at 30-minute intervals. The arithmetic average must be the concentration for the run. The concentration in ppm reduced sulfur as sulfur must be multiplied by 1.333×10^{-3} to convert the results to sulfur equivalent.
- (vi) You must use EPA Method 2 of appendix A-1 to this part to determine the volumetric flow rate of the effluent gas. A velocity traverse must be conducted at the beginning and end of each run. The arithmetic average of the two measurements must be used to calculate the volumetric flow rate (Q_{sd}) for the run. For the determination of the effluent gas molecular weight, a single integrated sample over the 4-hour period may be taken and analyzed or grab samples at 1-hour intervals may be taken, analyzed, and averaged. For the moisture content, you must take two samples of at least 0.10 dscm (3.5 dscf) and 10 minutes at the beginning of the 4-hour run and near the end of the time period. The arithmetic average of the two runs must be the moisture content for the run.

[89 FR 17043, Mar. 8, 2024; 89 FR 62895, Aug. 1, 2024]

§ 60.5407b What are the requirements for monitoring of emissions and operations from my sweetening unit affected facilities?

- (a) If your sweetening unit affected facility is subject to the provisions of § 60.5405b(a) or (b) you must install, calibrate, maintain, and operate monitoring devices or perform measurements to determine the following operations information on a daily basis:
 - (1) The accumulation of sulfur product over each 24-hour period. The monitoring method may incorporate the use of an instrument to measure and record the liquid sulfur production rate or may be a procedure for measuring and recording the sulfur liquid levels in the storage vessels with a level indicator or by manual soundings, with subsequent calculation of the sulfur production rate based on the tank geometry, stored sulfur density, and elapsed time between readings. The method must be designed to be accurate within ± 2 percent of the 24-hour sulfur accumulation.
 - (2) The H₂S concentration in the acid gas from the sweetening unit for each 24-hour period. At least one sample per 24-hour period must be collected and analyzed using the equation specified in § 60.5406b(b)(1). The Administrator may require you to demonstrate that the H₂S concentration obtained from one or more samples over a 24-hour period is within ± 20 percent of the average of 12 samples collected at equally spaced intervals during the 24-hour period. In instances where the H₂S concentration of a single sample is not within ± 20 percent of the average of the 12 equally spaced samples, the Administrator may require a more frequent sampling schedule.

- (3) The average acid gas flow rate from the sweetening unit. You must install and operate a monitoring device to continuously measure the flow rate of acid gas. The monitoring device reading must be recorded at least once per hour during each 24-hour period. The average acid gas flow rate must be computed from the individual readings.
 - (4) The sulfur feed rate (X). For each 24-hour period, you must compute X using the equation specified in § 60.5406b(b)(1).
 - (5) The required sulfur dioxide emission reduction efficiency for the 24-hour period. You must use the sulfur feed rate and the H₂S concentration in the acid gas for the 24-hour period, as applicable, to determine the required reduction efficiency in accordance with the provisions of § 60.5405b(b).
- (b) Where compliance is achieved through the use of an oxidation control system or a reduction control system followed by a continually operated incineration device, you must install, calibrate, maintain, and operate monitoring devices and continuous emission monitors as follows:
- (1) A continuous monitoring system to measure the total sulfur emission rate (E) of SO₂ in the gases discharged to the atmosphere. The SO₂ emission rate must be expressed in terms of equivalent sulfur mass flow rates (kg/hr (lb/hr)). The span of this monitoring system must be set so that the equivalent emission limit of § 60.5405b(b) will be between 30 percent and 70 percent of the measurement range of the instrument system.
 - (2) Except as provided in paragraph (b)(3) of this section: A monitoring device to measure the temperature of the gas leaving the combustion zone of the incinerator, if compliance with § 60.5405b(a) is achieved through the use of an oxidation control system or a reduction control system followed by a continually operated incineration device. The monitoring device must be certified by the manufacturer to be accurate to within ±1 percent of the temperature being measured.
 - (3) When performance tests are conducted under the provision of § 60.8 to demonstrate compliance with the standards under § 60.5405b, the temperature of the gas leaving the incinerator combustion zone must be determined using the monitoring device. If the volumetric ratio of sulfur dioxide to sulfur dioxide plus total reduced sulfur (expressed as SO₂) in the gas leaving the incinerator is equal to or less than 0.98, then temperature monitoring may be used to demonstrate that sulfur dioxide emission monitoring is sufficient to determine total sulfur emissions. At all times during the operation of the facility, you must maintain the average temperature of the gas leaving the combustion zone of the incinerator at or above the appropriate level determined during the most recent performance test to ensure the sulfur compound oxidation criteria are met. Operation at lower average temperatures may be considered by the Administrator to be unacceptable operation and maintenance of the affected facility. You may request that the minimum incinerator temperature be reestablished by conducting new performance tests under § 60.8.
 - (4) Upon promulgation of a performance specification of continuous monitoring systems for total reduced sulfur compounds at sulfur recovery plants, you may, as an alternative to paragraph (b)(2) of this section, install, calibrate, maintain, and operate a continuous emission monitoring system for total reduced sulfur compounds as required in paragraph (c) of this section in addition to a sulfur dioxide emission monitoring system. The sum of the equivalent sulfur mass emission rates from the two monitoring systems must be used to compute the total sulfur emission rate (E).
- (c) Where compliance is achieved using a reduction control system not followed by a continually operated incineration device, you must install, calibrate, maintain, and operate a continuous monitoring system to measure the emission rate of reduced sulfur compounds as SO₂ equivalent in the gases discharged to the atmosphere. The SO₂ equivalent compound emission rate must be expressed in terms of equivalent

sulfur mass flow rates (kg/hr (lb/hr)). The span of this monitoring system must be set so that the equivalent emission limit of § 60.5405b(b) will be between 30 and 70 percent of the measurement range of the system. This requirement becomes effective upon promulgation of a performance specification for continuous monitoring systems for total reduced sulfur compounds at sulfur recovery plants.

- (d) For those sources required to comply with paragraph (b) or (c) of this section, you must calculate the average sulfur emission reduction efficiency achieved (R) for each 24-hour clock interval. The 24-hour interval may begin and end at any selected clock time but must be consistent. You must compute the 24-hour average reduction efficiency (R) based on the 24-hour average sulfur production rate (S) and sulfur emission rate (E), using the equation in § 60.5406b(c)(1).
- (1) You must use data obtained from the sulfur production rate monitoring device specified in paragraph (a) of this section to determine S.
- (2) You must use data obtained from the sulfur emission rate monitoring systems specified in paragraphs (b) or (c) of this section to calculate a 24-hour average for the sulfur emission rate (E). The monitoring system must provide at least one data point in each successive 15-minute interval. You must use at least two data points to calculate each 1-hour average. You must use a minimum of 18 1-hour averages to compute each 24-hour average.
- (e) In lieu of complying with paragraphs (b) or (c) of this section, those sources with a design capacity of less than 152 Mg/D (150 LT/D) of H₂S expressed as sulfur may calculate the sulfur emission reduction efficiency achieved for each 24-hour period by:

Equation 1 to paragraph (e)

$$R = \frac{K_2 S}{X}$$

Where:

R = The sulfur dioxide removal efficiency achieved during the 24-hour period, percent.

K₂ = Conversion factor, 0.02400 Mg/D per kg/hr (0.01071 LT/D per lb/hr).

S = The sulfur production rate during the 24-hour period, kg/hr (lb/hr).

X = The sulfur feed rate in the acid gas, Mg/D (LT/D).

- (f) The monitoring devices required in paragraphs (b)(1) and (3) and (c) of this section must be calibrated at least annually according to the manufacturer's specifications, as required by § 60.13(b).
- (g) The continuous emission monitoring systems required in paragraphs (b)(1) and (3), and (c) of this section must be subject to the emission monitoring requirements of § 60.13. For conducting the continuous emission monitoring system performance evaluation required by § 60.13(c), Performance Specification 2 of appendix B to this part must apply, and Method 6 of appendix A-4 to this part must be used for systems required by paragraph (b) of this section. In place of Method 6 of appendix A-4 to this part, ASME PTC 19.10-1981 (incorporated by reference, see § 60.17) may be used.

§ 60.5408b What is an optional procedure for measuring hydrogen sulfide in acid gas—Tutwiler Procedure?

The Tutwiler procedure may be found in the Gas Engineers Handbook, Fuel Gas Engineering practices, The Industrial Press, 93 Worth Street, New York, NY, 1966, First Edition, Second Printing, page 6/25 (Docket A-80-20-A, Entry II-I-67).

- (a) **Sampling.** When an instantaneous sample is desired and H_2S concentration is 10 grains per 1000 cubic foot or more, a 100 ml Tutwiler burette is used. For concentrations less than 10 grains, a 500 ml Tutwiler burette and more dilute solutions are used. In principle, this method consists of titrating hydrogen sulfide in a gas sample directly with a standard solution of iodine.
- (b) **Apparatus.** (See figure 1 to this section.) A 100- or 500-ml capacity Tutwiler burette, with two-way glass stopcock at bottom and three-way stopcock at top that connect either with inlet tubulature or glass-stoppered cylinder, 10 ml capacity, graduated in 0.1 ml subdivision; rubber tubing connecting burette with leveling bottle.
- (c) **Reagents.**
 - (1) Iodine stock solution, 0.1N. Weight 12.7 g iodine, and 20 to 25 g cp potassium iodide (KI) for each liter of solution. Dissolve KI in as little water as necessary; dissolve iodine in concentrated KI solution, make up to proper volume, and store in glass-stoppered brown glass bottle.
 - (2) Standard iodine solution, 1 ml = 0.001771 g I. Transfer 33.7 ml of above 0.1N stock solution into a 250 ml volumetric flask; add water to mark and mix well. Then, for 100 ml sample of gas, 1 ml of standard iodine solution is equivalent to 100 grains H_2S per cubic feet of gas.
 - (3) Rub into a thin paste about one teaspoonful of wheat starch with a little water; pour into about a pint of boiling water; stir; let cool and decant off clear solution. Make fresh solution every few days.
- (d) **Procedure.** (Refer to figure 1 to this section.) Fill leveling bulb with starch solution. Raise (L), open cock (G), open (F) to (A), and close (F) when solutions start to run out of gas inlet. Close (G). Purge gas sampling line and connect with (A). Lower (L) and open (F) and (G). When liquid level is several ml past the 100 ml mark, close (G) and (F), and disconnect sampling tube. Open (G) and bring starch solution to 100 ml mark by raising (L); then close (G). Open (F) momentarily, to bring gas in burette to atmospheric pressure, and close (F). Open (G), bring liquid level down to 10 ml mark by lowering (L). Close (G), clamp rubber tubing near (E) and disconnect it from burette. Rinse graduated cylinder with a standard iodine solution (0.00171 g I per ml); fill cylinder and record reading. Introduce successive small amounts of iodine through (F); shake well after each addition; continue until a faint permanent blue color is obtained. Record reading; subtract from previous reading, and call difference D.
- (e) **Blank testing.** (Refer to figure 1 to this section.) With every fresh stock of starch solution perform a blank test as follows: Introduce fresh starch solution into burette up to 100 ml mark. Close (F) and (G). Lower (L) and open (G). When liquid level reaches the 10 ml mark, close (G). With air in burette, titrate as during a test and up to same end point. Call ml of iodine used C. Then,

Equation 1 to paragraph (e)

$$\text{Grains } \text{H}_2\text{S} \text{ per 100 cubic feet of gas} = 100 (D-C)$$

- (f) **Test sensitivity.** Greater sensitivity can be attained if a 500 ml capacity Tutwiler burette is used with a more dilute (0.001N) iodine solution. Concentrations less than 1.0 grains per 100 cubic foot can be determined in this way. Usually, the starch-iodine end point is much less distinct, and a blank determination of end point, with H₂S-free gas or air, is required.

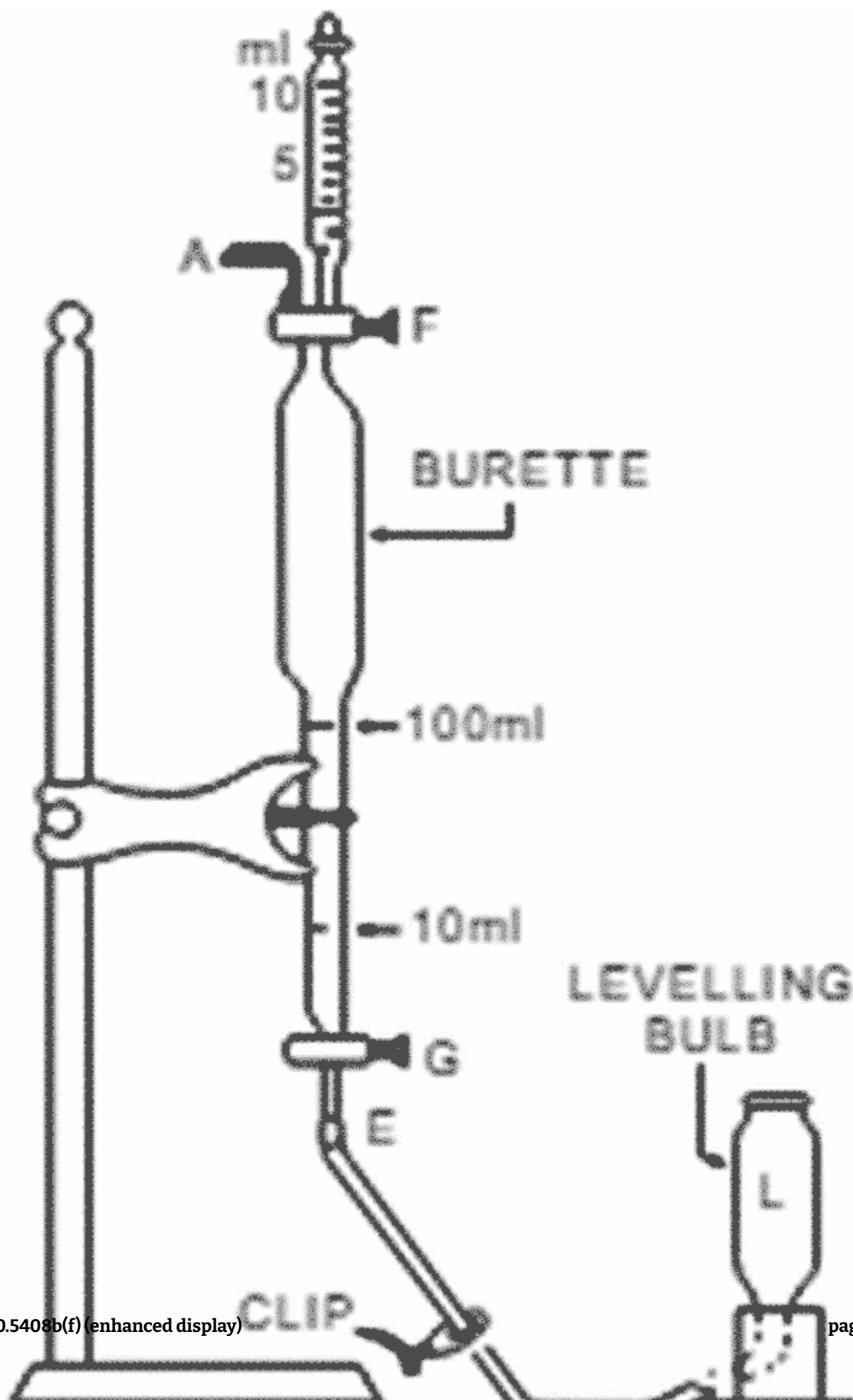


Figure 1 to § 60.5408b. Tutwiler burette (lettered items mentioned in text).

§ 60.5410b How do I demonstrate initial compliance with the standards for each of my affected facilities?

You must determine initial compliance with the standards for each affected facility using the requirements of paragraphs (a) through (k) of this section. Except as otherwise provided in this section, the initial compliance period begins on the date specified in § 60.5370b and ends no later than 1 year after that date. The initial compliance period may be less than 1 full year.

- (a) **Well completion standards for well affected facilities.** To achieve initial compliance with the GHG and VOC standards for each well completion operation conducted at your well affected facility as required by § 60.5375b, you must comply with paragraphs (a)(1) through (4) of this section.
 - (1) You must submit the notification required in § 60.5420b(a)(2).
 - (2) You must submit the initial annual report for your well affected facility as required in § 60.5420b(b)(1) and (2).
 - (3) You must maintain a log of records as specified in § 60.5420b(c)(1)(i) through (iv) and (vii), as applicable, for each well completion operation conducted. If you meet the exemption at § 60.5375b(g) for wells with a GOR less than 300 scf per stock barrel of oil produced, you do not have to maintain the records in § 60.5420b(c)(1)(i) through (iv) and must maintain the record in § 60.5420b(c)(1)(vi). If you meet the exemption at § 60.5375b(h) for a well modified in accordance with § 60.5365b(a)(1)(ii) (i.e., an existing well is hydraulically refractured), you do not need to maintain the records in § 60.5420b(c)(1)(i) through (iv) and must maintain the record in § 60.5420b(c)(1)(viii).
 - (4) For each well completion affected facility subject to both § 60.5375b(a)(1) and (2), as an alternative to retaining the records specified in § 60.5420b(c)(1)(i) through (iv), you may maintain records in accordance with § 60.5420b(c)(1)(v).
- (b) **Gas well liquids unloading standards for well affected facility.** To demonstrate initial compliance with the GHG and VOC standards for each gas well liquids unloading operation conducted at your gas well affected facility as required by § 60.5376b, you must comply with paragraphs (b)(1) through (4) of this section, as applicable.
 - (1) You must submit the initial annual report for your well affected facility as required in § 60.5420b(b)(1) and (3).
 - (2) If you comply by using a liquids unloading technology or technique that does not vent to the atmosphere according to § 60.5376b(a)(1), you must maintain the records specified in § 60.5420b(c)(2)(i).
 - (3) If you comply by using a liquids unloading technology or technique that vents to the atmosphere according to § 60.5376b(a)(2), (b) and (c), you must comply with paragraphs (b)(3)(i) and (ii) of this section.
 - (i) Employ best management practices to minimize venting of methane and VOC emissions as specified in § 60.5376b(c) for each gas well liquids unloading operation.
 - (ii) Maintain the records specified in § 60.5420b(c)(2)(ii).

- (4) If you comply by using § 60.5376b(g), you must comply with paragraphs (b)(4)(i) through (vi) of this section.
 - (i) Reduce methane and VOC emissions by 95.0 percent or greater and as demonstrated by the requirements of § 60.5413b.
 - (ii) Install a closed vent system that meets the requirements of § 60.5411b(a) and (c) to capture all emissions and route all emissions to a control device that meets the conditions specified in § 60.5412b.
 - (iii) Conduct an initial performance test as required in § 60.5413b within 180 days after the initial gas well liquids unloading operation, or install a control device tested under § 60.5413b(d) which meets the criteria in § 60.5413b(d)(11) and (e), and comply with the continuous compliance requirements of § 60.5415b(f).
 - (iv) You must conduct the initial inspections required in § 60.5416b(a) and (b).
 - (v) You must install and operate the continuous parameter monitoring systems in accordance with § 60.5417b(a) through (i), as applicable.
 - (vi) You must maintain the records specified in § 60.5420b(c)(2)(iii), (c)(8) and (c)(10) through (13), as applicable and submit the reports as required by § 60.5420b(b)(11) through (13), as applicable.
- (c) **Associated gas well standards for well affected facility.** To demonstrate initial compliance with the GHG and VOC standards for each associated gas well as required by § 60.5377b, you must comply with paragraphs (c)(1) through (4) of this section.
 - (1) If you comply with the requirements of § 60.5377b(a), you must maintain the records specified in § 60.5420b(c)(3)(i), (ii), and (iv).
 - (2) For associated gas wells that comply with § 60.5377b(f) based on a demonstration and certification that it is not feasible to comply with paragraphs (a)(1), (2), (3), and (4) of this section due to technical reasons in accordance with paragraph § 60.5377b(g), you must comply with paragraphs (c)(2)(i) and (ii) of this section.
 - (i) Document the technical reasons why it is infeasible to route recovered associated gas into a gas gathering flow line or collection system to a sales line, use it as an onsite fuel source, use it for another useful purpose that a purchased fuel or raw material would serve, or re-inject it into the well or inject it into another well, maintain the documentation in accordance with § 60.5377(g), and submit this documentation in the initial annual report as required by paragraph (c)(4) of this section.
 - (ii) Maintain a copy of the certification and submit the certification as required by § 60.5377b(g).
 - (3) If you comply with § 60.5377b(d) or (f), you must comply with paragraphs (c)(3)(i) through (vi) of this section.
 - (i) Reduce methane and VOC emissions by 95.0 percent or greater and as demonstrated by the requirements of § 60.5413b.
 - (ii) Install a closed vent system that meets the requirements of § 60.5411b(a) and (c) to capture the associated gas and route the captured associated gas to a control device that meets the conditions specified in § 60.5412b.

- (iii) Conduct an initial performance test as required in § 60.5413b within 180 days after initial startup or by May 7, 2024, whichever date is later, or install a control device tested under § 60.5413b(d) which meets the criteria in § 60.5413b(d)(11) and (e) and you must comply with the continuous compliance requirements of § 60.5415b(f).
- (iv) Conduct the initial inspections required in § 60.5416b(a) and (b).
- (v) Install and operate the continuous parameter monitoring systems in accordance with § 60.5417b(a) through (i), as applicable.
- (vi) Maintain the records specified in § 60.5420b(c)(3)(iv) and (c)(8) and (c)(10) through (13), as applicable.

- (4) You must submit the initial annual report for your associated gas well as required in § 60.5420b(b)(1) and (4) and (b)(11) through (13), as applicable.

(d) **Centrifugal compressor affected facility.** To demonstrate initial compliance with the GHG and VOC standards for your centrifugal compressor affected facility that uses a wet seal as required by § 60.5380b, you must comply with paragraphs (d)(1) through (5) and paragraphs (d)(7) and (8) of this section. To demonstrate initial compliance with the GHG and VOC alternative standards for your centrifugal compressor affected facility that is a self-contained wet seal centrifugal compressor or a centrifugal compressor at the Alaska North Slope equipped with sour seal oil separator and capture system as allowed by § 60.5380b, you must comply with paragraphs (d)(6) through (8) of this section. To demonstrate initial compliance with the GHG and VOC alternative standards for your dry seal centrifugal compressor as required by § 60.5380b, you must comply with paragraphs (d)(6) through (8) of this section.

- (1) You must reduce methane and VOC emissions by 95.0 percent or greater according to § 60.5380b(a)(1) and (2) and as demonstrated by the requirements of § 60.5413b, or you must route emissions to a process according to § 60.5380b(a)(3).
- (2) If you use a control device to reduce emissions to comply with § 60.5380b(a)(1) and (2), you must equip the wet seal fluid degassing system with a cover that meets the requirements of § 60.5411b(b) that is connected through a closed vent system that meets the requirements of § 60.5411b(a) and (c) and is routed to a control device that meets the conditions specified in § 60.5412b. If you comply with § 60.5380b(a)(3) by routing the closed vent system to a process as an alternative to routing the closed vent system to a control device, you must equip the wet seal fluid degassing system with a cover that meets the requirements of § 60.5411b(b), and route captured vapors through a closed vent system to a process that meets the requirements of § 60.5411b(a) and (c).
- (3) If you use a control device to comply with § 60.5380b(a)(1) and (2), you must conduct an initial performance test as required in § 60.5413b within 180 days after initial startup or by May 7, 2024, whichever date is later, or install a control device tested under § 60.5413b(d) which meets the criteria in § 60.5413b(d)(11) and (e) and you must comply with the continuous compliance requirements of § 60.5415b(f).
- (4) If you use a control device to comply with § 60.5380b(a)(1) and (2) or comply with § 60.5380b(a)(3) by routing to a process, you must conduct the initial inspections required in § 60.5416b(a) and (b).

- (5) If you use a control device to comply with § 60.5380b(a)(1) and (2), you must install and operate the continuous parameter monitoring systems in accordance with § 60.5417b(a) through (i), as applicable.
- (6) You must maintain the volumetric flow rates for your centrifugal compressors as specified in paragraphs (d)(6)(i) through (iii) of this section, as applicable.
 - (i) For your self-contained wet seal centrifugal compressors, you must maintain the volumetric flow rate at or below 3 scfm per seal. You must conduct your initial annual volumetric measurement as required by § 60.5380b(a)(4).
 - (ii) For your centrifugal compressor on the Alaska North Slope equipped with sour seal oil separator and capture system, you must maintain the volumetric flow rate at or below 9 scfm per seal. You must conduct your initial annual volumetric measurement as required by § 60.5380b(a)(5).
 - (iii) For your dry seal centrifugal compressor, you must maintain the volumetric flow rate at or below 10 scfm per seal. You must conduct your initial annual volumetric measurement as required by § 60.5380b(a)(6).
- (7) You must submit the initial annual report for your centrifugal compressor affected facility as required in § 60.5420b(b)(1) and (5) and (b)(11) through (13), as applicable.
- (8) You must maintain the records as specified in § 60.5420b(c)(4) and (c)(8) through (13), as applicable.
- (e) **Reciprocating compressor affected facility.** To demonstrate initial compliance with the GHG and VOC standards for each reciprocating compressor affected facility as required by § 60.5385b, you must comply with paragraphs (e)(1) through (7) of this section.
 - (1) If you comply with § 60.5385b by maintaining volumetric flow rate at or below 2 scfm per cylinder (or a combined cylinder volumetric flow rate greater than the number of compression cylinders multiplied by 2 scfm) as required by § 60.5385b(a), you must maintain volumetric flow rate at or below 2 scfm and you must conduct your initial annual volumetric flow rate measurement as required by § 60.5385b(a)(1).
 - (2) If you comply with § 60.5385b by collecting the methane and VOC emissions from your reciprocating compressor rod packing using a rod packing emissions collection system as required by § 60.5385b(d)(1), you must equip the reciprocating compressor with a cover that meets the requirements of § 60.5411b(b), route emissions to a process through a closed vent system that meets the requirements of § 60.5411b(a) and (c), and you must conduct the initial inspections required in § 60.5416b(a) and (b).
 - (3) If you comply with § 60.5385b(d) by collecting the emissions from your rod packing emissions collection system by using a control device to reduce VOC and methane emissions by 95.0 percent as required by § 60.5385b(d)(2), you must equip the reciprocating compressor with a cover that meets the requirements of § 60.5411b(b), route emissions to a control device that meets the conditions specified in § 60.5412b through a closed vent system that meets the requirements of § 60.5411b(a) and (c) and you must conduct the initial inspections required in § 60.5416b(a) and (b).

- (4) If you comply with § 60.5385b(d)(2), you must conduct an initial performance test as required in § 60.5413b within 180 days after initial startup or by May 7, 2024, whichever date is later, or install a control device tested under § 60.5413b(d) which meets the criteria in § 60.5413b(d)(11) and (e) and you must comply with the continuous compliance requirements of § 60.5415b(f).
- (5) If you comply with § 60.5385b(d)(2), you must install and operate the continuous parameter monitoring systems in accordance with § 60.5417b(a) through (i), as applicable.
- (6) You must submit the initial annual report for your reciprocating compressor as required in § 60.5420b(b)(1), (6), and (11) through (13), as applicable.
- (7) You must maintain the records as specified in § 60.5420b(c)(5) and (8) through (13) as applicable.

(f) **Process controller affected facility.** To demonstrate initial compliance with GHG and VOC emission standards for your process controller affected facility as required by § 60.5390b, you must comply with paragraphs (f)(1) through (5) of this section, as applicable. If you change compliance methods, you must also perform the applicable compliance demonstrations of paragraphs (f)(1) through (3) of this section again for the new compliance method, note the change in compliance method in the annual report required by § 60.5420b(b)(7)(iv), and maintain the records required by paragraph (f)(5) of this section for the new compliance method.

- (1) For process controller affected facilities complying with the requirements of § 60.5390b(a), you must demonstrate that your process controller affected facility does not emit any VOC or methane to the atmosphere by meeting the requirements of paragraphs (f)(1)(i) or (ii) of this section.
 - (i) If you comply by routing the emissions to a process, you must meet the requirements for closed vent systems specified in paragraph (f)(3) of this section.
 - (ii) If you comply by using a self-contained natural gas-driven process controller, you must conduct an initial no identifiable emissions inspection as required by § 60.5416b(b).
- (2) For each process controller affected facility located at a site in Alaska that does not have access to electrical power, you must demonstrate initial compliance with § 60.5390b(b)(1) and (2) or with § 60.5390b(b)(3), instead of complying with paragraph § 60.5390b(a), by meeting the requirements specified in (f)(2)(i) through (iv) of this section for each process controller, as applicable.
 - (i) For each process controller in the process controller affected facility operating with a bleed rate of less than or equal to 6 scfh, you must maintain records in accordance with § 60.5420b(c)(6)(iii)(A) that demonstrate the process controller is designed and operated to achieve a bleed rate less than or equal to 6 scfh.
 - (ii) For each process controller in the process controller affected facility operating with a bleed rate greater than 6 scfh, you must maintain records that demonstrate that a controller with a higher bleed rate than 6 scfh is required based on a specific functional need for that controller as specified in § 60.5420b(c)(6)(iii)(B).
 - (iii) For each intermittent vent process controller in the process controller affected facility you must demonstrate that each intermittent vent controller does not emit to the atmosphere during idle periods by conducting initial monitoring in accordance with § 60.5390b(b)(2)(ii).

- (iv) For each process controller affected facility that complies by reducing methane and VOC emissions from all controllers in the process controller affected facility by 95.0 percent in accordance with § 60.5390b(b)(3), you must comply with paragraphs (b)(2)(iv)(A) through (D) of this section.
 - (A) Reduce methane and VOC emissions by 95.0 percent or greater and as demonstrated by the requirements of § 60.5413b.
 - (B) Route all process controller affected facility emissions to a control device that meets the conditions specified in § 60.5412b through a closed vent system that meets the requirements specified in paragraph (f)(3) of this section.
 - (C) Conduct an initial performance test as required in § 60.5413b within 180 days after initial startup or by May 7, 2024, whichever date is later, or install a control device tested under § 60.5413b(d) which meets the criteria in § 60.5413b(d)(11) and (e) and you must comply with the continuous compliance requirements of § 60.5415b(f).
 - (D) Install and operate the continuous parameter monitoring systems in accordance with § 60.5417b(a) through (i), as applicable.
- (3) For each closed vent system used to comply with § 60.5390b, you must meet the requirements specified in paragraphs (f)(3)(i) and (ii) of this section.
 - (i) Install a closed vent system that meets the requirements of § 60.5411b(a) and (c).
 - (ii) Conduct the initial inspections of the closed vent system and bypasses, if applicable, as required in § 60.5416b(a) and (b).
- (4) You must submit the initial annual report for your process controller affected facility as required in § 60.5420b(b)(1) and (7).
- (5) You must maintain the records as specified in § 60.5420b(c)(6).
- (g) **Pump affected facility.** To demonstrate initial compliance with the GHG and VOC standards for your pump affected facility as required by § 60.5393b, you must comply with paragraphs (g)(1) through (4) of this section, as applicable. If you change compliance methods, you must also perform the applicable compliance demonstrations of paragraphs (g)(1) and (2) of this section again for the new compliance method, note the change in compliance method in the annual report required by § 60.5420b(b)(10)(v)(C), and maintain the records required by paragraph (g)(4) of this section for the new compliance method.
 - (1) For pump affected facilities complying with the requirements of § 60.5393b(a) or (b)(2) by routing emissions to a process, you must meet the requirements specified in paragraphs (g)(1)(ii) and (iv) of this section. For pump affected facilities complying with the requirements of § 60.5393b(b)(3), you must meet the requirements specified in paragraphs (g)(1)(i) through (v) of this section.
 - (i) Reduce methane and VOC emissions by 95.0 percent or greater and as demonstrated by the requirements of § 60.5413b.
 - (ii) Install a closed vent system that meets the requirements of § 60.5411b(a) and (c) to capture all emissions from all pumps in the pump affected facility and route all emissions to a process or control device that meets the conditions specified in § 60.5412b.

- (iii) Conduct an initial performance test as required in § 60.5413b within 180 days after initial startup or by May 7, 2024, whichever date is later, or install a control device tested under § 60.5413b(d) which meets the criteria in § 60.5413b(d)(11) and (e) and you must comply with the continuous compliance requirements of § 60.5415b(f).
- (iv) Conduct the initial inspections of the closed vent system and bypasses, if applicable, as required in § 60.5416b(a) and (b).
- (v) Install and operate the continuous parameter monitoring systems in accordance with § 60.5417b(a) through (i), as applicable.
- (2) Submit the certifications specified in paragraphs (g)(2)(i) through (iii) of this section, as applicable.
 - (i) The certification required by § 60.5393b(b)(5) that there is no vapor recovery unit on site and that there is a control device on site, but it does not achieve a 95.0 percent emissions reduction.
 - (ii) The certification required by § 60.5393b(b)(6) that there is no control device or process available on site.
 - (iii) The certification required by § 60.5393b(b)(7) that it is technically infeasible to capture and route the pump affected facility emissions to a process or an existing control device.
- (3) You must submit the initial annual report for your pump affected facility as specified in § 60.5420b(b)(1), (10), and (b)(11) through (13), as applicable.
- (4) You must maintain the records for your pump affected facility as specified in § 60.5420b(c)(8) and (c)(10) through (13), as applicable, and (c)(15).
- (h) **Process unit equipment affected facility.** To achieve initial compliance with the GHG and VOC standards for process unit equipment affected facilities as required by § 60.5400b, you must comply with paragraphs (h)(1) through (4) and (h)(11) through (15) of this section, unless you meet and comply with the exception in § 60.5402b(b), (e), or (f) or meet the exemption in § 60.5402b(c). If you comply with the GHG and VOC standards for process unit equipment affected facilities using the alternative standards in § 60.5401b, you must comply with paragraphs (h)(5) through (15) of this section, unless you meet the exemption in § 60.5402b(b) or (c) or the exception in § 60.5402b(e) or (f).
 - (1) You must conduct monitoring for each pump in light liquid service, pressure relief device in gas/vapor service, valve in gas/vapor or light liquid service and connector in gas/vapor or light liquid service as required by § 60.5400b(b).
 - (2) You must conduct monitoring as required by § 60.5400b(c) for each pump in light liquid service.
 - (3) You must conduct monitoring as required by § 60.5400b(d) for each pressure relief device in gas/vapor service.
 - (4) You must comply with the equipment requirements for each open-ended valve or line as required by § 60.5400b(e).
 - (5) You must conduct monitoring for each pump in light liquid service as required by § 60.5401b(b).
 - (6) You must conduct monitoring for each pressure relief device in gas/vapor service as required by § 60.5401b(c).

- (7) You must comply with the equipment requirements for each open-ended valve or line as required by § 60.5401b(d).
- (8) You must conduct monitoring for each valve in gas/vapor or light liquid service as required by § 60.5401b(f).
- (9) You must conduct monitoring for each pump, valve, and connector in heavy liquid service and each pressure relief device in light liquid or heavy liquid service as required by § 60.5401b(g).
- (10) You must conduct monitoring for each connector in gas/vapor or light liquid service as required by § 60.5401b(h).
- (11) For each pump equipped with a dual mechanical seal system that degasses the barrier fluid reservoir to a process or a control device, each pump which captures and transports leakage from the seal or seals to a process or a control device, or each pressure relief device which captures and transports leakage through the pressure relief device to a process or a control device, you must meet the requirements of paragraph (h)(11)(i) through (vi) of this section.
 - (i) Reduce methane and VOC emissions by 95.0 percent or greater and as demonstrated by the requirements of § 60.5413b or route to a process.
 - (ii) Install a closed vent system that meets the requirements of § 60.5411b(a) and (c) to capture all emissions from each pump equipped with a dual mechanical seal system that degasses the barrier fluid reservoir, each pump which captures and transports leakage from the seal or seals, or each pressure relief device which captures and transports leakage through the pressure relief device and route all emissions to a process or to a control device that meets the conditions specified in § 60.5412b.
 - (iii) If routing to a control device, conduct an initial performance test as required in § 60.5413b within 180 days after initial startup or by May 7, 2024, whichever date is later, or install a control device tested under § 60.5413b(d) which meets the criteria in § 60.5413b(d)(11) and (e), and you must comply with the continuous compliance requirements of § 60.5415b(f).
 - (iv) Conduct the initial inspections of the closed vent system and bypasses, if applicable, as required in § 60.5416b(a) and (b).
 - (v) Install and operate the continuous parameter monitoring systems in accordance with § 60.5417b(a) through (i), as applicable.
 - (vi) Maintain the records as required by § 60.5420b(c)(8) and (c)(10) through (c)(13), as applicable and submit the reports as required by § 60.5420b(b)(11) through (13), as applicable.
- (12) You must tag and repair each identified leak as required in § 60.5400b(h) or § 60.5401b(i), as applicable.
- (13) You must submit the notice required by § 60.5420b(a)(1).
- (14) You must submit the initial semiannual report and subsequent semiannual report as required by § 60.5422b.
- (15) You must maintain the records specified by § 60.5421b.
- (i) **Sweetening unit affected facility.** To achieve initial compliance with the SO₂ standard for your sweetening unit affected facility as required by § 60.5405b, you must comply with paragraphs (i)(1) through (14) of this section.

- (1) You must conduct an initial performance test as required by § 60.8 and according to the requirements of § 60.5406b.
- (2) You must determine the minimum required initial reduction efficiency of SO₂ emissions (Z_i) as required by § 60.5406b(b).
- (3) You must determine the emission reduction efficiency (R) achieved by your sulfur reduction technology using the procedures in § 60.5406b(c)(1) through (4).
- (4) You must demonstrate compliance with the standard as required by § 60.5405b(a) by comparing the minimum required SO₂ emission reduction efficiency (Z_i) to the emission reduction efficiency achieved by the sulfur recovery technology (R), where R must be greater than or equal to Z_i.
- (5) You must install, calibrate, maintain, and operate monitoring devices or perform measurements to determine the accumulation of sulfur product, the H₂S concentration, the average acid gas flow rate, and the sulfur feed rate in accordance with § 60.5407b(a).
- (6) You must determine the required SO₂ emissions reduction efficiency each 24-hour period in accordance with § 60.5407b(a), (d), and (e), as applicable.
- (7) You must install, calibrate, maintain, and operate monitoring devices and continuous emission monitors in accordance with § 60.5407b(b), (f), and (g), if you use an oxidation control system or a reduction control system followed by an incineration device.
- (8) You must continuously operate the incineration device if you use an oxidation control system, or a reduction control system followed by an incineration device.
- (9) You must install, calibrate, maintain, and operate a continuous monitoring system to measure the emission rate of reduced sulfur compounds in accordance with § 60.5407b(c), (f), and (g), if you use a reduction control system not followed by an incineration device.
- (10) You must submit the notification required by § 60.5420b(a)(1).
- (11) You must submit the initial annual report required by § 60.5423b(b).
- (12) You must submit the performance test report in accordance with the requirements of § 60.5420b(b)(12).
- (13) You must submit the annual excess emissions reports required by § 60.5423b(d), if applicable.
- (14) You must maintain the records required by § 60.5423b(a), (e) and (f), as applicable.
- (j) **Storage vessel affected facility.** To achieve initial compliance with the GHG and VOC standards for each storage vessel affected facility as required by § 60.5395b, you must comply with paragraphs (j)(1) through (9) of this section. To achieve initial compliance with the GHG and VOC standards for each storage vessel affected facility that complies by using a floating roof in accordance with § 60.5395b(b)(2), you must comply with paragraphs (j)(1) and (10) of this section.
 - (1) You must determine the potential for methane and VOC emissions as specified in § 60.5365b(e)(2).
 - (2) You must reduce methane and VOC emissions by 95.0 percent or greater according to § 60.5395b(a) and as demonstrated by the requirements of § 60.5413b or route to a process.
 - (3) If you use a control device to reduce emissions, you must equip each storage vessel in the storage vessel affected facility with a cover that meets the requirements of § 60.5411b(b), install a closed vent system that meets the requirements of § 60.5411b(a) and (c) to capture all emissions from the

storage vessel affected facility, and route all emissions to a control device that meets the conditions specified in § 60.5412b. If you route emissions to a process, you must equip each storage vessel in the storage vessel affected facility with a cover that meets the requirements of § 60.5411b(b), install a closed vent system that meets the requirements of § 60.5411b(a) and (c) to capture all emissions from the storage vessel affected facility, and route all emissions to a process.

- (4) If you use a control device to reduce emissions, you must conduct an initial performance test as required in § 60.5413b within 180 days after initial startup or within 180 days of May 7, 2024, whichever date is later, or install a control device tested under § 60.5413b(d) which meets the criteria in § 60.5413b(d)(11) and (e), and you must comply with the continuous compliance requirements of § 60.5415b(f).
- (5) You must conduct the initial inspections of the closed vent system and bypasses, if applicable, as required in § 60.5416b(a) and (b).
- (6) You must install and operate the continuous parameter monitoring systems in accordance with § 60.5417b(a) through (i), as applicable.
- (7) You must maintain the records as required by § 60.5420b(c)(8) through (13), as applicable and submit the reports as required by § 60.5420b(b)(11) through (13), as applicable.
- (8) You must submit the initial annual report for your storage vessel affected facility required by § 60.5420b(b)(1) and (8).
- (9) You must maintain the records required for your storage vessel affected facility, as specified in § 60.5420b(c)(7) for each storage vessel affected facility.
- (10) For each storage vessel affected facility that complies by using a floating roof, you must meet the requirements of § 60.112b(a)(1) or (2) and the relevant monitoring, inspection, recordkeeping, and reporting requirements in subpart Kb of this part. You must submit a statement that you are complying with § 60.112b(d)(a)(1) or (2) in accordance with § 60.5395b(b)(2) with the initial annual report specified in § 60.5420b(b)(1) and (8).
- (k) **Fugitive emission components affected facility.** To achieve initial compliance with the GHG and VOC standards for fugitive emissions components affected facilities as required by § 60.5397b, you must comply with paragraphs (k)(1) through (5) of this section.
 - (1) You must develop a fugitive emissions monitoring plan as required in § 60.5397b(b), (c), and (d).
 - (2) You must conduct an initial monitoring survey as required in § 60.5397b(e) and (f).
 - (3) You must repair each identified source of fugitive emissions for each affected facility as required in § 60.5397b(h).
 - (4) You must submit the initial annual report for each fugitive emissions components affected facility as required in § 60.5420b(b)(1) and (9).
 - (5) You must maintain the records specified in § 60.5420b(c)(14).

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62896, Aug. 1, 2024]

§ 60.5411b What additional requirements must I meet to determine initial compliance for my covers and closed vent systems?

For each cover or closed vent system at your well, centrifugal compressor, reciprocating compressor, process controller, pump, storage vessel, and process unit equipment affected facilities, you must comply with the applicable requirements of paragraphs (a) through (c) of this section.

(a) *Closed vent system requirements.*

- (1) Reciprocating compressor rod packing, process controllers, and pumps. You must design the closed vent system to capture and route all gases, vapors, and fumes to a process.
- (2) Associated gas wells, centrifugal compressors, process controllers in Alaska, pumps complying with § 60.5393b(b)(1), storage vessels, and process unit equipment. You must design the closed vent system to capture and route all gases, vapors, and fumes to a process or a control device that meets the requirements specified in § 60.5412b(a) through (d) of this section. For pumps complying with § 60.5393b(b)(3), you must design the closed vent system to capture and route all gases, vapors, and fumes to a control device that meets the requirements specified in § 60.5412b(a) through (d) of this section.
- (3) Beginning January 22, 2027, or upon startup, whichever is later, you must design and operate the closed vent system with no identifiable emissions as demonstrated by § 60.5416b(a) and (b).
- (4) Bypass devices. You must meet the requirements specified in paragraphs (a)(4)(i) and (ii) of this section if the closed vent system contains one or more bypass devices that could be used to divert all or a portion of the gases, vapors, or fumes from entering the control device or being routed to a process.
 - (i) Except as provided in paragraph (a)(4)(ii) of this section, you must comply with either paragraph (a)(4)(i)(A) or (B) of this section for each bypass device.
 - (A) You must properly install, calibrate, maintain, and operate a flow indicator at the inlet to the bypass device. The flow indicator must be capable of taking periodic readings as specified in § 60.5416b(a)(4)(i) and sound an alarm, or initiate notification via remote alarm to the nearest field office, when the bypass device is open such that the stream is being, or could be, diverted away from the control device or process, and sent to the atmosphere. You must maintain records of each time the alarm is activated according to § 60.5420b(c)(10).
 - (B) You must secure the bypass device valve installed at the inlet to the bypass device in the non-diverting position using a car-seal or a lock-and-key type configuration.
 - (ii) Low leg drains, high point bleeds, analyzer vents, open-ended valves or lines, and safety devices are not subject to the requirements of paragraph (a)(4)(i) of this section.

(b) *Cover requirements for storage vessels and centrifugal compressors, and reciprocating compressors.*

- (1) The cover and all openings on the cover (e.g., access hatches, sampling ports, pressure relief devices and gauge wells) shall form a continuous impermeable barrier over the entire surface area of the liquid in the storage vessel or centrifugal compressor wet seal fluid degassing system, or reciprocating compressor rod packing emissions collection system.

- (2) Each cover opening shall be secured in a closed, sealed position (e.g., covered by a gasketed lid or cap) whenever material is in the unit on which the cover is installed except during those times when it is necessary to use an opening as follows:
 - (i) To add material to, or remove material from the unit (this includes openings necessary to equalize or balance the internal pressure of the unit following changes in the level of the material in the unit);
 - (ii) To inspect or sample the material in the unit;
 - (iii) To inspect, maintain, repair, or replace equipment located inside the unit; or
 - (iv) To vent liquids, gases, or fumes from the unit through a closed vent system designed and operated in accordance with the requirements of paragraph (a) of this section to a control device or to a process.
- (3) Each storage vessel thief hatch shall be equipped, maintained and operated with a weighted mechanism or equivalent, to ensure that the lid remains properly seated and sealed under normal operating conditions, including such times when working, standing/breathing, and flash emissions may be generated. You must select gasket material for the hatch based on composition of the fluid in the storage vessel and weather conditions.
- (4) Beginning January 22, 2027 or upon startup, whichever is later, you must design and operate the cover with no identifiable emissions as demonstrated by § 60.5416b(a) and (b), except when operated as provided in paragraphs (b)(2)(i) through (iv) of this section.

(c) **Design requirements.**

- (1) You must conduct an assessment that the closed vent system is of sufficient design and capacity to ensure that all gases, vapors, and fumes from the affected facility are routed to the control device or process and that the control device or process is of sufficient design and capacity to accommodate all emissions from the affected facility. The assessment must be certified by a qualified professional engineer or an in-house engineer with expertise on the design and operation of the closed vent system in accordance with paragraphs (c)(1)(i) and (ii) of this section.
 - (i) You must provide the following certification, signed and dated by a qualified professional engineer or an in-house engineer: "I certify that the closed vent system design and capacity assessment was prepared under my direction or supervision. I further certify that the closed vent system design and capacity assessment was conducted, and this report was prepared pursuant to the requirements of subpart OOOOb of this part. Based on my professional knowledge and experience, and inquiry of personnel involved in the assessment, the certification submitted herein is true, accurate, and complete."
 - (ii) The assessment shall be prepared under the direction or supervision of a qualified professional engineer or an in-house engineer who signs the certification in paragraph (c)(1)(i) of this section.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62897, Aug. 1, 2024; 90 FR 35983, July 31, 2025]

§ 60.5412b What additional requirements must I meet for determining initial compliance of my control devices?

You must meet the requirements of paragraphs (a) and (b) of this section for each control device used to comply with the emissions standards for your well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment affected facility. If you use a carbon adsorption system as a control device to meet the requirements of paragraph (a)(2) of this section, you also must meet the requirements in paragraph (c) of this section.

- (a) Each control device used to meet the emissions reduction standard in § 60.5377b(d) or (f) for your associated gas well at a well affected facility; § 60.5376b(g) for your well affected facility gas well that unloads liquids; § 60.5380b(a)(1) or (9) for your centrifugal compressor affected facility; § 60.5385b(d)(2) for your reciprocating compressor affected facility; § 60.5395b(a)(2) for your storage vessel affected facility; § 60.5390b(b)(3) for your process controller affected facility in Alaska; § 60.5393b(b)(3) for your pumps affected facility; or either § 60.5400b(f) or § 60.5401b(e) for your process equipment affected facility must be installed according to paragraphs (a)(1) through (3) of this section. As an alternative to paragraph (a)(1) of this section, you may install a combustion control device model tested under § 60.5413b(d), which meets the criteria in § 60.5413b(d)(11) and which meets the initial and continuous compliance requirements in § 60.5413b(e).
- (1) Each enclosed combustion device (e.g., thermal vapor incinerator, catalytic vapor incinerator, boiler, or process heater) must be designed and operated in accordance with paragraph (a)(1)(i) of this section, meet one of the operating limits specified in paragraphs (a)(1)(ii) through (v) of this section, and except for boilers and process heaters meeting the requirements of paragraph (a)(1)(iii) of this section and catalytic vapor incinerators meeting the requirements of paragraph (a)(1)(v) of this section, meet the operating limits specified in paragraphs (a)(1)(vi) through (ix) of this section. Alternatively, the enclosed combustion device must meet the requirements specified in paragraph (d) of this section.
 - (i) You must reduce the mass content of methane and VOC in the gases vented to the device by 95.0 percent by weight or greater or reduce the concentration of total organic compounds (TOC) in the exhaust gases at the outlet to the device to a level equal to or less than 275 ppmv as propane on a wet basis corrected to 3 percent oxygen as determined in accordance with the requirements of § 60.5413b(b), with the exceptions noted in § 60.5413b(a).
 - (ii) For an enclosed combustion device for which you demonstrate during the performance test conducted under § 60.5413b(b) that combustion zone temperature is an indicator of destruction efficiency, you must operate at or above the minimum temperature established during the most recent performance test. During the performance test conducted under § 60.5413b(b), you must continuously record the temperature of the combustion zone and average the temperature for each test run. The established minimum temperature limit is the average of the test run averages.
 - (iii) For an enclosed combustion device which is a boiler or process heater, you must introduce the vent stream into the flame zone of the boiler or process heater and introduce the vent stream with the primary fuel or use the vent stream as the primary fuel.
 - (iv) For an enclosed combustion device other than those meeting the operating limits in paragraphs (a)(1)(ii), (iii), and (v) of this section, if the enclosed combustion device is unassisted or pressure-assisted, you must maintain the net heating value (NHV) of the gas sent to the

enclosed combustion device at or above the applicable limits specified in paragraphs (a)(1)(iv)(A) and (B) of this section. If the enclosed combustion device is steam-assisted or air-assisted, you must meet the applicable limits specified in paragraphs (a)(1)(iv)(C) and (D) of this section, as appropriate.

- (A) For enclosed combustion devices that do not use assist gas or pressure-assisted burner tips to promote mixing at the burner tip, 200 British thermal units (Btu) per standard cubic feet (Btu/scf).
- (B) For enclosed combustion devices that use pressure-assisted burner tips to promote mixing at the burner tip, 800 Btu/scf.
- (C) For steam-assisted and air-assisted enclosed combustion devices, maintain the combustion zone NHV (NHV_{cz}) at or above 270 Btu/scf.
- (D) For enclosed combustion devices with perimeter assist air, maintain the NHV dilution parameter (NHV_{dil}) at or above 22 British thermal units per square foot (Btu/sqft). If the only assist air provided to the enclosed combustion control device is perimeter assist air intentionally entrained in lower and/or upper steam at the burner tip and the effective diameter is 9 inches or greater, you are only required to comply with the NHV_{cz} limit specified in paragraph (a)(1)(iv)(C) of this section.
- (v) For an enclosed combustion device which is a catalytic vapor incinerator, you must operate the catalytic vapor incinerator at or above the minimum temperature of the catalyst bed inlet and at or above the minimum temperature differential between the catalyst bed inlet and the catalyst bed outlet established in accordance with § 60.5417b(f) and as determined in your performance test conducted in accordance with § 60.5413b(b).
- (vi) Unless you have an enclosed combustion device with pressure-assisted burner tips to promote mixing at the burner tip, you must operate each enclosed combustion device at or below the maximum inlet gas flow rate established in accordance with § 60.5417b(f) and as determined in your performance test conducted in accordance with § 60.5413b(b).
- (vii) You must operate the combustion control device at or above the minimum inlet gas flow rate established in accordance with § 60.5417b(f).
- (viii) After January 22, 2027, you must install and operate a continuous burning pilot or combustion flame. After January 22, 2027, an alert must be sent to the nearest control room whenever the pilot or combustion flame is unlit.
- (ix) You must operate the enclosed combustion device with no visible emissions, except for periods not to exceed a total of 1 minute during any 15-minute period. A visible emissions test using section 11 of Method 22 of appendix A-7 to this part must be performed at least once every calendar month, separated by at least 15 days between each test. The observation period shall be 15 minutes or once the amount of time visible emissions is present has exceeded 1 minute, whichever time period is less. Alternatively, you may conduct visible emissions monitoring according to § 60.5417b(h). Devices failing the visible emissions test must follow manufacturer's repair instructions, if available, or best combustion engineering practice as outlined in the unit inspection and maintenance plan, to return the unit to compliant operation. All inspection, repair, and maintenance activities for each unit must be recorded in a

maintenance and repair log and must be available for inspection. Following return to operation from maintenance or repair activity, each device must pass a Method 22 of appendix A-7 to this part visual observation as described in this paragraph or be monitored according to § 60.5417b(h).

- (2) Each vapor recovery device (e.g., carbon adsorption system or condenser) or other non-destructive control device must be designed and operated to reduce the mass content of methane and VOC in the gases vented to the device by 95.0 percent by weight or greater as determined in accordance with the requirements of § 60.5413b(b). As an alternative to the performance testing requirements of § 60.5413b(b), you may demonstrate initial compliance by conducting a design analysis for vapor recovery devices according to the requirements of § 60.5413b(c). For a condenser, you also must calculate the daily average condenser outlet temperature in accordance with § 60.5417b(e), and you must determine the condenser efficiency for the current operating day using the daily average condenser outlet temperature and the condenser performance curve established in accordance with § 60.5417b(f)(2). You must determine the average TOC emission reduction in accordance with § 60.5415b(f)(1)(ix)(D). For a carbon adsorption system, you also must comply with paragraph (c) of this section.
- (3) Each flare must be designed and operated according to the requirements specified in paragraphs (a)(3)(i) through (viii) of this section, as applicable. Alternatively, flares must meet the requirements specified in paragraph (d) of this section.
 - (i) For unassisted flares, you must maintain the NHV of the vent gas sent to the flare at or above 200 Btu/scf.
 - (ii) For flares that use pressure-assisted burner tips to promote mixing at the burner tip, you must maintain the NHV of the vent gas sent to the flare at or above 800 Btu/scf.
 - (iii) For steam-assisted and air-assisted flares, you must maintain the NHV_{cz} at or above 270 Btu/scf.
 - (iv) For flares with perimeter assist air, you must maintain the NHV_{dil} at or above 22 Btu/sqft. If the only assist air provided to the flare is perimeter assist air intentionally entrained in lower and/or upper steam at the flare tip and the effective diameter is 9 inches or greater, you are not required to comply with the NHV_{dil} limit.
 - (v) For flares other than pressure-assisted flares, you must demonstrate compliance with the flare tip velocity limits in § 60.18(b) according to § 60.5417b(d)(8)(iv). The maximum flare tip velocity limits do not apply for pressure-assisted flares.
 - (vi) You must operate the flare at or above the minimum inlet gas flow rate. The minimum inlet gas flow rate is established based on manufacturer recommendations.
 - (vii) You must operate the flare with no visible emissions, except for periods not to exceed a total of 1 minute during any 15-minute period. You must conduct the compliance determination with the visible emission limits using Method 22 of appendix A-7 to this part, or you must monitor the flare according to § 60.5417b(h).
 - (viii) After January 22, 2027, you must install and operate a continuous burning pilot or combustion flame. After January 22, 2027, an alert must be sent to the nearest control room whenever the pilot or combustion flame is unlit.

- (b) You must operate each control device installed on your well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment affected facility in accordance with the requirements specified in paragraphs (b)(1) and (2) of this section.
 - (1) You must operate each control device used to comply with this subpart at all times when gases, vapors, and fumes are vented from the affected facility through the closed vent system to the control device. You may vent more than one affected facility to a control device used to comply with this subpart.
 - (2) For each control device monitored in accordance with the requirements of § 60.5417b(a) through (i), you must demonstrate compliance according to the requirements of § 60.5415b(f), as applicable.
- (c) For each carbon adsorption system used as a control device to meet the requirements of paragraph (a)(2) of this section, you must comply with the requirements of paragraph (c)(1) of this section. If the carbon adsorption system is a regenerative-type carbon adsorption system, you also must comply with the requirements of paragraph (c)(2) of this section.
 - (1) You must manage the carbon in accordance with the requirements specified in paragraphs (c)(1)(i) and (ii) of this section.
 - (i) Following the initial startup of the control device, you must replace all carbon in the carbon adsorption system with fresh carbon on a regular, predetermined time interval that is no longer than the carbon service life established according to § 60.5413b(c)(2) or (3). You must maintain records identifying the schedule for replacement and records of each carbon replacement as required in § 60.5420b(c)(11).
 - (ii) You must either regenerate, reactivate, or burn the spent carbon removed from the carbon adsorption system in one of the units specified in paragraphs (c)(1)(ii)(A) through (F) of this section.
 - (A) Regenerate or reactivate the spent carbon in a unit for which you have been issued a final permit under 40 CFR part 270 that implements the requirements of 40 CFR part 264, subpart X.
 - (B) Regenerate or reactivate the spent carbon in a unit equipped with an operating organic air emissions control in accordance with an emissions standard for VOC under another subpart in 40 CFR part 63 or this part.
 - (C) Burn the spent carbon in a hazardous waste incinerator for which the owner or operator complies with the requirements of 40 CFR part 63, subpart EEE, and has submitted a Notification of Compliance under 40 CFR 63.1207(j).
 - (D) Burn the spent carbon in a hazardous waste boiler or industrial furnace for which the owner or operator complies with the requirements of 40 CFR part 63, subpart EEE, and has submitted a Notification of Compliance under 40 CFR 63.1207(j).
 - (E) Burn the spent carbon in an industrial furnace for which you have been issued a final permit under 40 CFR part 270 that implements the requirements of 40 CFR part 266, subpart H.
 - (F) Burn the spent carbon in an industrial furnace that you have designed and operated in accordance with the interim status requirements of 40 CFR part 266, subpart H.

- (2) You must comply with the requirements of paragraph (c)(2)(i) through (iii) of this section for each regenerative-type carbon adsorption system.
 - (i) You must measure and record the average total regeneration stream mass flow or volumetric flow during each carbon bed regeneration cycle to demonstrate compliance with the total regeneration stream flow established in accordance with § 60.5413b(c)(2).
 - (ii) You must check the mechanical connections for leakage at least every month, and you must perform a visual inspection at least every 3 months of all components of the flow continuous parameter monitoring system for physical and operational integrity and all electrical connections for oxidation and galvanic corrosion, if your continuous parameter monitoring system is not equipped with a redundant flow sensor.
 - (iii) You must measure and record the average carbon bed temperature for the duration of the carbon bed steaming cycle and measure the actual carbon bed temperature after regeneration and within 15 minutes of completing the cooling cycle. You must maintain the average carbon bed temperature above the temperature limit in established accordance with § 60.5413b(c)(2) during the carbon bed steaming cycle and below the carbon bed temperature established in accordance with § 60.5413b(c)(2) after the regeneration cycle.
- (d) To demonstrate that a flare or enclosed combustion device reduces methane and VOC in the gases vented to the device by 95.0 percent by weight or greater, as outlined in § 60.8(b), you may submit a request for an alternative test method. At a minimum, the request must follow the requirements outlined in paragraphs (d)(1) through (5) of this section.
 - (1) The alternative method must be capable of demonstrating continuous compliance with a combustion efficiency of 95.0 percent or greater or it must be capable of demonstrating continuous compliance with the following metrics:
 - (i) NHV_{cz} of 270 Btu/scf or greater.
 - (ii) NHV_{dil} of 22 Btu/sqft or greater, if the alternative test method will be used for enclosed combustion devices or flares with perimeter assist air.
 - (2) The alternative method must be validated according to Method 301 in appendix A of 40 CFR part 63 for each type of control device covered by the alternative test method (e.g., air-assisted flare, unassisted enclosed combustion device) or the alternative test method must contain performance-based procedures and indicators to ensure self-validation.
 - (3) At a minimum the alternative test method must provide a reading for each successive 15-minute period.
 - (4) The alternative test method must be capable of documenting periods when the enclosed combustion device or flare operates with visible emissions. If the alternative test method cannot identify periods of visible emissions, you must conduct the inspections required by § 60.5417b(d)(8)(v).
 - (5) If the alternative test method demonstrates compliance with the metrics specified in paragraphs (d)(1)(i) and (ii) of this section instead of demonstrating continuous compliance with 95.0 percent or greater combustion efficiency, after January 22, 2027, you must still install the pilot or combustion flame monitoring system required by § 60.5417b(d)(8)(i). If the alternative test method demonstrates continuous compliance with a combustion efficiency of 95.0 percent or greater, the requirement in § 60.5417b(d)(8)(i) no longer applies.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62897, Aug. 1, 2024; 90 FR 35983, July 31, 2025]

§ 60.5413b What are the performance testing procedures for control devices?

This section applies to the performance testing of control devices used to demonstrate compliance with the emissions standards for your well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment affected facilities. You must demonstrate that a control device achieves the performance requirements of § 60.5412b(a)(1) or (2) using the performance test methods and procedures specified in this section. For condensers and carbon adsorbers, you may use a design analysis as specified in paragraph (c) of this section in lieu of complying with paragraph (b) of this section. In addition, this section contains the requirements for enclosed combustion device performance tests conducted by the manufacturer applicable to well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment affected facilities.

- (a) **Performance test exemptions.** You are exempt from the requirements to conduct initial and periodic performance tests and design analyses if you use any of the control devices described in paragraphs (a)(1) through (6) of this section. You are exempt from the requirements to conduct an initial performance test if you use a control device described in paragraph (a)(7) of this section.
- (1) A flare that is designed and operated in accordance with the requirements in § 60.5412b(a)(3). You must conduct the compliance determination using Method 22 of appendix A-7 to this part to determine visible emissions or monitor the flare according to § 60.5417b(h). The net heating value of the vent gas must be determined according to § 60.5417b(d)(8)(ii).
 - (2) A boiler or process heater with a design heat input capacity of 44 megawatts or greater.
 - (3) A boiler or process heater into which the vent stream is introduced with the primary fuel or is used as the primary fuel.
 - (4) A boiler or process heater burning hazardous waste for which you have been issued a final permit under 40 CFR part 270 and comply with the requirements of 40 CFR part 266, subpart H; you have certified compliance with the interim status requirements of 40 CFR part 266, subpart H; you have submitted a Notification of Compliance under 40 CFR 63.1207(j) and comply with the requirements of 40 CFR part 63, subpart EEE; or you comply with 40 CFR part 63, subpart EEE and will submit a Notification of Compliance under 40 CFR 63.1207(j) by the date specified in § 60.5420b(b)(12) for submitting the initial performance test report.
 - (5) A hazardous waste incinerator for which you have submitted a Notification of Compliance under 40 CFR 63.1207(j), or for which you will submit a Notification of Compliance under 40 CFR 63.1207(j) by the date specified in § 60.5420b(b)(12) for submitting the initial performance test report, and you comply with the requirements of 40 CFR part 63, subpart EEE.
 - (6) A control device for which performance test is waived in accordance with § 60.8(b).
 - (7) A control device whose model can be demonstrated to meet the performance requirements of § 60.5412b(a)(1)(i) through a performance test conducted by the manufacturer, as specified in paragraph (d) of this section.

- (b) **Test methods and procedures.** You must use the test methods and procedures specified in paragraphs (b)(1) through (4) of this section, as applicable, for each performance test conducted to demonstrate that a control device meets the requirements of § 60.5412b(a)(1) or (2). You must conduct the initial and periodic performance tests according to the schedule specified in paragraph (b)(5) of this section. Each performance test must consist of a minimum of 3 test runs. Each run must be at least 1 hour long.
- (1) You must use Method 1 or 1A of appendix A-1 to this part, as appropriate, to select the sampling sites. Any references to particulate mentioned in Methods 1 and 1A do not apply to this section.
- (i) Sampling sites must be located at the inlet of the first control device and at the outlet of the final control device to determine compliance with a control device percent reduction requirement.
- (ii) The sampling site must be located at the outlet of the combustion device to determine compliance with a TOC exhaust gas concentration limit.
- (2) You must determine the gas volumetric flow rate using Method 2, 2A, 2C, or 2D of appendix A-2 to this part, as appropriate.
- (3) To determine compliance with the control device percent reduction performance requirement in § 60.5412b(a)(1)(i) or (a)(2), you must use Method 25A of appendix A-7 to this part. You must use Method 4 of appendix A-3 to this part to convert the Method 25A results to a dry basis. You must use the procedures in paragraphs (b)(3)(i) through (iii) of this section to calculate percent reduction efficiency.
- (i) You must compute the mass rate of TOC using the following equations:

Equations 1 and 2 to paragraph (b)(3)(i)

$$E_i = K_2 C_i M_p Q_i$$

$$E_o = K_2 C_o M_p Q_o$$

Where:

E_i , E_o = Mass rate of TOC at the inlet and outlet of the control device, respectively, dry basis, kilograms per hour.

K_2 = Constant, 2.494×10^{-6} (parts per million) (gram-mole per standard cubic meter) (kilogram/gram) (minute/hour), where standard temperature (gram-mole per standard cubic meter) is 20 degrees Celsius.

C_i , C_o = Concentration of TOC, as propane, of the gas stream as measured by Method 25A of appendix A-7 to this part at the inlet and outlet of the control device, respectively, dry basis, parts per million by volume.

M_p = Molecular weight of propane, 44.1 gram/gram-mole.

Q_i , Q_o = Flow rate of gas stream at the inlet and outlet of the control device, respectively, dry standard cubic meter per minute.

- (ii) You must calculate the percent reduction in TOC as follows:

Equation 3 to paragraph (b)(3)(ii)

$$R_{cd} = \frac{E_i - E_o}{E_i} \times 100\%$$

Where:

R_{cd} = Control efficiency of control device, percent.

E_i = Mass rate of TOC at the inlet to the control device as calculated under paragraph (b)(3)(i) of this section, kilograms per hour.

E_o = Mass rate of TOC at the outlet of the control device, as calculated under paragraph (b)(3)(i) of this section, kilograms per hour.

- (iii) If the vent stream entering a boiler or process heater with a design capacity less than 44 megawatts is introduced with the combustion air or as a secondary fuel, you must determine the weight-percent reduction of total TOC across the device by comparing the TOC in all combusted vent streams and primary and secondary fuels with the TOC exiting the device, respectively.
- (4) You must use Method 25A of appendix A-7 to this part to measure TOC, as propane, to determine compliance with the TOC exhaust gas concentration limit specified in § 60.5412b(a)(1)(i). You must determine the concentration in parts per million by volume on a wet basis and correct it to 3 percent oxygen. You must use the emission rate correction factor for excess air, integrated sampling and analysis procedures of Method 3A or 3B of appendix A-2 to this part, ASTM D6522-20, or ANSI/ASME PTC 19.10-1981, Part 10 (manual portion only) (both incorporated by reference, see § 60.17) to determine the oxygen concentration. The samples must be taken during the same time that the samples are taken for determining TOC concentration. You must correct the TOC concentration for percent oxygen as follows:

Equation 4 to paragraph (b)(4)

$$C_c = C_m \left(\frac{17.9}{20.9 - \%O_{2m}} \right)$$

Where:

C_c = TOC concentration, as propane, corrected to 3 percent oxygen, parts per million by volume on a wet basis.

C_m = TOC concentration, as propane, parts per million by volume on a wet basis.

$\%O_{2m}$ = Concentration of oxygen, percent by volume as measured, wet.

- (5) You must conduct performance tests according to the schedule specified in paragraphs (b)(5)(i) through (iii) of this section.
 - (i) You must conduct an initial performance test within 180 days after initial startup for your affected facility. You must submit the performance test results as required in § 60.5420b(b)(12).
 - (ii) You must conduct periodic performance tests for all control devices required to conduct initial performance tests. You must conduct the first periodic performance test no later than 60 months after the initial performance test required in paragraph (b)(5)(i) of this section. You must conduct subsequent periodic performance tests at intervals no longer than 60 months following the previous periodic performance test or whenever you desire to establish a new operating limit. If a control device is not operational at the time a performance test is due, you must conduct the performance test no later than 30 calendar days after returning the control device to service. You must submit the periodic performance test results as specified in § 60.5420b(b)(12).
 - (iii) If the initial performance test was conducted by the manufacturer under paragraph (d) of this section, you must conduct the first periodic performance test no later than 60 months after initial installation and startup of the control device. You must conduct subsequent periodic performance tests at intervals no longer than 60 months following the previous periodic performance test. If a control device is not operational at the time a performance test is due, you must conduct the performance test no later than 30 calendar days after returning the control device to service. You must submit the periodic performance test results as specified in § 60.5420b(b)(12).

(c) *Control device design analysis to meet the requirements of § 60.5412b(a)(2).*

- (1) For a condenser, the design analysis must include an analysis of the vent stream composition, constituent concentrations, flow rate, relative humidity, and temperature and must establish the design outlet organic compound concentration level, design average temperature of the condenser exhaust vent stream and the design average temperatures of the coolant fluid at the condenser inlet and outlet.
- (2) For a regenerable carbon adsorption system, the design analysis shall include the vent stream composition, constituent concentrations, flow rate, relative humidity and temperature and shall establish the design exhaust vent stream organic compound concentration level, adsorption cycle time, number and capacity of carbon beds, type and working capacity of activated carbon used for the carbon beds, design total regeneration stream flow over the period of each complete carbon bed regeneration cycle, design carbon bed temperature after regeneration, design carbon bed regeneration time and design service life of the carbon.
- (3) For a nonregenerable carbon adsorption system, such as a carbon canister, the design analysis shall include the vent stream composition, constituent concentrations, flow rate, relative humidity and temperature and shall establish the design exhaust vent stream organic compound concentration level, capacity of the carbon bed, type and working capacity of activated carbon used for the carbon bed and design carbon replacement interval based on the total carbon working capacity of the control device and source operating schedule. In addition, these systems shall incorporate dual carbon canisters in case of emission breakthrough occurring in one canister.

- (4) If you and the Administrator do not agree on a demonstration of control device performance using a design analysis, then you must perform a performance test in accordance with the requirements of paragraph (b) of this section to resolve the disagreement. The Administrator may choose to have an authorized representative observe the performance test.

(d) *Performance testing for combustion control devices—manufacturers' performance test.*

- (1) This paragraph (d) applies to the performance testing of a combustion control device conducted by the device manufacturer. The manufacturer must demonstrate that a specific model of control device achieves the performance requirements in paragraph (d)(11) of this section by conducting a performance test as specified in paragraphs (d)(2) through (10) of this section. You must submit a test report for each combustion control device in accordance with the requirements in paragraph (d)(12) of this section.
- (2) Performance testing must consist of three 1-hour (or longer) test runs for each of the four firing rate settings specified in paragraphs (d)(2)(i) through (iv) of this section, making a total of 12 test runs per test. Propene (propylene) gas must be used for the testing fuel. All fuel analyses must be performed by an independent third-party laboratory (not affiliated with the control device manufacturer or fuel supplier).
- (i) 90-100 percent of maximum design rate (fixed rate).
- (ii) 70-100-70 percent (ramp up, ramp down). Begin the test at 70 percent of the maximum design rate. During the first 5 minutes, incrementally ramp the firing rate to 100 percent of the maximum design rate. Hold at 100 percent for 5 minutes. In the 10- to 15-minute time range, incrementally ramp back down to 70 percent of the maximum design rate. Repeat three more times for a total of 60 minutes of sampling.
- (iii) 30-70-30 percent (ramp up, ramp down). Begin the test at 30 percent of the maximum design rate. During the first 5 minutes, incrementally ramp the firing rate to 70 percent of the maximum design rate. Hold at 70 percent for 5 minutes. In the 10- to 15-minute time range, incrementally ramp back down to 30 percent of the maximum design rate. Repeat three more times for a total of 60 minutes of sampling.
- (iv) 0-30-0 percent (ramp up, ramp down). Begin the test at the minimum firing rate. During the first 5 minutes, incrementally ramp the firing rate to 30 percent of the maximum design rate. Hold at 30 percent for 5 minutes. In the 10- to 15-minute time range, incrementally ramp back down to the minimum firing rate. Repeat three more times for a total of 60 minutes of sampling.
- (3) All models employing multiple enclosures must be tested simultaneously and with all burners operational. Results must be reported for each enclosure individually and for the average of the emissions from all interconnected combustion enclosures/chambers. Control device operating data must be collected continuously throughout the performance test using an electronic Data Acquisition System. A graphic presentation or strip chart of the control device operating data and emissions test data must be included in the test report in accordance with paragraph (d)(12) of this section. Inlet fuel meter data may be manually recorded provided that all inlet fuel data readings are included in the final report.
- (4) Inlet testing must be conducted as specified in paragraphs (d)(4)(i) and (ii) of this section.

- (i) The inlet gas flow metering system must be located in accordance with Method 2A of appendix A-1 of this part (or other approved procedure) to measure inlet gas flow rate at the control device inlet location. You must position the fitting for filling fuel sample containers a minimum of eight pipe diameters upstream of any inlet gas flow monitoring meter.
 - (ii) Inlet flow rate must be determined using Method 2A to appendix A-1 of this part. Record the start and stop reading for each 60-minute THC test. Record the gas pressure and temperature at 5-minute intervals throughout each 60-minute test.
- (5) Inlet gas sampling must be conducted as specified in paragraphs (d)(5)(i) and (ii) of this section.
- (i) At the inlet gas sampling location, securely connect a fused silica-coated stainless steel evacuated canister fitted with a flow controller sufficient to fill the canister over a 3-hour period. Filling must be conducted as specified in paragraphs (d)(5)(i)(A) through (C) of this section.
 - (A) Open the canister sampling valve at the beginning of each test run and close the canister at the end of each test run.
 - (B) Fill one canister across the three test runs such that one composite fuel sample exists for each test condition.
 - (C) Label the canisters individually and record sample information on a chain of custody form.
 - (ii) Analyze each inlet gas sample using the methods in paragraphs (d)(5)(ii)(A) through (C) of this section. You must include the results in the test report required by paragraph (d)(12) of this section.
 - (A) Hydrocarbon compounds containing between one and five atoms of carbon plus benzene using ASTM D1945-03(R2010) (incorporated by reference, see § 60.17).
 - (B) Hydrogen (H₂), carbon monoxide (CO), carbon dioxide (CO₂), nitrogen (N₂), oxygen (O₂) using ASTM D1945-03(R2010) (incorporated by reference, see § 60.17).
 - (C) Higher heating value using ASTM D3588-98(R2003) or ASTM D4891-89(R2006) (both incorporated by reference, see § 60.17).
- (6) Outlet testing must be conducted in accordance with the criteria in paragraphs (d)(6)(i) through (v) of this section.
- (i) Sample and flow rate must be measured in accordance with paragraphs (d)(6)(i)(A) and (B) of this section.
 - (A) The outlet sampling location must be a minimum of four equivalent stack diameters downstream from the highest peak flame or any other flow disturbance, and a minimum of one equivalent stack diameter upstream of the exit or any other flow disturbance. A minimum of two sample ports must be used.
 - (B) Flow rate must be measured using Method 1 of appendix A-1 to this part for determining flow measurement traverse point location, and Method 2 of appendix A-1 to this part for measuring duct velocity. If low flow conditions are encountered (*i.e.*, velocity pressure differentials less than 0.05 inches of water) during the performance test, a more sensitive manometer must be used to obtain an accurate flow profile.
 - (ii) Molecular weight and excess air must be determined as specified in paragraph (d)(7) of this section.

- (iii) Carbon monoxide must be determined as specified in paragraph (d)(8) of this section.
- (iv) THC must be determined as specified in paragraph (d)(9) of this section.
- (v) Visible emissions must be determined as specified in paragraph (d)(10) of this section.
- (7) Molecular weight and excess air determination must be performed as specified in paragraphs (d)(7)(i) through (iii) of this section.
 - (i) An integrated bag sample must be collected during the moisture test required by Method 4 of appendix A-3 to this part following the procedure specified in (d)(7)(i)(A) and (B) of this section. Analyze the bag sample using a gas chromatograph-thermal conductivity detector (GC-TCD) analysis meeting the criteria in paragraphs (d)(7)(i)(C) and (D) of this section.
 - (A) Collect the integrated sample throughout the entire test and collect representative volumes from each traverse location.
 - (B) Purge the sampling line with stack gas before opening the valve and beginning to fill the bag. Clearly label each bag and record sample information on a chain of custody form.
 - (C) The bag contents must be vigorously mixed prior to the gas chromatograph analysis.
 - (D) The GC-TCD calibration procedure in Method 3C of appendix A-2 to this part must be modified as follows: For the initial calibration, triplicate injections of any single concentration must agree within 5 percent of their mean to be valid. The calibration response factor for a single concentration re-check must be within 10 percent of the original calibration response factor for that concentration. If this criterion is not met, repeat the initial calibration using at least three concentration levels.
 - (ii) Calculate and report the molecular weight of oxygen, carbon dioxide, methane and nitrogen in the integrated bag sample and include in the test report specified in paragraph (d)(12) of this section. Moisture must be determined using Method 4 of appendix A-3 to this part. Traverse both ports with the sampling train required by Method 4 of appendix A-3 to this part during each test run. Ambient air must not be introduced into the integrated bag sample required by Method 3C of appendix A-2 to this part during the port change.
 - (iii) Excess air must be determined using resultant data from the Method 3C tests and Method 3B of appendix A-2 to this part, equation 3B-1 in Method 3B, or ANSI/ASME PTC 19.10-1981, Part 10 (manual portion only) (incorporated by reference, see § 60.17).
- (8) Carbon monoxide must be determined using Method 10 of appendix A-4 to this part. Run the test simultaneously with Method 25A of appendix A-7 to this part using the same sampling points. An instrument range of 0-10 parts per million by volume-dry (ppmvd) is recommended.
- (9) Total hydrocarbon determination must be performed as specified by in paragraphs (d)(9)(i) through (vii) of this section.
 - (i) Conduct THC sampling using Method 25A of appendix A-7 to this part, except that the option for locating the probe in the center 10 percent of the stack is not allowed. The THC probe must be traversed to 16.7 percent, 50 percent, and 83.3 percent of the stack diameter during each test run.
 - (ii) A valid test must consist of three Method 25A tests, each no less than 60 minutes in duration.

- (iii) A 0 to 10 parts per million by volume-wet (ppmvw) (as propane) measurement range is preferred; as an alternative a 0 to 30 ppmvw (as propane) measurement range may be used.
- (iv) Calibration gases must be propane in air and be certified through EPA-600/R-12/531—"EPA Traceability Protocol for Assay and Certification of Gaseous Calibration Standards," (incorporated by reference, see § 60.17).
- (v) THC measurements must be reported in terms of ppmvw as propane.
- (vi) THC results must be corrected to 3 percent CO₂, as measured by Method 3C of appendix A-2 to this part. You must use the following equation for this diluent concentration correction:

Equation 5 to paragraph (d)(9)(vi)

$$C_{corr} = C_{meas} \left(\frac{3}{CO_{2meas}} \right)$$

Where:

C_{meas} = The measured concentration of the pollutant.

CO_{2meas} = The measured concentration of the CO₂ diluent.

3 = The corrected reference concentration of CO₂ diluent.

C_{corr} = The corrected concentration of the pollutant.

- (vii) Subtraction of methane or ethane from the THC data is not allowed in determining results.
- (10) Visible emissions must be determined using Method 22 of appendix A-7 to this part. The test must be performed continuously during each test run. A digital color photograph of the exhaust point, taken from the position of the observer and annotated with date and time, must be taken once per test run and the 12 photos included in the test report specified in paragraph (d)(12) of this section.
- (11)
 - (i) The control device model tested must meet the criteria in paragraphs (d)(11)(i)(A) through (D) of this section. These criteria must be reported in the test report required by paragraph (d)(12) of this section.
 - (A) Results from Method 22 of appendix A-7 to this part determined under paragraph (d)(10) of this section with no indication of visible emissions.
 - (B) Average results from Method 25A of appendix A-7 to this part determined under paragraph (d)(9) of this section equal to or less than 10.0 ppmvw THC as propane corrected to 3.0 percent CO₂.
 - (C) Average CO emissions determined under paragraph (d)(8) of this section equal to or less than 10 parts ppmvd, corrected to 3.0 percent CO₂.

- (D) Excess air determined under paragraph (d)(7) of this section equal to or greater than 150 percent.
 - (ii) The manufacturer must determine a minimum inlet gas flow rate above which each control device model must be operated to achieve the criteria in paragraph (d)(11)(iii) of this section. The manufacturer must determine a maximum inlet gas flow rate which must not be exceeded for each control device model to achieve the criteria in paragraph (d)(11)(iii) of this section. The minimum and maximum inlet gas flow rate must be included in the test report required by paragraph (d)(12) of this section.
 - (iii) A manufacturer must demonstrate a destruction efficiency of at least 95.0 percent for THC, as propane. A control device model that demonstrates a destruction efficiency of 95.0 percent for THC, as propane, will meet the control requirement for 95.0 percent destruction of VOC and methane required under this subpart.
- (12) The owner or operator of a combustion control device model tested under this paragraph (d)(12) must submit the information listed in paragraphs (d)(12)(i) through (vi) of this section for each test run in the test report required by this section in accordance with § 60.5420b(b)(13). Owners or operators who claim that any of the performance test information being submitted is confidential business information (CBI) must submit a complete file including information claimed to be CBI to the OAQPS CBI office. The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov and should include clear CBI markings and be flagged to the attention of the Leader, Measurement Policy Group. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link. If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: U.S. EPA, Attn: OAQPS Document Control Officer and Measurement Policy Group Leader, Mail Drop: C404-02, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, North Carolina 27711. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope. The same file with the CBI omitted must be submitted to Oil_and_Gas_PT@EPA.GOV.
- (i) A full schematic of the control device and dimensions of the device components.
 - (ii) The maximum net heating value of the device.
 - (iii) The test fuel gas flow range (in both mass and volume). Include the minimum and maximum allowable inlet gas flow rate.
 - (iv) The air/stream injection/assist ranges, if used.
 - (v) The test conditions listed in paragraphs (d)(12)(v)(A) through (O) of this section, as applicable for the tested model.
 - (A) Fuel gas delivery pressure and temperature.
 - (B) Fuel gas moisture range.
 - (C) Purge gas usage range.
 - (D) Condensate (liquid fuel) separation range.

- (E) Combustion zone temperature range. This is required for all devices that measure this parameter.
 - (F) Excess air range.
 - (G) Flame arrestor(s).
 - (H) Burner manifold.
 - (I) Continuous pilot flame indicator.
 - (J) Pilot flame design fuel and calculated or measured fuel usage.
 - (K) Tip velocity range.
 - (L) Momentum flux ratio.
 - (M) Exit temperature range.
 - (N) Exit flow rate.
 - (O) Wind velocity and direction.
- (vi) The test report must include all calibration quality assurance/quality control data, calibration gas values, gas cylinder certification, strip charts, or other graphic presentations of the data annotated with test times and calibration values.
- (e) ***Initial and continuous compliance for combustion control devices tested by the manufacturer in accordance with paragraph (d) of this section.*** This paragraph (e) applies to the demonstration of compliance for a combustion control device tested under the provisions in paragraph (d) of this section. Owners or operators must demonstrate that a control device achieves the performance criteria in paragraph (d)(11) of this section by installing a device tested under paragraph (d) of this section, complying with the criteria specified in paragraphs (e)(1) through (10) of this section, maintaining the records specified in § 60.5420b(c)(11) and submitting the report specified in § 60.5420b(b)(11)(v) and (13).
- (1) The inlet gas flow rate must be equal to or greater than the minimum inlet gas flow rate and equal to or less than the maximum inlet gas flow rate specified by the manufacturer.
 - (2) After January 22, 2027, a pilot or combustion flame must be present at all times of operation. After January 22, 2027, an alert must be sent to the nearest control room whenever the pilot or combustion flame is unlit.
 - (3) Devices must be operated with no visible emissions, except for periods not to exceed a total of 1 minute during any 15-minute period. A visible emissions test conducted according to section 11 of Method 22 of appendix A-7 to this part must be performed at least once every calendar month, separated by at least 15 days between each test. The observation period shall be 15 minutes or once the amount of time visible emissions is present has exceeded 1 minute, whichever time period is less. Alternatively, you may conduct visible emissions monitoring according to § 60.5417b(h).
 - (4) Devices failing the visible emissions test must follow manufacturer's repair instructions, if available, or best combustion engineering practice as outlined in the unit inspection and maintenance plan, to return the unit to compliant operation. All repairs and maintenance activities for each unit must be recorded in a maintenance and repair log and must be available for inspection.

- (5) Following return to operation from maintenance or repair activity, each device must pass a visual observation according to Method 22 of appendix A-7 to this part as described in paragraph (e)(3) of this section or be monitored according to § 60.5417b(h).
- (6) If the owner or operator operates a combustion control device model tested under this section, an electronic copy of the performance test results required by this section shall be submitted via email to Oil_and_Gas_PT@EPA.GOV unless the test results for that model of combustion control device are posted at the following website: <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry>.
- (7) Ensure that each enclosed combustion device is maintained in a leak free condition.
- (8) Operate each control device following the manufacturer's written operating instructions, procedures and maintenance schedule to ensure good air pollution control practices for minimizing emissions.
- (9) Install and operate the continuous parameter monitoring systems in accordance with § 60.5417b(a) and (c) through (i).
- (10) Comply with the applicable NHV limit specified in § 60.5412b(a)(1)(iv).

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62897, Aug. 1, 2024; 90 FR 35983, July 31, 2025]

§ 60.5415b How do I demonstrate continuous compliance with the standards for each of my affected facilities?

- (a) **Well completion standards for well affected facility.** For each well completion operation at your well affected facility, you must demonstrate continuous compliance with the requirements of § 60.5375b by submitting the annual report required by § 60.5420b(b)(1) and (2) and maintaining the records for each completion operation specified in § 60.5420b(c)(1).
- (b) **Gas well liquids unloading standards for well affected facility.** For each well liquids unloading operation at your well affected facility, you must demonstrate continuous compliance with the requirements of § 60.5376b by submitting the annual report information specified in § 60.5420b(b)(1) and (3) and maintaining the records for each well liquids unloading event specified in § 60.5420b(c)(2). For each gas well liquids unloading well affected facility that complies with the requirements of § 60.5376b(g), you must route emissions to a control device through a closed vent system and continuously comply with the closed vent requirements of § 60.5416b. You also must comply with the requirements specified in paragraph (f) of this section and maintain the records in § 60.5420b(c)(8), (10) and (12).
- (c) **Associated gas well standards for well affected facility.** For each associated gas well, you must demonstrate continuous compliance with the requirements of § 60.5377b by submitting the reports required by § 60.5420b(b)(1) and (4) and maintaining the records specified in § 60.5420b(c)(3). For each associated gas well that complies with the requirements of § 60.5377b(d) or (f), you must route emissions to a control device through a closed vent system and continuously comply with the closed vent requirements of § 60.5416b. You also must comply with the requirements specified in paragraph (f) of this section and maintain the records in § 60.5420b(c)(8), (10) and (12).
- (d) **Centrifugal compressor affected facility.** For each wet seal centrifugal compressor affected facility complying with § 60.5380b(a)(1) and (2), or with § 60.5380b(a)(3) by routing emissions to a control device or to a process, you must demonstrate continuous compliance according to paragraph (d)(1) and paragraphs (d)(3) and (4) of this section. For each self-contained wet seal centrifugal compressor complying with the requirements in § 60.5380b(a)(4), you must demonstrate continuous compliance

according to paragraphs (d)(2) through (4) of this section. For each centrifugal compressor on the Alaska North Slope equipped with sour seal oil separator and capture system, complying with the requirements of § 60.5380b(a)(5), you must demonstrate continuous compliance according to paragraphs (d)(2) through (4) of this section. For each dry seal centrifugal compressor complying with the requirements in § 60.5380b(a)(6), you must demonstrate continuous compliance according to paragraphs (d)(2) through (4) of this section.

- (1) For each wet seal centrifugal compressor affected facility complying by routing emissions to a control device or to a process, you must operate the wet seal emissions collection system to route emissions to a control device or a process through a closed vent system and continuously comply with the cover and closed vent requirements of § 60.5416b. If you comply with § 60.5380b(a)(2) by using a control device, you also must comply with the requirements in paragraph (f) of this section.
- (2) You must maintain volumetric flow rate at or below the flow rates specified in § 60.5380b(a)(4) for your self-contained centrifugal compressor, § 60.5380b(a)(5) for your Alaska North Slope centrifugal compressor equipped with a sour seal oil separator and capture system, and § 60.5380b(a)(6) for your centrifugal compressor equipped with dry seals, as applicable. You must conduct the required volumetric flow rate measurement of your self-contained wet seal centrifugal compressor in accordance with § 60.5380b(a)(4), your Alaska North Slope centrifugal compressor equipped with a sour seal oil separator and capture system in accordance with § 60.5380b(a)(5), and your dry seal centrifugal compressor in accordance with § 60.5380b(a)(6), as applicable, on or before 8,760 hours of operation after your last volumetric flow rate measurement which demonstrates compliance with the volumetric flow rate specified in § 60.5380b(a)(4) for your self-contained centrifugal compressor, § 60.5380b(a)(5) for your Alaska North Slope centrifugal compressor equipped with a sour seal oil separator and capture system and § 60.5380b(a)(6) for your centrifugal compressor equipped with dry seals, as applicable.
- (3) You must submit the annual reports as required in § 60.5420b(b)(1), (5), and (11)(i) through (iv), as applicable.
- (4) You must maintain records as required in § 60.5420b(c)(4), (8) through (10), and (12), as applicable.
- (e) **Pump affected facility.** To demonstrate continuous compliance with the GHG and VOC standards for your pump affected facility as required by § 60.5393b, you must comply with paragraphs (e)(1) through (3) of this section.
 - (1) For pump affected facilities complying with the requirements of § 60.5393b(a) by routing emissions to a process, and for pump affected facilities complying with the requirements of § 60.5393b(b)(2), or (3), you must route emissions through a closed vent system and continuously comply with the closed vent requirements of § 60.5416b. If you comply with § 60.5393b(b)(3), you also must comply with the requirements in paragraph (f) of this section.
 - (2) You must submit the annual reports for your pump affected facility as required in § 60.5420b(b)(1), (10), and (11)(i) through (iv), as applicable.
 - (3) You must maintain the records for your pump affected facility as specified in § 60.5420b(c)(8), (10) through (12), and (15), as applicable.
- (f) **Additional continuous compliance requirements for well, centrifugal compressor, reciprocating compressor, process controllers in Alaska, storage vessel, process unit equipment, or pump affected facilities.** For each associated gas well, each gas well that conducts liquids unloading, each centrifugal compressor affected facility, each reciprocating compressor affected facility, each process controller affected facility in Alaska,

each storage vessel affected facility, each process unit equipment affected facility, and each pump affected facility referenced to this paragraph from either paragraph (b), (c), (d)(1), (e)(1), (g)(2), (h)(2), (i)(5)(ii)(B), or (j)(12) of this section, you must also install monitoring systems as specified in § 60.5417b, demonstrate continuous compliance according to paragraph (f)(1) of this section, maintain the records in paragraph (f)(2) of this section, and comply with the reporting requirements specified in paragraph (f)(3) of this section.

- (1) You must demonstrate continuous compliance with the control device performance requirements of § 60.5412b(a) using the procedures specified in paragraphs (f)(1)(i) through (viii) of this section and conducting the monitoring as required by § 60.5417b. If you use a condenser as the control device to achieve the requirements specified in § 60.5412b(a)(2), you may demonstrate compliance according to paragraph (f)(1)(ix) of this section. You may switch between compliance with paragraphs (f)(1)(i) through (viii) of this section and compliance with paragraph (f)(1)(ix) of this section only after at least 1 year of operation in compliance with the selected approach. You must provide notification of such a change in the compliance method in the next annual report, following the change. If you use an enclosed combustion device or a flare as the control device, you must also conduct the monitoring required in paragraph (f)(1)(x) of this section. If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412b(d), you must use the procedures in paragraph (f)(1)(xi) of this section in lieu of the procedures in paragraphs (f)(1)(i) through (viii) of this section, but you must still conduct the monitoring required in paragraph (f)(1)(x) of this section.
 - (i) You must operate below (or above) the site-specific maximum (or minimum) parameter value established according to the requirements of § 60.5417b(f)(1). For flares, you must operate above the limits specified in paragraphs (f)(1)(vii)(B) of this section.
 - (ii) You must calculate the average of the applicable monitored parameter in accordance with § 60.5417b(e).
 - (iii) Compliance with the operating parameter limit is achieved when the average of the monitoring parameter value calculated under paragraph (f)(1)(ii) of this section is either equal to or greater than the minimum parameter value or equal to or less than the maximum parameter value established under paragraph (f)(1)(i) of this section. When performance testing of a combustion control device is conducted by the device manufacturer as specified in § 60.5413b(d), compliance with the operating parameter limit is achieved when the criteria in § 60.5413b(e) are met.
 - (iv) You must operate the continuous monitoring system required in § 60.5417b(a) at all times the affected source is operating, except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions and required monitoring system quality assurance or quality control activities, including, as applicable, system accuracy audits and required zero and span adjustments. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. You are required to complete monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable.

- (v) You may not use data recorded during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities in calculations used to report emissions or operating levels. You must use all the data collected during all other required data collection periods to assess the operation of the control device and associated control system.
- (vi) Failure to collect required data is a deviation of the monitoring requirements.
- (vii) If you use an enclosed combustion device to meet the requirements of § 60.5412b(a)(1) and you demonstrate compliance using the test procedures specified in § 60.5413b(b), or you use a flare designed and operated in accordance with § 60.5412b(a)(3), you must comply with the applicable requirements in paragraphs (f)(1)(vii)(A) through (E) of this section.
 - (A) For each enclosed combustion device which is not a catalytic vapor incinerator and for each flare, you must comply with the requirements in paragraphs (f)(1)(vii)(A)(1) through (4) of this section.
 - (1) After January 22, 2027, a pilot or combustion flame must be present at all times of operation. After January 22, 2027, an alert must be sent to the nearest control room whenever the pilot or combustion flame is unlit.
 - (2) Devices must be operated with no visible emissions, except for periods not to exceed a total of 1 minute during any 15-minute period. A visible emissions test conducted according to section 11 of Method 22 of appendix A-7 to this part, must be performed at least once every calendar month, separated by at least 15 days between each test. The observation period shall be 15 minutes or once the amount of time visible emissions is present has exceeded 1 minute, whichever time period is less. Alternatively, you may conduct visible emissions monitoring according to § 60.5417b(h).
 - (3) Devices failing the visible emissions test must follow manufacturer's repair instructions, if available, or best combustion engineering practice as outlined in the unit inspection and maintenance plan, to return the unit to compliant operation. All repairs and maintenance activities for each unit must be recorded in a maintenance and repair log and must be available for inspection.
 - (4) Following return to operation from maintenance or repair activity, each device must pass a Method 22 of appendix A-7 to this part visual observation as described in paragraph (f)(1)(vii)(A)(2) of this section or be monitored according to § 60.5417b(h).
 - (B) For flares, you must comply with the requirements in paragraphs (f)(1)(vii)(B)(1) through (6) of this section.
 - (1) For unassisted flares, maintain the NHV of the gas sent to the flare at or above 200 Btu/scf.
 - (2) If you use a pressure assisted flare, maintain the NHV of gas sent to the flare at or above 800 Btu/scf.
 - (3) For steam-assisted and air-assisted flares, maintain the NHV_{oz} at or above 270 Btu/scf.

- (4) For flares with perimeter assist air, maintain the NHV_{dil} at or above 22 Btu/sqft. If the only assist air provided to the flare is perimeter assist air intentionally entrained in lower and/or upper steam at the flare tip and the effective diameter is 9 inches or greater, you are not required to comply with the NHV_{dil} limit.
 - (5) Unless you use a pressure-assisted flare, maintain the flare tip velocity below the applicable limits in § 60.18(b).
 - (6) Maintain the total gas flow to the flare above the minimum inlet gas flow rate. The minimum inlet gas flow rate is established based on manufacturer recommendations.
- (C) For enclosed combustion devices for which, during the performance test conducted under § 60.5413b(b), the combustion zone temperature is not an indicator of destruction efficiency, you must comply with the requirements in paragraphs (f)(1)(vii)(C)(1) through (5) of this section, as applicable.
- (1) Maintain the total gas flow to the enclosed combustion device at or above the minimum inlet gas flow rate and at or below the maximum inlet flow rate for the enclosed combustion device established in accordance with § 60.5417b(f).
 - (2) For unassisted enclosed combustion devices, maintain the NHV of the gas sent to the enclosed combustion device at or above 200 Btu/scf.
 - (3) For enclosed combustion devices that use pressure-assisted burner tips to promote mixing at the burner tip, maintain the NHV of the gas sent to the enclosed combustion device at or above 800 Btu/scf.
 - (4) For steam-assisted and air-assisted enclosed combustion devices, maintain the NHV_{cz} at or above 270 Btu/scf.
 - (5) For enclosed combustion devices with perimeter assist air, maintain the NHV_{dil} at or above 22 Btu/sqft. If the only assist air provided to the enclosed combustion device is perimeter assist air intentionally entrained in lower and/or upper steam at the flare tip and the effective diameter is 9 inches or greater, you are not required to comply with the NHV_{dil} limit.
- (D) For enclosed combustion devices for which, during the performance test conducted under § 60.5413b(b), the combustion zone temperature is demonstrated to be an indicator of destruction efficiency, you must comply with the requirements in paragraphs (f)(1)(vii)(D)(1) and (2) of this section.
- (1) Maintain the temperature at or above the minimum temperature established during the most recent performance test. The minimum temperature limit established during the most recent performance test is the average temperature recorded during each test run, averaged across the 3 test runs (average of the test run averages).
 - (2) Maintain the total gas flow to the enclosed combustion device at or above the minimum inlet gas flow rate and at or below the maximum inlet flow rate for the enclosed combustion device established in accordance with § 60.5417b(f).

- (E) For catalytic vapor incinerators you must operate the catalytic vapor incinerator at or above the minimum temperature of the catalyst bed inlet and at or above the minimum temperature differential between the catalyst bed inlet and the catalyst bed outlet established in accordance with § 60.5417b(f).
- (viii) If you use a carbon adsorption system as the control device to meet the requirements of § 60.5412b(a)(2), you must demonstrate compliance by the procedures in paragraphs (f)(1)(viii)(A) and (B) of this section, as applicable.
 - (A) If you use a regenerative-type carbon adsorption system, you must comply with paragraphs (f)(1)(viii)(A)(1) through (4) of this section.
 - (1) You must maintain the average regenerative mass flow or volumetric flow to the carbon adsorber during each bed regeneration cycle above the limit established in in accordance with § 60.5413b(c)(2).
 - (2) You must maintain the average carbon bed temperature above the temperature limit established in accordance with § 60.5413b(c)(2) during the carbon bed steaming cycle and below the carbon bed temperature established in in accordance with § 60.5413b(c)(2) after the regeneration cycle.
 - (3) You must check the mechanical connections for leakage at least every month, and you must perform a visual inspection at least every 3 months of all components of the continuous parameter monitoring system for physical and operational integrity and all electrical connections for oxidation and galvanic corrosion if your continuous parameter monitoring system is not equipped with a redundant flow sensor.
 - (4) You must replace all carbon in the carbon adsorption system with fresh carbon on a regular, predetermined time interval that is no longer than the carbon service life established according to § 60.5413b(c)(2).
 - (B) If you use a nonregenerative-type carbon adsorption system, you must replace all carbon in the control device with fresh carbon on a regular, predetermined time interval that is no longer than the carbon service life established according to § 60.5413b(c)(3).
- (ix) If you use a condenser as the control device to achieve the percent reduction performance requirements specified in § 60.5412b(a)(2), you must demonstrate compliance using the procedures in paragraphs (f)(1)(ix)(A) through (E) of this section.
 - (A) You must establish a site-specific condenser performance curve according to § 60.5417b(f)(2).
 - (B) You must calculate the daily average condenser outlet temperature in accordance with § 60.5417b(e).
 - (C) You must determine the condenser efficiency for the current operating day using the daily average condenser outlet temperature calculated under paragraph (f)(1)(ix)(B) of this section and the condenser performance curve established under paragraph (f)(1)(ix)(A) of this section.

- (D) Except as provided in paragraphs (f)(1)(ix)(D)(1) and (2) of this section, at the end of each operating day, you must calculate the 365-day rolling average TOC emission reduction, as appropriate, from the condenser efficiencies as determined in paragraph (f)(1)(ix)(C) of this section.
 - (1) After the compliance dates specified in § 60.5370b(a), if you have less than 120 days of data for determining average TOC emission reduction, you must calculate the average TOC emission reduction for the first 120 days of operation after the compliance date. You have demonstrated compliance with the overall 95.0 percent reduction requirement if the 120-day average TOC emission reduction is equal to or greater than 95.0 percent.
 - (2) After 120 days and no more than 364 days of operation after the compliance date specified in § 60.5370b(a), you must calculate the average TOC emission reduction as the TOC emission reduction averaged over the number of days between the current day and the applicable compliance date. You have demonstrated compliance with the overall 95.0 percent reduction requirement if the average TOC emission reduction is equal to or greater than 95.0 percent.
- (E) If you have data for 365 days or more of operation, you have demonstrated compliance with the TOC emission reduction if the rolling 365-day average TOC emission reduction calculated in paragraph (f)(1)(ix)(D) of this section is equal to or greater than 95.0 percent.
- (x) During each inspection conducted using an OGI camera under § 60.5397b and during each periodic screening event or each inspection conducted using an OGI camera under § 60.5398b, you must observe each enclosed combustion device and flare to determine if it is operating properly. You must determine whether there is a flame present and whether any uncontrolled emissions from the control device are visible with the OGI camera or the technique used to conduct the periodic screening event. During each inspection conducted under § 60.5397b using AVO, you must observe each enclosed combustion device and flare to determine if it is operating properly. Visually confirm that the pilot or combustion flame is lit and that the pilot or combustion flame is operating properly.
- (xi) If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412b(d), you must comply with paragraphs (f)(1)(xi)(A) through (E) of this section.
 - (A) You must maintain the combustion efficiency at or above 95.0 percent. Alternatively, if the alternative test method does not directly monitor combustion efficiency, you must comply with the applicable requirements in paragraphs (f)(1)(xi)(A)(1) and (2) of this section.
 - (1) Maintain the NHV_{cz} at or above 270 Btu/scf.
 - (2) For flares or enclosed combustion devices with perimeter assist air, maintain the NHV_{dil} at or above 22 Btu/sqft. If the only assist air provided to the flare or enclosed combustion device is perimeter assist air intentionally entrained in lower and/or upper steam at the flare tip and the effective diameter is 9 inches or greater, you are only required to comply with the NHV_{cz} limit specified in paragraph (f)(1)(xi)(A)(1) of this section.
 - (B) You must calculate the value of the applicable monitored metric(s) in accordance with the approved alternative test method. Compliance with the limit is achieved when the calculated values are within the range specified in paragraph (f)(1)(xi)(A) of this section.

- (C) You must conduct monitoring using the alternative test method at all times the affected source is operating, except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions and required monitoring system quality assurance or quality control activities, including, as applicable, system accuracy audits and required zero and span adjustments. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. You are required to complete monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable.
 - (D) You may not use data recorded during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities in calculations used to report values to demonstrate compliance with the limits specified in paragraph (f)(1)(xi)(A) of this section. You must use all the data collected during all other required data collection periods to assess the operation of the control device and associated control system.
 - (E) Failure to collect required data is a deviation of the monitoring requirements.
- (2) You must maintain the records as specified in § 60.5420b(c)(11) and (13).
 - (3) You must comply with the reporting requirements in § 60.5420b(b)(11) through (13) specified in § 60.5420b(c)(11) and (13).
 - (3) You must comply with the reporting requirements in § 60.5420b(b)(11) through (13).
- (g) **Reciprocating compressor affected facility.** For each reciprocating compressor affected facility complying with § 60.5385b(a) through (c), you must demonstrate continuous compliance according to paragraphs (g)(1), (5), and (6) of this section. For each reciprocating compressor affected facility complying with § 60.5385b(d)(1) or (2), you must demonstrate continuous compliance according to paragraphs (g)(2), (5) and (6) of this section. For each reciprocating compressor affected facility complying with § 60.5385b(d)(3), you must demonstrate continuous compliance according to paragraphs (g)(3) through (6) of this section.
 - (1) You must maintain the volumetric flow rate at or below 2 scfm per cylinder (or at or below the combined volumetric flow rate determined by multiplying the number of cylinders by 2 scfm), and you must conduct the required volumetric flow rate measurement of your reciprocating compressor rod packing vents in accordance with § 60.5385b(b) on or before 8,760 hours of operation after your last volumetric flow rate measurement which demonstrated compliance with the applicable volumetric flow rate.
 - (2) You must operate the rod packing emissions collection system to route emissions to a control device or to a process through a closed vent system and continuously comply with the cover and closed vent requirements of § 60.5416b. If you comply with § 60.5385b(d) by using a control device, you also must comply with the requirements in paragraph (f) of this section.
 - (3) You must continuously monitor the number of hours of operation for each reciprocating compressor affected facility since initial startup, since May 7, 2024, since the previous flow rate measurement, or since the date of the most recent reciprocating compressor rod packing replacement, whichever date is latest.

- (4) You must replace the reciprocating compressor rod packing on or before the total number of hours of operation reaches 8,760 hours.
- (5) You must submit the annual reports as required in § 60.5420b(b)(1), (6), and (11)(i) through (iv), as applicable.
- (6) You must maintain records as required in § 60.5420b(c)(5), (8) through (10), and (12), as applicable.
- (h) **Process controller affected facility.** To demonstrate continuous compliance with GHG and VOC emission standards for your process controller affected facility as required by § 60.5390b, you must comply with paragraphs (h)(1) through (4) of this section, as applicable.
 - (1) Beginning January 22, 2027, or upon startup, whichever is later, you must demonstrate that your process controller affected facility does not emit any VOC or methane to the atmosphere by meeting the requirements of paragraph (h)(1)(i) or (ii) of this section.
 - (i) If you comply by routing the emissions to a process, you must route emissions through a closed vent system and continuously comply with the closed vent system inspection and monitoring requirements of § 60.5416b.
 - (ii) If you comply by using a self-contained natural gas-driven process controller, you must conduct the no identifiable emissions inspections required by § 60.5416b(b).
 - (2) For each process controller affected facility located at a site in Alaska that does not have access to electrical power and that complies by reducing methane and VOC emissions from all controllers in the process controller affected facility by 95.0 percent in accordance with § 60.5390b(b)(3), you must route emissions to a control device through a closed vent system and continuously comply with the closed vent requirements of § 60.5416b and the requirements in paragraph (f) of this section for the control device.
 - (3) You must submit the annual report for your process controller as required in § 60.5420b(b)(1), (7), and (11) through (13), as applicable.
 - (4) You must maintain the records as specified in § 60.5420b(c)(6), (8), (10), and (12) for each process controller affected facility, as applicable.
- (i) **Storage vessel affected facility.** For each storage vessel affected facility, you must demonstrate continuous compliance with the requirements of § 60.5395b according to paragraphs (i)(1) through (10) of this section, as applicable.
 - (1) For each storage vessel affected facility complying with the requirements of § 60.5395b(a)(2), you must demonstrate continuous compliance according to paragraphs (i)(5), (9) and (10) of this section.
 - (2) For each storage vessel affected facility complying with the requirements of § 60.5395b(a)(3), you must demonstrate continuous compliance according to paragraphs (i)(2)(i), (ii), or (iii) of this section, as applicable, and (i)(9) and (10) of this section.
 - (i) You must maintain the uncontrolled actual VOC emissions at less than 4 tpy and the uncontrolled actual methane emissions at less than 14 tpy from the storage vessel affected facility.

- (ii) You must comply with paragraph (i)(5) of this section as soon as liquids from the well are routed to the storage vessel affected facility following fracturing or refracturing according to the requirements of § 60.5395b(a)(3)(i).
- (iii) You must comply with paragraph (i)(5) of this section within 30 days of the monthly determination according to the requirements of § 60.5395b(a)(3)(ii), where the monthly emissions determination indicates that VOC emissions from your storage vessel affected facility increase to 4 tpy or greater or methane emissions from your storage vessel affected facility increase to 14 tpy or greater and the increase is not associated with fracturing or refracturing of a well feeding the storage vessel affected facility.
- (3) For each storage vessel affected facility or portion of a storage vessel affected facility removed from service, you must demonstrate compliance with the requirements of § 60.5395b(c)(1) or (2) by complying with paragraphs (i)(6), (7), (9), and (10) of this section.
- (4) For each storage vessel affected facility or portion of a storage vessel affected facility returned to service, you must demonstrate compliance with the requirements of § 60.5395b(c)(3) and (4) by complying with paragraphs (i)(8) through (10) of this section.
- (5) For each storage vessel affected facility, you must comply with paragraphs (i)(5)(i) and (ii) of this section.
 - (i) You must reduce VOC emissions as specified in § 60.5395b(a)(2).
 - (ii) For each control device installed to meet the requirements of § 60.5395b(a)(2), you must demonstrate continuous compliance with the performance requirements of § 60.5412b for each storage vessel affected facility using the procedure specified in paragraphs (i)(5)(ii)(A) and (i)(5)(ii)(B) of this section. When routing emissions to a process, you must demonstrate continuous compliance as specified in paragraph (i)(5)(ii)(A) of this section.
 - (A) You must comply with § 60.5416b for each cover and closed vent system.
 - (B) You must comply with the requirements specified in paragraph (f) of this section.
- (6) You must completely empty and degas each storage vessel, such that each storage vessel no longer contains crude oil, condensate, produced water or intermediate hydrocarbon liquids. For a portion of a storage vessel affected facility to be removed from service, you must completely empty and degas the storage vessel(s), such that the storage vessel(s) no longer contains crude oil, condensate, produced water, or intermediate hydrocarbon liquids. A storage vessel where liquid is left on walls, as bottom clingage, or in pools due to floor irregularity is considered to be completely empty.
- (7) You must disconnect the storage vessel(s) from the tank battery by isolating the storage vessel(s) from the tank battery such that the storage vessel(s) is no longer manifolded to the tank battery by liquid or vapor transfer.
- (8) You must determine the affected facility status of a storage vessel returned to service as provided in § 60.5365b(e)(6).
- (9) You must submit the annual reports as required by § 60.5420b(b)(1), (8), and (11)(i) through (iv).
- (10) You must maintain the records as required by § 60.5420b(c)(7) through (10) and (c)(12), as applicable.

- (j) **Process unit equipment affected facility.** For each process unit equipment affected facility, you must demonstrate continuous compliance with the requirements of § 60.5400b according to paragraphs (j)(1) through (4) and (11) through (15) of this section, unless you meet and comply with the exception in § 60.5402b(b), (e), or (f) or meet the exemption in § 60.5402b(c). Alternatively, if you comply with the GHG and VOC standards for process unit affected facilities using the standards in § 60.5401b, you must comply with paragraphs (j)(5) through (15) of this section, unless you meet the exemption in § 60.5402b(b) or (c) or the exception in § 60.5402b(e) and (f).
- (1) You must conduct monitoring for each pump in light liquid service, pressure relief device in gas/vapor service, valve in gas/vapor and light liquid service and connector in gas/vapor and light liquid service as required by § 60.5400b(b).
 - (2) You must conduct monitoring as required by § 60.5400b(c) for each pump in light liquid service.
 - (3) You must conduct monitoring as required by § 60.5400b(d) for each pressure relief device in gas/vapor service.
 - (4) You must comply with the equipment requirements for each open-ended valve or line as required by § 60.5400b(e).
 - (5) You must conduct monitoring for each pump in light liquid service as required by § 60.5401b(b).
 - (6) You must conduct monitoring for each pressure relief device in gas/vapor service as required by § 60.5401b(c).
 - (7) You must comply with the equipment requirements for each open-ended valve or line as required by § 60.5401b(d).
 - (8) You must conduct monitoring for each valve in gas/vapor or light liquid service as required by § 60.5401b(f).
 - (9) You must conduct monitoring for each pump, valve, and connector in heavy liquid service and each pressure relief device in light liquid or heavy liquid service as required by § 60.5401b(g).
 - (10) You must conduct monitoring for each connector in gas/vapor or light liquid service as required by § 60.5401b(h).
 - (11) You must collect emissions and meet the closed vent system requirements as required by § 60.5416b for each pump equipped with a dual mechanical seal system that degasses the barrier fluid reservoir to a process or a control device, each pump which captures and transports leakage from the seal or seals to a process or control device, or each pressure relief device which captures and transports leakage through the pressure relief device to a process or control device.
 - (12) You comply with the requirements specified in paragraph (f) of this section.
 - (13) You must tag and repair each identified leak as required in § 60.5400(h) or § 60.5401b(i), as applicable.
 - (14) You must submit semiannual reports as required by § 60.5422b and the annual reports in § 60.5420b(b)(11)(i) through (iv), as applicable.
 - (15) You must maintain the records specified by § 60.5420b(c)(8), (c)(10), and (c)(12) as applicable and § 60.5421b.

- (k) **Sweetening unit affected facility.** For each sweetening unit affected facility, you must demonstrate continuous compliance with the requirements of § 60.5405b(b) according to paragraphs (k)(1) through (10) of this section.
- (1) You must determine the minimum required continuous reduction efficiency of SO₂ emissions (Z_c) as required by § 60.5406b(b).
 - (2) You must determine the emission reduction efficiency (R) achieved by your sulfur reduction technology using the procedures in § 60.5406b(c)(1) through (c)(4).
 - (3) You must demonstrate compliance with the standard at § 60.5405b(b) by comparing the minimum required sulfur dioxide emission reduction efficiency (Z_c) to the emission reduction efficiency achieved by the sulfur recovery technology (R), where R must be greater than or equal to Z_c.
 - (4) You must calibrate, maintain, and operate monitoring devices or perform measurements to determine the accumulation of sulfur product, the H₂S concentration, the average acid gas flow rate, and the sulfur feed rate in accordance with § 60.5407b(a).
 - (5) You must determine the required SO₂ emissions reduction efficiency each 24-hour period in accordance with § 60.5407b(a), § 60.5407b(d), and § 60.5407b(e), as applicable.
 - (6) You must calibrate, maintain, and operate monitoring devices and continuous emission monitors in accordance with § 60.5407b(b), (f), and (g), if you use an oxidation control system or a reduction control system followed by an incineration device.
 - (7) You must continuously operate the incineration device, if you use an oxidation control system or a reduction control system followed by an incineration device.
 - (8) You must calibrate, maintain, and operate a continuous monitoring system to measure the emission rate of reduced sulfur compounds in accordance with § 60.5407b(c), (f), and (g), if you use a reduction control system not followed by an incineration device.
 - (9) You must submit the reports as required by § 60.5423b(d).
 - (10) You must maintain the records as required by § 60.5423b(a), (e), and (f), as applicable.
- (l) **Continuous compliance.** For each fugitive emissions components affected facility, you must demonstrate continuous compliance with the requirements of § 60.5397b(a) according to paragraphs (l)(1) through (4) of this section.
- (1) **Monitoring.** You must conduct periodic monitoring surveys as required in § 60.5397b(e) and (g).
 - (2) **Repairs.** You must repair each identified source of fugitive emissions as required in § 60.5397b(h).
 - (3) **Reports.** You must submit annual reports for fugitive emissions components affected facilities as required in § 60.5420b(b)(1) and (9).
 - (4) **Record s.** You must maintain records as specified in § 60.5420b(c)(14).

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62898, Aug. 1, 2024; 90 FR 35983, July 31, 2025]

§ 60.5416b What are the initial and continuous cover and closed vent system inspection and monitoring requirements?

For each closed vent system and cover at your well, centrifugal compressor, reciprocating compressor, process controller, pump, storage vessel, and process unit equipment affected facilities, you must comply with the applicable requirements of paragraphs (a) and (b) of this section. Each self-contained natural gas process controller must comply with paragraph (b) of this section.

- (a) **Inspections for closed vent systems, covers, and bypass devices.** If you install a control device or route emissions to a process, you must inspect each closed vent system according to the procedures and schedule specified in paragraphs (a)(1) and (2) of this section, inspect each cover according to the procedures and schedule specified in paragraph (a)(3) of this section, and inspect each bypass device according to the procedures of paragraph (a)(4) of this section, except as provided in paragraphs (b)(7) and (8) of this section.
 - (1) For each closed vent system joint, seam, or other connection that is permanently or semi-permanently sealed (e.g., a welded joint between two sections of hard piping or a bolted and gasketed ducting flange), you must meet the requirements specified in paragraphs (a)(1)(i) through (iii) of this section.
 - (i) Within the first 30 calendar days after January 22, 2027, or upon startup of the affected facility routing emissions through the closed vent system, whichever is later, conduct an initial inspection according to the test methods and procedures specified in paragraph (b) of this section to demonstrate that the closed vent system operates with no identifiable emissions.
 - (ii) Conduct annual visual inspections for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in piping; loose connections; liquid leaks; or broken or missing caps or other closure devices. Beginning on the first annual inspection after January 22, 2027, and for all annual inspections thereafter, you must monitor a component or connection using the test methods and procedures in paragraph (b) of this section to demonstrate that it operates with no identifiable emissions following any time the component is repaired or replaced or the connection is unsealed.
 - (iii) Conduct AVO inspections in accordance with and at the same frequency as specified for fugitive emissions components affected facilities located at the same type of site as specified in § 60.5397b(g). Process unit equipment affected facilities must conduct annual AVO inspections concurrent with the inspections required by paragraph (a)(1)(ii) of this section.
 - (2) For closed vent system components other than those specified in paragraph (a)(1) of this section, you must meet the requirements of paragraphs (a)(2)(i) through (iv) of this section.
 - (i) Conduct an initial inspection according to the test methods and procedures specified in paragraph (b) of this section within the first 30 calendar days after startup of the affected facility routing emissions through the closed vent system or January 22, 2027, whichever is later, to demonstrate that the closed vent system operates with no identifiable emissions.
 - (ii) Beginning January 22, 2027, conduct inspections according to the test methods, procedures, and frequencies specified in paragraph (b) of this section to demonstrate that the components or connections operate with no identifiable emissions.

- (iii) Conduct annual visual inspections for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in ductwork; loose connections; liquid leaks; or broken or missing caps or other closure devices. Beginning January 22, 2027, you must monitor a component or connection using the test methods and procedures in paragraph (b) of this section to demonstrate that it operates with no identifiable emissions following any time the component is repaired or replaced or the connection is unsealed.
 - (iv) Conduct AVO inspections in accordance with and at the same frequency as specified for fugitive emissions components affected facilities located at the same type of site, as specified in § 60.5397b(g). Process unit equipment affected facilities must conduct annual AVO inspections concurrent with the inspections required by paragraph (a)(2)(iii) of this section.
- (3) For each cover, you must meet the requirements of paragraphs (a)(3)(i) through (iv) of this section.
- (i) Beginning January 22, 2027, conduct the inspections specified in paragraphs (a)(3)(ii) through (iv) of this section to identify defects that could result in air emissions and to ensure the cover operates with no identifiable emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in the cover, or between the cover and the separator wall; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices. In the case where the storage vessel is buried partially or entirely underground, you must inspect only those portions of the cover that extend to or above the ground surface, and those connections that are on such portions of the cover (e.g., fill ports, access hatches, gauge wells, etc.) and can be opened to the atmosphere.
 - (ii) An initial inspection according to the test methods and procedures specified in paragraph (b) of this section, following installation of the cover to demonstrate that each cover operates with no identifiable emissions.
 - (iii) Conduct AVO inspections in accordance with and at the same frequency as specified for fugitive emissions components affected facilities located at the same type of site as specified in § 60.5397b(g). Process unit equipment affected facilities must conduct annual AVO inspections concurrent with the inspections required by paragraph (a)(1)(ii) of this section.
 - (iv) Inspections according to the test methods, procedures, and schedules specified in paragraph (b) of this section to demonstrate that each cover operates with no identifiable emissions.
- (4) For each bypass device, except as provided for in § 60.5411b(a)(4)(ii), you must meet the requirements of paragraph (a)(4)(i) or (ii) of this section.
- (i) Set the flow indicator to take a reading at least once every 15 minutes at the inlet to the bypass device that could divert the stream away from the control device and to the atmosphere.
 - (ii) If the bypass device valve installed at the inlet to the bypass device is secured in the non-diverting position using a car-seal or a lock-and-key type configuration, visually inspect the seal or closure mechanism at least once every month to verify that the valve is maintained in the non-diverting position and the vent stream is not diverted through the bypass device.
- (b) **No identifiable emissions test methods and procedures.** If you are required to conduct an inspection of a closed vent system and cover as specified in paragraph (a)(1), (2), or (3) of this section or § 60.5398b(b), you must meet the requirements of paragraphs (b)(1) through (9) of this section after January 22, 2027. You must meet the requirements of paragraphs (b)(1), (2), (4), and (9) of this section for each self-contained process controller at your process controller affected facility as specified at § 60.5390b(a)(2).

- (1) **Initial and periodic inspection.** You must conduct initial and periodic no identifiable emissions inspections as specified in paragraphs (b)(1)(i) through (iii) of this section, as applicable.
 - (i) You must conduct inspections for no identifiable emissions from your covers and closed vent systems at your well, centrifugal compressor, reciprocating compressor, process controller, pump, or storage vessel affected facility, using the procedures for conducting OGI inspections in § 60.5397b(c)(7). As an alternative you may conduct inspections in accordance with Method 21 of appendix A-7 to this part. Monitoring must be conducted at the same frequency as specified for fugitive emissions components affected facilities located at the same type of site, as specified in § 60.5397b(g).
 - (ii) For covers and closed vent systems located at onshore natural gas processing plants, OGI inspections for no identifiable emissions must be conducted initially and bimonthly in accordance with appendix K to this part. As an alternative you must conduct quarterly inspections for no identifiable emissions in accordance with Method 21 of appendix A-7 to this part.
 - (iii) For your self-contained process controller, you must conduct initial and quarterly inspections for no identifiable emissions using the procedures for conducting OGI inspections in § 60.5397b(c)(7). As an alternative you may conduct quarterly inspections in accordance with Method 21 of appendix A-7 to this part.
- (2) **OGI application.** Where OGI is used, the closed vent system, cover, or self-contained process controller is determined to operate with no identifiable emissions if no emissions are imaged during the inspection. Emissions imaged by OGI constitute a deviation of the no identifiable emissions standard until an OGI inspection conducted in accordance with paragraph (b)(1) of this section determines that the closed vent system, cover, or self-contained process controller, as applicable, operates with no identifiable emissions.
- (3) **AVO application.** Where AVO inspections are required, the closed vent system or cover is determined to operate with no identifiable emissions if no emissions are detected by AVO. Emissions detected by AVO constitute a deviation of the no identifiable emissions standard until an AVO inspection determines that the closed vent system or cover operates with no identifiable emissions.
- (4) **Method 21 application.** Where Method 21 of appendix A-7 to this part is used for the inspection, the requirements of paragraphs (b)(4)(i) through (vii) of this section apply.
 - (i) The detection instrument must meet the performance criteria of Method 21 of appendix A-7 to this part, except that the instrument response factor criteria in section 8.1.1 of Method 21 must be for the average composition of the fluid and not for each individual organic compound in the stream.
 - (ii) You must calibrate the detection instrument before use on each day of its use by the procedures specified in Method 21 of appendix A-7 to this part.
 - (iii) Calibration gases must be as specified in paragraphs (b)(4)(iii)(A) and (B) of this section.
 - (A) Zero air (less than 10 parts per million by volume hydrocarbon in air).
 - (B) A mixture of methane in air at a concentration less than 500 ppmv.

- (iv) You may choose to adjust or not adjust the detection instrument readings to account for the background organic concentration level. If you choose to adjust the instrument readings for the background level, you must determine the background level value according to the procedures in Method 21 of appendix A-7 to this part.
- (v) Your detection instrument must meet the performance criteria specified in paragraphs (b)(4)(v)(A) and (B) of this section.
 - (A) Except as provided in paragraph (b)(4)(v)(B) of this section, the detection instrument must meet the performance criteria of Method 21 of appendix A-7 to this part, except the instrument response factor criteria in section 8.1.1 of Method 21 must be for the average composition of the process fluid, not each individual volatile organic compound in the stream. For process streams that contain nitrogen, air, or other inerts that are not organic hazardous air pollutants or volatile organic compounds, you must calculate the average stream response factor on an inert-free basis.
 - (B) If no instrument is available that will meet the performance criteria specified in paragraph (b)(4)(v)(A) of this section, you may adjust the instrument readings by multiplying by the average response factor of the process fluid, calculated on an inert-free basis, as described in paragraph (b)(4)(v)(A) of this section.
- (vi) You must determine if a potential leak interface operates with no identifiable emissions using the applicable procedure specified in paragraph (b)(4)(vi)(A) or (B) of this section.
 - (A) If you choose not to adjust the detection instrument readings for the background organic concentration level, then you must directly compare the maximum organic concentration value measured by the detection instrument to the applicable value for the potential leak interface as specified in paragraph (b)(4)(vii) of this section.
 - (B) If you choose to adjust the detection instrument readings for the background organic concentration level, you must compare the value of the arithmetic difference between the maximum organic concentration value measured by the instrument and the background organic concentration value as determined in paragraph (b)(4)(iv) of this section with the applicable value for the potential leak interface as specified in paragraph (b)(4)(vii) of this section.
- (vii) A closed vent system, cover, or self-contained process controller is determined to operate with no identifiable emissions if the organic concentration value determined in paragraph (b)(4)(vi) of this section is less than 500 ppmv. An organic concentration value determined in paragraph (b)(4)(vi) of this section of greater than or equal to 500 ppmv constitutes a deviation of the no identifiable emissions standard until an inspection conducted in accordance with paragraph (b)(4) of this section determines that the closed vent system, cover, or self-contained process controller, as applicable, operates with no identifiable emissions.
- (5) **Repairs.** Whenever emissions or a defect is detected, you must repair the emissions or defect as soon as practicable according to the requirements of paragraphs (b)(5)(i) through (iii) of this section, except as provided in paragraph (b)(6) of this section.
 - (i) A first attempt at repair must be made no later than 5 calendar days after the emissions or defect is detected.

- (ii) Repair must be completed no later than 30 calendar days after the emissions or defect is detected.
 - (iii) For covers, grease or another substance compatible with the gasket material must be applied to deteriorating or cracked gaskets to improve the seal while awaiting repair.
- (6) **Delay of repair.** Delay of repair of a closed vent system or cover for which emissions or defects have been detected is allowed if the repair is technically infeasible without a shutdown, or if you determine that emissions resulting from immediate repair would be greater than the emissions likely to result from delay of repair. You must complete repair of such equipment by the end of the next shutdown.
- (7) **Unsafe to inspect requirements.** You may designate any parts of the closed vent system or cover as unsafe to inspect if the requirements of paragraphs (b)(7)(i) and (ii) of this section are met. Unsafe to inspect parts are exempt from the inspection requirements of paragraphs (a)(1) through (3) of this section.
 - (i) You determine that the equipment is unsafe to inspect because inspecting personnel would be exposed to an imminent or potential danger as a consequence of complying with paragraphs (a)(1), (2), or (3) of this section.
 - (ii) You have a written plan that requires inspection of the equipment as frequently as practicable during safe-to-inspect times.
- (8) **Difficult to inspect requirements.** You may designate any parts of the closed vent system or cover as difficult to inspect if the requirements of paragraphs (b)(8)(i) and (ii) of this section are met. Difficult to inspect parts are exempt from the inspection requirements of paragraphs (a)(1) through (3) of this section.
 - (i) You determine that the equipment cannot be inspected without elevating the inspecting personnel more than 2 meters above a support surface.
 - (ii) You have a written plan that requires inspection of the equipment at least once every 5 years.
- (9) **Records and reports.** You must maintain records of all inspection results as specified in § 60.5420b(c)(8) through (10). You must submit the reports as specified in § 60.5420b(b)(11).

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§ 60.5417b What are the continuous monitoring requirements for my control devices?

You must meet the requirements of this section to demonstrate continuous compliance for each control device used to meet emission standards for your well, centrifugal compressor, reciprocating compressor, process controller, pump, storage vessel, and process unit equipment affected facilities.

- (a) For each control device used to comply with the emission reduction standard in § 60.5377b(b) for well affected facilities, § 60.5380b(a)(1) for centrifugal compressor affected facilities, § 60.5385b(d)(2) for reciprocating compressor affected facilities, § 60.5390b(b)(3) for your process controller affected facility in Alaska, § 60.5393b(b)(3) for your pumps affected facility, § 60.5395b(a)(2) for your storage vessel affected facility, or either § 60.5400b(f) or § 60.5401b(e) for your process equipment affected facility, you must install and operate a continuous parameter monitoring system for each control device as specified in paragraphs (c) through (h) of this section, except as provided for in paragraph (b) of this section. If you

install and operate a flare in accordance with § 60.5412b(a)(3), you are exempt from the requirements of paragraph (f) of this section. If you operate an enclosed combustion device or flare using an alternative test method approved under § 60.5412b(d), you must operate the control device as specified in paragraph (i) of this section instead of using the procedures specified in paragraphs (c) through (h) of this section. You must keep records and report in accordance with paragraph (j) of this section.

- (b) You are exempt from the monitoring requirements specified in paragraphs (c) through (g) of this section for the control devices listed in paragraphs (b)(1) and (2) of this section.
 - (1) A boiler or process heater in which all vent streams are introduced with the primary fuel or are used as the primary fuel.
 - (2) A boiler or process heater with a design heat input capacity equal to or greater than 44 megawatts.
- (c) You must meet the specifications and requirements of paragraphs (c)(1) through (4) of this section.
 - (1) Except for continuous parameter monitoring systems used to detect the presence of a pilot or combustion flame, each continuous parameter monitoring system must measure data values at least once every hour and record the values for each parameter as required in paragraphs (c)(1)(i) or (ii) of this section. Continuous parameter monitoring systems used to detect the presence of a pilot or combustion flame must record a reading at least once every 5 minutes.
 - (i) Each measured data value.
 - (ii) Each block average value for each 1-hour period or shorter periods calculated from all measured data values during each period.
 - (2) You must prepare a monitoring plan that covers each control device for affected facilities within each company-defined area. The monitoring plan must address the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (c)(2)(i) through (v) of this section. You must install, calibrate, operate, and maintain each continuous parameter monitoring system in accordance with the procedures in your monitoring plan. Heat sensing monitoring devices that indicate the continuous ignition of a pilot or combustion flame are exempt from the calibration, quality assurance and quality control requirements of this section.
 - (i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations.
 - (ii) Sampling interface (e.g., thermocouple) location such that the monitoring system will provide representative measurements.
 - (iii) Equipment performance checks, system accuracy audits, or other audit procedures.
 - (iv) Ongoing operation and maintenance procedures in accordance with provisions in § 60.13(b).
 - (v) Ongoing recordkeeping procedures in accordance with provisions in § 60.7(f).
 - (3) You must conduct the continuous parameter monitoring system equipment performance checks, system accuracy audits, or other audit procedures specified in the monitoring plan at least once every 12 months.
 - (4) You must conduct a performance evaluation of each continuous parameter monitoring system in accordance with the monitoring plan. Heat sensing monitoring devices that indicate the continuous ignition of a pilot or combustion flame are exempt from the calibration, quality assurance and quality control requirements of this section.

- (d) You must install, calibrate, operate, and maintain a device equipped with a continuous recorder to measure the values of operating parameters appropriate for the control device as specified in paragraphs (d)(1) through (8) of this section, as applicable. Instead of complying with the requirements in paragraphs (d)(1) through (8) of this section, you may install an organic monitoring device equipped with a continuous recorder that measures the concentration level of organic compounds in the exhaust vent stream from the control device to demonstrate compliance with the applicable performance requirement specified in § 60.5412b(a)(1). The monitor must meet the requirements of Performance Specification 8 or 9 of appendix B to this part. You must install, calibrate, and maintain the monitor according to the manufacturer's specifications and the requirements in Performance Specification 8 or 9. You may also request approval from the Administrator to monitor different operating parameters than those specified in paragraphs (d)(1) through (8) of this section in accordance with § 60.13(i).
- (1) For an enclosed combustion device that demonstrates during the performance test conducted under § 60.5413b(b) that combustion zone temperature is an accurate indicator of performance, a temperature monitoring device equipped with a continuous recorder. The monitoring device must have a minimum accuracy of ± 1 percent of the temperature being monitored in degrees Celsius, or ± 2.5 °C, whichever value is greater. You must install the temperature sensor at a location representative of the combustion zone temperature. You must also comply with the requirements of paragraphs (d)(8)(i), (iv), and (v) of this section.
 - (2) For a catalytic vapor incinerator, a temperature monitoring device equipped with a continuous recorder. The device must be capable of monitoring temperature at two locations and have a minimum accuracy of ± 1 percent of the temperature being monitored in degrees Celsius, or ± 2.5 °C, whichever value is greater. You must install one temperature sensor in the vent stream at the nearest feasible point to the catalyst bed inlet, and you must install a second temperature sensor in the vent stream at the nearest feasible point to the catalyst bed outlet.
 - (3) For a boiler or process heater, a temperature monitoring device equipped with a continuous recorder. The temperature monitoring device must have a minimum accuracy of ± 1 percent of the temperature being monitored in degrees Celsius, or ± 2.5 °C, whichever value is greater. You must install the temperature sensor at a location representative of the combustion zone temperature.
 - (4) For a condenser, a temperature monitoring device equipped with a continuous recorder. The temperature monitoring device must have a minimum accuracy of ± 1 percent of the temperature being monitored in degrees Celsius, or ± 2.5 °C, whichever value is greater. You must install the temperature sensor at a location in the exhaust vent stream from the condenser.
 - (5) For a regenerative-type carbon adsorption system, a continuous monitoring system that meets the specifications in paragraphs (d)(5)(i) and (ii) of this section. You also must monitor the design carbon service life established using a design analysis performed as specified in § 60.5413b(c)(2).
 - (i) The continuous parameter monitoring system must measure and record the average total regeneration stream mass flow or volumetric flow during each carbon bed regeneration cycle. The flow sensor must have a measurement sensitivity of 5 percent of the flow rate or 10 cubic feet per minute, whichever is greater. You must check the mechanical connections for leakage at least every month, and you must perform a visual inspection at least every 3 months of all components of the flow continuous parameter monitoring system for physical and operational integrity and all electrical connections for oxidation and galvanic corrosion if your flow continuous parameter monitoring system is not equipped with a redundant flow sensor; and

- (ii) The continuous parameter monitoring system must measure and record the average carbon bed temperature for the duration of the carbon bed steaming cycle and measure the actual carbon bed temperature after regeneration and within 15 minutes of completing the cooling cycle. The temperature monitoring device must have a minimum accuracy of ± 1 percent of the temperature being monitored in degrees Celsius, or ± 2.5 °C, whichever value is greater.
- (6) For a nonregenerative-type carbon adsorption system, you must monitor the design carbon replacement interval established using a design analysis performed as specified in § 60.5413b(c)(3). The design carbon replacement interval must be based on the total carbon working capacity of the control device and source operating schedule.
- (7) For a combustion control device whose model is tested under § 60.5413b(d), continuous monitoring systems as specified in paragraphs (d)(8)(i) through (iv) and (d)(8)(vi) of this section and visible emission observations conducted as specified in paragraph (d)(8)(v) of this section.
- (8) For an enclosed combustion device, other than those listed in paragraphs (d)(1) through (3) and (7) of this section, or for a flare, continuous monitoring systems as specified in paragraphs (d)(8)(i) through (iv) of this section and visible emission observations conducted as specified in paragraph (d)(8)(v) of this section. Additionally, for enclosed combustion devices or flares that are air-assisted or steam-assisted, the continuous monitoring systems specified in paragraph (d)(8)(vi) of this section.
 - (i) After January 22, 2027, continuously monitor at least once every five minutes for the presence of a pilot flame or combustion flame using a device (including, but not limited to, a thermocouple, ultraviolet beam sensor, or infrared sensor) capable of detecting that the pilot or combustion flame is present at all times. After January 22, 2027, an alert must be sent to the nearest control room whenever the pilot or combustion flame is unlit. Continuous monitoring systems used for the presence of a pilot flame or combustion flame are not subject to a minimum accuracy requirement beyond being able to detect the presence or absence of a flame and are exempt from the calibration requirements of this section.
 - (ii) Except as provided in this paragraph (d)(8)(ii) and paragraph (d)(8)(iii) of this section, use one of the following methods to continuously determine the NHV of the inlet gas to the enclosed combustion device or flare at standard conditions. If the only inlet gas stream to the enclosed combustion device or flare is associated gas from a well affected facility, the NHV of the inlet stream is considered to be sufficiently above the minimum required NHV for the inlet gas, and you are not required to conduct the continuous monitoring in this paragraph (d)(8)(ii) of this section or the demonstration in paragraph (d)(8)(iii) of this section.
 - (A) A calorimeter with a minimum accuracy of ± 2 percent of span.
 - (B) A gas chromatograph that meets the requirements in paragraphs (d)(8)(ii)(B)(1) through (5) of this section.
 - (1) You must follow the procedure in Performance Specification 9 of appendix B of this part, except that a single daily mid-level calibration check can be used (rather than triplicate analysis), the multi-point calibration can be conducted quarterly (rather than monthly), and the sampling line temperature must be maintained at a minimum temperature of 60 °C (rather than 120 °C). Calibration gas cylinders must be certified to an accuracy of 2 percent and traceable to National Institute of Standards and Technology (NIST) standards.

- (2) You must meet the accuracy requirements in Performance Specification 9 of appendix B of this part.
 - (3) You must use a calibration gas or multiple gases that includes the compounds that are reasonably expected to be present in the flare gas stream. If multiple calibration gases are necessary to cover all compounds, you must calibrate the instrument on all of the gases. You may only use the compounds used to calibrate the gas chromatograph in the calculation of the vent gas NHV.
 - (4) In lieu of the calibration gas described in paragraph (d)(8)(ii)(B)(3) of this section, you may use a surrogate calibration gas consisting of hydrogen and C1 through C5 normal hydrocarbons. All of the calibration gases may be combined in one cylinder. If multiple calibration gases are necessary to cover all compounds, you must calibrate the instrument on all of the gases. Use the response factor for the nearest normal hydrocarbon (*i.e.*, *n*-alkane) in the calibration mixture to quantify unknown components detected in the analysis. Use the response factor for *n*-pentane to quantify unknown components detected in the analysis that elute after *n*-pentane.
 - (5) To determine the NHV of the vent gas, determine the product of the volume fraction of the individual component in the vent gas and the net heating value of that individual component. Sum the products for all components in the vent gas to determine the NHV for the vent gas. For the net heating value of each individual component, use the net heating value at 25 °C and 1 atmosphere.
- (C) A mass spectrometer that meets the requirements in paragraphs (d)(8)(ii)(C)(1) through (6) of this section.
- (1) You must meet applicable requirements in Performance Specification 9 of appendix B of this part for continuous monitoring system acceptance including, but not limited to, performing an initial multi-point calibration check at three concentrations following the procedure in Section 10.1. A single daily mid-level calibration check can be used (rather than triplicate analysis), the multi-point calibration can be conducted quarterly (rather than monthly), and the sampling line temperature must be maintained at a minimum temperature of 60 °C (rather than 120 °C). Calibration gas cylinders must be certified to an accuracy of 2 percent and traceable to NIST standards.
 - (2) The average instrument calibration error (CE) for each calibration compound at any calibration concentration must not differ by more than 10 percent from the certified cylinder gas value. The CE for each component in the calibration blend must be calculated using the following equation:

Equation 1 to paragraph (d)(8)(ii)(C)(2)

$$CE = \frac{C_m - C_a}{C_a} \times 100$$

Where:

Cm = Average instrument response (ppm).

Ca = Certified cylinder gas value (ppm).

- (3) You must use a calibration gas or multiple gases that includes the compounds that are reasonably expected to be present in the flare gas stream. If multiple calibration gases are necessary to cover all compounds, you must calibrate the instrument on all of the gases. You may only use the compounds used to calibrate the mass spectrometer in the calculation of the vent gas NHV.
 - (4) In lieu of the calibration gas described in paragraph (d)(8)(ii)(C)(3) of this section, you may use a surrogate calibration gas consisting of hydrogen and C1 through C5 normal hydrocarbons. All of the calibration gases may be combined in one cylinder. If multiple calibration gases are necessary to cover all compounds, you must calibrate the instrument on all of the gases. For unknown gas components that have similar analytical mass fragments to calibration compounds, you may report the unknowns as an increase in the overlapped calibration gas compound. For unknown compounds that produce mass fragments that do not overlap calibration compounds, you may use the response factor for the nearest molecular weight hydrocarbon in the calibration mix to quantify the unknown component. You may use the response factor for n-pentane to quantify any unknown components detected with a higher molecular weight than n-pentane.
 - (5) You must perform an initial calibration to identify mass fragment overlap and response factors for the target compounds.
 - (6) To determine the NHV of the vent gas, determine the product of the volume fraction of the individual component in the vent gas and the net heating value of that individual component. Sum the products for all components in the vent gas to determine the NHV for the vent gas. For the net heating value of each individual component, use the net heating value at 25 °C and 1 atmosphere.
- (D) A grab sampling system capable of collecting an evacuated canister sample for subsequent compositional analysis at least once every eight hours. Subsequent compositional analysis of the samples must be performed according to ASTM D1945-14 (R2019) (incorporated by reference, see § 60.17). To determine the NHV of the vent gas, determine the product of the volume fraction of the individual component in the vent gas and the net heating value of that individual component. Sum the products for all components in the vent gas to determine the NHV for the vent gas. For the net heating value of each individual component, use the net heating value at 25 °C and 1 atmosphere.
- (iii) For an unassisted or pressure-assisted flare or enclosed combustion device, if you demonstrate according to the methods described in paragraphs (d)(8)(iii)(A) through (F) of this section that the NHV of the inlet gas to the enclosed combustion device or flare consistently exceeds the applicable operating limit specified in § 60.5415b(f)(1)(vii)(B) or (C), continuous monitoring of the NHV is not required, but you must conduct the ongoing sampling in paragraph (d)(8)(iii)(G) of this section. For flares and enclosed combustion devices that use only perimeter assist air and do not use steam assist or premix assist air, if you demonstrate according to the methods described in paragraphs (d)(8)(iii)(A) through (F) of this section that the NHV of the inlet gas to the enclosed combustion device or flare consistently exceeds 300 Btu/scf, continuous

monitoring of the NHV is not required, but you must conduct the ongoing sampling in paragraph (d)(8)(iii)(G) of this section. For an unassisted or pressure-assisted flare or enclosed combustion device, in lieu of conducting the demonstration outlined in paragraphs (d)(8)(iii)(A) through (D) of this section, you may conduct the demonstration outlined in paragraph (d)(8)(iii)(H) of this section, but you must still comply with paragraphs (d)(8)(iii)(E) through (G) of this section.

- (A) Continuously monitor or collect a sample of the inlet gas to the enclosed combustion device or flare twice daily to determine the average NHV of the gas stream for 14 consecutive operating days. If you do not continuously monitor the NHV, the minimum time of collection for each individual sample be at least one hour. Consecutive samples must be separated by at least 6 hours. If inlet gas flow is intermittent such that there are not at least 28 samples over the 14 operating day period, you must continue to collect samples of the inlet gas beyond the 14 operating day period until you collect a minimum of 28 samples.
- (B) If you collect samples twice per day, count the number of samples where the NHV value is less than 1.2 times the applicable operating limit specified in § 60.5415b(f)(1)(vii)(B), (C), or paragraph (d)(8)(iii) of this section (i.e., values that are less than 240, 360, or 960 Btu/scf, as applicable) during the sample collection period in paragraph (d)(8)(iii)(A) of this section.
- (C) If you continuously sample the inlet stream for 14 days, count the number of hourly average NHV values that are less than the applicable operating limit specified in § 60.5415b(f)(1)(vii)(B), § 60.5415b(f)(1)(vii)(C)(1), or paragraph (d)(8)(iii) of this section (i.e., values that are less than 200, 300, or 800 Btu/scf, as applicable), during the sample collection period in paragraph (d)(8)(iii)(A) of this section.
- (D) If there are no samples counted under paragraph (d)(8)(iii)(B) of this section or there are no hourly values counted under paragraph (d)(8)(iii)(C) of this section, the gas stream is considered to consistently exceed the applicable NHV operating limit and on-going continuous monitoring is not required.
- (E) If process operations are revised that could impact the NHV of the gas sent to the enclosed combustion device or flare, such as the removal or addition of process equipment, and at any time the Administrator requires, re-evaluation of the gas stream must be performed according to paragraphs (d)(8)(iii)(A) through (D) of this section to ensure the gas stream still consistently exceeds the applicable operating limit specified in § 60.5415b(f)(1)(vii)(B), (f)(1)(vii)(C)(1), or paragraph (d)(8)(iii) of this section.
- (F) When collecting samples under paragraph (d)(8)(iii)(A) of this section, the owner or operator must account for any sources of inert gases that can be sent to the enclosed combustion device or flare (e.g., streams from compressors in acid gas service, streams from enhanced oil recovery facilities). The report in § 60.5420b(b)(11)(v)(I) and the records of the demonstration in § 60.5420b(c)(11)(vi) must note whether the enclosed combustion device or flare has the potential to receive inert gases, and if so, whether the sampling included periods where the highest percentage of inert gases were sent to the enclosed combustion device or flare. If the introduction of inerts is intermittent and does not occur during the initial demonstration, the introduction of inerts will be considered a revision to process operations that triggers a re-evaluation under paragraph (d)(8)(iii)(E) of this section. If conditions at the site did not allow sampling during periods where the

introduction of inert gases was at the highest percentage possible, increasing the percentage of inerts will be considered a revision to process operations that triggers a re-evaluation under paragraph (d)(8)(iii)(E) of this section.

- (G) You must collect three samples of the inlet gas to the enclosed combustion device or flare at least once every 5 years. The minimum time of collection for each individual sample must be at least one hour. The samples must be taken during the period with the lowest expected NHV (*i.e.*, the period with the highest percentage of inerts). The first set of periodic samples must be taken, or continuous monitoring commenced, no later than 60 calendar months following the last sample taken under paragraph (d)(8)(iii)(A) of this section. Subsequent periodic samples must be taken, or continuous monitoring commenced, no later than 60 calendar months following the previous sample. If any sample has an NHV value less than 1.2 times the applicable operating limit specified in § 60.5415b(f)(1)(vii)(B), § 60.5415b(f)(1)(vii)(C), or paragraph (d)(8)(iii) of this section (*i.e.*, values that are less than 240, 360, or 960 Btu/scf, as applicable), you must conduct the monitoring required by paragraph (d)(8)(ii) of this section.
- (H) You may request an alternative test method under § 60.5412b(d) to demonstrate that the flare or enclosed combustion device reduces methane and VOC in the gases vented to the device by 95.0 percent by weight or greater. You must use an alternative test method that demonstrates compliance with the combustion efficiency limit; you may not use an alternative test method that demonstrates compliance with NHV_{CZ} and NHV_{dil} in lieu of measuring combustion efficiency directly. You must measure data values at the frequency specified in the alternative test method and conduct the quality assurance and quality control requirements outlined in the alternative test method at the frequency outlined in the alternative test method. You must monitor the combustion efficiency of the flare continuously for 14 days. If there are no values of the combustion efficiency measured by the alternative test method that are less than 95.0 percent, the gas stream is considered to consistently exceed the applicable NHV operating limit, and you are not required to continuously monitor the NHV of the inlet gas to the flare or enclosed combustion device.
- (iv) Except as noted in paragraphs (d)(8)(iv)(A) through (E) of this section, a continuous parameter monitoring system for measuring the flow of gas to the enclosed combustion device or flare. You may use direct flow meters or other parameter monitoring systems combined with engineering calculations, such as inlet line pressure, line size, and burner nozzle dimensions, to satisfy this requirement. The monitoring instrument must have an accuracy of ± 10 percent or better at the maximum expected flow rate.
- (A) Pressure-assisted flares and pressure-assisted enclosed combustion devices are not required to have a continuous parameter monitoring system for measuring the inlet flow of gas to the device if you install, calibrate, maintain, and operate a backpressure regulator valve calibrated to open at the minimum pressure set point corresponding to the minimum inlet gas flow rate. The set point must be consistent with manufacturer specifications for minimum flow or pressure and must be supported by an engineering evaluation. At least annually, you must confirm that the backpressure regulator valve set point is correct and consistent with the engineering evaluation and manufacturer specifications and that the valve fully closes when not in the open position.

- (B) Unassisted flares are not required to have a continuous parameter monitoring system for measuring the inlet flow of gas to the device if you meet the conditions in paragraphs (d)(8)(iv)(B)(1) and (2) of this section.
 - (1) You must demonstrate, based on the maximum potential pressure of units manifolded to the flare and applicable engineering calculations for the manifolded closed vent system, that the maximum flow rate to the flare cannot cause the flare tip velocity to exceed 18.3 meter/second (60 feet/second). If there are changes to the process or control device that can be reasonably expected to impact the maximum flow rate to the flare, you must conduct a new demonstration to determine whether the maximum flow rate to the flare is less than 18.3 meter/second (60 feet/second).
 - (2) You must install, calibrate, maintain, and operate a backpressure regulator valve calibrated to open at the minimum pressure set point corresponding to the minimum inlet gas flow rate. The set point must be consistent with manufacturer specifications for minimum flow or pressure and must be supported by an engineering evaluation. At least annually, you must confirm that the backpressure regulator valve set point is correct and consistent with the engineering evaluation and manufacturer specifications and that the valve fully closes when not in the open position.
- (C) Unassisted enclosed combustion devices are not required to have a continuous parameter monitoring system for measuring the inlet flow of gas to the device if you meet the conditions in paragraphs (d)(8)(iv)(C)(1) and (2) of this section.
 - (1) You must demonstrate, based on the maximum potential pressure of units manifolded to the enclosed combustion device and applicable engineering calculations for the manifolded closed vent system, that the maximum flow rate to the enclosed combustion device cannot cause the maximum inlet flow rate established in accordance with paragraph (f)(1) of this section to be exceeded. If there are changes to the process or control device that can be reasonably expected to impact the maximum flow rate to the enclosed combustion device, you must conduct a new demonstration to determine whether the maximum flow rate to the enclosed combustor is less than the maximum inlet flow rate established in accordance with paragraph (f)(1) of this section.
 - (2) You must install, calibrate, maintain, and operate a backpressure regulator valve calibrated to open at the minimum pressure set point corresponding to the minimum inlet gas flow rate. The set point must be consistent with manufacturer specifications for minimum flow or pressure and must be supported by an engineering evaluation. At least annually, you must confirm that the backpressure regulator valve set point is correct and consistent with the engineering evaluation and manufacturer specifications and that the valve fully closes when not in the open position.
- (D) Air-assisted flares or enclosed combustion devices that use only perimeter assist air and have no assist steam or premix assist air are not required to have a continuous parameter monitoring system for measuring the inlet flow of gas to the device or the flow of assist

air if you meet the conditions in paragraphs (d)(8)(iv)(D)(1) and (2) of this section. For these flares and enclosed combustion devices, NHV_{cz} is assumed to be equal to the vent gas NHV .

- (1) You must install, calibrate, maintain, and operate a backpressure regulator valve calibrated to open at the minimum pressure set point corresponding to the minimum inlet gas flow rate. The set point must be consistent with manufacturer specifications for minimum flow or pressure and must be supported by an engineering evaluation. At least annually, you must confirm that the backpressure regulator valve set point is correct and consistent with the engineering evaluation and manufacturer specifications and that the valve fully closes when not in the open position.
 - (2) You must demonstrate, based on the maximum flow rate of perimeter assist air to the enclosed combustion device or flare and applicable engineering calculations, that the NHV_{dil} can never be less than the minimum required NHV_{dil} . The demonstration must clearly document why the maximum flow rate of perimeter assist air will never exceed the rate used in the demonstration. You must use the minimum flow rate of vent gas allowed by your backpressure regulator valve and the minimum expected value of the NHV of the inlet gas to the enclosed combustion device or flare based on previous sampling results or process knowledge of the streams sent to the enclosed combustion device or flare in your demonstration. You must update this demonstration if there are changes to the backpressure regulator valve, the backpressure regulator valve set point, or the maximum flow rate of perimeter assist air. You must also update this demonstration if any sampling results of the NHV of the inlet gas to the enclosed combustion device or flare under paragraphs (d)(8)(ii) or (iii) of this section are lower than the NHV vent gas value used in your demonstration.
- (E) Air-assisted flares or enclosed combustion devices that use only premix assist air and have no assist steam or perimeter assist air are not required to have a continuous parameter monitoring system for measuring the inlet flow of gas to the device or the flow of assist air if you meet the conditions in paragraphs (d)(8)(iv)(E)(1) and (2) of this section.
- (1) You must install, calibrate, maintain, and operate a backpressure regulator valve calibrated to open at the minimum pressure set point corresponding to the minimum inlet gas flow rate. The set point must be consistent with manufacturer specifications for minimum flow or pressure and must be supported by an engineering evaluation. At least annually, you must confirm that the backpressure regulator valve set point is correct and consistent with the engineering evaluation and manufacturer specifications and that the valve fully closes when not in the open position.
 - (2) You must demonstrate, based on the maximum flow rate of premix assist air to the enclosed combustion device or flare and applicable engineering calculations, that the NHV_{cz} will never be less than the minimum required NHV_{cz} . The demonstration must clearly document why the maximum flow rate of premix assist air will never exceed the rate used in the demonstration. You must use the minimum flow rate of vent gas allowed by your backpressure regulator valve in and the minimum expected value of

the NHV of the inlet gas to the enclosed combustion device or flare based on previous sampling results or process knowledge of the streams sent to the enclosed combustion device or flare in your demonstration. You must update this demonstration if there are changes to the backpressure regulator valve, the backpressure regulator valve set point, or the maximum flow rate of premix assist air. You must also update this demonstration if any sampling results of the NHV of the inlet gas to the enclosed combustion device or flare under paragraphs (d)(8)(ii) or (iii) of this section are lower than the NHV vent gas value used in your demonstration.

- (v) Conduct inspections monthly and at other times as requested by the Administrator to monitor for visible emissions from the combustion device using section 11 of Method 22 of appendix A of this part or conduct visible emissions monitoring according to paragraph (h) of this section. The observation period shall be 15 minutes or once the amount of time visible emissions is present has exceeded 1 minute. Devices must be operated with no visible emissions, except for periods not to exceed a total of 1 minute during any 15-minute period.
- (vi) If you use a flare or enclosed combustion device that is air-assisted or steam-assisted, you must also meet the following requirements.
 - (A) Except as allowed by paragraph (d)(8)(iv)(E) of this section, you must monitor and calculate NHV_{CZ} as specified in § 63.670(m) of this chapter. Additionally, for flares and enclosed combustion devices that use only perimeter assist air and do not use steam assist or premix assist air, the NHV_{CZ} is equal to the vent gas NHV. When NHV_{CZ} is equal to the vent gas NHV, you are not required to continuously monitor NHV_{CZ} if you meet the requirements in paragraph (d)(8)(iii) of this section.
 - (B) Except as allowed by paragraph (d)(8)(iv)(D) of this section, for each flare using perimeter assist air, you must also monitor and calculate NHV_{dil} as specified in § 63.670(n) of this chapter. If the only assist air provided to the flare or enclosed combustion control device is perimeter assist air intentionally entrained in lower and/or upper steam at the flare tip and the effective diameter is 9 inches or greater, you are only required to comply with the NHV_{CZ} limit specified in paragraph (f)(8)(vi)(A) of this section.
 - (C) Except as allowed by paragraph (d)(8)(iv) of this section, you must monitor the flare vent gas and assist gas as specified in § 63.670(i) of this chapter.
 - (D) You must determine the flare vent gas net heating value as specified in § 63.670(l) of this chapter using one of the methods specified in paragraph (d)(8)(ii) of this section. Where the phrase "petroleum refinery" is used, for purposes of this subpart, it will refer to flares controlling an affected facility under this subpart. If you are not required to continuously monitor the NHV of the inlet gas because you have demonstrated that it consistently exceeds the applicable operating limit as provided in paragraph (d)(8)(iii) of this section, you must use the lowest net heating value measured in the sampling program in paragraph (d)(8)(iii) of this section for the calculations performed in paragraphs (d)(8)(vi)(A) and (B). You must update this value if a subsequent sampling result of the NHV of the inlet gas to the enclosed combustion device or flare under paragraph (d)(8)(iii) of this section is lower than the NHV vent gas value used in your calculations.
- (e) Calculate the value of the applicable monitored parameter in accordance with paragraphs (e)(1) through (5) of this section.

- (1) You must calculate the daily average value for condenser outlet temperature for each operating day, using the data recorded by the monitoring system. If the emissions unit operation is continuous, the operating day is a 24-hour period. If the emissions unit operation is not continuous, the operating day is the total number of hours of control device operation per 24-hour period. Valid data points must be available for 75 percent of the operating hours in an operating day to compute the daily average.
 - (2) You must use the 5-minute readings from the heat sensing devices to assess the presence of a pilot or combustion flame.
 - (3) You must use the regeneration cycle time (*i.e.*, duration of the carbon bed steaming cycle) for each regenerative-type carbon adsorption system to calculate the average parameter to compare with the maximum steam mass flow or volumetric flow during each carbon bed regeneration cycle and the maximum carbon bed temperature during the steaming cycle. The carbon bed temperature after the regeneration cycle should not be averaged; you must use the carbon bed temperature measured within 15 minutes of completing the cooling cycle to compare with the minimum carbon bed temperature after the regeneration cycle.
 - (4) You must use 15-minute blocks to calculate NHV_{CZ} and NHV_{dil} .
 - (5) For all operating parameters others than those described in paragraphs (e)(1) through (4) of this section, you must calculate the 3-hour rolling average of each monitored parameter. For each operating hour, calculate the hourly value of the operating parameter from your continuous monitoring system. Average the three most recent hours of data to determine the 3-hour average. Determine the 3-hour rolling average by recalculating the 3-hour average each hour.
- (f) For each operating parameter monitor installed in accordance with the requirements of paragraph (d) of this section, you must comply with paragraph (f)(1) of this section for all control devices. When condensers are installed, you must also comply with paragraph (f)(2) of this section.
- (1) You must establish a minimum operating parameter value or a maximum operating parameter value, as appropriate for the control device, to define the conditions at which the control device must be operated to continuously achieve the applicable performance requirements of § 60.5412b(a)(1) or (2). You must establish each minimum or maximum operating parameter value as specified in paragraphs (f)(1)(i) through (iv) of this section.
 - (i) If you conduct performance tests in accordance with the requirements of § 60.5413b(b) to demonstrate that the control device achieves the applicable performance requirements specified in § 60.5412b(a)(1) or (2), then you must establish the minimum operating parameter value or the maximum operating parameter value based on values measured during the performance test and supplemented, as necessary, by a condenser or carbon adsorption system design analysis or control device manufacturer recommendations or a combination of both. If you operate an enclosed combustion device, you must establish the maximum inlet flow rate based on values measured during the performance test and you may establish the minimum inlet flow rate based on control device manufacturer recommendations.
 - (ii) If you use a condenser or carbon adsorption system design analysis in accordance with the requirements of § 60.5413b(c) to demonstrate that the control device achieves the applicable performance requirements specified in § 60.5412b(a)(2), then you must establish the minimum operating parameter value or the maximum operating parameter value based on the design analysis and supplemented, as necessary, by the manufacturer's recommendations.

- (iii) If you operate a control device where the performance test requirement was met under § 60.5413b(d) to demonstrate that the control device achieves the applicable performance requirements specified in § 60.5412b(a)(1), then your control device inlet gas flow rate must be equal to or greater than the minimum inlet gas flow rate and equal to or less than the maximum inlet gas flow rate determined by the manufacturer.
 - (iv) If you operate an enclosed combustion device where the combustion zone temperature is not an indicator of destruction efficiency or a control device where the performance test requirement was met under § 60.5413b(d), you must maintain the NHV of the gas sent to the enclosed combustion device, the NHV_{CZ} , and the NHV_{dil} above the applicable limits specified in paragraphs § 60.5412b(a)(1)(iv)(A) through (D).
- (2) If you use a condenser as specified in paragraph (d)(1)(v) of this section, you must establish a condenser performance curve showing the relationship between condenser outlet temperature and condenser control efficiency, according to the requirements of paragraphs (f)(2)(i) and (ii) of this section.
- (i) If you conduct a performance test in accordance with the requirements of § 60.5413b(b) to demonstrate that the condenser achieves the applicable performance requirements of § 60.5412b(a)(2), then the condenser performance curve must be based on values measured during the performance test and supplemented as necessary by control device design analysis, or control device manufacturer's recommendations, or a combination or both.
 - (ii) If you use a control device design analysis in accordance with the requirements of § 60.5413b(c)(1) to demonstrate that the condenser achieves the applicable performance requirements specified in § 60.5412b(a)(2), then the condenser performance curve must be based on the condenser design analysis and supplemented, as necessary, by the control device manufacturer's recommendations.
- (g) A deviation for a control device is determined to have occurred when the monitoring data or lack of monitoring data result in any one of the criteria specified in paragraphs (g)(1) through (7) of this section being met. If you monitor multiple operating parameters for the same control device during the same operating day and more than one of these operating parameters meets a deviation criterion specified in paragraphs (g)(1) through (7) of this section, then a single excursion is determined to have occurred for the control device for that operating day.
- (1) A deviation occurs when the average value of a monitored operating parameter determined in accordance with paragraph (e) of this section is less than the minimum operating parameter limit (and, if applicable, greater than the maximum operating parameter limit) established in paragraph (f)(1) of this section; for flares, when the average value of a monitored operating parameter determined in accordance with paragraph (e) of this section is above the limits specified in § 60.5415b(f)(1)(vii)(B); or when the heat sensing device indicates that there is no pilot or combustion flame present for any time period. If you use a backpressure regulator valve to maintain the inlet gas flow to an enclosed combustion device or flare above the minimum value, a deviation occurs if the annual inspection finds that the backpressure regulator valve set point is not set correctly or indicates that the backpressure regulator valve does not fully close when not in the open position.
 - (2) If you are subject to § 60.5412b(a)(2), a deviation occurs when the 365-day average condenser efficiency calculated according to the requirements specified in § 60.5415b(f)(1)(ix)(D) is less than 95.0 percent.

- (3) If you are subject to § 60.5412b(a)(2) and you have less than 365 days of data, a deviation occurs when the average condenser efficiency calculated according to the procedures specified in § 60.5415b(f)(1)(ix)(D)(1) or (2) is less than 95.0 percent.
- (4) A deviation occurs when the monitoring data are not available for at least 75 percent of the operating hours in a day.
- (5) If the closed vent system contains one or more bypass devices that could be used to divert all or a portion of the gases, vapors, or fumes from entering the control device, a deviation occurs when the requirements of paragraph (g)(5)(i) or (ii) of this section are met.
 - (i) For each bypass line subject to § 60.5411b(a)(4)(i)(A), the flow indicator indicates that flow has been detected and that the stream has been diverted away from the control device to the atmosphere.
 - (ii) For each bypass line subject to § 60.5411b(a)(4)(i)(B), if the seal or closure mechanism has been broken, the bypass line valve position has changed, the key for the lock-and-key type lock has been checked out, or the car-seal has broken.
- (6) For a combustion control device whose model is tested under § 60.5413b(d), a deviation occurs when the conditions of paragraph (g)(4), (5), or (6)(i) through (vi) of this section are met.
 - (i) The hourly inlet gas flow rate is less than the minimum inlet gas flow rate or greater than the maximum inlet gas flow rate determined by the manufacturer. If you use a backpressure regulator valve to maintain the inlet gas flow above the minimum value, a deviation occurs if the annual inspection finds that the backpressure regulator valve set point is not set correctly or indicates that the backpressure regulator valve does not fully close when not in the open position.
 - (ii) Results of the monthly visible emissions test conducted under § 60.5413b(e)(3) or monitoring under paragraph (h) of this section indicate visible emissions exceed 1 minute in any 15-minute period.
 - (iii) There is no indication of the presence of a pilot or combustion flame for any 5-minute time period.
 - (iv) The control device is not maintained in a leak free condition.
 - (v) The control device is not operated in accordance with the manufacturer's written operating instructions, procedures and maintenance schedule.
 - (vi) The NHV of the vent gas, the NHV_{CZ} , or the NHV_{dil} is below the applicable limit specified in § 60.5412b(a)(1)(iv).
- (7) For an enclosed combustion device or flare subject to paragraph (d)(8) of this section, a deviation occurs when any of the conditions described by paragraphs (g)(1), (4) or (5) of this section are met or when the results of the visible emissions monitoring conducted under paragraph (d)(8)(v) or (h) of this section exceed 1 minute in any 15-minute period.
- (h) For enclosed combustion devices and flares, in lieu of conducting a visible emissions observation using Method 22 of appendix A-7 to this part, you may use a video surveillance camera to continuously monitor and record the flare flame according to the requirements in paragraphs (h)(1) through (6) of this section.

- (1) You must provide real-time high-definition video surveillance camera output (*i.e.*, at least 720p) at a frame rate of at least 15 frames per second to the control room or other continuously manned location where the camera images may be viewed at the same resolution at any time.
 - (2) You must record at least one frame every 15 seconds with date and time stamp.
 - (3) The camera must be located at a reasonable distance above the flare flame at an angle suitable for visual emissions observations. The position of the camera should be such that the sun is not in the field of view.
 - (4) The camera must be located no more than 400 m (0.25 miles) from the emission source.
 - (5) Operators must look at the video feed at least once daily for an observation period of at least 1 minute to determine if visible emissions are present. If visible emissions are present during a daily observation, the operator must observe the video feed for 15 minutes or until the amount of time visible emissions is present has exceeded 1 minute, whichever time period is less.
 - (6) Enclosed combustion devices and flares must be operated with no visible emissions, except for periods not to exceed a total of 1 minute during any 15-minute period.
- (i) If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412b(d), you must comply with paragraphs (i)(1) through (6) of this section.
- (1) You must measure data values at the frequency specified in the alternative test method.
 - (2) You must prepare a monitoring plan that covers each control device for affected facilities within each company-defined area. The monitoring plan must address the monitoring system design, data collection, and the quality assurance and quality control elements outlined in the alternative test method and in paragraphs (i)(2)(i) through (iii) of this section. You must operate and maintain each monitoring system in accordance with the procedures in your monitoring plan.
 - (i) The performance criteria and design specifications for the monitoring system equipment.
 - (ii) Location of monitoring system in relation to the monitored control device.
 - (iii) Ongoing reporting and recordkeeping procedures.
 - (3) You must conduct the quality assurance and quality control requirements outlined in the alternative test method at the frequency outlined in the alternative test method.
 - (4) If required by § 60.5412b(d)(4), you must conduct the inspections required by paragraph (d)(8)(v) of this section.
 - (5) If required by § 60.5412b(d)(5), you must install the pilot or combustion flame monitoring system required by paragraph (d)(8)(i) of this section.
 - (6) A deviation for the control device is determined to have occurred when the monitoring data or lack of monitoring data result in any one of the criteria specified in paragraphs (i)(6)(i) through (v) of this section being met.
 - (i) A deviation occurs if the combustion efficiency is less than 95.0 percent, the combustion zone NHV is less than 270 Btu/scf, or the NHV dilution parameter is less than 22 Btu/sqft.
 - (ii) A deviation occurs when the monitoring data are not available for at least 75 percent of the operating hours in a day.

- (iii) A deviation occurs when any of the conditions described by paragraph (g)(5) of this section are met.
 - (iv) If required by paragraph (i)(4) of this section to conduct visible emissions inspections, a deviation occurs when the results of the visible emissions monitoring conducted under paragraph (d)(8)(v) or (h) of this section exceeds 1 minute in any 15-minute period.
 - (v) After January 22, 2027, if required by paragraph (i)(5) of this section to install a pilot or combustion flame monitoring system, a deviation occurs when there is no indication of the presence of a pilot or combustion flame for any 5-minute period.
- (j) You must submit annual reports for control devices as required in § 60.5420b(b)(1) and (11). You must maintain records as specified in § 60.5420b(c)(11).

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62902, Aug. 1, 2024; 90 FR 35984, July 31, 2025]

§ 60.5420b What are my notification, reporting, and recordkeeping requirements?

- (a) **Notifications.** You must submit notifications according to paragraphs (a)(1) and (2) of this section if you own or operate one or more of the affected facilities specified in § 60.5365b that was constructed, modified, or reconstructed during the reporting period. You must submit the notification in paragraph (a)(3) of this section if you use an alternative standard for fugitive emissions components in accordance with § 60.5399b. You must submit the notification in paragraph (a)(4) of this section if you undertake well closure activities as specified in § 60.5397b(l).
- (1) If you own or operate a process unit equipment affected facility located at an onshore natural gas processing plant, or a sweetening unit, you must submit the notifications required in §§ 60.7(a)(1), (3), and (4) and 60.15(d). If you own or operate a well, centrifugal compressor, reciprocating compressor, process controller, pump, storage vessel, collection of fugitive emissions components at a well site, or collection of fugitive emissions components at a compressor station affected facility, you are not required to submit the notifications required in §§ 60.7(a)(1), (3), and (4) and 60.15(d).
 - (2) If you own or operate a well affected facility, you must notify the Administrator no later than 2 days prior to the commencement of each well completion operation listing the anticipated date of the well completion operation. The notification shall include contact information for the owner or operator; the United States Well Number; the latitude and longitude coordinates for each well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983; and the planned date of the beginning of flowback. You may submit the notification in writing or in electronic format. If you are subject to state regulations that require advance notification of well completions and you have met those notification requirements, then you are considered to have met the advance notification requirements of this paragraph.
 - (3) An owner or operator electing to comply with the provisions of § 60.5399b for fugitive emissions components shall notify the Administrator of the alternative fugitive emissions standard selected within the annual report, as specified in paragraph (b)(9)(iii) of this section.

- (4) An owner or operator who commences well closure activities must submit the following notices to the Administrator according to the schedule in paragraph (a)(4)(i) and (ii) of this section. The notification shall include contact information for the owner or operator; the United States Well Number; the latitude and longitude coordinates for each well at the well site in decimal degrees to an accuracy and precision of five
- (5) decimals of a degree using the North American Datum of 1983. You must submit notifications in portable document format (PDF) following the procedures specified in paragraph (d) of this section.
 - (i) You must submit a well closure plan to the Administrator within 30 days of the cessation of production from all wells located at the well site.
 - (ii) You must submit a notification of the intent to close a well site 60 days before you begin well closure activities.

(b) **Reporting requirements.** You must submit annual reports containing the information specified in paragraphs (b)(1) through (14) of this section following the procedure specified in paragraph (b)(15) of this section. You must submit performance test reports as specified in paragraph (b)(12) or (13) of this section, if applicable. The initial annual report is due no later than 90 days after the end of the initial compliance period as determined according to § 60.5410b. Subsequent annual reports are due no later than the same date each year as the initial annual report. If you own or operate more than one affected facility, you may submit one report for multiple affected facilities provided the report contains all of the information required as specified in paragraphs (b)(1) through (14) of this section. Annual reports may coincide with title V reports as long as all the required elements of the annual report are included. You may arrange with the Administrator a common schedule on which reports required by this part may be submitted as long as the schedule does not extend the reporting period. You must submit the information in paragraph (b)(1)(v) of this section, as applicable, for your well affected facility which undergoes a change of ownership during the reporting period, regardless of whether reporting under paragraphs (b)(2) through (4) of this section is required for the well affected facility.

- (1) The general information specified in paragraphs (b)(1)(i) through (v) of this section is required for all reports.
 - (i) The company name, facility site name associated with the affected facility, U.S. Well ID or U.S. Well ID associated with the affected facility, if applicable, and address of the affected facility. If an address is not available for the site, include a description of the site location and provide the latitude and longitude coordinates of the site in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983.
 - (ii) An identification of each affected facility being included in the annual report.
 - (iii) Beginning and ending dates of the reporting period.
 - (iv) A certification by a certifying official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. If your report is submitted via CEDRI, the certifier's electronic signature during the submission process replaces the requirement in this paragraph (b)(1)(iv).

- (v) Identification of each well affected facility for which ownership changed due to sale or transfer of ownership including the United States Well Number; the latitude and longitude coordinates of the well affected facility in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983; and the information in paragraph (b)(1)(v)(A) or (B) of this section, as applicable.
 - (A) The name and contact information, including the phone number, email address, and mailing address, of the owner or operator to which you sold or transferred ownership of the well affected facility identified in paragraph (b)(1)(v) of this section.
 - (B) The name and contact information, including the phone number, email address, and mailing address, of the owner or operator from whom you acquired the well affected facility identified in paragraph (b)(1)(v) of this section.
- (2) For each well affected facility that is subject to § 60.5375b(a) or (f), the records of each well completion operation conducted during the reporting period, including the information specified in paragraphs (b)(2)(i) through (xiv) of this section, if applicable. In lieu of submitting the records specified in paragraphs (b)(2)(i) through (xiv) of this section, the owner or operator may submit a list of each well completion with hydraulic fracturing completed during the reporting period, and the digital photograph required by paragraph (c)(1)(v) of this section for each well completion. For each well affected facility that routes all flowback entirely through one or more production separators, only the records specified in paragraphs (b)(2)(i) through (iv) and (vi) of this section are required to be reported. For periods where salable gas is unable to be separated, the records specified in paragraphs (b)(2)(iv) and (viii) through (xii) of this section must also be reported, as applicable. For each well affected facility that is subject to § 60.5375b(g), the record specified in paragraph (b)(2)(xv) of this section is required to be reported. For each well affected facility which makes a claim that the exemption in § 60.5375b(h) was met, the records specified in paragraph (b)(2)(i) through (iv) and (b)(2)(xvi) of this section are required to be reported.
 - (i) Well Completion ID.
 - (ii) Latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983.
 - (iii) U.S. Well ID.
 - (iv) The date and time of the onset of flowback following hydraulic fracturing or refracturing or identification that the well immediately starts production.
 - (v) The date and time of each attempt to direct flowback to a separator as required in § 60.5375b(a)(1)(ii).
 - (vi) The date and time that the well was shut in and the flowback equipment was permanently disconnected, or the startup of production.
 - (vii) The duration (in hours) of flowback.
 - (viii) The duration (in hours) of recovery and disposition of recovery (*i.e.*, routed to the gas flow line or collection system, re-injected into the well or another well, used as an onsite fuel source, or used for another useful purpose that a purchased fuel or raw material would serve).
 - (ix) The duration (in hours) of combustion.
 - (x) The duration (in hours) of venting.

- (xi) The specific reasons for venting in lieu of capture or combustion.
 - (xii) For any deviations recorded as specified in paragraph (c)(1)(ii) of this section, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation.
 - (xiii) For each well affected facility subject to § 60.5375b(f), a record of the well type (i.e., wildcat well, delineation well, or low pressure well (as defined § 60.5430b)) and supporting inputs and calculations, if applicable.
 - (xiv) For each well affected facility for which you claim an exception under § 60.5375b(a)(2), the specific exception claimed and reasons why the well meets the claimed exception.
 - (xv) For each well affected facility with less than 300 scf of gas per stock tank barrel of oil produced, the supporting analysis that was performed in order to make that claim, including but not limited to, GOR values for established leases and data from wells in the same basin and field.
 - (xvi) For each well affected facility which meets the exemption in § 60.5375b(h), a statement that the well completion operation requirements of § 60.5375b(a)(1) through (3) were met.
- (3) For each well affected facility that is subject to § 60.5376b(a)(1) or (2), your annual report is required to include the information specified in paragraphs (b)(3)(i) and (ii) of this section, as applicable.
- (i) For each well affected facility where all gas well liquids unloading operations comply with § 60.5376b(a)(1), your annual report must include the information specified in paragraphs (b)(3)(i)(A) through (C) of this section, as applicable.
 - (A) Identification of each well affected facility (U.S. Well ID or U.S. Well ID associated with the well affected facility) that conducts a gas well liquid unloading operation during the reporting period using a method that does not vent to the atmosphere and the technology or technique used. If more than one non-venting technology or technique is used, you must identify all of the differing non-venting liquids unloading methods used during the reporting period.
 - (B) Number of gas well liquids unloading operations conducted during the year where the well affected facility identified in (b)(3)(i)(A) had unplanned venting to the atmosphere and best management practices were conducted according to your best management practice plan, as required by § 60.5376b(c). If no venting events occurred, the number would be zero. Other reported information required to be submitted where unplanned venting occurs is specified in paragraphs (b)(3)(i)(B)(1) and (2) of this section.
 - (1) Log of best management practice plan steps used during the unplanned venting to minimize emissions to the maximum extent possible.
 - (2) The number of liquids unloading events during the year where deviations from your best management practice plan occurred, the date and time the deviation began, the duration of the deviation in hours, documentation of why best management practice plan steps were not followed, and what steps, in lieu of your best management practice plan steps, were followed to minimize emissions to the maximum extent possible.

- (C) The number of liquids unloading events where unplanned emissions are vented to the atmosphere during a gas well liquids unloading operation where you complied with best management practices to minimize emissions to the maximum extent possible.
- (ii) For each well affected facility where all gas well liquids unloading operations comply with § 60.5376b(b) and (c) best management practices, your annual report must include the information specified in paragraphs (b)(3)(ii)(A) through (E) of this section.
 - (A) Identification of each well affected facility that conducts a gas well liquids unloading during the reporting period.
 - (B) Number of liquids unloading events conducted during the reporting period.
 - (C) Log of best management practice plan steps used during the reporting period to minimize emissions to the maximum extent possible.
 - (D) The number of liquids unloading events during the year that best management practices were conducted according to your best management practice plan.
 - (E) The number of liquids unloading events during the year where deviations from your best management practice plan occurred, the date and time the deviation began, the duration of the deviation in hours, documentation of why best management practice plan steps were not followed, and what steps, in lieu of your best management practice plan steps, were followed to minimize emissions to the maximum extent possible.
- (4) For each associated gas well subject to § 60.5377b, your annual report is required to include the applicable information specified in paragraphs (b)(4)(i) through (vi) of this section, as applicable.
 - (i) For each associated gas well that complies with § 60.5377b(a)(1), (2), (3), or (4) your annual report is required to include the information specified in paragraphs (b)(4)(i)(A) and (B) of this section.
 - (A) An identification of each associated gas well constructed, modified, or reconstructed during the reporting period that complies with § 60.5377b(a)(1), (2), (3), or (4).
 - (B) The information specified in paragraphs (b)(2)(i)(B)(1) through (3) of this section for each incident when the associated gas was temporarily routed to a flare or control device in accordance with § 60.5377b(d).
 - (1) The reason in § 60.5377b(d)(1), (2), (3), or (4) for each incident.
 - (2) The start date and time of each incident of routing associated gas to the flare or control device, along with the total duration in hours of each incident.
 - (3) Documentation that all CVS requirements specified in § 60.5411b(a) and (c) and all applicable flare or control device requirements specified in § 60.5412b were met during each period when the associated gas is routed to the flare or control device.
 - (ii) For all instances where you temporarily vent the associated gas in accordance with § 60.5377b(e), you must report the information specified in paragraphs (b)(4)(ii)(A) through (D) of this section. This information is required to be reported if you are routinely complying with § 60.5377b(a) or § 60.5377b(f) or temporarily complying with § 60.5377b(d). In addition to this

information for each incident, you must report the cumulative duration in hours of venting incidents and the cumulative VOC and methane emissions in pounds for all incidents in the calendar year.

- (A) The reason in § 60.5377b(e)(1), (2), or (3) for each incident.
 - (B) The start date and time of each incident of venting the associated gas, along with the total duration in hours of each incident.
 - (C) The VOC and methane emissions in pounds that were emitted during each incident.
 - (D) The total duration of venting for all incidents in the year, along with the cumulative VOC and methane emissions in pounds that were emitted.
- (iii) For each associated gas well that complies with the requirements of § 60.5377b(f) your annual report must include the information specified in paragraphs (b)(4)(iii)(A) through (E) of this section. The information in paragraphs (b)(4)(iii)(A) and (B) of this section is only required in the initial annual report.
- (A) An identification of each associated gas well that commenced construction between May 7, 2024, and May 7, 2026. This identification must include the certification of why it is infeasible to comply with § 60.5377b(a)(1), (2), (3), or (4) in accordance with § 60.5377b(g).
 - (B) An identification of each associated gas well that commenced construction between December 6, 2022, and May 7, 2024. This identification must include the certification of why it is infeasible to comply with § 60.5377b(a)(1), (2), (3), or (4) in accordance with § 60.5377b(g).
 - (C) An identification of each associated gas well modified or reconstructed during the reporting period that complies by routing the gas to a control device that reduces VOC and methane emissions by at least 95.0 percent. This identification must include the certification of why it is infeasible to comply with § 60.5377b(a)(1), (2), (3), or (4) in accordance with § 60.5377b(g).
 - (D) For each associated gas well that was constructed, modified or reconstructed in a previous reporting period that complies by routing the gas to a control device that reduces VOC and methane emissions by at least 95.0 percent, a re-certification of why it is infeasible to comply with § 60.5377b(a)(1), (2), (3), or (4) in accordance with § 60.5377b(g).
 - (E) The information specified in paragraphs (b)(11)(i) through (iv) of this section.
- (iv) If you comply with § 60.5377b(f) with a control device, identification of the associated gas well using the control device and the information in paragraph (b)(11)(v) of this section.
- (v) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(11)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.
- (vi) For each deviation recorded as specified in paragraph (c)(3)(v) of this section, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.

- (5) For each wet seal centrifugal compressor affected facility, the information specified in paragraphs (b)(5)(i) through (v) of this section. For each self-contained wet seal centrifugal compressor, Alaska North Slope centrifugal compressor equipped with sour seal oil separator and capture system, or dry seal centrifugal compressor affected facility, the information specified in paragraphs (b)(5)(vi) through (ix) of this section.
 - (i) An identification of each centrifugal compressor constructed, modified, or reconstructed during the reporting period.
 - (ii) For each deviation that occurred during the reporting period and recorded as specified in paragraph (c)(4) of this section, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.
 - (iii) If required to comply with § 60.5380b(a)(2) or (3), the information specified in paragraphs (b)(11)(i) through (iv) of this section, as applicable.
 - (iv) If complying with § 60.5380b(a)(1) with a control device, identification of the centrifugal compressor with the control device and the information in paragraph (b)(11)(v) of this section.
 - (v) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(11)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.
 - (vi) If complying with § 60.5380b(a)(4), (5), or (6) for a self-contained wet seal centrifugal compressor, Alaska North Slope centrifugal compressor equipped with sour seal oil separator and capture system, or dry seal centrifugal compressor requirements, the cumulative number of hours of operation since initial startup, since May 7, 2024, or since the previous volumetric flow rate emissions measurement, as applicable, which have elapsed prior to conducting your volumetric flow rate emission measurement or emissions screening.
 - (vii) A description of the method used and the results of the volumetric emissions measurement or emissions screening, as applicable.
 - (viii) Number and type of seals on delay of repair and explanation for each delay of repair.
 - (ix) Date of planned shutdown(s) that occurred during the reporting period if there are any seals that have been placed on delay of repair.
- (6) For each reciprocating compressor affected facility, the information specified in paragraphs (b)(6)(i) through (vii) of this section, as applicable.
 - (i) The cumulative number of hours of operation since initial startup, since May 7, 2024, since the previous volumetric flow rate measurement, or since the previous reciprocating compressor rod packing replacement, as applicable, which have elapsed prior to conducting your volumetric flow rate measurement or emissions screening. Alternatively, a statement that emissions from the rod packing are being routed to a process or control device through a closed vent system.

- (ii) If applicable, for each deviation that occurred during the reporting period and recorded as specified in paragraph (c)(5)(i) of this section, the date and time the deviation began, duration of the deviation in hours and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.
 - (iii) A description of the method used and the results of the volumetric flow rate measurement or emissions screening, as applicable.
 - (iv) If complying with § 60.5385b(d)(1) or (2), the information in paragraphs (b)(11)(i) through (iv) of this section. If complying by routing emissions to a control device, as required in § 60.5385b(d)(2), the information in paragraph (b)(11)(v) of this section.
 - (v) Number and type of rod packing replacements/repairs on delay of repair and explanation for each delay of repair.
 - (vi) Date of planned shutdown(s) that occurred during the reporting period if there are any rod packing replacements/repairs that have been placed on delay of repair.
 - (vii) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(11)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.
- (7) For each process controller affected facility, the information specified in paragraphs (b)(7)(i) through (iii) of this section in your initial annual report and in subsequent annual reports for each process controller affected facility that is constructed, modified, or reconstructed during the reporting period. Each annual report must contain the information specified in paragraphs (b)(7)(iv) through (x) of this section for each process controller affected facility.
- (i) An identification of each process controller that is driven by natural gas, as required by § 60.5390b(d), that allows traceability to the records required in paragraph (c)(6)(i) of this section.
 - (ii) For each process controller in the affected facility complying with § 60.5390b(a), you must report the information specified in paragraphs (b)(7)(ii)(A) and (B) of this section, as applicable.
 - (A) An identification of each process controller complying with § 60.5390b(a) by routing the emissions to a process.
 - (B) An identification of each process controller complying with § 60.5390b(a) by using a self-contained natural gas-driven process controller.
 - (iii) For each process controller affected facility located at a site in Alaska that does not have access to electrical power and that complies with § 60.5390b(b), you must report the information specified in paragraphs (b)(7)(iii)(A), (B), or (C) of this section, as applicable.
 - (A) For each process controller complying with § 60.5390b(b)(1) process controller bleed rate requirements, you must report the information specified in paragraphs (b)(7)(iii)(A)(1) and (2) of this section.
 - (1) The identification of process controllers designed and operated to achieve a bleed rate less than or equal to 6 scfh.

- (2) Where necessary to meet a functional need, the identification and demonstration why it is necessary to use a process controller with a natural gas bleed rate greater than 6 scfh.
- (B) An identification of each intermittent vent process controller complying with the requirements in paragraph § 60.5390b(b)(2).
- (C) An identification of each process controller complying with the requirements in § 60.5390b(b) by routing emissions to a control device in accordance with § 60.5390b(b)(3).
- (iv) Identification of each process controller which changes its method of compliance during the reporting period and the applicable information specified in paragraphs (b)(7)(v) through (ix) of this section for the new method of compliance.
- (v) For each process controller in the affected facility complying with the requirements of § 60.5390b(a) by routing the emissions to a process, you must report the information specified in (b)(11)(i) through (iii) of this section.
- (vi) For each process controller in the affected facility complying with the requirements of § 60.5390b(a) by using a self-contained natural gas-driven process controller, you must report the information specified in paragraphs (b)(7)(vi)(A) and (B) of this section.
 - (A) Dates of each inspection required under § 60.5416b(b); and
 - (B) Each defect or leak identified during each natural gas-driven-self-contained process controller system inspection, and the date of repair or date of anticipated repair if repair is delayed.
- (vii) For each process controller in the affected facility complying with the requirements of § 60.5390b(b)(2), you must report the information specified in paragraphs (b)(7)(vii)(A) and (B) of this section.
 - (A) Dates and results of the intermittent vent process controller monitoring required by § 60.5390b(b)(2)(ii).
 - (B) For each instance in which monitoring identifies emissions to the atmosphere from an intermittent vent controller during idle periods, the date of repair or replacement or the date of anticipated repair or replacement if the repair or replacement is delayed, and the date and results of the re-survey after repair or replacement.
- (viii) For each process controller affected facility complying with § 60.5390b(b)(3) by routing emissions to a control device, you must report the information specified in paragraph (b)(11) of this section.
- (ix) For each deviation that occurred during the reporting period, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.
- (x) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(7)(vi) and (vii) and (b)(11)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.

- (8) For each storage vessel affected facility, the information in paragraphs (b)(8)(i) through (x) of this section.
- (i) An identification, including the location, of each storage vessel affected facility, including those for which construction, modification, or reconstruction commenced during the reporting period, and those provided in previous reports. The location of the storage vessel affected facility shall be in latitude and longitude coordinates in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983.
 - (ii) Documentation of the methane and VOC emission rate determination according to § 60.5365b(e)(1) for each tank battery that became an affected facility during the reporting period or is returned to service during the reporting period.
 - (iii) For each deviation that occurred during the reporting period and recorded as specified in paragraph (c)(7)(iii) of this section, the date and time the deviation began, duration of the deviation in hours and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.
 - (iv) For each storage vessel affected facility constructed, modified, reconstructed, or returned to service during the reporting period complying with § 60.5395b(a)(2) with a control device, report the identification of the storage vessel affected facility with the control device and the information in paragraph (b)(11)(v) of this section.
 - (v) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(11)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.
 - (vi) If required to comply with § 60.5395b(b)(1), the information in paragraphs (b)(11)(i) through (iv) of this section.
 - (vii) You must identify each storage vessel affected facility that is removed from service during the reporting period as specified in § 60.5395b(c)(1)(ii), including the date the storage vessel affected facility was removed from service. You must identify each storage vessel that that is removed from service from a storage vessel affected facility during the reporting period as specified in § 60.5395b(c)(2)(iii), including identifying the impacted storage vessel affected facility and the date each storage vessel was removed from service.
 - (viii) You must identify each storage vessel affected facility or portion of a storage vessel affected facility returned to service during the reporting period as specified in § 60.5395b(c)(4), including the date the storage vessel affected facility or portion of a storage vessel affected facility was returned to service.
 - (ix) You must identify each storage vessel affected facility that no longer complies with § 60.5395b(a)(3) and instead complies with § 60.5395b(a)(2). You must identify whether the change in the method of compliance was due to fracturing or refracturing or whether the change was due to an increase in the monthly emissions determination. If the change was due to an increase in the monthly emissions determination, you must provide documentation of the emissions rate. You must identify the date that you complied with § 60.5395b(a)(2) and must submit the information in (b)(8)(iii) through (vii) of this section.

(x) You must submit a statement that you are complying with § 60.112b(a)(1) or (2), if applicable, in your initial annual report.

(9) For the fugitive emissions components affected facility, report the information specified in paragraphs (b)(9)(i) through (v) of this section, as applicable.

(i)

(A) Designation of the type of site (*i.e.*, well site, centralized production facility, or compressor station) at which the fugitive emissions components affected facility is located.

(B) For the fugitive emissions components affected facility at a well site or centralized production facility that became an affected facility during the reporting period, you must include the date of the startup of production or the date of the first day of production after modification. For the fugitive emissions components affected facility at a compressor station that became an affected facility during the reporting period, you must include the date of startup or the date of modification.

(C) For the fugitive emissions components affected facility at a well site, you must specify what type of well site it is (*i.e.*, single wellhead only well site, small wellsite, multi-wellhead only well site, or a well site with major production and processing equipment).

(D) For the fugitive emissions components affected facility at a well site where during the reporting period you complete the removal of all major production and processing equipment such that the well site contains only one or more wellheads, you must include the date of the change to status as a wellhead only well site.

(E) For the fugitive emissions components affected facility at a well site where you previously reported under paragraph (b)(9)(i)(D) of this section the removal of all major production and processing equipment and during the reporting period major production and processing equipment is added back to the well site, the date that the first piece of major production and processing equipment is added back to the well site.

(F) For the fugitive emissions components affected facility at a well site where during the reporting period you undertake well closure requirements, the date of the cessation of production from all wells at the well site, the date you began well closure activities at the well site, and the dates of the notifications submitted in accordance with paragraph (a)(4) of this section.

(ii) For each fugitive emissions monitoring survey performed during the annual reporting period, the information specified in paragraphs (b)(9)(ii)(A) through (G) of this section.

(A) Date of the survey.

(B) Monitoring instrument or, if the survey was conducted by AVO methods, notation that AVO was used.

(C) Any deviations from the monitoring plan elements under § 60.5397b(c)(1), (2), and (7), (c)(8)(i), or (d) or a statement that there were no deviations from these elements of the monitoring plan.

(D) Number and type of components for which fugitive emissions were detected.

- (E) Number and type of fugitive emissions components that were not repaired as required in § 60.5397b(h).
- (F) Number and type of fugitive emission components (including designation as difficult-to-monitor or unsafe-to-monitor, if applicable) on delay of repair and explanation for each delay of repair.
- (G) Date of planned shutdown(s) that occurred during the reporting period if there are any components that have been placed on delay of repair.
- (iii) For the fugitive emissions components affected facility complying with an alternative fugitive emissions standard under § 60.5399b, in lieu of the information specified in paragraphs (b)(9)(i) and (ii) of this section, you must provide the information specified in paragraphs (b)(9)(iii)(A) through (C) of this section.
 - (A) The alternative standard with which you are complying.
 - (B) The site-specific reports specified by the specific alternative fugitive emissions standard, submitted in the format in which they were submitted to the state, local, or Tribal authority. If the report is in hard copy, you must scan the document and submit it as an electronic attachment to the annual report required in paragraph (b) of this section.
 - (C) If the report specified by the specific alternative fugitive emissions standard is not site-specific, you must submit the information specified in paragraphs (b)(9)(i) and (ii) of this section for each individual site complying with the alternative standard.
- (iv) For well closure activities which occurred during the reporting period, the information in paragraphs (b)(9)(iv)(A) and (B) of this section.
 - (A) A status report with dates for the well closure activities schedule developed in the well closure plan. If all steps in the well closure plan are completed in the reporting period, the date that all activities are completed.
 - (B) If an OGI survey is conducted during the reporting period, the information in paragraphs (b)(9)(iv)(B)(1) through (3) of this section.
 - (1) Date of the OGI survey.
 - (2) Monitoring instrument used.
 - (3) A statement that no fugitive emissions were found, or if fugitive emissions were found, a description of the steps taken to eliminate those emissions, the date of the resurvey, the results of the resurvey, and the date of the final resurvey which detected no emissions.
- (v) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(9)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.
- (10) For each pump affected facility, the information specified in paragraphs (b)(10)(i) through (iv) of this section in your initial annual report and in subsequent annual reports for each pump affected facility that is constructed, modified, or reconstructed during the reporting period. Each annual report must contain the information specified in paragraphs (b)(10)(v) through (ix) of this section for each pump affected facility.

- (i) The identification of each of your pumps that are driven by natural gas, as required by § 60.5393b(a) that allows traceability to the records required by paragraph (c)(15)(i) of this section.
- (ii) For each pump affected facility for which there is a control device on site but it does not achieve a 95.0 percent emissions reduction, the certification that there is a control device available on site but it does not achieve a 95.0 percent emissions reduction required under § 60.5393b(b)(5). You must also report the emissions reduction percentage the control device is designed to achieve.
- (iii) For each pump affected facility for which there is no control device or vapor recovery unit on site, the certification required under § 60.5393b(b)(6) that there is no control device or vapor recovery unit on site.
- (iv) For each pump affected facility for which it is technically infeasible to route the emissions to a process or control device, the certification of technical infeasibility required under § 60.5393b(b)(7).
- (v) For any pump affected facility which has previously reported as required under paragraph (b)(10)(i) through (iv) of this section and for which a change in the reported condition has occurred during the reporting period, provide the identification of the pump affected facility and the date that the pump affected facility meets one of the change conditions described in paragraphs (b)(10)(v)(A), (B), or (C) of this section.
 - (A) If you install a control device or vapor recovery unit, you must report that a control device or vapor recovery unit has been added to the site and that the pump affected facility now is required to comply with § 60.5393b(b)(2), (3) or (5), as applicable.
 - (B) If your pump affected facility previously complied with § 60.5393b(b)(2), (3) or (5) by routing emissions to a process or a control device and the process or control device is subsequently removed from the site or is no longer available such that there is no ability to route the emissions to a process or control device at the site, or that it is not technically feasible to capture and route the emissions to another control device or process located on site, report that you are no longer complying with the applicable requirements of § 60.5393b(b)(2), (3), or (5) and submit the information provided in paragraphs (b)(10)(v)(B)(1) or (2) of this section.
 - (1) Certification that there is no control device or vapor recovery unit on site.
 - (2) Certification of the engineering assessment that it is technically infeasible to capture and route the emissions to another control device or process located on site.
 - (C) If any pump affected facility or individual natural gas-driven pump changes its method of compliance during the reporting period other than for the reasons specified in paragraphs (10)(v)(A) and (B) of this section, identify the new compliance method for each natural gas-driven pump within the affected facility which changes its method of compliance during the reporting period and provide the applicable information specified in paragraphs (b)(10)(ii) through (iv) and (vi) through (viii) of this section for the new method of compliance.

- (vi) For each pump affected facility complying with the requirements of § 60.5393b(a), (b)(1), or (b)(3) by routing the emissions to a process, you must report the information specified in paragraphs (b)(11)(i) through (iv) of this section.
 - (vii) For each pump affected facility complying with the requirements of § 60.5393b(b)(3) or (5) by routing the emissions to a control device, you must report the information required under paragraphs (b)(11)(i) through (v) of this section.
 - (viii) For each deviation that occurred during the reporting period, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.
 - (ix) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(11)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.
- (11) For each well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment affected facility which uses a closed vent system routed to a control device to meet the emissions reduction standard, you must submit the information in paragraphs (b)(11)(i) through (v) of this section. For each reciprocating compressor, process controller, pump, storage vessel, or process unit equipment which uses a closed vent system to route to a process, you must submit the information in paragraphs (b)(11)(i) through (iv) of this section. For each centrifugal compressor, reciprocating compressor, and storage vessel equipped with a cover, you must submit the information in paragraphs (b)(11)(i) and (ii) of this section.
- (i) Dates of each inspection required under § 60.5416b(a) and (b).
 - (ii) Each defect or emissions identified during each inspection and the date of repair or the date of anticipated repair if the repair is delayed.
 - (iii) Date and time of each bypass alarm or each instance the key is checked out if you are subject to the bypass requirements of § 60.5416b(a)(4).
 - (iv) You must submit the certification signed by the qualified professional engineer or in-house engineer according to § 60.5411b(c) for each closed vent system routing to a control device or process in the reporting year in which the certification is signed.
 - (v) If you comply with the emissions standard for your well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment affected facility with a control device, the information in paragraphs (b)(11)(v)(A) through (L) of this section, unless you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412b(d). If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412b(d), the information in paragraphs (b)(11)(v)(A) through (C) and (L) through (P) of this section.
 - (A) Identification of the control device.
 - (B) Make, model, and date of installation of the control device.
 - (C) Identification of the affected facility controlled by the device.

- (D) For each continuous parameter monitoring system used to demonstrate compliance for the control device, a unique continuous parameter monitoring system identifier and the make, model number, and date of last calibration check of the continuous parameter monitoring system.
- (E) For each instance where there is a deviation of the control device in accordance with § 60.5417b(g)(1) through (3) or (g)(5) through (7) include the date and time the deviation began, the duration of the deviation in hours, the type of the deviation (e.g., NHV operating limit, lack of pilot or combustion flame, condenser efficiency, bypass line flow, visible emissions), and cause of the deviation.
- (F) For each instance where there is a deviation of the continuous parameter monitoring system in accordance with § 60.5417b(g)(4) include the date and time the deviation began, the duration of the deviation in hours, and cause of the deviation.
- (G) For each visible emissions test following return to operation from a maintenance or repair activity, the date of the visible emissions test or observation of the video surveillance output, the length of the observation in minutes, and the number of minutes for which visible emissions were present.
- (H) If a performance test was conducted on the control device during the reporting period, provide the date the performance test was conducted. Submit the performance test report following the procedures specified in paragraph (b)(12) of this section.
- (I) If a demonstration of the NHV of the inlet gas to the enclosed combustion device or flare was conducted during the reporting period in accordance with § 60.5417b(d)(8)(iii), an indication of whether this is a re-evaluation of vent gas NHV and the reason for the re-evaluation; the applicable required minimum vent gas NHV; if twice daily samples of the vent stream were taken, the number of hourly average NHV values that are less than 1.2 times the applicable required minimum NHV; if continuous NHV sampling of the vent stream was conducted, the number of hourly average NHV values that are less than the required minimum vent gas NHV; if continuous combustion efficiency monitoring was conducted using an alternative test method approved under § 60.5412b(d), the number of values of the combustion efficiency that were less than 95.0 percent; the resulting determination of whether NHV monitoring is required or not in accordance with § 60.5417b(d)(8)(iii)(D) or (H); and an indication of whether the enclosed combustion device or flare has the potential to receive inert gases, and if so, whether the sampling included periods where the highest percentage of inert gases were sent to the enclosed combustion device or flare.
- (J) If a demonstration was conducted in accordance with § 60.5417b(d)(8)(iv) that the maximum potential pressure of units manifolded to an enclosed combustion device or flare cannot cause the maximum inlet flow rate established in accordance with § 60.5417b(f)(1) or a flare tip velocity limit of 18.3 meter/second (60 feet/second) to be exceeded, an indication of whether this is a re-evaluation of the gas flow and the reason for the re-evaluation; the demonstration conducted; and applicable engineering calculations.
- (K) For each periodic sampling event conducted under § 60.5417b(d)(8)(iii)(G), provide the date of the sampling, the required minimum vent gas NHV, and the NHV value for each vent gas sample.

- (L) For each flare and enclosed combustion device, provide the date each device is observed with OGI in accordance with § 60.5415b(f)(1)(x) and whether uncombusted emissions were present. Provide the date each device was visibly observed during an AVO inspection in accordance with § 60.5415b(f)(1)(x), whether the pilot or combustion flame was lit at the time of observation, and whether the device was found to be operating properly.
 - (M) An identification of the alternative test method used.
 - (N) For each instance where there is a deviation of the control device in accordance with § 60.5417b(i)(6)(i) or (iii) through (v) include the date and time the deviation began, the duration of the deviation in hours, the type of the deviation (e.g., NHV_{CZ} operating limit, lack of pilot or combustion flame, visible emissions), and cause of the deviation.
 - (O) For each instance where there is a deviation of the data availability in accordance with § 60.5417b(i)(6)(ii) include the date of each operating day when monitoring data are not available for at least 75 percent of the operating hours.
 - (P) If no deviations occurred under paragraphs (b)(11)(v)(N) or (O) of this section, a statement that there were no deviations for the control device during the annual report period.
 - (Q) Any additional information required to be reported as specified by the Administrator as part of the alternative test method approval under § 60.5412b(d).
- (12) Within 60 days after the date of completing each performance test (see § 60.8) required by this subpart, except testing conducted by the manufacturer as specified in § 60.5413b(d), you must submit the results of the performance test following the procedures specified in paragraph (d) of this section. Data collected using test methods that are supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test must be included as an attachment in the ERT or alternate electronic file.
- (13) For combustion control devices tested by the manufacturer in accordance with § 60.5413b(d), an electronic copy of the performance test results required by § 60.5413b(d) shall be submitted via email to Oil_and_Gas_PT@EPA.GOV unless the test results for that model of combustion control device are posted at the following website: <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry>.
- (14) If you had a super-emitter event during the reporting period, the start date of the super-emitter event, the duration of the super-emitter event in hours, and the affected facility associated with the super-emitter event, if applicable.
- (15) You must submit your annual report using the appropriate electronic report template on the Compliance and Emissions Data Reporting Interface (CEDRI) website for this subpart and following the procedure specified in paragraph (d) of this section. If the reporting form specific to this subpart is not available on the CEDRI website at the time that the report is due, you must submit the report to the Administrator at the appropriate address listed in § 60.4. Once the form has been available on the CEDRI website for at least 90 calendar days, you must begin submitting all subsequent reports via CEDRI. The date reporting forms become available will be listed on the CEDRI website. Unless the

Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

- (c) **Recordkeeping requirements.** You must maintain the records identified as specified in § 60.7(f) and in paragraphs (c)(1) through (15) of this section. All records required by this subpart must be maintained either onsite or at the nearest local field office for at least 5 years. Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.
- (1) The records for each well affected facility subject to the well completion operation standards of § 60.5375b, as specified in paragraphs (c)(1)(i) through (vii) of this section, as applicable. For each well affected facility subject to the well completion operations of § 60.5375b, for which you make a claim that the well affected facility is not subject to the requirements for well completions pursuant to § 60.5375b(g), you must maintain the record in paragraph (c)(1)(vi) of this section, only. For each well affected facility which meets the exemption in § 60.5375b(h) for well completion operations (i.e., an existing well is hydraulically refractured), you must maintain the records in paragraph (c)(1)(viii), only. For each well affected facility that routes flowback entirely through one or more production separators that are designed to accommodate flowback, only records of the United States Well Number, the latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983, the Well Completion ID, and the date and time of startup of production are required. For periods where salable gas is unable to be separated, records of the date and time of onset of flowback, the duration and disposition of recovery, the duration of combustion and venting (if applicable), reasons for venting (if applicable), and deviations are required.
- (i) Records identifying each well completion operation for each well affected facility.
- (ii) Records of deviations in cases where well completion operations with hydraulic fracturing were not performed in compliance with the requirements specified in § 60.5375b, including the date and time the deviation began, the duration of the deviation, and a description of the deviation.
- (iii) You must maintain the records specified in paragraphs (c)(1)(iii)(A) through (C) of this section.
- (A) For each well affected facility required to comply with the requirements of § 60.5375b(a), you must record: The latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983; the United States Well Number; the date and time of the onset of flowback following hydraulic fracturing or refracturing; the date and time of each attempt to direct flowback to a separator as required in § 60.5375b(a)(1)(ii); the date and time of each occurrence of returning to the initial flowback stage under § 60.5375b(a)(1)(i); and the date and time that the well was shut in and the flowback equipment was permanently disconnected, or the startup of production; the duration of flowback; duration of recovery and disposition of recovery (i.e., routed to the gas flow line or collection system, re-injected into the well or another well, used as an onsite fuel source, or used for another useful purpose that a purchased fuel or raw material would serve); duration of combustion; duration of venting; and specific reasons for venting in lieu of capture or combustion. The duration must be

specified in hours. In addition, for wells where it is technically infeasible to route the recovered gas as specified in § 60.5375b(a)(1)(ii), you must record the reasons for the claim of technical infeasibility with respect to all four options provided in § 60.5375b(a)(1)(ii).

- (B) For each well affected facility required to comply with the requirements of § 60.5375b(f), you must record: Latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983; the United States Well Number; the date and time of the onset of flowback following hydraulic fracturing or refracturing; the date and time that the well was shut in and the flowback equipment was permanently disconnected, or the startup of production; the duration of flowback; duration of combustion; duration of venting; and specific reasons for venting in lieu combustion. The duration must be specified in hours.
- (C) For each well affected facility for which you make a claim that it meets the criteria of § 60.5375b(a)(1)(iii)(A), you must maintain the following:
 - (1) The latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983; the United States Well Number; the date and time of the onset of flowback following hydraulic fracturing or refracturing; the date and time that the well was shut in and the flowback equipment was permanently disconnected, or the startup of production; the duration of flowback; duration of recovery and disposition of recovery (*i.e.*, routed to the gas flow line or collection system, re-injected into the well or another well, used as an onsite fuel source, or used for another useful purpose that a purchased fuel or raw material would serve); duration of combustion; duration of venting; and specific reasons for venting in lieu of capture or combustion. The duration must be specified in hours.
 - (2) If applicable, records that the conditions of § 60.5375b(a)(1)(iii)(A) are no longer met and that the well completion operation has been stopped and a separator installed. The records shall include the date and time the well completion operation was stopped and the date and time the separator was installed.
 - (3) A record of the claim signed by the certifying official that no liquids collection is at the well site. The claim must include a certification by a certifying official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (iv) For each well affected facility for which you claim an exception under § 60.5375b(a)(2), you must record: The latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983; the United States Well Number; the specific exception claimed; the starting date and ending date for the period the well operated under the exception; and an explanation of why the well meets the claimed exception.
- (v) For each well affected facility required to comply with both § 60.5375b(a)(1) and (2), if you are using a digital photograph in lieu of the records required in paragraphs (c)(1)(i) through (iv) of this section, you must retain the records of the digital photograph as specified in § 60.5410b(a)(4).

- (vi) For each well affected facility for which you make a claim that the well affected facility is not subject to the well completion standards according to § 60.5375b(g), you must maintain:
 - (A) A record of the analysis that was performed in order to make that claim, including but not limited to, GOR values for established leases and data from wells in the same basin and field;
 - (B) The latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983; the United States Well Number;
 - (C) A record of the claim signed by the certifying official. The claim must include a certification by a certifying official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (vii) For each well affected facility subject to § 60.5375b(f), a record of the well type (i.e., wildcat well, delineation well, or low pressure well (as defined § 60.5430b)) and supporting inputs and calculations, if applicable.
- (viii) For each well affected facility which makes a claim it meets the exemption at § 60.5375b(h), a record of the latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983; the United States Well Number; the date and time of the onset of flowback following hydraulic fracturing or refracturing and a record of the claim that the well completion operation requirements of § 60.5375b(a)(1) through (3) were met.
- (2) For each gas well liquids unloading operation at your well affected facility that is subject to § 60.5376b(a)(1) or (2), the records of each gas well liquids unloading operation conducted during the reporting period, including the information specified in paragraphs (c)(2)(i) through (iii) of this section, as applicable.
 - (i) For each gas well liquids unloading operation that complies with § 60.5376b(a)(1) by performing all liquids unloading events without venting of methane and VOC emissions to the atmosphere, comply with the recordkeeping requirements specified in paragraphs (c)(2)(i)(A) and (B) of this section.
 - (A) Identification of each well (i.e., U.S. Well ID or U.S. Well ID associated with the well affected facility) that conducts a gas well liquids unloading operation during the reporting period without venting of methane and VOC emissions and the non-venting methane and VOC gas well liquids unloading method used. If more than one non-venting method is used, you must maintain records of all the differing non-venting liquids unloading methods used at the well affected facility complying with § 60.5376b(a)(1).
 - (B) Number of events where unplanned emissions are vented to the atmosphere during a gas well liquids unloading operation where you complied with best management practices to minimize emissions to the maximum extent possible.
 - (ii) For each gas well liquids unloading operation that complies with § 60.5376b(b) and (c) best management practices, maintain records documenting information specified in paragraphs (c)(2)(ii)(A) through (D) of this section.

- (A) Identification of each well affected facility that conducts liquids unloading during the reporting period that employs best management practices to minimize emissions to the maximum extent possible.
 - (B) Documentation of your best management practice plan developed under paragraph § 60.5376b(c). You may update your best management practice plan to include additional steps which meet the criteria in § 60.5376b(c).
 - (C) A log of each best management practice plan step taken to minimize emissions to the maximum extent possible for each gas well liquids unloading event.
 - (D) Documentation of each gas well liquids unloading event where deviations from your best management practice plan steps occurred, the date and time the deviation began, the duration of the deviation, documentation of best management practice plan steps not followed, and the steps taken in lieu of your best management practice plan steps during those events to minimize emissions to the maximum extent possible.
- (iii) For each well affected facility that reduces methane and VOC emissions from well affected facility gas wells that unload liquids by 95.0 percent by routing emissions to a control device through closed vent system under § 60.5376b(g), you must maintain the records in paragraphs (c)(2)(iii)(A) through (E) of this section.
- (A) If you comply with the emission reduction standard with a control device, the information for each control device in paragraph (c)(11) of this section.
 - (B) Records of the closed vent system inspection as specified paragraph (c)(8) of this section.
 - (C) Records of the cover inspections as specified in paragraph (c)(9) of this section.
 - (D) If applicable, the records of bypass monitoring as specified in paragraph (c)(10) of this section.
 - (E) Records of the closed vent system assessment as specified in paragraph (c)(12) of this section.
- (3) For each associated gas well, you must maintain the applicable records specified in paragraphs (c)(3)(i) or (ii) and (c)(3)(iv) of this section.
- (i) For each associated gas well that complies with the requirements of § 60.5377b(a)(1), (2), (3), or (4), you must keep the records specified in paragraphs (c)(3)(i)(A) and (B).
 - (A) Documentation of the specific method(s) in § 60.5377b(a)(1), (2), (3), or (4) that is used.
 - (B) For instances where you temporarily route the associated gas to a flare or control device in accordance with § 60.5377b(d), you must keep the records specified in paragraphs (c)(3)(i)(B)(1) through (3).
 - (1) The reason in § 60.5377b(d)(1), (2), (3), or (4) for each incident.
 - (2) The date of each incident, along with the times when routing the associated gas to the flare or control device started and ended, along with the total duration of each incident.

- (3) Documentation that all CVS requirements specified in § 60.5411b(a) and (c) and all applicable flare or control device requirements specified in § 60.5412b are met during each period when the associated gas is routed to the flare or control device.
- (ii) For instances where you temporarily vent the associated gas in accordance with § 60.5377b(e), you must keep the records specified in paragraphs (c)(3)(ii)(A) through (D). These records are required if you are routinely complying with § 60.5377b(a) or § 60.5377b(f) or temporarily complying with § 60.5377b(d).
 - (A) The reason in § 60.5377b(e)(1), (2), or (3) for each incident.
 - (B) The date of each incident, along with the times when venting the associated gas started and ended, along with the total duration of each incident.
 - (C) The VOC and methane emissions that were emitted during each incident.
 - (D) The cumulative duration of venting incidents and VOC and methane emissions for all incidents in each calendar year.
- (iii) For each associated gas well that complies with the requirements of § 60.5377b(f) because it has demonstrated that it is not feasible to comply with § 60.5377b(a)(1), (2), (3), and (4) due to technical reasons in accordance with § 60.5377b(g), records of each annual demonstration and certification of the technical reason that it is not feasible to comply with § 60.5377b(a)(1), (2), (3), and (4) in accordance with § 60.5377b(g).
- (iv) For each associated gas well that complies with the requirements of § 60.5377b(f), meet the recordkeeping requirements specified in paragraphs (c)(3)(iv)(A) through (E).
 - (A) Identification of each instance when associated gas was vented and not routed to a control device that reduces VOC and methane emissions by at least 95.0 percent.
 - (B) If you comply with the emission reduction standard in § 60.5377b with a control device, the information for each control device in paragraphs (c)(11) and (13) of this section.
 - (C) Records of the closed vent system inspection as specified paragraph (c)(8) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must maintain records of the information specified in § 60.5424b.
 - (D) If applicable, the records of bypass monitoring as specified in paragraph (c)(10) of this section.
 - (E) Records of the closed vent system assessment as specified in paragraph (c)(12) of this section.
- (v) Records of each deviation, the date and time the deviation began, the duration of the deviation, and a description of the deviation.
- (4) For each centrifugal compressor affected facility, you must maintain the records specified in paragraphs (c)(4)(i) through (iii) of this section.
 - (i) For each centrifugal compressor affected facility, you must maintain records of deviations in cases where the centrifugal compressor was not operated in compliance with the requirements specified in § 60.5380b, including a description of each deviation, the date and time each deviation began and the duration of each deviation.

- (ii) For each wet seal compressor complying with the emissions reduction standard in § 60.5380b(a)(1), you must maintain the records in paragraphs (c)(4)(ii)(A) through (E) of this section. For each wet seal compressor complying with the alternative standard in § 60.5380b(a)(3) by routing the closed vent system to a process, you must maintain the records in paragraphs (c)(4)(ii)(B) through (E) of this section.
 - (A) If you comply with the emission reduction standard in § 60.5380b(a)(1) with a control device, the information for each control device in paragraph (c)(11) of this section.
 - (B) Records of the closed vent system inspection as specified paragraph (c)(8) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must maintain the information specified in § 60.5424b.
 - (C) Records of the cover inspections as specified in paragraph (c)(9) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (c)(9) of this section, you must maintain the information specified in § 60.5424b.
 - (D) If applicable, the records of bypass monitoring as specified in paragraph (c)(10) of this section.
 - (E) Records of the closed vent system assessment as specified in paragraph (c)(12) of this section.
- (iii) For each centrifugal compressor affected facility using a self-contained wet seal compressor, centrifugal compressor equipped with sour seal oil separator and capture system, or dry seal compressor complying with the standard in § 60.5380b(a)(4), (5) or (6), you must maintain the records specified in paragraphs (c)(4)(iii)(A) through (H) of this section.
 - (A) Records of the cumulative number of hours of operation since initial startup, since May 7, 2024, or since the previous volumetric flow rate measurement, as applicable.
 - (B) A description of the method used and the results of the volumetric flow rate measurement or emissions screening, as applicable.
 - (C) Records for all flow meters, composition analyzers and pressure gauges used to measure volumetric flow rates as specified in paragraphs (c)(4)(iii)(C)(1) through (6).
 - (1) Description of standard method published by a consensus-based standards organization or industry standard practice.
 - (2) Records of volumetric flow rate emissions calculations conducted according to paragraphs § 60.5380b(a)(4) through (6), as applicable.
 - (3) Records of manufacturer's operating procedures and measurement methods.
 - (4) Records of manufacturer's recommended procedures or an appropriate industry consensus standard method for calibration and results of calibration, recalibration, and accuracy checks.
 - (5) Records which demonstrate that measurements at the remote location(s) can, when appropriate correction factors are applied, reliably and accurately represent the actual temperature or total pressure at the flow meter under all expected ambient

conditions. You must include the date of the demonstration, the data from the demonstration, the mathematical correlation(s) between the remote readings and actual flow meter conditions derived from the data, and any supporting engineering calculations. If adjustments were made to the mathematical relationships, a record and description of such adjustments.

- (6) Record of each initial calibration or a recalibration which failed to meet the required accuracy specification and the date of the successful recalibration.
 - (D) Date when performance-based volumetric flow rate is exceeded.
 - (E) The date of successful repair of the compressor seal, including follow-up performance-based volumetric flow rate measurement to confirm successful repair.
 - (F) Identification of each compressor seal placed on delay of repair and explanation for each delay of repair.
 - (G) For each compressor seal or part needed for repair placed on delay of repair because of replacement seal or part unavailability, the operator must document: the date the seal or part was added to the delay of repair list, the date the replacement seal or part was ordered, the anticipated seal or part delivery date (including any estimated shipment or delivery date provided by the vendor), and the actual arrival date of the seal or part.
 - (H) Date of planned shutdowns that occur while there are any seals or parts that have been placed on delay of repair.
- (5) For each reciprocating compressor affected facility, you must maintain the records in paragraphs (c)(5)(i) through (x) and (c)(8) through (13) of this section, as applicable. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must provide the information specified in § 60.5424b.
- (i) For each reciprocating compressor affected facility, you must maintain records of deviations in cases where the reciprocating compressor was not operated in compliance with the requirements specified in § 60.5385b, including a description of each deviation, the date and time each deviation began and the duration of each deviation in hours.
 - (ii) Records of the date of installation of a rod packing emissions collection system and closed vent system as specified in § 60.5385b(d).
 - (iii) Records of the cumulative number of hours of operation since initial startup, since May 7, 2024, or since the previous volumetric flow rate measurement, as applicable. Alternatively, a record that emissions from the rod packing are being routed to a process through a closed vent system.
 - (iv) A description of the method used and the results of the volumetric flow rate measurement or emissions screening, as applicable.
 - (v) Records for all flow meters, composition analyzers and pressure gauges used to measure volumetric flow rates as specified in paragraphs (c)(5)(v)(A) through (F).
 - (A) Description of standard method published by a consensus-based standards organization or industry standard practice.

- (B) Records of volumetric flow rate calculations conducted according to paragraphs § 60.5385b(b) or (c), as applicable.
 - (C) Records of manufacturer operating procedures and measurement methods.
 - (D) Records of manufacturer's recommended procedures or an appropriate industry consensus standard method for calibration and results of calibration, recalibration, and accuracy checks.
 - (E) Records which demonstrate that measurements at the remote location(s) can, when appropriate correction factors are applied, reliably and accurately represent the actual temperature or total pressure at the flow meter under all expected ambient conditions. You must include the date of the demonstration, the data from the demonstration, the mathematical correlation(s) between the remote readings and actual flow meter conditions derived from the data, and any supporting engineering calculations. If adjustments were made to the mathematical relationships, a record and description of such adjustments.
 - (F) Record of each initial calibration or a recalibration which failed to meet the required accuracy specification and the date of the successful recalibration.
- (vi) Date when performance-based volumetric flow rate is exceeded.
 - (vii) The date of successful replacement or repair of reciprocating compressor rod packing, including follow-up performance-based volumetric flow rate measurement to confirm successful repair.
 - (viii) Identification of each reciprocating compressor placed on delay of repair because of rod packing or part unavailability and explanation for each delay of repair.
 - (ix) For each reciprocating compressor that is placed on delay of repair because of replacement rod packing or part unavailability, the operator must document: the date the rod packing or part was added to the delay of repair list, the date the replacement rod packing or part was ordered, the anticipated rod packing or part delivery date (including any estimated shipment or delivery date provided by the vendor), and the actual arrival date of the rod packing or part.
 - (x) Date of planned shutdowns that occur while there are any reciprocating compressors that have been placed on delay of repair due to the unavailability of rod packing or parts to conduct repairs.
- (6) For each process controller affected facility, you must maintain the records specified in paragraphs (c)(6)(i) through (vii) of this section.
 - (i) Records identifying each process controller that is driven by natural gas and that does not function as an emergency shutdown device.
 - (ii) For each process controller affected facility complying with § 60.5390b(a), you must maintain records of the information specified in paragraphs (c)(6)(ii)(A) and (B) of this section, as applicable.
 - (A) If you are complying with § 60.5390b(a) by routing process controller vapors to a process through a closed vent system, you must report the information specified in paragraphs (c)(6)(ii)(A)(1) and (2) of this section.

- (1) An identification of all the natural gas-driven process controllers in the process controller affected facility for which you collect and route vapors to a process through a closed vent system.
 - (2) The records specified in paragraphs (c)(8), (10), and (12) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must provide the information specified in § 60.5424b.
- (B) If you are complying with § 60.5390b(a) by using a self-contained natural gas-driven process controller, you must report the information specified in paragraphs (c)(6)(ii)(B)(1) through (3) of this section.
 - (1) An identification of each process controller complying with § 60.5390b(a) by using a self-contained natural gas-driven process controller;
 - (2) Dates of each inspection required under § 60.5416b(b); and
 - (3) Each defect or leak identified during each natural gas-driven-self-contained process controller system inspection, and date of repair or date of anticipated repair if repair is delayed.
- (iii) For each process controller affected facility complying with the § 60.5390b(b)(1) process controller bleed rate requirements, you must maintain records of the information specified in paragraphs (c)(6)(iii)(A) and (B) of this section.
 - (A) The identification of process controllers designed and operated to achieve a bleed rate less than or equal to 6 scfh and records of the manufacturer's specifications indicating that the process controller is designed with a natural gas bleed rate of less than or equal to 6 scfh.
 - (B) Where necessary to meet a functional need, the identification of the process controller and demonstration of why it is necessary to use a process controller with a natural gas bleed rate greater than 6 scfh.
- (iv) For each intermittent vent process controller in the affected facility complying with the requirements in paragraphs § 60.5390b(b)(2), you must keep records of the information specified in paragraphs (c)(6)(iv)(A) through (C) of this section.
 - (A) The identification of each intermittent vent process controller.
 - (B) Dates and results of the intermittent vent process controller monitoring required by § 60.5390b(b)(2)(ii).
 - (C) For each instance in which monitoring identifies emissions to the atmosphere from an intermittent vent controller during idle periods, the date of repair or replacement, or the date of anticipated repair or replacement if the repair or replacement is delayed and the date and results of the re-survey after repair or replacement.
- (v) For each process controller affected facility complying with § 60.5390b(b)(3), you must maintain the records specified in paragraphs (c)(6)(v)(A) and (B) of this section.
 - (A) An identification of each process controller for which emissions are routed to a control device.

- (B) Records specified in paragraphs (c)(8) and (c)(10) through (13) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must provide the information specified in § 60.5424b.
- (vi) Records of each change in compliance method, including identification of each natural gas-driven process controller which changes its method of compliance, the new method of compliance, and the date of the change in compliance method.
- (vii) Records of each deviation, the date and time the deviation began, the duration of the deviation, and a description of the deviation.
- (7) For each storage vessel affected facility, you must maintain the records identified in paragraphs (c)(7)(i) through (vii) of this section.
 - (i) You must maintain records of the identification and location in latitude and longitude coordinates in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983 of each storage vessel affected facility.
 - (ii) Records of each methane and VOC emissions determination for each storage vessel affected facility made under § 60.5365b(e) including identification of the model or calculation methodology used to calculate the methane and VOC emission rate.
 - (iii) For each instance where the storage vessel was not operated in compliance with the requirements specified in § 60.5395b a description of the deviation, the date and time each deviation began, and the duration of the deviation.
 - (iv) If complying with the emissions reduction standard in § 60.5395b(a)(2), you must maintain the records in paragraphs (c)(7)(iv)(A) through (E) of this section.
 - (A) If you comply with the emission reduction standard with a control device, the information for each control device in paragraphs (c)(11) and (13) of this section.
 - (B) Records of the closed vent system inspection as specified paragraph (c)(8) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must provide the information specified in § 60.5424b.
 - (C) Records of the cover inspections as specified in paragraph (c)(9) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (c)(9) of this section, you must provide the information specified in § 60.5424b.
 - (D) If applicable, the records of bypass monitoring as specified in paragraph (c)(10) of this section.
 - (E) Records of the closed vent system assessment as specified in paragraph (c)(12) of this section.
- (v) For storage vessels that are skid-mounted or permanently attached to something that is mobile (such as trucks, railcars, barges or ships), records indicating the number of consecutive days that the vessel is located at a site in the crude oil and natural gas source category. If a storage vessel is removed from a site and, within 30 days, is either returned to the site or replaced by

another storage vessel at the site to serve the same or similar function, then the entire period since the original storage vessel was first located at the site, including the days when the storage vessel was removed, will be added to the count towards the number of consecutive days.

- (vi) Records of the date that each storage vessel affected facility or portion of a storage vessel affected facility is removed from service and returned to service, as applicable.
 - (vii) Records of the date that liquids from the well following fracturing or refracturing are routed to the storage vessel affected facility; or the date that you comply with paragraph § 60.5395b(a)(2), following a monthly emissions determination which indicates that VOC emissions from your storage vessel affected facility increase to 4 tpy or greater or methane emissions increase to 14 tpy or greater and the increase is not associated with fracturing or refracturing of a well feeding the storage vessel affected facility, and records of the methane and VOC emissions rate and the model or calculation methodology used to calculate the methane and VOC emission rate.
- (8) Records of each closed vent system inspection required under § 60.5416b(a)(1) and (2) and (b) for your well, centrifugal compressor, reciprocating compressor, process controller, pump, storage vessel, and process unit equipment affected facility as required in paragraphs (c)(8)(i) through (iv) of this section.
- (i) A record of each closed vent system inspection or no identifiable emissions monitoring survey. You must include an identification number for each closed vent system (or other unique identification description selected by you), the date of the inspection, and the method used to conduct the inspection (*i.e.*, visual, AVO, OGI, Method 21 of appendix A-7 to this part).
 - (ii) For each defect or emissions detected during inspections required by § 60.5416b(a)(1) and (2) or (b), you must record the location of the defect or emissions; a description of the defect; the maximum concentration reading obtained if using Method 21 of appendix A-7 to this part; the indication of emissions detected by AVO if using AVO; the date of detection; the date of each attempt to repair the emissions or defect; the corrective action taken during each attempt to repair the defect; and the date the repair to correct the defect or emissions is completed.
 - (iii) If repair of the defect is delayed as described in § 60.5416b(b)(6), you must record the reason for the delay and the date you expect to complete the repair.
 - (iv) Parts of the closed vent system designated as unsafe to inspect as described in § 60.5416b(b)(7) or difficult to inspect as described in § 60.5416b(b)(8), the reason for the designation, and written plan for inspection of that part of the closed vent system.
- (9) A record of each cover inspection required under § 60.5416b(a)(3) for your centrifugal compressor, reciprocating compressor, or storage vessel as required in paragraphs (c)(9)(i) through (iv) of this section.
- (i) A record of each cover inspection. You must include an identification number for each cover (or other unique identification description selected by you), the date of the inspection, and the method used to conduct the inspection (*i.e.*, AVO, OGI, Method 21 of appendix A-7 to this part).

- (ii) For each defect detected during the inspection you must record the location of the defect; a description of the defect, the date of detection, the maximum concentration reading obtained if using Method 21 of appendix A-7 to this part; the indication of emissions detected by AVO if using AVO; the date of each attempt to repair the defect; the corrective action taken during each attempt to repair the defect; and the date the repair to correct the defect is completed.
 - (iii) If repair of the defect is delayed as described in § 60.5416b(b)(6), you must record the reason for the delay and the date you expect to complete the repair.
 - (iv) Parts of the cover designated as unsafe to inspect as described in § 60.5416b(b)(7) or difficult to inspect as described in § 60.5416b(b)(8), the reason for the designation, and written plan for inspection of that part of the cover.
- (10) For each bypass subject to the bypass requirements of § 60.5416b(a)(4), you must maintain a record of the following, as applicable: readings from the flow indicator; each inspection of the seal or closure mechanism; the date and time of each instance the key is checked out; date and time of each instance the alarm is sounded.
- (11) Records for each control device used to comply with the emission reduction standard in § 60.5377b(d) or (f) for associated gas wells, § 60.5380b(a)(1) or (9) for centrifugal compressor affected facilities, § 60.5385b(d)(2) for reciprocating compressor affected facilities, § 60.5390b(b)(3) for your process controller affected facility in Alaska, § 60.5393b(b)(3) for your pump affected facility, § 60.5395b(a)(2) for your storage vessel affected facility, § 60.5376b(g) for well affected facility gas well liquids unloading, or § 60.5400b(f) or 60.5401b(e) for your process equipment affected facility, as required in paragraphs (c)(11)(i) through (viii) of this section. If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412b(d), keep records of the information in paragraphs (c)(11)(ix) of this section, in lieu of the records required by paragraphs (c)(11)(i) through (iv) and (vi) through (viii) of this section.
- (i) For a control device tested under § 60.5413b(d) which meets the criteria in § 60.5413b(d)(11) and (e), keep records of the information in paragraphs (c)(11)(i)(A) through (E) of this section, in addition to the records in paragraphs (c)(11)(ii) through (ix) of this section, as applicable.
 - (A) Serial number of purchased device and copy of purchase order.
 - (B) Location of the affected facility associated with the control device in latitude and longitude coordinates in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983.
 - (C) Minimum and maximum inlet gas flow rate specified by the manufacturer.
 - (D) Records of the maintenance and repair log as specified in § 60.5413b(e)(4), for all inspection, repair, and maintenance activities for each control device failing the visible emissions test.
 - (E) Records of the manufacturer's written operating instructions, procedures, and maintenance schedule to ensure good air pollution control practices for minimizing emissions.
 - (ii) For all control devices, keep records of the information in paragraphs (c)(11)(ii)(A) through (G) of this section, as applicable.

- (A) Make, model, and date of installation of the control device, and identification of the affected facility controlled by the device.
 - (B) Records of deviations in accordance with § 60.5417b(g)(1) through (7), including a description of the deviation, the date and time the deviation began, the duration of the deviation, and the cause of the deviation.
 - (C) The monitoring plan required by § 60.5417b(c)(2).
 - (D) Make and model number of each continuous parameter monitoring system.
 - (E) Records of minimum and maximum operating parameter values, continuous parameter monitoring system data (including records that the pilot or combustion flame is present at all times), calculated averages of continuous parameter monitoring system data, and results of all compliance calculations.
 - (F) Records of continuous parameter monitoring system equipment performance checks, system accuracy audits, performance evaluations, or other audit procedures and results of all inspections specified in the monitoring plan in accordance with § 60.5417b(c)(2). Records of calibration gas cylinders, if applicable.
 - (G) Periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions and required monitoring system quality assurance or quality control activities Records of repairs on the monitoring system.
- (iii) For each carbon adsorption system, records of the schedule for carbon replacement as determined by the design analysis requirements of § 60.5413b(c)(2) and (3) and records of each carbon replacement as specified in § 60.5412b(c)(1) and § 60.5415b(f)(1)(viii).
- (iv) For enclosed combustion devices and flares, records of visible emissions observations as specified in paragraph (c)(11)(iv)(A) or (B) of this section.
- (A) Records of observations with Method 22 of appendix A-7 to this part, including observations required following return to operation from a maintenance or repair activity, which include: company, location, company representative (name of the person performing the observation), sky conditions, process unit (type of control device), clock start time, observation period duration (in minutes and seconds), accumulated emission time (in minutes and seconds), and clock end time. You may create your own form including the above information or use Figure 22-1 in Method 22 of appendix A-7 to this part.
 - (B) If you monitor visible emissions with a video surveillance camera, location of the camera and distance to emission source, records of the video surveillance output, and documentation that an operator looked at the feed daily, including the date and start time of observation, the length of observation, and length of time visible emissions were present.
- (v) For enclosed combustion devices and flares, video of the OGI inspection conducted in accordance with § 60.5415b(f)(1)(x). Records documenting each enclosed combustion device and flare was visibly observed during each inspection conducted under § 60.5397b using AVO in accordance with § 60.5415b(f)(1)(x).

- (vi) For enclosed combustion devices and flares, records of each demonstration of the NHV of the inlet gas to the enclosed combustion device or flare conducted in accordance with § 60.5417b(d)(8)(iii). For each re-evaluation of the NHV of the inlet gas, records of process changes and explanation of the conditions that led to the need to re-evaluation the NHV of the inlet gas. For each demonstration, record information on whether the enclosed combustion device or flare has the potential to receive inert gases, and if so, the highest percentage of inert gases that can be sent to the enclosed combustion device or flare and the highest percent of inert gases sent to the enclosed combustion device or flare during the NHV demonstration. Records of periodic sampling conducted under § 60.5417b(d)(8)(iii)(G).
- (vii) For enclosed combustion devices and flares, if you use a backpressure regulator valve, the make and model of the valve, date of installation, and record of inlet flow rating. Maintain records of the engineering evaluation and manufacturer specifications that identify the pressure set point corresponding to the minimum inlet gas flow rate, the annual confirmation that the backpressure regulator valve set point is correct and consistent with the engineering evaluation and manufacturer specifications, and the annual confirmation that the backpressure regulator valve fully closes when not in open position.
- (viii) For enclosed combustion devices and flares, records of each demonstration required under § 60.5417b(d)(8)(iv).
- (ix) If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412b(d), keep records of the information in paragraphs (c)(11)(ix)(A) through (H) of this section, in lieu of the records required by paragraphs (c)(11)(i) through (iv) and (c)(11)(vi) through (viii) of this section.
 - (A) An identification of the alternative test method used.
 - (B) Data recorded at the intervals required by the alternative test method.
 - (C) Monitoring plan required by § 60.5417(i)(2).
 - (D) Quality assurance and quality control activities conducted in accordance with the alternative test method.
 - (E) If required by § 60.5412b(d)(4) to conduct visible emissions observations, records required by paragraph (c)(11)(iv) of this section.
 - (F) If required by § 60.5412b(d)(5) to conduct pilot or combustion flame monitoring, record indicating the presence of a pilot or combustion flame and periods when the pilot or combustion flame is absent.
 - (G) For each instance where there is a deviation of the control device in accordance with § 60.5417b(i)(6)(i) through (v), the date and time the deviation began, the duration of the deviation in hours, and cause of the deviation.
 - (H) Any additional information required to be recorded as specified by the Administrator as part of the alternative test method approval under § 60.5412b(d).
- (12) For each closed vent system routing to a control device or process, the records of the assessment conducted according to § 60.5411b(c):
 - (i) A copy of the assessment conducted according to § 60.5411b(c)(1); and

- (ii) A copy of the certification according to § 60.5411b(c)(1)(i) and (ii).
- (13) A copy of each performance test submitted under paragraphs (b)(12) or (13) of this section.
- (14) For the fugitive emissions components affected facility, maintain the records identified in paragraphs (c)(14)(i) through (viii) of this section.
 - (i) The date of the startup of production or the date of the first day of production after modification for the fugitive emissions components affected facility at a well site and the date of startup or the date of modification for the fugitive emissions components affected facility at a compressor station.
 - (ii) For the fugitive emissions components affected facility at a well site, you must maintain records specifying what type of well site it is (*i.e.*, single wellhead only well site, small wellsite, multi-wellhead only well site, or a well site with major production and processing equipment.)
 - (iii) For the fugitive emissions components affected facility at a well site where you complete the removal of all major production and processing equipment such that the well site contains only one or more wellheads, record the date the well site completes the removal of all major production and processing equipment from the well site, and, if the well site is still producing, record the well ID or separate tank battery ID receiving the production from the well site. If major production and processing equipment is subsequently added back to the well site, record the date that the first piece of major production and processing equipment is added back to the well site.
 - (iv) The fugitive emissions monitoring plan as required in § 60.5397b(b), (c), and (d).
 - (v) The records of each monitoring survey as specified in paragraphs (c)(14)(v)(A) through (I) of this section.
 - (A) Date of the survey.
 - (B) Beginning and end time of the survey.
 - (C) Name of operator(s), training, and experience of the operator(s) performing the survey.
 - (D) Monitoring instrument or method used.
 - (E) Fugitive emissions component identification when Method 21 of appendix A-7 to this part is used to perform the monitoring survey.
 - (F) Ambient temperature, sky conditions, and maximum wind speed at the time of the survey. For compressor stations, operating mode of each compressor (*i.e.*, operating, standby pressurized, and not operating-depressurized modes) at the station at the time of the survey.
 - (G) Any deviations from the monitoring plan or a statement that there were no deviations from the monitoring plan.
 - (H) Records of calibrations for the instrument used during the monitoring survey.
 - (I) Documentation of each fugitive emission detected during the monitoring survey, including the information specified in paragraphs (c)(14)(v)(I)(1) through (9) of this section.
 - (1) Location of each fugitive emission identified.

- (2) Type of fugitive emissions component, including designation as difficult-to-monitor or unsafe-to-monitor, if applicable.
- (3) If Method 21 of appendix A-7 to this part is used for detection, record the component ID and instrument reading.
- (4) For each repair that cannot be made during the monitoring survey when the fugitive emissions are initially found, a digital photograph or video must be taken of that component or the component must be tagged for identification purposes. The digital photograph must include the date that the photograph was taken and must clearly identify the component by location within the site (e.g., the latitude and longitude of the component or by other descriptive landmarks visible in the picture). The digital photograph or identification (e.g., tag) may be removed after the repair is completed, including verification of repair with the resurvey.
- (5) The date of first attempt at repair of the fugitive emissions component(s).
- (6) The date of successful repair of the fugitive emissions component, including the resurvey to verify repair and instrument used for the resurvey.
- (7) Identification of each fugitive emission component placed on delay of repair and explanation for each delay of repair.
- (8) For each fugitive emission component placed on delay of repair for reason of replacement component unavailability, the operator must document: the date the component was added to the delay of repair list, the date the replacement fugitive component or part thereof was ordered, the anticipated component delivery date (including any estimated shipment or delivery date provided by the vendor), and the actual arrival date of the component.
- (9) Date of planned shutdowns that occur while there are any components that have been placed on delay of repair.
- (vi) For the fugitive emissions components affected facility complying with an alternative means of emissions limitation under § 60.5399b, you must maintain the records specified by the specific alternative fugitive emissions standard for a period of at least 5 years.
- (vii) For well closure activities, you must maintain the information specified in paragraphs (c)(14)(vii)(A) through (G) of this section.
 - (A) The well closure plan developed in accordance with § 60.5397b(l) and the date the plan was submitted.
 - (B) The notification of the intent to close the well site and the date the notification was submitted.
 - (C) The date of the cessation of production from all wells at the well site.
 - (D) The date you began well closure activities at the well site.
 - (E) Each status report for the well closure activities reported in paragraph (b)(9)(iv)(A) of this section.
 - (F) Each OGI survey reported in paragraph (b)(9)(iv)(B) of this section including the date, the monitoring instrument used, and the results of the survey or resurvey.

- (G) The final OGI survey video demonstrating the closure of all wells at the site. The video must include the date that the video was taken and must identify the well site location by latitude and longitude.
- (viii) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (c)(14)(iv) and (v) of this section, you must maintain the records specified in § 60.5424b.
- (15) For each pump affected facility, you must maintain the records identified in paragraphs (c)(15)(i) through (ix) of this section.
 - (i) Identification of each pump that is driven by natural gas and that is in operation 90 days or more per calendar year.
 - (ii) If you are complying with § 60.5393b(a) or (b)(1) by routing pump vapors to a process through a closed vent system, identification of all the pumps in the pump affected facility for which you collect and route vapors to a process through a closed vent system and the records specified in paragraphs (c)(8), (10), and (12) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must provide the information specified in § 60.5424b.
 - (iii) If you are complying with § 60.5393b(b)(1) by routing pump vapors to control device achieving a 95.0 percent reduction in methane and VOC emissions, you must keep the records specified in paragraphs (c)(8) and (10) through (c)(13) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must provide the information specified in § 60.5424b.
 - (iv) If you are complying with § 60.5393b(b)(5) by routing pump vapors to control device achieving less than a 95.0 percent reduction in methane and VOC emissions, you must maintain records of the certification that there is a control device on site but it does not achieve a 95.0 percent emissions reduction and a record of the design evaluation or manufacturer's specifications which indicate the percentage reduction the control device is designed to achieve.
 - (v) If you have less than three natural gas-driven diaphragm pumps in the pump affected facility, and you do not have a vapor recovery unit or control device installed on site by the compliance date, you must retain a record of your certification required under § 60.5393b(b)(6), certifying that there is no vapor recovery unit or control device on site. If you subsequently install a control device or vapor recovery unit, you must maintain the records required under paragraph (c)(15)(ii) and paragraph (c)(15)(iii) or (iv) of this section, as applicable.
 - (vi) If you determine, through an engineering assessment, that it is technically infeasible to route the pump affected facility emissions to a process or control device, you must retain records of your demonstration and certification that it is technically infeasible as required under § 60.5393b(b)(5).
 - (vii) If the pump is routed to a control device that is subsequently removed from the location or is no longer available such that there is no option to route to a control device, you are required to retain records of this change and the records required under paragraph (c)(15)(vi) of this section.

- (viii) Records of each change in compliance method, including identification of each natural gas-driven pump which changes its method of compliance, the new method of compliance, and the date of the change in compliance method.
- (ix) Records of each deviation, the date and time the deviation began, the duration of the deviation, and a description of the deviation.

(d) **Electronic reporting.** If you are required to submit notifications or reports following the procedure specified in this paragraph (d), you must submit notifications or reports to the EPA via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (d)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (d).

(e) **Claims of EPA system outage.** If you are required to electronically submit a notification or report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with that requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (e)(1) through (7) of this section.

- (1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.
- (2) The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due.
- (3) The outage may be planned or unplanned.
- (4) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
- (5) You must provide to the Administrator a written description identifying:
 - (i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;
 - (ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;
 - (iii) A description of measures taken or to be taken to minimize the delay in reporting; and
 - (iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

- (6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.
- (7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.
- (f) **Claims of force majeure.** If you are required to electronically submit a report or notification through CEDRI in the EPA's CDX, you may assert a claim of *force majeure* for failure to timely comply with that requirement. To assert a claim of *force majeure*, you must meet the requirements outlined in paragraphs (f)(1) through (5) of this section.
 - (1) You may submit a claim if a *force majeure* event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a *force majeure* event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).
 - (2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
 - (3) You must provide to the Administrator:
 - (i) A written description of the *force majeure* event;
 - (ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the *force majeure* event;
 - (iii) A description of measures taken or to be taken to minimize the delay in reporting; and
 - (iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.
 - (4) The decision to accept the claim of *force majeure* and allow an extension to the reporting deadline is solely within the discretion of the Administrator.
 - (5) In any circumstance, the reporting must occur as soon as possible after the *force majeure* event occurs.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62902, Aug. 1, 2024]

§ 60.5421b What are my additional recordkeeping requirements for process unit equipment affected facilities?

You must maintain a record of each equipment leak monitoring inspection and each leak identified under § 60.5400b and § 60.5401b as specified in paragraphs (b)(1) through (17) of this section. The record must be maintained either onsite or at the nearest local field office for at least 5 years. Any records required to be

maintained that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

- (a) You may comply with the recordkeeping requirements for multiple process unit equipment affected facilities in one recordkeeping system if the system identifies each record by each facility.
- (b) You must maintain the monitoring inspection records specified in paragraphs (b)(1) through (17) of this section.
 - (1) Equipment Identification. Note that connectors need not be individually identified if all connectors in a designated area or length of pipe subject to the provisions of this subpart are identified as a group, and the number of connectors subject is indicated.
 - (2) Date and start and end times of the monitoring inspection.
 - (3) Inspector name.
 - (4) Leak determination method used for the monitoring inspection (i.e., OGI, Method 21, or AVO).
 - (5) Monitoring instrument identification (OGI and Method 21 only).
 - (6) Type of equipment monitored.
 - (7) Process unit identification.
 - (8) The records specified in Section 12 of appendix K of this part, for each monitoring inspection conducted with OGI.
 - (9) The records in paragraph (b)(9)(i) through (vii), for each monitoring inspection conducted with Method 21 of appendix A-7 to this part.
 - (i) Instrument reading.
 - (ii) Date and time of instrument calibration and initials of operator performing the calibration.
 - (iii) Calibration gas cylinder identification, certification date, and certified concentration.
 - (iv) Instrument scale used.
 - (v) A description of any corrective action taken if the meter readout could not be adjusted to correspond to the calibration gas value in accordance with section 10.1 of Method 21 of appendix A-7 to this part.
 - (vi) Results of the daily calibration drift assessment.
 - (vii) If you make your own calibration gas, a description of the procedure used.
 - (10) For visual inspections of pumps in light liquid service, keep the records specified in paragraphs (b)(10)(i) through (iii), for each monitored equipment:
 - (i) Date of inspection.
 - (ii) Inspector name.
 - (iii) Result of inspection (i.e., visual indications of liquids dripping from the pump seal or no visual indications of liquids dripping from the pump seal).

- (11) For each leak detected, the records specified in paragraphs (b)(11)(i) through (v) of this section:
 - (i) The instrument and operator identification numbers and the process unit and equipment identification numbers. For leaks identified via AVO methods, enter the specific sensory method for instrument identification number.
 - (ii) The date the leak was detected.
 - (iii) For each attempt to repair the leak, record:
 - (A) The date.
 - (B) The repair method applied.
 - (C) Indication of whether a leak was still detected following each attempt to repair the leak.
 - (iv) The date of successful repair of the leak and the method of monitoring used to confirm the repair, as specified in paragraph (b)(11)(iv)(A) through (C) of this section.
 - (A) If Method 21 of appendix A-7 to this part is used to confirm the repair, maintain a record of the maximum instrument reading measured by Method 21 of appendix A-7 to this part.
 - (B) If OGI conducted in accordance with appendix K of this part is used to confirm the repair, maintain a record of video footage of the repair confirmation.
 - (C) If the leak is repaired by eliminating AVO indications of a leak, maintain a record of the specific sensory method used to confirm that the evidence of the leak is eliminated.
 - (v) For each repair delayed beyond 15 calendar days after detection of the leak, record:
 - (A) "Repair delayed" and the reason for the delay.
 - (B) The signature of the certifying official who made the decision that repair could not be completed without a process shutdown.
 - (C) The expected date of successful repair of the leak.
 - (D) Dates of process unit shutdowns that occur while the equipment is unrepaired.
- (12) A list of identification numbers for equipment that are designated for no detectable emissions complying with the provisions of § 60.5401b.
- (13) A list of identification numbers for valves, pumps, and connectors that are designated as unsafe-to-monitor, an explanation for each valve, pump, or connector stating why the valve, pump, or connector is unsafe-to-monitor, and the plan for monitoring each valve, pump, or connector.
- (14) A list of identification numbers for valves that are designated as difficult-to-monitor, an explanation for each valve stating why the valve is difficult-to-monitor, and the schedule for monitoring each valve.
- (15) A list of identification numbers for equipment that is in vacuum service.
- (16) A list of identification numbers for equipment you designate as having the potential to emit methane or VOC less than 300 hr/yr.
- (17) A list of identification numbers for valves where it was infeasible to replace leaking valves with low-e valves or repack existing valves with low-e packing technology, including the reasoning for why it was infeasible.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62916, Aug. 1, 2024]

§ 60.5422b What are my additional reporting requirements for process unit equipment affected facilities?

- (a) You must submit semiannual reports using the appropriate electronic report template on the CEDRI website for this subpart and following the procedure specified in § 60.5420b(d). If the reporting form specific to this subpart is not available on the CEDRI website at the time that the report is due, submit the report to the Administrator at the appropriate address listed in § 60.4. Once the form has been available on the CEDRI website for at least 90 calendar days, you must begin submitting all subsequent reports via CEDRI. The date reporting forms become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted within 45 days after the end of the semiannual reporting period, regardless of the method in which the report is submitted.
- (b) The initial semiannual report must include the following information:
 - (1) The general information specified in paragraph (c)(1) of this section.
 - (2) For each process unit:
 - (i) Process unit identification.
 - (ii) Number of valves subject to the monitoring requirements of §§ 60.5400b(b) and 60.5401b(f).
 - (iii) Number of pumps subject to the monitoring requirements of §§ 60.5400b(b) and 60.5401b(b).
 - (iv) Number of connectors subject to the monitoring requirements of §§ 60.5400b(b) and 60.5401b(h).
 - (v) Number of pressure relief devices subject to the monitoring requirements of §§ 60.5400b(b) and 60.5401b(c).
 - (vi) The information in paragraphs (c)(3) and (4) of this section.
- (c) All subsequent semiannual reports must include the following information:
 - (1) The general information specified in paragraphs (c)(1)(i) through (iii) of this section.
 - (i) The company name, facility site name, and address of the affected facility.
 - (ii) Beginning and ending dates of the reporting period.
 - (iii) A certification by a certifying official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. If your report is submitted via CEDRI, the certifier's electronic signature during the submission process replaces the requirement in this paragraph (c)(1)(iii).
 - (2) Process unit identification for each process unit.
 - (3) For each month during the semiannual reporting period for each process unit report:
 - (i) Number of valves for which leaks were detected as described in § 60.5400b(b) or § 60.5401b(f).

- (ii) Number of valves for which leaks were not repaired as required in § 60.5400b(h) or § 60.5401b(i), the number of instances where it was technically infeasible to replace leaking valves with low-e valves or repack existing valves with low-e packing technology, including the reasoning for why it was technically infeasible.
 - (iii) Number of pumps for which leaks were detected as described § 60.5400b(b) or § 60.5401b(b).
 - (iv) Number of pumps for which leaks were not repaired as required in § 60.5400b(h) or § 60.5401b(i).
 - (v) Number of connectors for which leaks were detected as described in § 60.5400b(b) or § 60.5401b(h).
 - (vi) Number of connectors for which leaks were not repaired as required in § 60.5400b(h) or § 60.5401b(i).
 - (vii) Number of pressure relief devices for which leaks were detected as described in § 60.5400b(b) or § 60.5401b(c).
 - (viii) Number of pressure relief devices for which leaks were not repaired as required in § 60.5400b(h) or § 60.5401b(i).
 - (ix) Number of open-ended valves or lines for which leaks were detected as described in § 60.5400b(e) or § 60.5401b(d).
 - (x) Number of open-ended valves or lines for which leaks were not repaired as required in § 60.5400b(h) or § 60.5401b(i).
 - (xi) Number of pumps, valves, or connectors in heavy liquid service or pressure relief device in light liquid or heavy liquid service for which leaks were detected as described in § 60.5400b(g) or § 60.5401b(g).
 - (xii) Number of pumps, valves, or connectors in heavy liquid service or pressure relief device in light liquid or heavy liquid service for which leaks were not repaired as required in § 60.5400b(h) or § 60.5401b(i).
 - (xiii) The facts that explain each delay of repair and, where appropriate, why a process unit shutdown was technically infeasible.
- (4) Dates of process unit shutdowns which occurred within the semiannual reporting period.
 - (5) Revisions to items reported according to paragraph (b) of this section if changes have occurred since the initial report or subsequent revisions to the initial report.

§ 60.5423b What are my additional recordkeeping and reporting requirements for sweetening unit affected facilities?

- (a) You must retain records of the calculations and measurements required in §§ 60.5405b(a) and (b) and 60.5407b(a) through (g) for at least 2 years following the date of the measurements. This requirement is included under § 60.7(f) of the General Provisions.
- (b) In your initial annual report submitted in accordance with the procedures and schedule in § 60.5420b(b), include the information in paragraphs (b)(1) and (2) of this section.
 - (1) For each run of the initial performance test required by § 60.8(b):

- (i) The average sulfur feed rate in Mg/D, determined according to § 60.5406b(b).
 - (ii) The average volumetric flow rate of acid gas from the sweetening unit, in dscm/day.
 - (iii) The H₂S concentration in the acid gas feed from the sweetening unit, percent by volume.
 - (iv) The emission rate of sulfur in kg/hr.
 - (v) The sulfur production rate in kg/hr.
 - (vi) The emission reduction efficiency achieved by the sulfur recovery technology, determined according to § 60.5406b(c).
 - (vii) The required initial SO₂ emission reduction efficiency, as determined from table 3 to this subpart based on the sulfur feed rate and the sulfur content of the acid gas of the affected facility.
- (2) The required minimum SO₂ emission reduction efficiency you must achieve on a continuous basis, as determined from table 4 to this subpart based on the sulfur feed rate and the sulfur content of the acid gas of the affected facility.
- (c) You must submit the performance test report in accordance with the requirements of § 60.5420b(b)(12).
- (d) You must submit a report of excess emissions to the Administrator in your annual report if you had excess emissions during the reporting period. The procedures and schedule for submitting annual reports are located in § 60.5420b(b). For the purpose of these reports, excess emissions are defined as specified in paragraphs (d)(1) and (2) of this section. The report must contain the information specified in paragraph (d)(3) of this section.
 - (1) Any 24-hour period (at consistent intervals) during which the average sulfur emission reduction efficiency (R) is less than the minimum required efficiency (Z).
 - (2) For any affected facility electing to comply with the provisions of § 60.5407b(b)(2), any 24-hour period during which the average temperature of the gases leaving the combustion zone of an incinerator is less than the appropriate operating temperature as determined during the most recent performance test in accordance with the provisions of § 60.5407b(b)(3). Each 24-hour period must consist of at least 96 temperature measurements equally spaced over the 24 hours.
 - (3) For each period of excess emissions during the reporting period, include the following information in your report:
 - (i) The date and time of commencement and completion of each period of excess emissions;
 - (ii) The required minimum efficiency (Z) and the actual average sulfur emissions reduction (R) for periods defined in paragraph (d)(1) of this section; and
 - (iii) The appropriate operating temperature and the actual average temperature of the gases leaving the combustion zone for periods defined in paragraph (d)(2) of this section.
- (e) To certify that a facility is exempt from the control requirements of these standards, for each facility with a design capacity less than 2 LT/D of H₂S in the acid gas (expressed as sulfur) you must keep, for the life of the facility, an analysis demonstrating that the facility's design capacity is less than 2 LT/D of H₂S expressed as sulfur.
- (f) If you elect to comply with § 60.5407b(e) you must keep, for the life of the facility, a record demonstrating that the facility's design capacity is less than 150 LT/D of H₂S expressed as sulfur.

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

§ 60.5424b What are my additional recordkeeping and reporting requirements if I comply with the alternative GHG and VOC standards for fugitive emissions components affected facilities and covers and closed vent systems?

This section provides notification, reporting, and recordkeeping requirements for owners and operators who choose to comply with an alternative GHG and VOC standard as specified in § 60.5398b for fugitive emissions components affected facilities and the alternative continuous inspection and monitoring requirements for covers and closed vent systems. You must submit an annual report in accordance with the schedule in § 60.5420b(b) which includes the information in paragraphs (a)(1), (b), and (d) of this section, as applicable. You must submit the notification in paragraph (a)(2) of this section and maintain the records in paragraphs (c) and (e) of this section, as applicable.

- (a) **Notifications.** If you choose to comply with an alternative GHG and VOC standard as specified in § 60.5398b for fugitive emissions components affected facilities and the alternative continuous inspection and monitoring requirements for covers and closed vent systems, you must submit the notification in paragraph (a)(1) of this section. If you are required by § 60.5398b(c)(8) to develop a mass emission rate reduction plan, you must submit the notification in paragraph (a)(2) of this section.
- (1) A notification to the Administrator of adoption of the alternative standards in the annual report required by § 60.5420b(b)(4) through (11).
 - (2) A notification, which includes the submittal of the mass emission rate reduction plan required by § 60.5398b(c)(8). You must submit the mass emission rate reduction plan to the Administrator within 60 days of the initial exceedance of the action level.
- (b) **Information submittal.** If you comply with the periodic screening requirements of § 60.5398b(b), you must submit the information in paragraphs (b)(1) through (6) of this section in the annual report required by § 60.5420b(b)(4) through (11).
- (1) Date of each periodic screening during the reporting period and date that results of the periodic screening were received.
 - (2) Alternative test method and technology used for each screening and the spatial resolution of the technology (*i.e.*, facility-level, area-level, or component-level).
 - (3) Any deviations from the monitoring plan developed under § 60.5398b(b)(2) or a statement that there were no deviations from the monitoring plan.
 - (4) Results from each periodic screening during the reporting period. If the results of the periodic screening indicate a confirmed detection of emissions from an affected facility, you must submit the information in paragraphs (b)(4)(i) through (iv) of this section.
 - (i) The date that the monitoring survey of your entire or the required portion of your fugitive emissions components affected facility was conducted.

- (ii) The date that you completed the instrument inspections of all required covers and closed vent systems(s).
- (iii) The date that you conducted the visual inspection for emissions of all required covers and closed vent systems.
- (iv) For each fugitive emission from a fugitive emissions components affected facility and all emissions or defects of each cover and closed vent system, you must submit the information in paragraphs (b)(4)(iv)(A) through (D) of this section.
 - (A) Number and type of components for which fugitive emissions were detected.
 - (B) Each emission or defect identified during the inspection for each cover and closed vent system.
 - (C) Date of repair for each fugitive emission from a fugitive emissions components affected facility or each emission or defect for each cover and closed vent system.
 - (D) Number and type of fugitive emission components and identification of each cover or closed vent system placed on delay of repair and an explanation for each delay of repair.
- (5) The information in paragraphs (b)(5)(i) through (iv) of this section if you are required to conduct OGI surveys in accordance with § 60.5398b(b)(1)(i) or if you replace a periodic screening event with an OGI survey in accordance with § 60.5398b(b)(1)(iv).
 - (i) The date of the OGI survey.
 - (ii) Number and type of components for which fugitive emissions were detected.
 - (iii) Number and type of fugitive emissions components that were not repaired as required in § 60.5397b(h).
 - (iv) Number and type of fugitive emission components placed on delay of repair and an explanation for each delay of repair.
- (6) Any additional information regarding the performance of the periodic screening technology as specified by the Administrator, as part of the alternative test method approval described in § 60.5398b(d).
- (c) **Maintain records.** If you comply with the periodic screening requirements of § 60.5398b(b), you must maintain the records in paragraphs (c)(1) through (11) of this section in addition to the records as specified in § 60.5420b(c)(3) through (9) and (c)(14) and (15).
 - (1) The monitoring plan as required in § 60.5398b(b)(2).
 - (2) Date of each periodic screening and date that results of the periodic screening were received.
 - (3) Name of screening operator.
 - (4) Alternative test method and technology used for screening, as well as the aggregate detection threshold for the technology and the spatial resolution of the technology (*i.e.*, facility-level, area-level, or component-level).
 - (5) Records of calibrations for technology used during the screening if calibration is required by the alternative test method approved in accordance with § 60.5398b(d).

- (6) Results from periodic screening. If the results of the periodic screening indicate a confirmed detection of emissions from an affected facility, you must maintain the records in paragraphs (c)(6)(i) through (v) of this section.
 - (i) The date of the inspection of the fugitive emissions components and inspection of covers and closed vent system, as specified in § 60.5398b(b)(5).
 - (ii) Name of operator(s) performing the survey or inspection.
 - (iii) For surveys and instrument inspections, identification of the monitoring instrument(s) used.
 - (iv) Records of calibrations for the instrument(s) used during the survey or instrument inspection, as applicable.
 - (v) For each fugitive emission from a fugitive emissions components affected facility and each leak or defect for each cover and closed vent system inspection, you must maintain the records in paragraphs (c)(6)(v)(A) through (F) of this section.
 - (A) The location of the fugitive emissions identified using a unique identifier for the source of the emissions and the type of fugitive emissions component.
 - (B) The location of the emission or defect from a cover or closed vent system using a unique identifier for the source of the emission or defect.
 - (C) If a defect of a closed vent system, cover, or control device is identified, a description of the defect.
 - (D) The date of repair for each fugitive emission from a fugitive emissions components affected facility or each emission or defect for each cover and closed vent system.
 - (E) Number and type of fugitive emission components and identification of each cover or closed vent system placed on delay of repair and an explanation for each delay of repair.
 - (F) For each fugitive emission component placed on delay of repair for reason of replacement component unavailability, the operator must document: the date the component was added to the delay of repair list, the date the replacement fugitive component or part thereof was ordered, the anticipated component delivery date (including any estimated shipment or delivery date provided by the vendor), and the actual arrival date of the component.
- (7) The date the investigative analysis was initiated, and the result of the investigative analysis conducted in accordance with § 60.5398b(b)(5)(vi) and (vii), as applicable.
- (8) Dates of implementation and completion of action(s) taken as a result of the investigative analysis and a description of the action(s) taken in accordance with § 60.5398b(b)(5)(vi) and (vii), as applicable.
- (9) The information in paragraphs (c)(9)(i) through (vii) of this section if you are required to conduct OGI surveys in accordance with § 60.5398b(b)(1)(i) or if you replace a periodic screening event with an OGI survey in accordance with § 60.5398b(b)(1)(iv).
 - (i) The date of the OGI survey.
 - (ii) Location of each fugitive emission identified.
 - (iii) Type of fugitive emissions component for which fugitive emissions were detected.

- (iv) The date of first attempt at repair of the fugitive emissions component(s).
 - (v) The date of successful repair of the fugitive emissions component(s), including the resurvey to verify the repair.
 - (vi) Identification of each fugitive emissions component placed on delay of repair and an explanation for each delay of repair.
 - (vii) For each fugitive emission component placed on delay of repair for reason of replacement component unavailability, the operator must document: the date the component was added to the delay of repair list, the date the replacement fugitive component or part thereof was ordered, the anticipated component delivery date (including any estimated shipment or delivery date provided by the vendor), and the actual arrival date of the component.
- (10) Any deviations from the monitoring plan or a statement that there were no deviations from the monitoring plan.
- (11) All records required by the alternative approved in accordance with § 60.5398b(d).
- (d) **Information submittal.** If you comply with the continuous monitoring system requirements of § 60.5398b(c), you must submit the information in paragraphs (d)(1) through (6) of this section in the annual report required by § 60.5420b(b)(4) through (11).
- (1) The start date and end date for each period where the emissions rate determined in accordance with § 60.5398b(c)(6) exceeded one of the action levels determined in accordance with § 60.5398b(c)(4). Include which action level was exceeded (the 7-day or 90-day rolling average), the numerical value of the action level, and the mass emission rate calculated by the continuous monitoring system in the report.
 - (2) The date the investigative analysis was initiated, and the result of the investigative analysis conducted in accordance with § 60.5398b(c)(7), as applicable.
 - (3) Dates of implementation and completion of action(s) taken to reduce the mass emission rate and a description of the action(s) taken in accordance with § 60.5398b(c)(7), as applicable.
 - (4) If there are no instances reported under paragraph (d)(1) of this section, report your numerical action levels and the highest 7-day rolling average and highest 90-day rolling average determined by your continuous monitoring system during the reporting period.
 - (5) The start date for each instance where the 12-month rolling average operational downtime of the system exceeded 10 percent and the value of the 12-month rolling average operational downtime during the period. If there were no instances during the reporting period where the 12-month rolling average operational downtime of the system exceeded 10 percent, report the highest value of the 12-month rolling average operational downtime during the reporting period.
 - (6) Any additional information regarding the performance of the continuous monitoring system as specified by the Administrator, as part of the alternative test method approval described in § 60.5398b(d).
- (e) **Maintain records.** If you comply with the continuous monitoring system requirements of § 60.5398b(c), you must maintain the records in paragraphs (e)(1) through (15) of this section.
- (1) The monitoring plan required by § 60.5398b(c)(2).
 - (2) Date of commencement of continuous monitoring with your continuous monitoring system.

- (3) The detection threshold of the continuous monitoring system.
- (4) The results of checks for power and function in accordance with § 60.5398b(c)(1)(ii).
- (5) The beginning and end of each period of operational downtime for the system.
- (6) Each rolling 12-month average operational downtime for the system, calculated in accordance with § 60.5398b(c)(1)(iv)(D).
- (7) The 7-day rolling average and 90-day rolling average action levels for the site determined in accordance with § 60.5398b(c)(4).
- (8) The information in paragraphs (e)(8)(i) through (v) of this section each time you establish site-specific baseline emissions in accordance with § 60.5398b(c)(5).
 - (i) Records of inspections of fugitive emissions components, covers, and closed vent systems required by § 60.5398b(c)(5)(i), including the date of inspection, location of each emission or defect identified, date of successful repair of each fugitive emissions component, cover, or closed vent system.
 - (ii) Records of inspections of control devices required by § 60.5398b(c)(5)(ii), including the date of the inspection and the results of the inspection.
 - (iii) The start date and time and end date and time of any maintenance activities that occurred during the 30 operating day period.
 - (iv) The site-level emission rate for each day during the 30 operating day period.
 - (v) The calculated site-specific baseline emission rate.
- (9) Each methane mass emission rate reading determined by the system.
- (10) Each daily, 7-day, and 90-day average mass emission rate which was determined in accordance with § 60.5398b(c)(6). If you exceed the 90-day action level, you must also keep records of the 30-day average mass emission rate following completion of the initial actions to reduce the average mass emission rate, in accordance with § 60.5398b(c)(8)(i).
- (11) The results of each comparison of the emissions rate determined in accordance with § 60.5398b(c)(6) to the action level determined in accordance with § 60.5398b(c)(4).
- (12) The date the investigative analysis was initiated, and the result of the investigative analysis conducted in accordance with § 60.5398b(c)(7), as applicable.
- (13) Dates of implementation and completion of action(s) taken to reduce the mass emission rate below the action level and a description of the action(s) taken in accordance with § 60.5398b(c)(7), as applicable.
- (14) Each mass emission rate reduction plan developed in accordance with § 60.5398b(c)(8), as applicable. You must keep records of the actions taken in accordance with the plan and the date such actions are taken.
- (15) Any additional information regarding the performance of the continuous monitoring technology as specified by the Administrator, as part of the alternative test method approval described in § 60.5398b(d).

§ 60.5425b What parts of the General Provisions apply to me?

Table 5 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.

§ 60.5430b What definitions apply to this subpart?

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

Access to electrical power means commercial line power is available onsite, with sufficient capacity to support the required power loading of onsite equipment, and which provides reliable and consistent power.

Acid gas means a gas stream of hydrogen sulfide (H₂S) and carbon dioxide (CO₂) that has been separated from sour natural gas by a sweetening unit.

Alaskan North Slope means the approximately 69,000 square-mile area extending from the Brooks Range to the Arctic Ocean.

API Gravity means the weight per unit volume of hydrocarbon liquids as measured by a system recommended by the American Petroleum Institute (API) and is expressed in degrees.

Artificial lift equipment means mechanical pumps including, but not limited to, rod pumps and electric submersible pumps used to flowback fluids from a well.

Associated gas means the natural gas from wells operated primarily for oil production that is released from the liquid hydrocarbon during the initial stage of separation after the wellhead. Associated gas production begins at the startup of production after the flow back period ends. Gas from wildcat or delineation wells is not associated gas.

Average aggregate detection threshold means:

- (1) For the purposes of § 60.5398b, the average of all site-level detection thresholds from a single deployment (e.g., a singular flight that surveys multiple well sites, centralized production facility, and/or compressor stations) of a technology; and
- (2) For the purposes of § 60.5371b, the average of all site-level detection thresholds from a single deployment in the same basin and field.

Bleed rate means the rate in standard cubic feet per hour at which natural gas is continuously vented (bleeds) from a process controller.

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

- (1) Exceeds P, the product of the facility's replacement cost, R, and an adjusted annual asset guideline repair allowance, A, as reflected by the following equation: $P = R \times A$, where:
 - (i) The adjusted annual asset guideline repair allowance, A, is the product of the percent of the replacement cost, Y, and the applicable basic annual asset guideline repair allowance, B, divided by 100 as reflected by the following equation: $A = Y \times (B \div 100)$;
 - (ii) The percent Y is determined from the following equation: $Y = (\text{CPI of date of construction}/\text{most recently available CPI of date of project})$, where the "CPI-U, U.S. city average, all items" must be used for each CPI value; and

(iii) The applicable basic annual asset guideline repair allowance, B, is 4.5.

(2) [Reserved]

Centralized production facility means one or more storage vessels and all equipment at a single surface site used to gather, for the purpose of sale or processing to sell, crude oil, condensate, produced water, or intermediate hydrocarbon liquid from one or more offsite natural gas or oil production wells. This equipment includes, but is not limited to, equipment used for storage, separation, treating, dehydration, artificial lift, combustion, compression, pumping, metering, monitoring, and flowline. Process vessels and process tanks are not considered storage vessels or storage tanks. A centralized production facility is located upstream of the natural gas processing plant or the crude oil pipeline breakout station and is a part of producing operations.

Centrifugal compressor means any machine for raising the pressure of a natural gas by drawing in low pressure natural gas and discharging significantly higher-pressure natural gas by means of mechanical rotating vanes or impellers. Screw, sliding vane, and liquid ring compressors are not centrifugal compressors for the purposes of this subpart.

Centrifugal compressor equipped with sour seal oil separator and capture system means a wet seal centrifugal compressor system which has an intermediate closed process that degasses most of the gas entrained in the sour seal oil and sends that gas to either another process or combustion device (i.e., degassed emissions are recovered). The de-gas emissions are routed back to a process or combustion device directly from the intermediate closed degassing process; after the intermediate closed process the oil is ultimately recycled for recirculation in the seals to the lube oil tank where any small amount of residual gas is released through a vent.

Certifying official means one of the following:

- (1) For a corporation: A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities with an affected facility subject to this subpart and either:
 - (i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or
 - (ii) The Administrator is notified of such delegation of authority prior to the exercise of that authority. The Administrator reserves the right to evaluate such delegation;
- (2) For a partnership (including but not limited to general partnerships, limited partnerships, and limited liability partnerships) or sole proprietorship: A general partner or the proprietor, respectively. If a general partner is a corporation, the provisions of paragraph (1) of this definition apply;
- (3) For a municipality, state, Federal, or other public agency: Either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of EPA); or
- (4) For affected facilities:
 - (i) The designated representative in so far as actions, standards, requirements, or prohibitions under title IV of the CAA or the regulations promulgated thereunder are concerned; or

- (ii) The designated representative for any other purposes under this part.

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

Coil tubing cleanout means the process where an operator runs a string of coil tubing to the packed proppant within a well and jets the well to dislodge the proppant and provide sufficient lift energy to flow it to the surface. Coil tubing cleanout includes mechanical methods to remove solids and/or debris from a wellbore.

Collection system means any infrastructure that conveys gas or liquids from the well site to another location for treatment, storage, processing, recycling, disposal or other handling.

Completion combustion device means any ignition device, installed horizontally or vertically, used in exploration and production operations to combust otherwise vented emissions from completions. Completion combustion devices include pit flares.

Compressor mode means the operational and pressurized status of a compressor. For both centrifugal compressors and reciprocating compressors, "mode" refers to either: Operating-mode, standby-pressurized-mode, or not-operating-depressurized-mode.

Compressor station means any permanent combination of one or more compressors that move natural gas at increased pressure through gathering or transmission pipelines, or into or out of storage. This includes but is not limited to gathering and boosting stations and transmission compressor stations. The combination of one or more compressors located at a well site, centralized production facility, or an onshore natural gas processing plant, is not a compressor station for purposes of § 60.5365b(e) and § 60.5397b.

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

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

Continuous bleed means a continuous flow of pneumatic supply natural gas to a process controller.

Crude oil and natural gas source category means:

- (1) Crude oil production, which includes the well and extends to the point of custody transfer to the crude oil transmission pipeline or any other forms of transportation; and
- (2) Natural gas production, processing, transmission, and storage, which include the well and extend to, but do not include, the local distribution company custody transfer station.

Custody meter means the meter where natural gas or hydrocarbon liquids are measured for sales, transfers, and/or royalty determination.

Custody meter assembly means an assembly of fugitive emissions components, including the custody meter, valves, flanges, and connectors necessary for the proper operation of the custody meter.

Custody transfer means the transfer of crude oil or natural gas after processing and/or treatment in the producing operations, or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation.

Dehydrator means a device in which an absorbent directly contacts a natural gas stream and absorbs water in a contact tower or adsorption column (absorber).

Delineation well means a well drilled in order to determine the boundary of a field or producing reservoir.

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

- (1) Fails to meet any requirement or obligation established by this subpart including, but not limited to, any emission limit, operating limit, or work practice standard;
- (2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or
- (3) Fails to meet any emission limit, operating limit, or work practice standard of this subpart during startup, shutdown, or malfunction, regardless of whether or not such failure is permitted by this subpart.

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

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

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

Emergency shutdown device means a device which functions exclusively to protect personnel and/or prevent physical damage to equipment by shutting down equipment or gas flow during unsafe conditions resulting from an unexpected event, such as a pipe break or fire. For the purposes of this subpart, an emergency shutdown device is not used for routine control of operating conditions.

Equipment, as used in the standards and requirements of this subpart relative to the process unit equipment affected facility at onshore natural gas processing plants, means each pump, pressure relief device, open-ended valve or line, valve, and flange or other connector that has the potential to emit methane or VOC and any device or system required by those same standards and requirements of this subpart.

Field gas means feedstock gas entering the natural gas processing plant.

Field gas gathering means the system used transport field gas from a field to the main pipeline in the area.

First attempt at repair means an action taken for the purpose of stopping or reducing fugitive emissions to the atmosphere. First attempts at repair include, but are not limited to, the following practices where practicable and appropriate: Tightening bonnet bolts; replacing bonnet bolts; tightening packing gland nuts; or injecting lubricant into lubricated packing.

Flare means a thermal oxidation system using an open (without enclosure) flame. Completion combustion devices as defined in this section are not considered flares.

Flow line means a pipeline used to transport oil and/or gas to a processing facility or a mainline pipeline.

Flowback means the process of allowing fluids and entrained solids to flow from a well following a treatment, either in preparation for a subsequent phase of treatment or in preparation for cleanup and returning the well to production. The term flowback also means the fluids and entrained solids that emerge from a well during the flowback process. The flowback period begins when material introduced into the well during the treatment returns to the surface following hydraulic fracturing or refracturing. The flowback period ends when either the well is shut in and permanently disconnected from the flowback equipment or at the startup of production. The flowback period includes the initial flowback stage and the separation flowback stage. Screenouts, coil tubing cleanouts, and plug drill-outs are not considered part of the flowback process.

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

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

Fugitive emissions means, for the purposes of § 60.5397b, any indication of emissions observed from a fugitive emissions component using AVO, an indication of visible emissions observed from an OGI instrument, or an instrument reading of 500 ppmv or greater using Method 21 of appendix A-7 to this part.

Fugitive emissions component means any component that has the potential to emit fugitive emissions of methane or VOC at a well site, centralized production facility, or compressor station, such as valves (including separator dump valves), connectors, pressure relief devices, open-ended lines, flanges, covers and closed vent systems not subject to § 60.5411b, thief hatches or other openings on a storage vessel not subject to § 60.5395b, compressors, instruments, meters, and yard piping.

Gas to oil ratio (GOR) means the ratio of the volume of gas at standard temperature and pressure that is produced from a volume of oil when depressurized to standard temperature and pressure.

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

Hydraulic fracturing means the process of directing pressurized fluids containing any combination of water, proppant, and any added chemicals to penetrate tight formations, such as shale or coal formations, that subsequently require high rate, extended flowback to expel fracture fluids and solids during completions.

Hydraulic refracturing means conducting a subsequent hydraulic fracturing operation at a well that has previously undergone a hydraulic fracturing operation.

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

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

In light liquid service means that the piece of equipment contains a liquid that meets the conditions specified in § 60.5402b(d)(2) or § 60.5403b.

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

In wet gas service means that a compressor or piece of equipment contains or contacts the field gas before the extraction step at a gas processing plant process unit.

Initial calibration value as used in the standards and requirements of this subpart relative to the process unit equipment affected facility at onshore natural gas processing plants means the concentration measured during the initial calibration at the beginning of each day required in § 60.5403b, or the most recent calibration if the instrument is recalibrated during the day (i.e., the calibration is adjusted) after a calibration drift assessment.

Initial flowback stage means the period during a well completion operation which begins at the onset of flowback and ends at the separation flowback stage.

Intermediate hydrocarbon liquid means any naturally occurring, unrefined petroleum liquid.

Intermittent vent natural gas-driven process controller means a process controller that is not designed to have a continuous bleed rate but is instead designed to only release natural gas to the atmosphere as part of the actuation cycle.

Liquefied natural gas unit means a unit used to cool natural gas to the point at which it is condensed into a liquid which is colorless, odorless, non-corrosive and non-toxic.

Liquid collection system means tankage and/or lines at a well site to contain liquids from one or more wells or to convey liquids to another site.

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

Liquids unloading means the unloading of liquids that have accumulated over time in gas wells, which are impeding or halting production. Routine well maintenance activities, including workovers, screenouts, coil tubing cleanouts, or any other activity that requires a rig or other machinery are not considered liquids unloading.

Local distribution company (LDC) custody transfer station means a metering station where the LDC receives a natural gas supply from an upstream supplier, which may be an interstate transmission pipeline or a local natural gas producer, for delivery to customers through the LDC's intrastate transmission or distribution lines.

Low-e valve means a valve (including its specific packing assembly) for which the manufacturer has issued a written warranty or performance guarantee that it will not emit fugitives at greater than 100 ppm in the first five years. A valve may qualify as a low-e valve if it is as an extension of another valve that has qualified as a low-e valve.

Low-e packing means a valve packing product for which the manufacturer has issued a written warranty or performance guarantee that it will not emit fugitives at greater than 100 ppm in the first five years. Low-e injectable packing is a type of low-e packing product for which the manufacturer has also issued a written warranty or performance guarantee and that can be injected into a valve during a "drill-and-tap" repair of the valve.

Low pressure well means a well that satisfies at least one of the following conditions:

- (1) The static pressure at the wellhead following fracturing but prior to the onset of flowback is less than the flow line pressure;

- (2) The pressure of flowback fluid immediately before it enters the flow line, as determined under § 60.5432b, is less than the flow line pressure; or
- (3) Flowback of the fracture fluids will not occur without the use of artificial lift equipment.

Major production and processing equipment means reciprocating or centrifugal compressors, glycol dehydrators, heater/treaters, separators, control devices, natural gas-driven process controllers, natural gas-driven pumps, and storage vessels or tank batteries collecting crude oil, condensate, intermediate hydrocarbon liquids, or produced water, for the purpose of determining whether a well site is a wellhead only well site.

Maximum average daily throughput means the following:

- (1) The earliest calculation of daily average throughput, determined as described in paragraph (2) or (3) of this definition, to a tank battery over the days that production is routed to that tank battery during the 30-day PTE evaluation period employing generally accepted methods specified in § 60.5365b(e)(2).
- (2) If throughput to the tank battery is measured on a daily basis (e.g., via level gauge automation or daily manual gauging), the maximum average daily throughput is the average of all daily throughputs for days on which throughput was routed to the tank battery during the 30-day evaluation period; or
- (3) If throughput to the tank battery is not measured on a daily basis (e.g., via manual gauging at the start and end of loadouts), the maximum average daily throughput is the highest, of the average daily throughputs, determined for any production period to that tank battery during the 30-day evaluation period, as determined by averaging total throughput to that tank battery over each production period. A production period begins when production begins to be routed to a tank battery and ends either when throughput is routed away from that tank battery or when a loadout occurs from that tank battery, whichever happens first. Regardless of the determination methodology, operators must not include days during which throughput is not routed to the tank battery when calculating maximum average daily throughput for that tank battery.

Multi-wellhead only well site means a well site that contains two or more wellheads and no major production and processing equipment.

Natural gas-driven diaphragm pump means a positive displacement pump powered by pressurized natural gas that uses the reciprocating action of flexible diaphragms in conjunction with check valves to pump a fluid. A pump in which a fluid is displaced by a piston driven by a diaphragm is not considered a diaphragm pump for purposes of this subpart. A lean glycol circulation pump that relies on energy exchange with the rich glycol from the contactor is not considered a diaphragm pump.

Natural gas-driven piston pump means a positive displacement pump powered by pressurized natural gas that moves and pressurizes fluid by using one or more reciprocating pistons. A pump in which a fluid is displaced by a piston driven by a diaphragm is considered a piston pump for purposes of this subpart. A lean glycol circulation pump that relies on energy exchange with the rich glycol from the contactor is not considered a piston pump.

Natural gas-driven process controller means a process controller powered by pressurized natural gas.

Natural gas liquids means the hydrocarbons, such as ethane, propane, butane, and pentane that are extracted from field gas.

Natural gas processing plant (gas plant) means any processing site engaged in the extraction of natural gas liquids from field gas, fractionation of mixed natural gas liquids to natural gas products, or both. A Joule-Thompson valve, a dew point depression valve, or an isolated or standalone Joule-Thompson skid is not a natural gas processing plant.

Natural gas transmission means the pipelines used for the long-distance transport of natural gas (excluding processing). Specific equipment used in natural gas transmission includes the land, mains, valves, meters, boosters, regulators, storage vessels, dehydrators, compressors, and their driving units and appurtenances, and equipment used for transporting gas from a production plant, delivery point of purchased gas, gathering system, storage area, or other wholesale source of gas to one or more distribution area(s).

No detectable emissions means, for the purposes of § 60.5401b and § 60.5403b, that the equipment is operating with an instrument reading of less than 500 ppmv above background, as determined by Method 21 of appendix A-7 to this part.

No identifiable emissions means, for the purposes of covers, closed vent systems, and self-contained natural gas-driven process controllers and as determined according to the provisions of § 60.5416b, that no emissions are detected by AVO means when inspections are conducted by AVO; no emissions are imaged with an OGI camera when inspections are conducted with OGI; and equipment is operating with an instrument reading of less than 500 ppmv above background, as determined by Method 21 of appendix A-7 to this part when inspections are conducted with Method 21.

Nonfractionating plant means any gas plant that does not fractionate mixed natural gas liquids into natural gas products.

Non-natural gas-driven process controller means an instrument that is actuated using other sources of power than pressurized natural gas; examples include solar, electric, and instrument air.

Onshore means all facilities except those that are located in the territorial seas or on the outer continental shelf.

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

Plug drill-out means the removal of a plug (or plugs) that was used to isolate different sections of the well.

Process controller means an automated instrument used for maintaining a process condition such as liquid level, pressure, delta-pressure and temperature.

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

Pressure vessel means a storage vessel that is used to store liquids or gases and is designed not to vent to the atmosphere as a result of compression of the vapor headspace in the pressure vessel during filling of the pressure vessel to its design capacity.

Pressurized mode means when the compressor contains natural gas that is maintained at a pressure higher than the atmospheric pressure.

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

Process unit means components assembled for the extraction of natural gas liquids from field gas, the fractionation of the liquids into natural gas products, or other operations associated with the processing of natural gas products. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the products.

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

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

Produced water means water that is extracted from the earth from an oil or natural gas production well, or that is separated from crude oil, condensate, or natural gas after extraction.

Qualified Professional Engineer means an individual who is licensed by a state as a Professional Engineer to practice one or more disciplines of engineering and who is qualified by education, technical knowledge, and experience to make the specific technical certifications required under this subpart. Professional engineers making these certifications must be currently licensed in at least one state in which the certifying official is located.

Quarter means a 3-month period. For purposes of standards for process unit equipment affected facilities at onshore natural gas processing plants, the first quarter concludes on the last day of the last full month during the 180 days following initial startup.

Reciprocating compressor means a piece of equipment that increases the pressure of a process gas by positive displacement, employing linear movement of the driveshaft.

Reciprocating compressor rod packing means a series of flexible rings in machined metal cups that fit around the reciprocating compressor piston rod to create a seal limiting the amount of compressed natural gas that escapes to the atmosphere, or other mechanism that provides the same function.

Recovered gas means gas recovered through the separation process during flowback.

Recovered liquids means any crude oil, condensate or produced water recovered through the separation process during flowback.

Reduced emissions completion means a well completion following fracturing or refracturing where gas flowback that is otherwise vented is captured, cleaned, and routed to the gas flow line or collection system, re-injected into the well or another well, used as an onsite fuel source, or used for other useful purpose that a purchased fuel or raw material would serve, with no direct release to the atmosphere.

Reduced sulfur compounds means H₂S, carbonyl sulfide (COS), and carbon disulfide (CS₂).

Removed from service means that a storage vessel affected facility has been physically isolated and disconnected from the process for a purpose other than maintenance in accordance with § 60.5395b(c)(1).

Repaired means the following:

- (1) For the purposes of fugitive emissions components affected facilities, that fugitive emissions components are adjusted, replaced, or otherwise altered, in order to eliminate fugitive emissions and resurveyed as specified in § 60.5397b(h)(4) and it is verified that emissions from the fugitive emissions components are below the applicable fugitive emissions definition.
- (2) For the purposes of process unit equipment affected facilities, that equipment is adjusted, or otherwise altered, in order to eliminate a leak as defined in §§ 60.5400b and 60.5401b and is re-monitored as specified in § 60.5400b(b) introductory text and (b)(1) or § 60.5403b, respectively, to verify that emissions from the equipment are below the applicable leak definition. Pumps in light liquid service subject to § 60.5400b(c)(2) or § 60.5401b(b)(1)(ii) are not subject to re-monitoring.

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

Returned to service means that a storage vessel affected facility that was removed from service has been:

- (1) Reconnected to the original source of liquids or has been used to replace any storage vessel affected facility; or
- (2) Installed in any location covered by this subpart and introduced with crude oil, condensate, intermediate hydrocarbon liquids or produced water.

Routed to a process or route to a process means the emissions are conveyed via a closed vent system to any enclosed portion of a process that is operational where the emissions are predominantly recycled and/or consumed in the same manner as a material that fulfills the same function in the process and/or transformed by chemical reaction into materials that are not regulated materials and/or incorporated into a product; and/or recovered.

Salable quality gas means natural gas that meets the flow line or collection system operator specifications, regardless of whether such gas is sold.

Screenout means an attempt to clear proppant from the wellbore to dislodge the proppant out of the well.

Self-contained process controller means a natural gas-driven process controller that releases gas into the downstream piping and not to the atmosphere, resulting in zero methane and VOC emissions.

Self-contained wet seal centrifugal compressor means:

- (1) A wet seal centrifugal compressor system that is a closed process that ports the degassing emissions into the natural gas line at the compressor suction (i.e., degassed emissions are recovered) or which has an intermediate closed process that degasses most of the gas entrained in the seal oil and sends that gas to another process. The de-gas emissions are routed back to suction or process directly from the closed or intermediate closed degassing process; after the closed or intermediate closed degassing process the oil is ultimately recycled for recirculation in the seals to the lube oil tank where any small amount of residual gas is released through a vent.
- (2) A wet seal centrifugal compressor equipped with mechanical wet seals, where
 - (i) A differential pressure is maintained on the system and there is no off gassing of the lube oil, and

- (ii) The mechanical seal is integrated into the compressor housing.

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

Separation flowback stage means the period during a well completion operation when it is technically feasible for a separator to function. The separation flowback stage ends either at the startup of production, or when the well is shut in and permanently disconnected from the flowback equipment.

Separator dump valve means, for purposes of the fugitive emission standards in §§ 60.5397b and 60.5398b, a liquid-control valve in a separator that controls the liquid level within the separator vessel.

Single wellhead only well site means a wellhead only well site that contains only one wellhead and no major production and processing equipment.

Small well site means, for purposes of the fugitive emissions standards in §§ 60.5397b and 60.5398b, a well site that contains a single wellhead, no more than one piece of certain major production and processing equipment, and associated meters and yard piping. Small well sites cannot include any controlled storage vessels (or controlled tank batteries), control devices, natural gas-driven process controllers, or natural gas-driven pumps.

Startup of production means the beginning of initial flow following the end of flowback when there is continuous recovery of salable quality gas and separation and recovery of any crude oil, condensate, or produced water, except as otherwise provided in this definition. For the purposes of the fugitive monitoring requirements of § 60.5397b, *startup of production* means the beginning of the continuous recovery of salable quality gas and separation and recovery of any crude oil, condensate, or produced water.

Storage vessel means a tank or other vessel that contains an accumulation of crude oil, condensate, intermediate hydrocarbon liquids, or produced water, and that is constructed primarily of nonearthen materials (such as wood, concrete, steel, fiberglass, or plastic) which provide structural support. A well completion vessel that receives recovered liquids from a well after startup of production following flowback for a period which exceeds 60 days is considered a storage vessel under this subpart. A tank or other vessel shall not be considered a storage vessel if it has been removed from service in accordance with the requirements of § 60.5395b(c)(1) until such time as such tank or other vessel has been returned to service. For the purposes of this subpart, the following are not considered storage vessels:

- (1) Vessels that are skid-mounted or permanently attached to something that is mobile (such as trucks, railcars, barges or ships), and are intended to be located at a site for less than 180 consecutive days. If you do not keep or are not able to produce records, as required by § 60.5420b(c)(7)(v), showing that the vessel has been located at a site for less than 180 consecutive days, the vessel described herein is considered to be a storage vessel from the date the original vessel was first located at the site. This exclusion does not apply to a well completion vessel as described above.
- (2) Process vessels such as surge control vessels, bottoms receivers or knockout vessels.
- (3) Pressure vessels designed to operate in excess of 204.9 kilopascals and without emissions to the atmosphere.

Sulfur production rate means the rate of liquid sulfur accumulation from the sulfur recovery unit.

Sulfur recovery unit means a process device that recovers element sulfur from acid gas.

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

Sweetening unit means a process device that removes hydrogen sulfide and/or carbon dioxide from the sour natural gas stream.

Tank battery means a group of all storage vessels that are manifolded together for liquid transfer. A tank battery may consist of a single storage vessel if only one storage vessel is present.

Total Reduced Sulfur (TRS) means the sum of the sulfur compounds hydrogen sulfide, methyl mercaptan, dimethyl sulfide, and dimethyl disulfide as measured by Method 16 of appendix A-6 to this part.

Total SO₂ equivalents means the sum of volumetric or mass concentrations of the sulfur compounds obtained by adding the quantity existing as SO₂ to the quantity of SO₂ that would be obtained if all reduced sulfur compounds were converted to SO₂ (ppmv or kg/dscm (lb/dscf)).

UIC Class I oilfield disposal well means a well with a UIC Class I permit that meets the definition in 40 CFR 144.6(a)(2) and receives eligible fluids from oil and natural gas exploration and production operations.

UIC Class II oilfield disposal well means a well with a UIC Class II permit where wastewater resulting from oil and natural gas production operations is injected into underground porous rock formations not productive of oil or gas, and sealed above and below by unbroken, impermeable strata.

Underground storage vessel means a storage vessel stored below ground.

Well means a hole drilled for the purpose of producing oil or natural gas, or a well into which fluids are injected.

Well completion means the process that allows for the flowback of petroleum or natural gas from newly drilled wells to expel drilling and reservoir fluids and tests the reservoir flow characteristics, which may vent produced hydrocarbons to the atmosphere via an open pit or tank.

Well completion operation means any well completion with hydraulic fracturing or refracturing occurring at a well completion affected facility.

Well completion vessel means a vessel that contains flowback during a well completion operation following hydraulic fracturing or refracturing. A well completion vessel may be a lined earthen pit, a tank or other vessel that is skid-mounted or portable. A well completion vessel that receives recovered liquids from a well after startup of production following flowback for a period which exceeds 60 days is considered a storage vessel under this subpart.

Well site means one or more surface sites that are constructed for the drilling and subsequent operation of any oil well, natural gas well, or injection well. For the purposes of the fugitive emissions standards at § 60.5397b, a well site does not include:

- (1) UIC Class II oilfield disposal wells and disposal facilities;
- (2) UIC Class I oilfield disposal wells; and
- (3) The flange immediately upstream of the custody meter assembly and equipment, including fugitive emissions components, located downstream of this flange.

Wellhead means the piping, casing, tubing and connected valves protruding above the earth's surface for an oil and/or natural gas well. The wellhead ends where the flow line connects to a wellhead valve. The wellhead does not include other equipment at the well site except for any conveyance through which gas is vented to the atmosphere.

Wellhead only well site means, for the purposes of the fugitive emissions standards at § 60.5397b and the standards in § 60.5398b, a well site that contains one or more wellheads and no major production and processing equipment.

Wildcat well means a well outside known fields or the first well drilled in an oil or gas field where no other oil and gas production exists.

Yard piping means hard-piping at a well site, centralized production facility, or compressor station that is not part of a closed vent system.

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62917, Aug. 1, 2024]

§ 60.5432b How do I determine whether a well is a low pressure well using the low pressure well equation?

- (a) To determine that your well is a low pressure well subject to § 60.5375b(f), you must determine whether the characteristics of the well are such that the well meets the definition of low pressure well in § 60.5430b. To determine that the well meets the definition of low pressure well in § 60.5430b, you must use the low pressure well equation:

Equation 1 to paragraph (a)

$$P_L \text{ (psia)} = 0.495 \times P_R - \frac{q_g}{q_g + q_o + q_w} [0.05 \times P_R + 0.038 \times L - 67.578] - \left[\frac{q_o}{q_g + q_o + q_w} \times \frac{\rho_o}{144} + \frac{q_w}{q_g + q_o + q_w} 0.433 \right] \cdot L$$

Where:

- (1) P_L is the pressure of flowback fluid immediately before it enters the flow line, expressed in pounds force per square inch (psia), and is to be calculated using the equation above;
- (2) P_R is the pressure of the reservoir containing oil, gas, and water at the well site, expressed in psia;
- (3) L is the true vertical depth of the well, expressed in feet (ft);
- (4) q_o is the flow rate of oil in the well, expressed in cubic feet/second (cu ft/sec);
- (5) q_g is the flow rate of gas in the well, expressed in cu ft/sec;
- (6) q_w is the flow rate of water in the well, expressed in cu ft/sec;
- (7) ρ_o is the density of oil in the well, expressed in pounds mass per cubic feet (lbm/cu ft).

- (b) You must determine the four values in paragraphs (a)(4) through (7) of this section, using the calculations in paragraphs (b)(1) through (15) of this section.

- (1) Determine the value of the bottom hole pressure, P_{BH} (psia), based on available information at the well site, or by calculating it using the reservoir pressure, P_R (psia), in the following equation:

Equation 2 to paragraph (b)(1)

$$P_{BH} \text{ (psia)} = \frac{1}{2} P_R$$

- (2) Determine the value of the bottom hole temperature, T_{BH} (F), based on available information at the well site, or by calculating it using the true vertical depth of the well, L (ft), in the following equation:

Equation 3 paragraph (b)(2)

$$T_{BH} \text{ (F)} = (0.014 \times L) + 79.081$$

- (3) Calculate the value of the applicable natural gas specific gravity that would result from a separator pressure of 100 psig, γ_{gs} , using the following equation with: Separator at standard conditions (pressure, $p = 14.7$ (psia), temperature, $T = 60$ (F)); the oil API gravity at the well site, γ_o ; and the gas specific gravity at the separator under standard conditions, $\gamma_{gp} = 0.75$:

Equation 4 to paragraph (bh)(3)

$$\gamma_{gs} = \gamma_{gp} \cdot \left(1.0 + 5.912 \times 10^{-5} \cdot \gamma_o \cdot T \cdot \log \left(\frac{p}{114.7} \right) \right)$$

- (4) Calculate the value of the applicable dissolved GOR, R_s (scf/STBO), using the following equation with: The bottom hole pressure, P_{BH} (psia), determined in (b)(1) of this section; the bottom hole temperature, T_{BH} (F), determined in (b)(2) of this section; the gas gravity at separator pressure of 100 psig, γ_{gs} , calculated in (b)(3) of this section; the oil API gravity, γ_o , at the well site; and the constants, C1, C2, and C3, found in Table 1 to this paragraph(b)(4):

Equation 5 to paragraph (b)(4)

$$R_s \left(\frac{\text{scf}}{\text{STBO}} \right) = C1 \cdot \gamma_{gs} \cdot P_{BH}^{C2} \cdot \exp \left[C3 \left(\frac{\gamma_o}{T_{BH} + 460} \right) \right]$$

TABLE 1 TO PARAGRAPH (b)(4)—COEFFICIENTS FOR THE CORRELATION FOR R_s

Constant	$\gamma_{API} \leq 30$	$\gamma_{API} > 30$
C1	0.0362	0.0178
C2	1.0937	1.1870

Constant	$\gamma_{API} \leq 30$	$\gamma_{API} > 30$
C3	25.7240	23.931

- (5) Calculate the value of the oil formation volume factor, B_o (bbl/STBO), using the following equation with: The bottom hole temperature, T_{BH} (F), determined in paragraph (b)(2) of this section; the gas gravity at separator pressure of 100 psig, γ_{gs} , calculated in paragraph (b)(3) of this section; the dissolved GOR, R_s (scf/STBO), calculated in paragraph (b)(4) of this section; the oil API gravity, γ_o , at the well site; and the constants, C1, C2, and C3, found in Table 2 to this paragraph (b)(5):

Equation 6 to paragraph (b)(5)

$$B_o \left(\frac{\text{bbl}}{\text{STBO}} \right) = 1.0 + C1 \cdot R_s + (T_{BH} - 60) \left(\frac{\gamma_o}{\gamma_{gs}} \right) \cdot (C2 + C3 \cdot R_s)$$

TABLE 2 TO PARAGRAPH (b)(5)—COEFFICIENTS FOR THE CORRELATION FOR B_o

Constant	$\gamma_{API} \leq 30$	$\gamma_{API} > 30$
C1	4.677×10^{-4}	4.670×10^{-4}
C2	1.751×10^{-5}	1.100×10^{-5}
C3	-1.811×10^{-8}	1.337×10^{-9}

- (6) Calculate the density of oil at the wellhead,

$$\rho_{WH} \left(\frac{\text{lbm}}{\text{cu ft}} \right),$$

using the following equation with the value of the oil API gravity, γ_o , at the well site:

Equation 7 to paragraph (b)(6)

$$\rho_{WH} \left(\frac{\text{lbm}}{\text{cu ft}} \right) = \frac{141.5}{\gamma_o + 131.5} \times 62.4$$

- (7) Calculate the density of oil at bottom hole conditions,

$$\rho_{BH} \left(\frac{\text{lbm}}{\text{cu ft}} \right),$$

using the following equation with: the dissolved GOR, R_s (scf/STBO), calculated in paragraph (b)(4) of this section; the oil formation volume factor, B_o (bbl/STBO), calculated in paragraph (b)(5) of this section; the oil density at the wellhead,

$$\rho_{WH} \left(\frac{\text{lbm}}{\text{cu ft}} \right),$$

calculated in paragraph (b)(6) of this section; and the dissolved gas gravity, $\gamma_{gd} = 0.77$:

Equation 8 to paragraph (b)(7)

$$\rho_{BH} \left(\frac{\text{lbm}}{\text{cu ft}} \right) = \frac{\rho_{WH} + 0.0136 \times R_s \times \gamma_{gd}}{B_o}$$

- (8) Calculate the density of oil in the well,

$$\rho_o \left(\frac{\text{lbm}}{\text{cu ft}} \right),$$

using the following equation with the density of oil at the wellhead,

$$\rho_{WH} \left(\frac{\text{lbm}}{\text{cu ft}} \right),$$

calculated in paragraph (b)(6) of this section; and the density of oil at bottom hole conditions,

$$\rho_{BH} \left(\frac{\text{lbm}}{\text{cu ft}} \right),$$

calculated in paragraph (b)(7) of this section:

Equation 9 to paragraph (b)(8)

$$\rho_o \left(\frac{\text{lbm}}{\text{cu ft}} \right) = 0.5 \times (\rho_{WH} + \rho_{BH})$$

- (9) Calculate the oil flow rate, q_o (cu ft/sec,) using the following equation with: the oil formation volume factor, B_o (bbl/STBO), as calculated in paragraph (b)(5) of this section; and the estimated oil production rate at the well head, Q_o (STBO/day):

Equation 10 to paragraph (b)(9)

$$q_o \left(\frac{\text{cu ft}}{\text{sec}} \right) = Q_o \left(\frac{\text{STBO}}{\text{day}} \right) \times B_o \left(\frac{\text{bbl}}{\text{STBO}} \right) \times 5.614 \left(\frac{\text{cu ft}}{\text{bbl}} \right) \times \frac{1}{24 \times 60 \times 60} \left(\frac{\text{day}}{\text{sec}} \right)$$

- (10) Calculate the critical pressure, P_c (psia), and critical temperature, T_c (R), using the equations below with: Gas gravity at standard conditions (pressure, $P = 14.7$ (psia), temperature, $T = 60$ (F)), $\gamma = 0.75$; and where the mole fractions of nitrogen, carbon dioxide and hydrogen sulfide in the gas are $X_{N_2} = 0.168225$, $X_{CO_2} = 0.013163$, and $X_{H_2S} = 0.013680$, respectively:

$$P_c \text{ (psia)} = 678 - 50 \cdot (\gamma_g - 0.5) - 206.7 \cdot X_{N_2} + 440 \cdot X_{CO_2} + 606.7 \cdot X_{H_2S}$$

$$T_c \text{ (R)} = 326 + 315.7 \cdot (\gamma_g - 0.5) - 240 \cdot X_{N_2} - 88.3 \cdot X_{CO_2} + 133.3 \cdot X_{H_2S}$$

- (11) Calculate reduced pressure, P_r , and reduced temperature, T_r , using the following equations with: the bottom hole pressure, P_{BH} , as determined in paragraph (b)(1) of this section; the bottom hole temperature, T_{BH} (F), as determined in paragraph (b)(2) of this section in the following equations:

Equation 11 to paragraph (b)(11)

$$P_r = \frac{P_{BH}}{P_c}$$

$$T_r = \frac{T_{BH} + 460}{T_c}$$

(12)

- (i) Calculate the gas compressibility factor, Z , using the following equation with the reduced pressure, P_r , calculated in paragraph (b)(11) of this section:

Equation 12 to paragraph (b)(12)(i)

$$Z = A + \frac{(1 - A)}{e^B} + C \cdot P_r^D$$

- (ii) The values for A , B , C , D in the above equation, are calculated using the following equations with the reduced pressure, P_r , and reduced temperature, T_r , calculated in paragraph (b)(11) of this section:

Equation 13 to paragraph (b)(12)(ii)

$$A = 1.39 \cdot (T_r - 0.92)^{0.5} - 0.36 \cdot T_r - 0.101$$

$$B = (0.62 - 0.23 \cdot T_r) \cdot P_r + \left(\frac{0.066}{(T_r - 0.86)} - 0.037 \right) \cdot P_r^2$$

$$+ \frac{0.32}{10^9(T_r - 1)} \cdot P_r^6$$

$$C = (0.132 - 0.32 \cdot \log(T_r))$$

$$D = 10^{0.3106 - 0.49T_r + 0.1824T_r^2}$$

- (13) Calculate the gas formation volume factor,

$$B_g \left(\frac{\text{cuft}}{\text{scf}} \right),$$

using the bottom hole pressure, P_{BH} (psia), as determined in paragraph (b)(1) of this section; and the bottom hole temperature, T_{BH} (F), as determined in paragraph (b)(2) of this section:

Equation 14 to paragraph (b)(13)

$$B_g \left(\frac{cuft}{scf} \right) = 0.0283 \cdot \frac{Z \cdot (T_{gH} + 460)}{P_{gH}} \cdot O$$

(14) Calculate the gas flow rate,

$$q_g \left(\frac{cuft}{sec} \right),$$

using the following equation with: the value of gas formation volume factor,

$$B_g \left(\frac{cuft}{scf} \right),$$

calculated in paragraph (b)(13) of this section; the estimated gas production rate, Qg (scf/day); the estimated oil production rate, Qo (STBO/day); and the dissolved GOR, Rs (scf/STBO), as calculated in paragraph (b)(4) of this section:

Equation 15 to paragraph (b)(14)

$$q_g \left(\frac{cf}{sec} \right) = (Q_g - R_s \cdot Q_o) \cdot B_g \cdot \frac{1}{24 \times 60 \times 60}$$

(15) Calculate the flow rate of water in the well, q_w (cu ft/sec), using the following equation with the water production rate Qw (bbl/day) at the well site:

Equation 16 to paragraph (b)(15)

$$q_w \left(\frac{cf}{sec} \right) = Q_w \left(\frac{bbl}{day} \right) \times 5.614 \left(\frac{cf}{bbl} \right) \times \frac{1}{24 \times 60 \times 60} \left(\frac{day}{sec} \right)$$

§§ 60.5433b-60.5439b [Reserved]

Table 1 to Subpart OOOOb of Part 60—Alternative Technology Periodic Screening Frequency at Well Sites, Centralized Production Facilities, and Compressor Stations Subject to AVO Inspections With Quarterly OGI or EPA Method 21 Monitoring

Minimum screening frequency	Minimum detection threshold of screening technology * (kg/hr)
Quarterly	≤1
Bimonthly	≤2
Bimonthly + Annual OGI	≤10

* Based on a probability of detection of 90%.

Minimum screening frequency	Minimum detection threshold of screening technology * (kg/hr)
Monthly	≤5
Monthly + Annual OGI	≤15

* Based on a probability of detection of 90%.

Table 2 to Subpart OOOOb of Part 60—Alternative Technology Periodic Screening Frequency at Well Sites and Centralized Production Facilities Subject to AVO Inspections and/or Semiannual OGI or EPA Method 21 Monitoring

Minimum screening frequency	Minimum detection threshold of screening technology * (kg/hr)
Semiannual	≤1
Triannual	≤2
Triannual + Annual OGI	≤10
Quarterly	≤5
Quarterly + Annual OGI	≤15
Bimonthly	≤15

* Based on a probability of detection of 90%

Table 3 to Subpart OOOOb of Part 60—Required Minimum Initial SO₂ Emission Reduction Efficiency (Z_i)

H ₂ S content of acid gas (Y), %	Sulfur feed rate (X), LT/D			
	2.0 ≤ X ≤ 5.0	5.0 < X ≤ 15.0	15.0 < X ≤ 300.0	X > 300.0
Y ≥ 50	79.0	88.51X ^{0.0101} Y ^{0.0125} or 99.9, whichever is smaller.		
20 ≤ Y < 50	79.0	88.51X ^{0.0101} Y ^{0.0125} or 97.9, whichever is smaller		97.9
10 ≤ Y < 20	79.0	88.51X ^{0.0101} Y ^{0.0125} or 93.5, whichever is smaller	93.5	93.5
Y < 10	79.0	79.0	79.0	79.0

[89 FR 62917, Aug. 1, 2024]

Table 4 to Subpart OOOOb of Part 60—Required Minimum SO₂ Emission Reduction Efficiency (Z_c)

H ₂ S content of acid gas (Y), %	Sulfur feed rate (X), LT/D			
	2.0 ≤ X ≤ 5.0	5.0 < X ≤ 15.0	15.0 < X ≤ 300.0	X > 300.0
Y ≥ 50	74.0	85.35X ^{0.0144} Y ^{0.0128} or 99.9, whichever is smaller.		
20 ≤ Y < 50	74.0	85.35X ^{0.0144} Y ^{0.0128} or 97.5, whichever is smaller		97.5
10 ≤ Y < 20	74.0	85.35X ^{0.0144} Y ^{0.0128} or 90.8, whichever is smaller	90.8	90.8
Y < 10	74.0	74.0	74.0	74.0

[89 FR 62917, Aug. 1, 2024]

Table 5 to Subpart OOOOb of Part 60—Applicability of General Provisions to Subpart OOOOb

General provisions citation	Subject of citation	Applies to subpart?	Explanation
§ 60.1	General applicability of the General Provisions	Yes	Additional terms defined in § 60.5430b.
§ 60.2	Definitions	Yes	
§ 60.3	Units and abbreviations	Yes	
§ 60.4	Address	Yes	
§ 60.5	Determination of construction or modification	Yes	
§ 60.6	Review of plans	Yes	Except that § 60.7 only applies as specified in §§ 60.5417b(c) and 60.5420b(a).
§ 60.7	Notification and record keeping	Yes	
§ 60.8	Performance tests	Yes	Except that the format and submittal of performance test reports is described in § 60.5420b(b) and (d). Performance testing is required for control devices used

General provisions citation	Subject of citation	Applies to subpart?	Explanation
§ 60.9	Availability of information	Yes	on storage vessels, centrifugal compressors, wells, reciprocating compressors, process controllers, and pumps, as applicable, except that performance testing is not required for a control device used solely on pump(s).
§ 60.10	State authority	Yes	
§ 60.11	Compliance with standards and maintenance requirements	No	
§ 60.12	Circumvention	Yes	
§ 60.13	Monitoring requirements	Yes	Requirements are specified in subpart OOOOb.
§ 60.14	Modification	Yes	
§ 60.15	Reconstruction	Yes	
§ 60.16	Priority list	Yes	
§ 60.17	Incorporations by reference	Yes	To the extent any provision in § 60.14 conflicts with specific provisions in subpart OOOOb, it is superseded by subpart OOOOb provisions.
§ 60.18	General control device and work practice requirements	Yes	
§ 60.19	General notification and reporting requirement	Yes	

[89 FR 17043, Mar. 8, 2024, as amended at 89 FR 62917, Aug. 1, 2024]