

West Virginia Department of Environmental Protection

Harold D. Ward

Cabinet Secretary

Permit to Operate



Pursuant to

Title V

of the Clean Air Act

Issued to:

Columbia Gas Transmission, LLC

Lost River Compressor Station

R30-03100002-2023

Laura M. Crowder

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Director, Division of Air Quality

Issued: August 8, 2023 • Effective: August 22, 2023
Expiration: August 8, 2028 • Renewal Application Due: February 8, 2028

Permit Number: **R30-03100002-2023**
Permittee: **Columbia Gas Transmission, LLC**
Facility Name: **Lost River Compressor Station**
Permittee Mailing Address: **1700 MacCorkle Ave, SE, 4th Floor, Charleston, WV 25314**

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 — Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

| | |
|--------------------------|---|
| Facility Location: | Upper Cove Run Road, Mathias, Hardy County, West Virginia |
| Telephone Number: | (304) 548-1674 |
| Type of Business Entity: | LLC |
| Facility Description: | Natural Gas Transmission Facility |
| SIC Codes: | 4922 |
| UTM Coordinates: | 685.5 km Easting • 4,305.1 km Northing • Zone 17 |

Permit Writer: Natalya V. Chertkovsky-Veselova

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.

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1.0 Emission Units and Active R13, R14, and R19 Permits

1.1 Emission Units

| Emission Unit ID | Emission Point ID | Emission Unit Description (Make, Model, Serial No.) | Year Installed | Design Capacity | Control Device |
|-----------------------|-------------------|---|----------------|--|----------------|
| 001-03 ⁽¹⁾ | BL2 | Wastewater Evaporator Boiler | 1997 | 0.20 MMBtu/hr | N/A |
| 001-04 ⁽¹⁾ | HTR2 | Fuel Gas Heater #2 | 2013 | 0.75 MMBtu/hr | N/A |
| 001-05 ⁽¹⁾ | HTR3 | Fuel Gas Heater #3 | 2013 | 0.25 MMBtu/hr | N/A |
| 001-06 ⁽¹⁾ | SH1 | 40 Catalytic Heaters | 2013 | Each 0.072 MMBtu/hr (Total 2.88 mmBtu/hr) | N/A |
| 002-07 ⁽¹⁾ | E07 | Reciprocating Engine / Compressor; Clark TLA-8; 2-cycle, lean burn | 1969 | 2,700 HP | N/A |
| 002-08 ⁽¹⁾ | E08 | Reciprocating Engine / Compressor; Clark TLA-8; 2-cycle, lean burn | 1969 | 2,700 HP | N/A |
| 002-09 ⁽¹⁾ | E09 | Reciprocating Engine / Compressor; Clark TLA-8; 2-cycle, lean burn | 1970 | 2,700 HP | N/A |
| 002-10 ⁽¹⁾ | E10 | Reciprocating Engine / Compressor; Clark TLAD-10; 2-cycle lean burn | 1991 | 4,640 HP | N/A |
| 002-12 ⁽¹⁾ | G3 | Reciprocating Engine / Emergency Generator; Waukesha VGF-48GL; 4-cycle, lean burn | 2008 | 1,063 HP | N/A |
| 002-13 ⁽¹⁾ | E11 | Reciprocating Engine / Compressor; Caterpillar G3616; 4-cycle lean burn | 2008 | 4,735 HP | OC1 (OxCat) |
| 003-01 ⁽¹⁾ | T01 | Turbine #1, Solar Taurus 70 | 2013 | 9,236 hp @ 59° F 11,557 hp @ 0° F 83.89 MMBtu/hr | N/A |
| 003-02 ⁽¹⁾ | T02 | Turbine #2, Solar Taurus 70 | 2013 | 9,236 hp @ 59° F 11,557 hp @ 0° F 83.89 MMBtu/hr | N/A |
| 003-03 ⁽¹⁾ | T03 | Turbine #3, Solar Mars 100 | 2017 | 15,067 hp @ 32° F 116.08 MMBtu/hr | N/A |
| 003-04 ⁽¹⁾ | T04 | Turbine #4, Solar Mars 100 | 2017 | 15,067 hp @ 32° F 116.08 MMBtu/hr | N/A |
| 001-07 ⁽¹⁾ | HTR4 | Fuel Gas Heater | 2017 | 0.50 MMBTU/hr | N/A |
| 001-08 ⁽¹⁾ | SH2 | 26 Catalytic Heaters | 2017 | 1.34 MMBtu/hr ⁽²⁾ | N/A |
| 001-09 ⁽¹⁾ | SH3 | 22 Catalytic Heaters | 2013 | 0.66 MMBtu/hr ⁽²⁾ | N/A |

(1) All combustion equipment burns pipeline quality natural gas only.

(2) Listed design capacity is aggregate for all heaters.

N/A – Not applicable

1.2. Active R13, R14, and R19 Permits

The underlying authority for any conditions from R13, R14, and/or R19 permits contained in this operating permit is cited using the original permit number (e.g. R13-1234). The current applicable version of such permit(s) is listed below.

| Permit Number | Date of Issuance |
|---------------|------------------|
| R14-0013E | May 11, 2016 |

2.0 General Conditions

2.1 Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.39.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.
- 2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the monthly data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

2.2 Acronyms

| | | | |
|---------------------------------------|---|------------------------|---|
| CAAA | Clean Air Act Amendments | NSPS | New Source Performance Standards |
| CBI | Confidential Business Information | PM | Particulate Matter |
| CEM | Continuous Emission Monitor | PM₁₀ | Particulate Matter less than 10µm in diameter |
| CES | Certified Emission Statement | pph | Pounds per Hour |
| C.F.R. or CFR | Code of Federal Regulations | ppm | Parts per Million |
| CO | Carbon Monoxide | PSD | Prevention of Significant Deterioration |
| C.S.R. or CSR | Codes of State Rules | psi | Pounds per Square Inch |
| DAQ | Division of Air Quality | SIC | Standard Industrial Classification |
| DEP | Department of Environmental Protection | SIP | State Implementation Plan |
| FOIA | Freedom of Information Act | SO₂ | Sulfur Dioxide |
| HAP | Hazardous Air Pollutant | TAP | Toxic Air Pollutant |
| HON | Hazardous Organic NESHAP | TPY | Tons per Year |
| HP | Horsepower | TRS | Total Reduced Sulfur |
| lbs/hr or lb/hr | Pounds per Hour | TSP | Total Suspended Particulate |
| LDAR | Leak Detection and Repair | USEPA | United States Environmental Protection Agency |
| m | Thousand | UTM | Universal Transverse Mercator |
| MACT | Maximum Achievable Control Technology | VEE | Visual Emissions Evaluation |
| mm | Million | VOC | Volatile Organic Compounds |
| mmBtu/hr | Million British Thermal Units per Hour | | |
| mmft³/hr or mmcf/hr | Million Cubic Feet Burned per Hour | | |
| NA or N/A | Not Applicable | | |
| NAAQS | National Ambient Air Quality Standards | | |
| NESHAPS | National Emissions Standards for Hazardous Air Pollutants | | |
| NO_x | Nitrogen Oxides | | |

2.3. Permit Expiration and Renewal

- 2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.
[45CSR§30-5.1.b.]
- 2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.
[45CSR§30-4.1.a.3.]
- 2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.
[45CSR§30-6.3.b.]
- 2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.
[45CSR§30-6.3.c.]

2.4. Permit Actions

- 2.4.1. This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[45CSR§30-5.1.f.3.]

2.5. Reopening for Cause

- 2.5.1. This permit shall be reopened and revised under any of the following circumstances:
- a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§§30-6.6.a.1.A. or B.
 - b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.
 - c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
 - d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

- 2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.
[45CSR§30-6.4.]

2.7. Minor Permit Modifications

- 2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.
[45CSR§30-6.5.a.]

2.8. Significant Permit Modification

- 2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.
[45CSR§30-6.5.b.]

2.9. Emissions Trading

- 2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.
[45CSR§30-5.1.h.]

2.10. Off-Permit Changes

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:
- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
 - b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
 - c. The change shall not qualify for the permit shield.
 - d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
 - e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.

- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

[45CSR§30-5.9.]

2.11. Operational Flexibility

- 2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.

[45CSR§30-5.8]

- 2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.

[45CSR§30-5.8.a.]

- 2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

- a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or
- b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

[45CSR§30-5.8.c.]

- 2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

[45CSR§30-2.40]

2.12. Reasonably Anticipated Operating Scenarios

- 2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.
- a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.
 - b. The permit shield shall extend to all terms and conditions under each such operating scenario; and
 - c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

2.13. Duty to Comply

- 2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

- 2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:
- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
 - d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

- 2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:
- a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
 - b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

- 2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

[45CSR§30-5.1.f.2.]

2.17. Reserved

2.18. Federally-Enforceable Requirements

- 2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.

[45CSR§30-5.2.a.]

- 2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

2.19. Duty to Provide Information

- 2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

- 2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

[45CSR§30-4.2.]

2.21. Permit Shield

- 2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.

[45CSR§30-5.6.a.]

- 2.21.2. Nothing in this permit shall alter or affect the following:

- a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or
- b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.
- c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

[45CSR§30-5.6.c.]

2.22. Credible Evidence

- 2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.

[45CSR§30-5.3.e.3.B.]

2.23. Severability

- 2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.

[45CSR§30-5.1.e.]

2.24. Property Rights

- 2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.

[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

- 2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.
- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.
 - b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.
 - c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

[45CSR§30-5.1.d.]

- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.

[45CSR§30-5.1.a.2.]

3.0 Facility-Wide Requirements

3.1 Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1. [45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible. [45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them. [40 C.F.R. §61.145(b) and 45CSR34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public. [45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11. [45CSR§11-5.2]
- 3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality. [W.Va. Code § 22-5-4(a)(14)]
- 3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.
- [40 C.F.R. 82, Subpart F]

- 3.1.8. **Risk Management Plan.** Should this stationary source, as defined in 40 C.F.R. § 68.3, become subject to Part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. § 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.

[40 C.F.R. 68]

- 3.1.9. No person shall cause, suffer, allow or permit fugitive particulate matter to be discharged beyond the boundary lines of the property on which the discharge originates or at any public or residential location, which causes or contributes to statutory air pollution.

[45CSR§17-3.1; State Enforceable Only]

3.2. Monitoring Requirements

- 3.2.1. None.

3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

- d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
 1. The permit or rule evaluated, with the citation number and language.
 2. The result of the test for each permit or rule condition.
 3. A statement of compliance or non-compliance with each permit or rule condition.

[WV Code §§ 22-5-4(a)(14-15) and 45CSR13]

3.4. Recordkeeping Requirements

- 3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:
 - a. The date, place as defined in this permit and time of sampling or measurements;
 - b. The date(s) analyses were performed;
 - c. The company or entity that performed the analyses;
 - d. The analytical techniques or methods used;
 - e. The results of the analyses; and
 - f. The operating conditions existing at the time of sampling or measurement.

[45CSR§30-5.1.c.2.A. and 45CSR14, R14-0013, 4.4.1] (HTR2, HTR3, SH1, E07, E08, E09, E10, G3, E11, T01-T04, HTR4, SH2, SH3)

- 3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.

[45CSR§30-5.1.c.2.B.]

- 3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.

[45CSR§30-5.1.c. State-Enforceable only.]

3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
[45CSR§§30-4.4. and 5.1.c.3.D.]
- 3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.
[45CSR§30-5.1.c.3.E.]
- 3.5.3. Except for the electronic submittal of the annual compliance certification and semi-annual monitoring reports to the DAQ and USEPA as required in 3.5.5 and 3.5.6 below, all notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class or by private carrier with postage prepaid to the address(es), or submitted in electronic format by e-mail as set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street SE
Charleston, WV 25304

US EPA:

Section Chief
U. S. Environmental Protection Agency, Region III
Enforcement and Compliance Assurance Division
Air, RCRA and Toxics Branch (3ED21)
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2852

DAQ Compliance and Enforcement¹:

DEPAirQualityReports@wv.gov

¹For all self-monitoring reports (MACT, GACT, NSPS, etc.), stack tests and protocols, Notice of Compliance Status reports, Initial Notifications, etc.

- 3.5.4. **Fees.** The permittee shall pay fees on an annual basis in accordance with 45CSR§30-8.
[45CSR§30-8.]
- 3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification. The annual certification shall be submitted in electronic format by e-mail to the following addresses:

DAQ:

DEPAirQualityReports@wv.gov

US EPA:

R3_APD_Permits@epa.gov

[45CSR§30-5.3.e.]

- 3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4. The semi-annual monitoring reports shall be submitted in electronic format by e-mail to the following address:

DAQ:
DEPAirQualityReports@wv.gov

[45CSR§30-5.1.c.3.A.]

- 3.5.7. **Reserved.**

- 3.5.8. **Deviations.**

- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:

1. Reserved.
2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or email. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.

[45CSR§30-5.1.c.3.B.]

- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.

[45CSR§30-4.3.h.1.B.]

3.6. Compliance Plan

- 3.6.1. None.

3.7. Permit Shield

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.
- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

| | |
|--|---|
| 45CSR4 | <i>To Prevent and Control the Discharge of Air Pollutants into the Open Air Which Cause or Contributes to an Objectionable Odor or Odors:</i> This State Rule shall not apply to the following source of objectionable odor until feasible control methods are developed: Internal combustion engines. |
| 45CSR10 | <i>To Prevent and Control Air Pollution from the Emission of Sulfur Oxides:</i> The sulfur requirement for fuel burning units do not apply to indirect combustion sources at this site because there are no units with design heat inputs above 10 MMBtu/hr. Therefore, they are exempt in accordance with 45CSR§10-10.1 |
| 45CSR21 | <i>To Prevent and Control Air Pollution from the Emission of Volatile Organic Compounds:</i> This facility is not located in one of the subject counties defined by this Rule: Wood, Wayne, Putnam, Kanawha, or Cabell. |
| 45CSR27 | <i>To Prevent and Control the Emissions of Toxic Air Pollutants:</i> Natural gas is included as a petroleum product and contains less than 5% benzene by weight. 45CSR§27-2.4 exempts equipment “used in the production and distribution of petroleum products providing that such equipment does not produce or contact materials containing more than 5% benzene by weight.” |
| 40 C.F.R. Part 60 Subpart III | <i>Standards of Performance for Stationary Compression Ignition Internal Combustion Engines:</i> There are no compression ignition engines at this facility. |
| 40 C.F.R. Part 60 Subpart OOOO | <i>Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification, or Reconstruction Commenced after August 23, 2011 and on or before September 18, 2015.</i> This facility is not subject to the requirements of this subpart because it does not meet the 40 C.F.R. §60.5430 definition of a <i>Crude Oil and Natural Gas Production</i> source category. |
| 40 C.F.R. Part 60 Subpart OOOOa | <i>Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification, or Reconstruction Commenced after September 18, 2015.</i> The GHG and VOC requirements defined by this subpart are not applicable to this site in accordance with 40 C.F.R. §60.5365a because all affected sources commenced construction prior to September 18, 2015 (applicability date of 40 CFR 60 Subpart OOOOa). The permittee has demonstrated to the WV Division of Air Quality that the construction of the Combustion Turbines/Compressors #3 and #4 commenced prior to September 18, 2015. Therefore, the facility is not subject to the leak detection and repair requirements of this regulation. |
| 40 C.F.R. Part 60 Subpart Dc | <i>Standards of Performance for Steam Generating Units:</i> The boiler and fuel gas heaters at this facility are less than 10 MMBtu/hr design heat capacity, which is below the applicability criteria stated in 40 C.F.R. §60.40c(a). |

| | |
|--|---|
| 40 C.F.R. Part 60 Subparts K and Ka | <i>Standards of Performance for Petroleum Liquid Storage Vessels.</i> All tanks at the station are below the applicability criteria of 40,000 gallons in capacity as stated in 40 C.F.R. §§60.110(a) and 60.110a(a). |
| 40 C.F.R. Part 60 Subpart Kb | <i>Standards of Performance for Volatile Organic Liquid Storage Vessels.</i> All tanks at the station are between 75 m ³ (19,813 gallons) and 151 m ³ (39,890 gallons) in capacity storing a liquid with a maximum true vapor pressure less than 15 kPa (112.5 mmHg). Therefore, they are exempt from this subpart as stated in the applicability criteria of 40 C.F.R. §§60.110b(a) and (b). |
| 40 C.F.R. Part 60 Subpart KKK | <i>Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plant(s).</i> The station is not engaged in the extraction or fractionation of natural gas liquids from field gas, the fractionation of mixed natural gas liquids to natural gas products, or both. As a result, the station has no affected sources operating within this source category. |
| 40 C.F.R. Part 60 Subpart GG | The provisions of this subpart are not applicable because the turbines were installed after the applicability dates and are therefore subject to 40 C.F.R. 60 Subpart KKKK. |
| 40 C.F.R. Part 63 Subpart HHH | <i>National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities.</i> The transmission station is not subject to Subpart HHH since there are no affected dehydration units utilized at this site. |
| 40 C.F.R. Part 64 CAM | Per 40 C.F.R. §64.2(a)(2) the compliance assurance monitoring provisions of Part 64 are not applicable to the equipment at the station due to them not having add-on controls (except Reciprocating Engine / Compressor E11). The Reciprocating Engine / Compressor E11 is the only potential PSEU at the station (it has PTE above 100 TPY before controls and a control device OC1). Since this engine is subject to the requirements of 40 C.F.R. 60 Subpart JJJJ and 40 C.F.R. 63 Subpart ZZZZ, CAM is not applicable per 40 C.F.R. §64.2(b)(1)(i). |

3.8. Emergency Operating Scenario

For emergency situations which interrupt the critical supply of natural gas to the public, and which pose a life threatening circumstance to the customer, the permittee is allowed to temporarily replace failed engine(s) as long as all of the following conditions are met:

- a. The replacement engine(s) is only allowed to operate until repair of the failed engine(s) is complete, but under no circumstance may the replacement engine(s) operate in excess of sixty (60) days;
- b. Both the replacement engine(s) and the repaired failed engine(s) shall not operate at the same time with the exception of any necessary testing of the repaired engine(s) and this testing may not exceed five (5) hours;
- c. Potential hourly emissions from the replacement engine(s) are less than or equal to the potential hourly emissions from the engine(s) being replaced;
- d. Credible performance emission test data verifying the emission rates associated with the operation of the substitute engine shall be submitted to the Director within five (5) days;

- e. The permittee must provide written notification to the Director within five (5) days of the replacement. This notification must contain:
 - i. Information to support the claim of life threatening circumstances to justify applicability of this emergency provision;
 - ii. Identification of the engine(s) being temporarily replaced;
 - iii. The design parameters of the replacement engine(s) including, but not limited to, the design horsepower and emission factors;
 - iv. Projected duration of the replacement engine(s); and
 - v. The appropriate certification by a responsible official.

[45CSR§30-12.7]

4.0. 45CSR14 Permit Requirements, R14-0013E [emission point ID(s): E07, E08, E09, E10, E11, G3, T01, T02, T03, T04, HTR2, HTR3, HTR4, SH1, SH2, SH3]

4.1. Limitations and Standards

4.1.1. Only those emission units as identified in Table 1.0 are authorized by this permit. In accordance with the information filed in Permit Applications R14-0013E, the emission units identified under Table 1.0 of this permit shall be installed, maintained, and operated so as to minimize any fugitive escape of pollutants and shall not exceed the listed design capacities.

[45CSR14, R14-0013, 4.1.1] (E07, E08, E09, E10, E11, G3, T01, T02, T03, T04, HTR2, HTR3, HTR4, SH1, SH2, SH3)

4.1.2. The facility shall employ three (3) Clark TLA-8 natural-gas fired compressor engines. The operation of these engines shall not exceed the following maximum combined operating and emission limitations:

a. The engines shall be limited to the maximum operating capacities as shown in Table 4.1.2(a).

Table 4.1.2(a)

| Engine No. - Source ID - | Maximum Engine Rating⁽¹⁾ (hp) | Total Combined Annual Operating Limit (bhp-hr/yr) |
|-------------------------------------|---|--|
| No. 7 - 002-07 - | 2,700 | 70,956,000 |
| No. 8 - 002-08 - | 2,700 | |
| No. 9 - 002-09 - | 2,700 | |

(1) Maximum rating based on standard operating conditions. Under ambient operating conditions (less than 40F), the maximum peak rating of each engine is 3,015 horsepower.

b. Emissions released from the engines shall not exceed the maximum individual hourly and total combined annual emission limits set forth in Table 4.1.2(b).

Table 4.1.2(b)

| Emission Point ID | Pollutant | Emission Limits | |
|------------------------------|------------------|--|--|
| | | Individual Hourly (g/hp-hr) | Total Combined Annual (tons/yr) |
| E07, E08, E09 | NO _x | 9.5 | 562.5 |
| | CO | 3.1 | 203.4 |

[45CSR14, R14-0013, 4.1.2] (E07, E08, E09)

4.1.3. The facility shall employ one (1) Clark TLAD-10 natural-gas fired compressor engine. The operation of this engine shall not exceed the following maximum operating and emission limitations:

a. The engines shall be limited to the maximum operating capacities as shown in Table 4.1.3(a).

Table 4.1.3(a)

| Engine No. - Source ID - | Maximum Engine Rating (hp) |
|-------------------------------------|---------------------------------------|
| No. 10 - 002-10 - | 4,640 |

b. Emissions released from the engine shall not exceed the maximum hourly and annual emission limits set forth in Table 4.1.3(b).

Table 4.1.3(b)

| Emission Point ID | Pollutant | Emission Factor (g/hp-hr) | Maximum Emission Rates | |
|--------------------------|-------------------|----------------------------------|-------------------------------|------------------------|
| | | | Hourly (lb/hr) | Annual (ton/yr) |
| E10 | NO _x | 2.0 | 20.5 | 89.6 |
| | CO | 2.1 | 22.5 | 98.5 |
| | VOC | 0.7 | 8.2 | 35.8 |
| | SO ₂ | 0.003 | 0.1 | 0.2 |
| | PM ⁽¹⁾ | 0.19 | 1.9 | 8.3 |

(1) All particulate matter emissions assumed to be less than PM2.5. Includes condensables.

[45CSR14, R14-0013, 4.1.3] (E10)

4.1.4. The facility shall employ one (1) Caterpillar G3616 natural-gas fired compressor engine. The operation of this engine shall not exceed the following maximum operating and emission limitations:

a. The engine shall be limited to the maximum operating capacities as shown in Table 4.1.4(a).

Table 4.1.4(a)

| Engine No. - Source ID - | Maximum Engine Rating (hp) |
|-------------------------------------|---------------------------------------|
| No. 11 - 002-13 - | 4,735 |

b. Emissions released from the engine shall not exceed the maximum hourly and annual emission limits set forth in Table 4.1.4(b).

Table 4.1.4(b)

| Emission Point ID | Pollutant | Emission Factor (g/hp-hr) | Maximum Emission Rates | |
|-------------------|-------------------|---------------------------|------------------------|----------------|
| | | | Hourly (lb/hr) | Annual(ton/yr) |
| E11 | NO _x | 0.70 | 7.30 | 32.00 |
| | CO | 0.63 | 6.52 | 28.60 |
| | VOC | 0.16 | 1.70 | 7.42 |
| | SO ₂ | 0.0024 | 0.02 | 0.11 |
| | PM ⁽¹⁾ | 0.034 | 0.40 | 1.60 |
| | Formaldehyde | 0.114 | 1.19 | 5.22 |

(1) All particulate matter emissions assumed to be less than PM_{2.5}. Includes condensables.

- c. The permittee shall install, maintain and operate an oxidation catalyst on engine E11 to reduce CO, VOC, and formaldehyde emissions. The oxidation catalyst shall be utilized at all times the engine is operating.
- d. The permittee shall regularly inspect, maintain, and repair engine E11 and its oxidation catalyst to assure proper operation. The engine and the oxidation catalyst shall be operated, maintained and serviced per manufacturer recommendations. Based on manufacturer recommendations, the permittee must either maintain on-site spare parts for use in immediate repair or participate in a quick turn-around catalyst element cleaning/loaner program with a catalyst supplier.

[45CSR14, R14-0013, 4.1.4(a), (b), (c) and (f)] (E11)

4.1.5. The facility shall employ two (2) Solar Taurus 70 and two (2) Solar Mars 100 natural-gas fired turbines. The operation of these turbines shall not exceed the following maximum operating and emission limitations:

- a. The turbines shall be limited to the maximum operating capacities as shown in Table 4.1.5(a).

Table 4.1.5(a)

| Turbine No. - Source ID - | Maximum Turbine Rating (hp) |
|------------------------------|------------------------------------|
| No. 1 - 003-01 - | 9,236 hp @ 59°F 11,557 hp @ 0°F |
| No. 2 - 003-02 - | 9,236 hp @ 59°F 11,557 hp @ 0°F |
| No. 3 - 003-03 - | 15,067 hp @ 32°F |
| No. 4 - 003-04 - | 15,067 hp @ 32°F |

- a. Emissions released from the turbines shall not exceed the maximum individual hourly (per operation mode) and total combined annual emission limits set forth in Table 4.1.5(b) and (c).

Table 4.1.5(b)

| Emission Point ID | Pollutant | Maximum Emission Rates | | | | | |
|-------------------|-------------------|--|----------|---------------|----------|---------------------------------|--------------------------|
| | | Individual Hourly (lb/hr) ⁽¹⁾ | | | | | Combined Annual (ton/yr) |
| | | Normal Load | Low Temp | Very Low Temp | Low-Load | Startup/Shutdown ⁽¹⁾ | |
| T01, T02 | NO _x | 5.04 | 15.00 | 42.84 | 24.56 | 2.40 | 47.57 |
| | CO | 5.12 | 21.73 | 32.60 | 1,708.23 | 214.60 | 103.01 |
| | VOC | 0.73 | 1.55 | 1.55 | 24.40 | 3.05 | 7.36 |
| | SO ₂ | 4.70 | 4.70 | 4.70 | 4.70 | 4.70 | 0.52 |
| | PM ⁽²⁾ | 0.61 | 0.61 | 0.61 | 0.61 | 0.61 | 5.38 |
| | CO _{2e} | 10,904 | 10,904 | 10,904 | 10,904 | 10,904 | 95,518 |
| | Formaldehyde | 0.06 | 0.06 | 0.06 | 0.06 | 0.06 | 0.52 |

(1) Operating modes are defined under 4.2.3(a). Startup/shutdown emissions are per cycle and not lb/hr.

(2) All particulate matter emissions assumed to be less than PM_{2.5}. Includes condensables.

Table 4.1.5(c)

| Emission Point ID | Pollutant | Maximum Emission Rates | | | | |
|-------------------|-------------------|--|----------|----------|-----------------------------------|--------------------------|
| | | Individual Hourly (lb/hr) ⁽¹⁾ | | | | Combined Annual (ton/yr) |
| | | Normal Load | Low Temp | Low-Load | Startup / Shutdown ⁽¹⁾ | |
| T03, T04 | NO _x | 6.96 | 21.16 | 16.10 | 3.10 | 64.52 |
| | CO | 7.07 | 30.67 | 653.41 | 272.70 | 96.29 |
| | VOC | 0.81 | 1.75 | 7.47 | 3.12 | 7.62 |
| | SO ₂ | 7.36 | 7.36 | 7.36 | 7.36 | 0.81 |
| | PM ⁽²⁾ | 0.85 | 0.85 | 0.85 | 0.85 | 7.45 |
| | CO _{2e} | 15,087 | 15,087 | 15,087 | 15,087 | 132,159 |
| | Formaldehyde | 0.09 | 0.09 | 0.09 | 0.09 | 0.80 |

(1) Operating modes are defined under 4.2.4(a). Startup/shutdown emissions are per cycle and not lb/hr.

(2) All particulate matter emissions assumed to be less than PM_{2.5}. Includes condensables.

- c. Each Turbine shall be equipped with SoLoNO_xTM lean-premixed combustion technology to ensure uniform air/fuel mixture and to prevent formation of NO_x.

[45CSR14, R14-0013, 4.1.5(a), (b) and (c)] (T01, T02, T03, T04)

4.1.6. The Fuel Heaters (001-04, 001-05, 001-07) and the Catalytic Heaters (001-06, 001-08, 001-09) shall operate according to the following requirements:

- a. The maximum emissions from Fuel Heater 001-04 shall not exceed the limits given in the following table;

Table 4.1.6(a): Fuel Heater 001-04 Emission Limits

| Pollutant | Hourly (lb/hr) | Annual (ton/yr) |
|-----------------|----------------|-----------------|
| CO | 0.06 | 0.27 |
| NO _x | 0.07 | 0.32 |

- b. The maximum emissions from Fuel Heater 001-05 shall not exceed the limits given in the following table;

Table 4.1.6(b): Fuel Heater 001-05 Emission Limits

| Pollutant | Hourly (lb/hr) | Annual (ton/yr) |
|-----------------|----------------|-----------------|
| CO | 0.02 | 0.09 |
| NO _x | 0.02 | 0.11 |

- c. The maximum emissions from Fuel Heater 001-07 shall not exceed the limits given in the following table;

Table 4.1.6(c): Fuel Heater 001-07 Emission Limits

| Pollutant | Hourly (lb/hr) | Annual (ton/yr) |
|-----------------|----------------|-----------------|
| CO | 0.04 | 0.18 |
| NO _x | 0.05 | 0.21 |

- d. The maximum emissions from the Catalytic Heaters (001-06) shall not exceed the limits given in the following table;

Table 4.1.6(d): Catalytic Heaters (001-06) Emission Limits⁽¹⁾

| Pollutant | Hourly (lb/hr) | Annual (ton/yr) |
|-----------------|----------------|-----------------|
| CO | 0.24 | 1.04 |
| NO _x | 0.28 | 1.24 |

(1) Both hourly and annual limits are aggregate limits for all 40 Catalytic Heaters.

- e. The maximum emissions from the Catalytic Heaters (001-08) shall not exceed the limits given in the following table;

Table 4.1.6(e): Catalytic Heaters (001-08) Emission Limits⁽¹⁾

| Pollutant | Hourly (lb/hr) | Annual (ton/yr) |
|-----------------|----------------|-----------------|
| CO | 0.11 | 0.48 |
| NO _x | 0.13 | 0.57 |

(1) Both hourly and annual limits are aggregate limits for all 26 Catalytic Heaters.

- f. The maximum emissions from the Catalytic Heaters (001-09) shall not exceed the limits given in the following table;

Table 4.1.6(f): Catalytic Heaters (001-09) Emission Limits⁽¹⁾

| Pollutant | Hourly (lb/hr) | Annual (ton/yr) |
|-----------------|----------------|-----------------|
| CO | 0.05 | 0.24 |
| NO _x | 0.06 | 0.28 |

(1) Both hourly and annual limits are aggregate limits for all 22 Catalytic Heaters.

- g. As the annual emission limits given in Table 4.1.6 (a-f) are based on operating 8,760 hours/year, there is no limit on the annual hours of operation or fuel usage of the Fuel Heaters or the Catalytic Heaters.

[45CSR14, R14-0013, 4.1.6(a) through (g)] (HTR2, HTR3, HTR4, SH1, SH2, SH3)

- 4.1.7. The Waukesha VGF-48GL Emergency Generator (002-12) shall operate according to the following requirements:

- a. The maximum emissions from 002-12 shall not exceed the limits given in the following table;

Table 4.1.7(a): Emergency Generator 002-12 Emission Limits

| Pollutant | Hourly (lb/hr) | Annual (ton/yr) |
|-----------------|----------------|-----------------|
| CO | 3.04 | 0.76 |
| NO _x | 4.68 | 1.17 |
| VOC | 0.61 | 0.15 |

- c. The Emergency Generator shall not operate in excess of 500 hours per year. Compliance with the Maximum Yearly Operation Limitation shall be determined using a twelve month rolling total. A twelve month rolling total shall mean the sum of the hours of operation at any given time during the previous twelve consecutive calendar months. **[45CSR§13-5.11]**
- d. The permittee shall maintain on-site verification that the Emergency Generator was manufactured prior to January 1, 2009.

[45CSR14, R14-0013, 4.1.7] (G3)

- 4.1.8. The following conditions and requirements are specific to Heaters (HTR2, HTR3, HTR4):

- a. Heaters (HTR2, HTR3, HTR4) shall be designed and constructed with a maximum design heat input of 0.75 MMBtu/hr, 0.25 MMBTU/hr and 0.50 MMBTU/hr respectively. The condition satisfies compliance with the limitation of 45CSR§2-3.1.

[45CSR14, R14-0013, 4.1.8(a)] (HTR2, HTR3, HTR4)

- 4.1.9. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.

[45CSR14, R14-0013, 4.1.9] (E11)

4.2. Monitoring Requirements

4.2.1. For the purpose of determining compliance with the operating limits set forth in Section 4.1.2 of this permit, the permittee shall monitor and record the actual brake horsepower-hours generated by each of the permitted engines. The records shall be maintained in a format that demonstrates compliance with the total maximum brake-horsepower hour limits established in Section 4.1.2 of this permit.

[45CSR14, R14-0013, 4.2.1] (E07, E08, E09)

4.2.2. For the purpose of demonstrating compliance with the annual emission limits set forth in Section 4.1.2 of this permit, the permittee shall maintain records of the actual emissions calculated using the actual brake-horsepower hour records of Section 4.2.1 of this permit and the engine specific hourly emission factors. The hourly emission factors used to show compliance for engines E07 - E09 shall be 7.2 g-NO_x/bhp-hr and 2.6 g-CO/bhp-hr.

[45CSR14, R14-0013, 4.2.2] (E07, E08, E09)

4.2.3. The permittee shall calculate and record, on a monthly and rolling twelve month basis, the emissions of each pollutant limited under Table 4.1.5(b) generated by turbines 003-01 and 003-02. The calculation shall be based on the emission factors used in permit application R14-0013E and the following information:

a. The permittee shall monitor and record the number of hours that the turbines 003-01 and 003-02 operate in the following operational modes:

- (1) Normal: $\geq 50\%$ Load and ≥ 10 °F;
- (2) Low Temp: < 10 °F ≥ -20 °F;
- (3) Very Low Temp: < -20 °F; and
- (4) Low-Load: $< 50\%$ Load.

b. The permittee shall monitor and record the number of startup/shutdowns of each turbine.

[45CSR14, R14-0013, 4.2.3] (T01, T02)

4.2.4. The permittee shall calculate and record, on a monthly and rolling twelve month basis, the emissions of each pollutant limited under Table 4.1.5(c) generated by turbines 003-03 and 003-04. The calculation shall be based on the emission factors used in permit application R14-0013E and the following information:

a. The permittee shall monitor and record the number of hours that the turbines 003-03 and 003-04 operate in the following operational modes:

- (1) Normal: $> 50\%$ Load and ≥ 0 °F;
- (2) Low Temp: < 0 °F ; and
- (3) Low-Load: $< 50\%$ Load.

b. The permittee shall monitor and record the number of startup/shutdowns of each turbine;

[45CSR14, R14-0013, 4.2.4]

4.2.5. For the purposes of demonstrating compliance with the maximum usage limits set forth in 4.1.7(b), the permittee shall monitor and record the monthly and rolling twelve month hours of operation of the emergency generator. **[45CSR14, R14-0013, 4.2.5] (G3)**

4.2.6. The permittee shall employ automatic control systems on the compressor engine No. 10 (Emission Unit ID 002-10) that will continuously monitor and control key engine operating parameters. These parameters

include engine horsepower, speed, air manifold temperature, and fuel flow. These values are then used to determine the air manifold pressure that is required to achieve the specified air/fuel ratio and emission rate. As engine operating conditions change, the control system adjusts air manifold pressure to continuously maintain the required emission levels.

[45CSR§30-5.1.c] (E10)

4.3. Testing Requirements

- 4.3.1. For the purpose of demonstrating compliance with the hourly emission limits set forth in Section 4.1.2 of this permit, the permittee shall conduct annual emissions testing for NO_x and CO emissions released from engines No.7 through No. 9 (emission points E07 through E09) using portable emissions analyzers.

Upon utilization of the air-to-fuel ratio monitoring established in Section 4.2.2 of permit R14-0013E, periodic emissions testing shall be performed once every five (5) years. This periodic testing may be performed using portable emissions analyzers.

[45CSR14, R14-0013, 4.3.1] (E07, E08, E09)

- 4.3.2. In addition to the NO_x performance testing as required under 40 CFR 60, Subpart KKKK, within 60 days after achieving full load, but not later than 180 days after initial startup, and at such times thereafter as may be required by the Director, the permittee shall conduct, or have conducted, a performance test on each turbine to determine compliance with the “normal load” CO emission limit specified under Table 4.1.5(b) and (c) and in accordance with 3.3.1. The permittee shall use an appropriate EPA-approved test method as given under 40 CFR 60, Appendix A and approved in writing by the Director in a protocol submitted pursuant to 3.3.1(c). The testing shall take place while the engines are operating at “normal load” as defined under 4.2.3(a) and 4.2.4(a).

[45CSR14, R14-0013, 4.3.2] (T01- T04)

- 4.3.3. In addition to the NO_x performance testing as required under 40 C.F.R. 60, Subpart KKKK, within 60 days after achieving full load, but not later than 180 days after initial startup, and at such times thereafter as may be required by the Director, the permittee shall conduct, or have conducted, a performance test on one (1) of the Solar Mars turbines (T03, T04) to determine compliance with the particulate matter emission limit (including condensables) specified under Table 4.1.5(c) and in accordance with 3.3.1. The permittee shall use an appropriate EPA-approved test method for particulate matter including condensables. The permittee shall submit a testing protocol pursuant to 3.3.1(c). The testing shall take place while the engines are operating at “normal load” as defined under 4.2.3(a) and 4.2.4(a).

[45CSR14, R14-0013, 4.3.3] (T01 - T04)

- 4.3.4. Compliance with the NO_x and CO emission limits set forth in R14-0013E, condition 4.1.3, shall be determined by conducting an emissions stack test of the Clark TLAD-10 engine identified as Source E10, at least once during the Title V permit term, but, at least 180 days prior to the Title V permit expiration.

[45CSR§30-5.1.c] (E10)

4.4. Recordkeeping Requirements

- 4.4.1. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

[45CSR14, R14-0013, 4.4.2] (E11)

- 4.4.2. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

- a. The equipment involved.
- b. Steps taken to minimize emissions during the event.
- c. The duration of the event.
- d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

- e. The cause of the malfunction.
- f. Steps taken to correct the malfunction.
- g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

[45CSR14, R14-0013, 4.4.3] (E11)

- 4.4.3. If recordkeeping is not already required by a state rule, federal regulation, 45CSR13 or 45CSR14 permit, or consent order to demonstrate compliance with the emission limits for NO_x, CO, VOC, SO₂, PM, PM₁₀ and/or applicable HAPs, the permittee shall maintain a record of equipment fuel consumption and/or bhp-hrs developed and hours of operation for all the Reciprocating Internal Combustion Engines, Emergency Generators & Combustion Turbines. If a monitoring timeframe is not already established, a twelve month rolling total shall be maintained to verify compliance with the long term emission limitations. Each calendar month a new twelve month total shall be calculated using the previous twelve months data. If a monitoring timeframe is not already established and there are hourly emission limits, monthly records indicating the hourly average emissions shall be available for a period of no less than five (5) years. If a monitoring timeframe is not already established and there are yearly emission limits, records indicating the twelve month rolling total emissions shall be available for a period of no less than five (5) years. Upon request by the Secretary the records will be certified by the responsible official.

[45CSR§30-5.1.c] (E10)

4.5. Reporting Requirements

- 4.5.1. N/A

4.6. Compliance Plan

- 4.6.1. N/A

5.0. Miscellaneous Indirect Natural Gas Heaters and Boilers less than 10 MMBtu/hr [BL2, HTR2, HTR3, HTR4]

5.1. Limitations and Standards

- 5.1.1. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit which is greater than ten (10) percent opacity based on a six minute block average. [45CSR§2-3.1; 45CSR14, R14-0013, 4.1.6(h)]
- 5.1.2. Compliance with the visible emission requirements of 45CSR§2-3.1 (Section 5.1.1 of this permit) shall be determined in accordance with 40 C.F.R. Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems approved by the Director. The Director may require the installation, calibration, maintenance and operation of continuous opacity monitoring systems and may establish policies for the evaluation of continuous opacity monitoring results and the determination of compliance with the visible emission requirements of 45CSR§2-3.1 (Section 5.1.1 of this permit). Continuous opacity monitors shall not be required on fuel burning units which employ wet scrubbing systems for emission control. [45CSR§2-3.2.]

5.2. Monitoring Requirements

- 5.2.1. At such reasonable times as the Secretary may designate, the permittee shall conduct visible emissions observations using Method 22 for the purpose of demonstrating compliance with Section 5.1.1. If visible emissions are observed, the permittee shall conduct a Method 9 reading unless the cause for visible emissions is corrected within 24 hours. Records of observation will be kept for at least 5 years from the date of observation. [45CSR§30-5.1.c]

5.3. Testing Requirements

- 5.3.1. N/A

5.4. Recordkeeping Requirements

- 5.4.1. N/A

5.5. Reporting Requirements

- 5.5.1. N/A

5.6. Compliance Plan

- 5.6.1. N/A

6.0. 40 C.F.R. 60, Subpart JJJJ Requirements for Reciprocating Internal Combustion Engines (RICE) [emission point ID(s): E11]

6.1. Limitations and Standards

6.1.1. *§60.4233 What emission standards must I meet if I am an owner or operator of a stationary SI internal combustion engine?*

(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.

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 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 |

^aOwners 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.

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

[45CSR16, 40 C.F.R. §60.4233(e) and Table 1 (line 5); 45CSR14, R14-0013, 4.1.4(g) and 4.2.6(c)] (E11)

§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 40 C.F.R. §60.4233 over the entire life of the engine.

[45CSR16, 40 C.F.R. §60.4234 and 45CSR14, R14-0013, 4.1.4(g) and 4.2.6(c)] (E11)

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

(b) If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in 40 C.F.R. §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.

(2) Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in 40 C.F.R. §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.

(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.

[45CSR16, 40 C.F.R. §60.4243(b)(2)(ii) and 45CSR14, R14-0013, 4.1.4(g) and 4.2.6(c)] (E11)

§60.4246 What parts of the General Provisions apply to me?

Table 3 to this subpart shows which parts of the General Provisions in 40 C.F.R. §§60.1 through 60.19 apply to you.

[45CSR16, 40 C.F.R. §60.4246 and 45CSR14, R14-0013, 4.1.4(g) and 4.2.6(c)] (E11)

6.2. Monitoring Requirements

6.2.1. N/A

6.3. Testing Requirements

6.3.1. **§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:

$$ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{HP - hr} \quad (\text{Eq. 1})$$

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:

$$ER = \frac{C_d \times 1.164 \times 10^{-3} \times Q \times T}{HP - hr} \quad (\text{Eq. 2})$$

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:

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

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.

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

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.

$$C_{icorr} = RF_i \times C_{imeas} \quad (\text{Eq. 5})$$

Where:

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

C_{imeas} = Concentration of compound i measured by EPA Method 320, ppmv as carbon.

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

Where:

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

[45CSR16, 40 C.F.R. §60.4244; 45CSR14, R14-0013, 4.1.4(g) and 4.3.4(b)] (E11)

6.4. Recordkeeping Requirements

6.4.1. §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.

(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 40 C.F.R. §60.4243(a)(2), documentation that the engine meets the emission standards.

(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 40 C.F.R. §60.4231 must submit an initial notification as required in 40 C.F.R. §60.7(a)(1). The notification must include the information in paragraphs (c)(1) through (5) of the 40 C.F.R. §60.4245.

(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.

[45CSR16, 40 C.F.R. §§60.4245(a)(1), (a)(2), (a)(4) and (c); 45CSR14, R14-0013, 4.1.4(g) and 4.4.4] (E11)

6.5. Reporting Requirements

6.5.1. §60.4245 *What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?*

(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.

[45CSR16, 40 C.F.R. §60.4245(d); 45CSR14, R14-0013, 4.1.4(g) and 4.5.1] (E11)

6.6. Compliance Plan

6.6.1. N/A

7.0. 40 C.F.R. 60, Subpart KKKK Requirements for Turbines [emission point ID(s): T01, T02, T03, T04]

7.1. Limitations and Standards

7.1.1. §60.4320 What emission limits must I meet for nitrogen oxides (NO_x)?

(a) You must meet the emission limits for NO_x specified in Table 1 to 40 C.F.R. 60 Subpart KKKK.

Table 1 to Subpart KKKK of Part 60—Nitrogen Oxide Emission Limits for New Stationary Combustion Turbines

| Combustion turbine type | Combustion turbine heat input at peak load (HHV) | NO_x emission standard |
|--------------------------------|---|--|
| New turbine firing natural gas | > 50 MMBtu/h and ≤ 850 MMBtu/h | 25 ppm at 15 percent O ₂ or 150 ng/J of useful output (1.2 lb/MWh). |

[45CSR16, 40 C.F.R. §60.4320(a) and Table 1 (line 3); 45CSR14, R14-0013, 4.1.5(d) and 4.2.6(d)]

§60.4330 What emission limits must I meet for sulfur dioxide (SO₂)?

(a) If your turbine is located in a continental area, you must comply with either paragraph (a)(1), (a)(2) or (a)(3) of 40 C.F.R. §60.4330. If your turbine is located in Alaska, you do not have to comply with the requirements in paragraph (a) of this section until January 1, 2008.

(2) You must not burn in the subject stationary combustion turbine any fuel which contains total potential sulfur emissions in excess of 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input. If your turbine simultaneously fires multiple fuels, each fuel must meet this requirement.

[45CSR16, 40 C.F.R. §60.4330(a)(2); 45CSR14, R14-0013, 4.1.5(d) and 4.2.6(d)]

§60.4333 What are my general requirements for complying with this subpart?

(a) You must operate and maintain your stationary combustion turbine, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.

[45CSR16, 40 C.F.R. §60.4333(a); 45CSR14, R14-0013, 4.2.6(d)]

7.2. Monitoring Requirements

7.2.1. §60.4360 How do I determine the total sulfur content of the turbine's combustion fuel?

You must monitor the total sulfur content of the fuel being fired in the turbine, except as provided in 40 C.F.R. §60.4365. The sulfur content of the fuel must be determined using total sulfur methods described in 40 C.F.R. §60.4415. Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than half the applicable limit, ASTM D4084, D4810, D5504, or D6228, or Gas Processors Association Standard 2377 (all of which are incorporated by reference, see 40 C.F.R. §60.17), which measure the major sulfur compounds, may be used.

[45CSR16, 40 C.F.R. §60.4360; 45CSR14, R14-0013, 4.2.6(d)]

§60.4365 *How can I be exempted from monitoring the total sulfur content of the fuel?*

You may elect not to monitor the total sulfur content of the fuel combusted in the turbine, if the fuel is demonstrated not to exceed potential sulfur emissions of 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input for units located in continental areas and 180 ng SO₂/J (0.42 lb SO₂/MMBtu) heat input for units located in noncontinental areas or a continental area that the Administrator determines does not have access to natural gas and that the removal of sulfur compounds would cause more environmental harm than benefit. You must use one of the following sources of information to make the required demonstration:

(a) The fuel quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the fuel, specifying that the maximum total sulfur content for oil use in continental areas is 0.05 weight percent (500 ppmw) or less and 0.4 weight percent (4,000 ppmw) or less for noncontinental areas, the total sulfur content for natural gas use in continental areas is 20 grains of sulfur or less per 100 standard cubic feet and 140 grains of sulfur or less per 100 standard cubic feet for noncontinental areas, has potential sulfur emissions of less than 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input for continental areas and has potential sulfur emissions of less than 180 ng SO₂/J (0.42 lb SO₂/MMBtu) heat input for noncontinental areas.

[45CSR16, 40 C.F.R. §60.4365(a); 45CSR14, R14-0013, 4.2.6(d)]

§60.4370 *How often must I determine the sulfur content of the fuel?*

The frequency of determining the sulfur content of the fuel must be as follows:

(b) *Gaseous fuel.* If you elect not to demonstrate sulfur content using options in 40 C.F.R. §60.4365, and the fuel is supplied without intermediate bulk storage, the sulfur content value of the gaseous fuel must be determined and recorded once per unit operating day.

[45CSR16, 40 C.F.R. §60.4370(b); 45CSR14, R14-0013, 4.2.6(d)]

7.3. Testing Requirements

7.3.1. **§60.4340** *How do I demonstrate continuous compliance for NO_x if I do not use water or steam injection?*

(a) If you are not using water or steam injection to control NO_x emissions, you must perform annual performance tests in accordance with 40 C.F.R. §60.4400 to demonstrate continuous compliance. If the NO_x emission result from the performance test is less than or equal to 75 percent of the NO_x emission limit for the turbine, you may reduce the frequency of subsequent performance tests to once every 2 years (no more than 26 calendar months following the previous performance test). If the results of any subsequent performance test exceed 75 percent of the NO_x emission limit for the turbine, you must resume annual performance tests.

[45CSR16, 40 C.F.R. §60.4340(a); 45CSR14, R14-0013, 4.2.6(d)]

§60.4400 *How do I conduct the initial and subsequent performance tests, regarding NO_x?*

(a) You must conduct an initial performance test, as required in 40 C.F.R. §60.8. Subsequent NO_x performance tests shall be conducted on an annual basis (no more than 14 calendar months following the previous performance test).

(1) There are two general methodologies that you may use to conduct the performance tests. For each test run:

(i) Measure the NO_x concentration (in parts per million (ppm)), using EPA Method 7E or EPA Method 20 in appendix A of this part. For units complying with the output based standard, concurrently measure the stack gas flow rate, using EPA Methods 1 and 2 in appendix A of this part, and measure and record the electrical and thermal output from the unit. Then, use the following equation to calculate the NO_x emission rate:

$$E = \frac{1.194 \times 10^{-7} * (NO_x)_c * Q_{std}}{P} \quad (\text{Eq. 5})$$

Where:

E = NO_x emission rate, in lb/MWh

1.194 × 10⁻⁷ = conversion constant, in lb/dscf-ppm

(NO_x)_c = average NO_x concentration for the run, in ppm

Q_{std} = stack gas volumetric flow rate, in dscf/hr

P = gross electrical and mechanical energy output of the combustion turbine, in MW (for simple-cycle operation), for combined-cycle operation, the sum of all electrical and mechanical output from the combustion and steam turbines, or, for combined heat and power operation, the sum of all electrical and mechanical output from the combustion and steam turbines plus all useful recovered thermal output not used for additional electric or mechanical generation, in MW, calculated according to 40 C.F.R. §60.4350(f)(2); or

(ii) Measure the NO_x and diluent gas concentrations, using either EPA Methods 7E and 3A, or EPA Method 20 in appendix A of this part. Concurrently measure the heat input to the unit, using a fuel flowmeter (or flowmeters), and measure the electrical and thermal output of the unit. Use EPA Method 19 in appendix A of this part to calculate the NO_x emission rate in lb/MMBtu. Then, use Equations 1 and, if necessary, 2 and 3 in 40 C.F.R. §60.4350(f) to calculate the NO_x emission rate in lb/MWh.

(2) Sampling traverse points for NO_x and (if applicable) diluent gas are to be selected following EPA Method 20 or EPA Method 1 (non-particulate procedures), and sampled for equal time intervals. The sampling must be performed with a traversing single-hole probe, or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points.

(3) Notwithstanding paragraph (a)(2) of this section, you may test at fewer points than are specified in EPA Method 1 or EPA Method 20 in appendix A of this part if the following conditions are met:

(i) You may perform a stratification test for NO_x and diluent pursuant to

(A) [Reserved], or

(B) The procedures specified in section 6.5.6.1(a) through (e) of appendix A of part 75 of this chapter.

(ii) Once the stratification sampling is completed, you may use the following alternative sample point selection criteria for the performance test:

(A) If each of the individual traverse point NO_x concentrations is within ± 10 percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than ± 5 ppm or ± 0.5 percent CO_2 (or O_2) from the mean for all traverse points, then you may use three points (located either 16.7, 50.0 and 83.3 percent of the way across the stack or duct, or, for circular stacks or ducts greater than 2.4 meters (7.8 feet) in diameter, at 0.4, 1.2, and 2.0 meters from the wall). The three points must be located along the measurement line that exhibited the highest average NO_x concentration during the stratification test; or

(B) For turbines with a NO_x standard greater than 15 ppm @ 15% O_2 , you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid if each of the individual traverse point NO_x concentrations is within ± 5 percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than ± 3 ppm or ± 0.3 percent CO_2 (or O_2) from the mean for all traverse points; or

(C) For turbines with a NO_x standard less than or equal to 15 ppm @ 15% O_2 , you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid if each of the individual traverse point NO_x concentrations is within ± 2.5 percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than ± 1 ppm or ± 0.15 percent CO_2 (or O_2) from the mean for all traverse points.

(b) The performance test must be done at any load condition within plus or minus 25 percent of 100 percent of peak load. You may perform testing at the highest achievable load point, if at least 75 percent of peak load cannot be achieved in practice. You must conduct three separate test runs for each performance test. The minimum time per run is 20 minutes.

(1) If the stationary combustion turbine combusts both oil and gas as primary or backup fuels, separate performance testing is required for each fuel.

(2) For a combined cycle and CHP turbine systems with supplemental heat (duct burner), you must measure the total NO_x emissions after the duct burner rather than directly after the turbine. The duct burner must be in operation during the performance test.

(3) If water or steam injection is used to control NO_x with no additional post-combustion NO_x control and you choose to monitor the steam or water to fuel ratio in accordance with 40 C.F.R. §60.4335, then that monitoring system must be operated concurrently with each EPA Method 20 or EPA Method 7E run and must be used to determine the fuel consumption and the steam or water to fuel ratio necessary to comply with the applicable 40 C.F.R. §60.4320 NO_x emission limit.

(4) Compliance with the applicable emission limit in 40 C.F.R. §60.4320 must be demonstrated at each tested load level. Compliance is achieved if the three-run arithmetic average NO_x emission rate at each tested level meets the applicable emission limit in 40 C.F.R. §60.4320.

(5) If you elect to install a CEMS, the performance evaluation of the CEMS may either be conducted separately or (as described in the 40 C.F.R. § 60.4405) as part of the initial performance test of the affected unit.

(6) The ambient temperature must be greater than 0 °F during the performance test.

[45CSR16, 40 C.F.R. §60.4400; 45CSR14, R14-0013, 4.3.4(c)]

7.4. Recordkeeping Requirements

7.4.1. N/A

7.5. Reporting Requirements

7.5.1. *§60.4375 What reports must I submit?*

(a) For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content under this subpart, you must submit reports of excess emissions and monitor downtime, in accordance with 40 C.F.R. §60.7(c). Excess emissions must be reported for all periods of unit operation, including start-up, shutdown, and malfunction.

(b) For each affected unit that performs annual performance tests in accordance with the 40 C.F.R. §60.4340(a), you must submit a written report of the results of each performance test before the close of business on the 60th day following the completion of the performance test.

[45CSR16, 40 C.F.R. §60.4375; 45CSR14, R14-0013, 4.5.1(d)]

§60.4395 When must I submit my reports?

All reports required under 40 C.F.R. §60.7(c) must be postmarked by the 30th day following the end of each 6-month period.

[45CSR16, 40 C.F.R. §60.4395; 45CSR14, R14-0013, 4.5.1(d)]

7.6. Compliance Plan

7.6.1. N/A

8.0. 40 C.F.R. 63, Subpart ZZZZ MACT Requirements for Reciprocating Internal Combustion Engines at Major HAP Sources [emission point ID(s): G3, E11]

8.1. Limitations and Standards

8.1.1. *§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 40 C.F.R. §63.6620 and Table 4 to 40 C.F.R. 63 Subpart ZZZZ.

(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, you must comply with the emission limitations in Table 2a to 40 C.F.R. 63 Subpart ZZZZ and the operating limitations in Table 2b to 40 C.F.R. 63 Subpart ZZZZ which apply to you.

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 40 C.F.R. §§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 . . . |
|-------------------------------|--|---|
| 2. 4SLB stationary RICE [E11] | a. Reduce CO emissions by 93 percent or more; or | Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. ¹ |
| | b. Limit concentration of formaldehyde in the stationary RICE exhaust to 14 ppmvd or less at 15 percent O ₂ | |

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

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 40 C.F.R. §§63.6600, 63.6601, 63.6603, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions:

| For each . . . | You must meet the following operating limitation, except during periods of startup . . . |
|--|--|
| 1. New and reconstructed 4SLB stationary RICE \geq 250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and using an oxidation catalyst [E11]; and New and reconstructed 4SLB stationary RICE \geq 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. [E11] | 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 |

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

[45CSR34, 40 C.F.R. §63.6600(b), Tables 2a (line 2) and 2b (line 1); 45CSR14, R14-0013, 4.1.4(d), (e) and 4.2.6(b)] (E11)

(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 40 C.F.R. 63 Subpart ZZZZ or operating limitations in Tables 1b and 2b to 40 C.F.R. 63 Subpart ZZZZ: an emergency stationary RICE.

[45CSR34, 40 C.F.R. §63.6600(c)] (G3)

§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.

[45CSR34, 40 C.F.R. §63.6605; 45CSR14, R14-0013, 4.2.6(a) and (b)] (E11, G3)

8.2. Monitoring Requirements

8.2.1. §63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?

(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 40 C.F.R §63.6625. For an affected source that is complying with the

emission limitations and operating limitations on March 9, 2011, the requirements in paragraph (b) of 40 C.F.R. §63.6625 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 40 C.F.R §63.6625 and in 40 C.F.R §63.8(d). As specified in 40 C.F.R §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 40 C.F.R. §63.6625 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 40 C.F.R §63.8(c)(1)(ii) and (c)(3); and

(v) Ongoing reporting and recordkeeping procedures in accordance with provisions in 40 C.F.R §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 40 C.F.R §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.

(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 40 C.F.R.63 Subpart ZZZZ apply.

[45CSR34, 40 C.F.R. §§63.6625(b) and (h); 45CSR14, R14-0013, 4.3.4(a)] (E11)

§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 40 C.F.R.63 Subpart ZZZZ.
- (b) During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of 40 C.F.R.63 Subpart ZZZZ 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 40 C.F.R §63.6645.

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

As stated in 40 C.F.R §§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 4SLB stationary RICE ≥250 HP located at a major source of HAP [E11] | 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 40 C.F.R §63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test. |
| 9. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP [E11] | a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR | i. The average formaldehyde concentration, corrected to 15 percent O ₂ , dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in 40 C.F.R §63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test. |

[45CSR34, 40 C.F.R. §§63.6630(a) through (c), Table 5 (lines 1 and 9); 45CSR14, R14-0013, 4.3.4(a)] (E11)

§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.

[45CSR34, 40 C.F.R. §63.6635; 45CSR14, R14-0013, 4.2.6(b)] (E11)

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

(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 (3) of 40 C.F.R. §63.6640. 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 (3) of 40 C.F.R. §63.6640, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3) of 40 C.F.R. §63.6640, 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 40 C.F.R. §63.6640 for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) of 40 C.F.R. §63.6640 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.

(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 40 C.F.R. §63.6640. 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.

[45CSR34, 40 C.F.R. §§63.6640(f)(1) through (f)(3); 45CSR14, R14-0013, 4.2.6(a)] (G3)

8.3. Testing Requirements

8.3.1. §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.

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

As stated in 40 C.F.R. §§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 4SLB stationary RICE ≥250 HP located at major sources; | Reduce CO emissions and not using a CEMS | Conduct subsequent performance tests semiannually. ¹ |
| 3. Stationary RICE >500 HP located at major sources | Limit the concentration of formaldehyde in the stationary RICE exhaust | Conduct subsequent performance tests semiannually. ¹ |

¹After 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.

[45CSR34, 40 C.F.R. §§63.6615, Table 3 (lines 1 and 3); 45CSR14, R14-0013, 4.3.4(a)] (E11)

§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.

(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.

(d) You must conduct three separate test runs for each performance test required in this section, as specified in 40 C.F.R. §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:

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

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:

$$X_{CO_2} = \frac{5.9}{F_o} \quad (\text{Eq. 3})$$

Where:

X_{CO_2} = 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:

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

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.

(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.

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

As stated in 40 C.F.R. §§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. 4SLB 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 <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 |

| For each . . . | Complying with the requirement to . . . | You must . . . | Using . . . | According to the following requirements . . . |
|--------------------|---|---|---|---|
| | | | | 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) ¹³ (heated probe not necessary) | (b) Measurements to determine O ₂ must be made at the same time as the measurements for CO concentration. |
| | | iii. Measure the CO at the inlet and the outlet of the control device and | (2) ASTM D6522-00 (Reapproved 2005) ¹²³ (heated probe not necessary) or Method 10 of 40 CFR part 60, appendix A-4 | (c) The CO C 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 or method 320 of 40 CFR part 63, appendix A or ASTM D6348-03 ¹³ | (d) Measurements to determine moisture content must be made at the same time and location as the measurements for CO concentration. |
| 3. Stationary RICE | a. limit the concentration of formaldehyde or CO in the stationary RICE exhaust | i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary RICE; and | | (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 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. |

| For each ... | Complying with the requirement to ... | You must . . . | Using . . . | According to the following requirements . . . |
|-----------------|--|---|---|--|
| | | 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) ¹³ (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 needed to determine formaldehyde or CO and O ₂ concentration on a dry basis; and | (2) Method 4 of 40 CFR part 60, appendix A-3, or Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 ¹³ | (c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or CO concentration. |
| | | iv. Measure formaldehyde at the exhaust of the stationary RICE; or | (3) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348-03 ¹³ , 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 | (d) Formaldehyde concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of the average of the three 1-hour or longer runs. |
| | | v. measure CO at the exhaust of the stationary RICE | (4) Method 10 of 40 CFR part 60, appendix A-4, ASTM D6522-00 (2005) ¹³ , Method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03 ¹³ | (e) CO 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. |

¹You may also use Methods 3A and 10 as options to ASTM-D6522-00 (2005). You may obtain a copy of ASTM-D6522-00 (2005) from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

²You 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.

³Incorporated by reference, see §63.14.

[45CSR34, 40 C.F.R. §§63.6620(a), (b), (d), (e), (f), (i) and Table 4 (lines 1 and 3); 45CSR14, R14-0013, 4.3.4(a)] (E11)

§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 40 C.F.R.63 Subpart ZZZZ that apply to you according to methods specified in Table 6 to this subpart.

Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance with Emission Limitations, and Other Requirements

As stated in 40 C.F.R. §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 4SLB stationary RICE ≥250 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 40 C.F.R. §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. |
| 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≤HP≤500 located at a major source of HAP | a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR | i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit ^a ; and ii. Collecting the catalyst inlet temperature data according to 40 C.F.R. §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. |

^aAfter 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.

[45CSR34, 40 C.F.R. §63.6640(a), Table 6 (lines 1 and 7); 45CSR14, R14-0013, 4.2.6(b)] (E11)

8.4. Recordkeeping Requirements

8.4.1. §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 40 C.F.R. §63.6655.

(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 40 C.F.R. §63.10(b)(2)(xiv).

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

(3) Records of performance tests and performance evaluations as required in 40 C.F.R. §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 40 C.F.R. §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 40 C.F.R. §63.6665.

(1) Records described in 40 C.F.R. §63.10(b)(2)(vi) through (xi).

(2) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in 40 C.F.R. §63.8(d)(3).

(3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in 40 C.F.R. §63.8(f)(6)(i), if applicable.

(d) You must keep the records required in Table 6 of 40 C.F.R.63 Subpart ZZZZ to show continuous compliance with each emission or operating limitation that applies to you.

[45CSR34, 40 C.F.R. §63.6655(a), (b), (d); 45CSR14, R14-0013, 4.5.1(b)] (E11)

§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 40 C.F.R. §63.10(b)(1).

(b) As specified in 40 C.F.R. §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 40 C.F.R. §63.10(b)(1).

[45CSR34, 40 C.F.R. §63.6660] (E11)

8.5. Reporting Requirements

8.5.1. §63.6640 *How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?*

(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 40 C.F.R. §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.

(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.

[45CSR34, 40 C.F.R. §§63.6640(b) and (e); 45CSR14, R14-0013, 4.2.6(b)] (E11)

§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 40 C.F.R. §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 40 C.F.R. §63.6650.

(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 40 C.F.R. §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 40 C.F.R. §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 40 C.F.R. §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 40 C.F.R. §63.6650.

(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 40 C.F.R. §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 40 C.F.R. §63.6595.

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

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

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

(1) Company name and address.

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

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

(4) If you had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with 40 C.F.R. §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 40 C.F.R. §63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the 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 (4) and (e)(1) through (12) of this section.

- (1) The date and time that each malfunction started and stopped.
- (2) The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks.
- (3) The date, time, and duration that each CMS was out-of-control, including the information in 40 C.F.R. §63.8(c)(8).
- (4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period.
- (5) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.
- (6) A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.
- (7) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.
- (8) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.
- (9) A brief description of the stationary RICE.
- (10) A brief description of the CMS.
- (11) The date of the latest CMS certification or audit.
- (12) A description of any changes in CMS, processes, or controls since the last reporting period.

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

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

As stated in 40 C.F.R. §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. new or reconstructed non-emergency stationary RICE >500 HP 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 40 C.F.R. §63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or | i. Semiannually according to the requirements in 40 C.F.R. §63.6650(b)(1)-(5) for engines that are not limited use stationary RICE subject to numerical emission limitations; and ii. Annually according to the requirements in 40 C.F.R. §63.6650(b)(6)-(9) for engines that are limited use stationary RICE subject to numerical emission limitations. |
| | | b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in §63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in 40 C.F.R. §63.8(c)(7), the information in 40 C.F.R. §63.6650(e); or | i. Semiannually according to the requirements in 40 C.F.R. §63.6650(b). |
| | | c. If you had a malfunction during the reporting period, the information in 40 C.F.R. §63.6650(c)(4). | i. Semiannually according to the requirements in 40 C.F.R. §63.6650(b). |

[45CSR34, 40 C.F.R. §§63.6650(a), (b), (c), (e), (f), and Table 7 (line 1); 45CSR14, R14-0013, 4.5.1(b)] (E11)

8.5.2. §63.6645 *What notifications must I submit and when?*

(a) You must submit all of the notifications in 40 C.F.R. §§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;

(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.

[45CSR34, 40 C.F.R. §63.6645(a)(4); 45CSR14, R14-0013, 4.5.1(b)] (E11)

(f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with 40 C.F.R. §63.6590(b), your notification should include the information in 40 C.F.R. §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).
 [45CSR34, 40 C.F.R. §63.6645(f); 45CSR14, R14-0013, 4.5.1(a)] (G3)

(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 40 C.F.R. §63.7(b)(1). **[45CSR34, 40 C.F.R. §63.6645(g); 45CSR14, R14-0013, 4.5.1(b)] (E11)**

(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 40 C.F.R. §63.9(h)(2)(ii).

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

(2) For each initial compliance demonstration required in Table 5 to this subpart that includes a performance test conducted according to the requirements in Table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to 40 C.F.R. §63.10(d)(2).

[45CSR34, 40 C.F.R. §63.6645(h); 45CSR14, R14-0013, 4.5.1(b)] (E11)

8.6. Compliance Plan

8.6.1. N/A

**9.0. 40 C.F.R. 63, Subpart DDDDD MACT Requirements for Boiler(s) and Process Heater(s)
[emission point ID(s): BL2, HTR2, HTR3, HTR4]**

9.1. Limitations and Standards

9.1.1. §63.7490 *What is the affected source of this subpart?*

(a) This subpart applies to new, reconstructed, and existing affected sources as described in paragraphs (a)(1) and (2) of 40 C.F.R. §63.7490.

(1) The affected source of this subpart is the collection at a major source of all existing industrial, commercial, and institutional boilers and process heaters within a subcategory as defined in 40 C.F.R. §63.7575.

(2) The affected source of this subpart is each new or reconstructed industrial, commercial, or institutional boiler or process heater, as defined in 40 C.F.R. §63.7575, located at a major source.

(b) A boiler or process heater is new if you commence construction of the boiler or process heater after June 4, 2010, and you meet the applicability criteria at the time you commence construction. **(HTR2, HTR3, HTR4)**

(d) A boiler or process heater is existing if it is not new or reconstructed. **(BL2)**

[45CSR34, 40 C.F.R. §63.7490(a), (b) and (d)]

§63.7495 *When do I have to comply with this subpart?*

(a) If you have a new or reconstructed boiler or process heater, you must comply with this subpart by April 1, 2013, or upon startup of your boiler or process heater, whichever is later. **(HTR2, HTR3, HTR4)**

(b) If you have an existing boiler or process heater, you must comply with this subpart no later than January 31, 2016, except as provided in 40 C.F.R. §63.6(i). **(BL2)**

(d) You must meet the notification requirements in 40 C.F.R. §63.7545 according to the schedule in 40 C.F.R. §63.7545 and in subpart A of 40 C.F.R.60. Some of the notifications must be submitted before you are required to comply with the emission limits and work practice standards in this subpart.

[45CSR34, 40 C.F.R. §63.7495(a), (b) and (d)]

§63.7499 *What are the subcategories of boilers and process heaters?*

(l) Units designed to burn gas 1 fuels.

[45CSR34, 40 C.F.R. §63.7499(l)]

§63.7500 *What emission limitations, work practice standards, and operating limits must I meet?*

(a) You must meet the requirements in paragraphs (a)(1) through (3) of this section, except as provided in paragraphs (b), through (e) of this section. You must meet these requirements at all times the affected unit is operating, except as provided in paragraph (f) of this section.

(1) You must meet each emission limit and work practice standard in Tables 1 through 3, and 11 through 15 to this subpart that applies to your boiler or process heater, for each boiler or process heater at your source, except as provided under §63.7522. The output-based emission limits, in units of pounds per million Btu of steam output, in Tables 1 or 2 to this subpart are an alternative applicable only to boilers and process heaters that generate either steam, cogenerate steam with electricity, or both. The output-based emission limits, in units of pounds per megawatt-hour, in Tables 1 or 2 to this subpart are an alternative applicable only to boilers that generate only electricity. Boilers that perform multiple functions (cogeneration and electricity generation) or supply steam to common headers would calculate a total steam energy output using equation 1 of 40 C.F.R. §63.7575 to demonstrate compliance with the output-based emission limits, in units of pounds per million Btu of steam output, in Table 1 or 2 to this subpart. If you operate a new boiler or process heater, you can choose to comply with alternative limits as discussed in paragraphs (a)(1)(i) through (iv) of 40 C.F.R. §63.7500, but on or after October 6, 2025, you must comply with the emission limits in Table 1 to 40 C.F.R.63 Subpart DDDDD.

Table 3 to Subpart DDDDD of Part 63—Work Practice Standards

As stated in 40 C.F.R. §63.7500, you must comply with the following applicable work practice standards:

| If your unit is . . . | You must meet the following . . . |
|---|---|
| 1. A new or existing boiler or process heater with a continuous oxygen trim system that maintains an optimum air to fuel ratio, or a heat input capacity of less than or equal to 5 million Btu per hour in any of the following subcategories: unit designed to burn gas 1; unit designed to burn gas 2 (other); or unit designed to burn light liquid, or a limited use boiler or process heater (BL2, HTR2, HTR3, HTR4) | Conduct a tune-up of the boiler or process heater every 5 years as specified in 40 C.F.R. §63.7540. |
| 4. An existing boiler or process heater located at a major source facility, not including limited use units (BL2) | <p>Must have a one-time energy assessment performed by a qualified energy assessor. An energy assessment completed on or after January 1, 2008, that meets or is amended to meet the energy assessment requirements in this table, satisfies the energy assessment requirement. A facility that operated under an energy management program developed according to the ENERGY STAR guidelines for energy management or compatible with ISO 50001 for at least one year between January 1, 2008 and the compliance date specified in 40 C.F.R. 40 C.F.R. §63.7495 that includes the affected units also satisfies the energy assessment requirement. The energy assessment must include the following with extent of the evaluation for items a. to e. appropriate for the on-site technical hours listed in 40 C.F.R. §63.7575:</p> <p>a. A visual inspection of the boiler or process heater system.</p> <p>b. An evaluation of operating characteristics of the boiler or process heater systems, specifications of energy using systems, operating and maintenance procedures, and unusual operating constraints.</p> <p>c. An inventory of major energy use systems consuming energy from affected boilers and process heaters and which are under the control of the boiler/process heater owner/operator.</p> |

| If your unit is . . . | You must meet the following . . . |
|-----------------------|--|
| | d. A review of available architectural and engineering plans, facility operation and maintenance procedures and logs, and fuel usage. |
| | e. A review of the facility's energy management program and provide recommendations for improvements consistent with the definition of energy management program, if identified. |
| | f. A list of cost-effective energy conservation measures that are within the facility's control. |
| | g. A list of the energy savings potential of the energy conservation measures identified. |
| | h. A comprehensive report detailing the ways to improve efficiency, the cost of specific improvements, benefits, and the time frame for recouping those investments. |

[45CSR34, 40 C.F.R. §63.7500(a)(1), and Table 3 (lines 1 and 4)]

(3) At all times, you must operate and maintain any affected source (as defined in 40 C.F.R §63.7490), including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that 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.

[45CSR34, 40 C.F.R. §63.7500(a)(3)] (BL2, HTR2, HTR3, HTR4)

(e) Boilers and process heaters in the units designed to burn gas 1 fuels subcategory with a heat input capacity of less than or equal to 5 million Btu per hour must complete a tune-up every 5 years as specified in §63.7540. Boilers and process heaters in the units designed to burn gas 1 fuels subcategory with a heat input capacity greater than 5 million Btu per hour and less than 10 million Btu per hour must complete a tune-up every 2 years as specified in 40 C.F.R. §63.7540. Boilers and process heaters in the units designed to burn gas 1 fuels subcategory are not subject to the emission limits in Tables 1 and 2 or 11 through 15 to this subpart, or the operating limits in Table 4 to 40 C.F.R.63 Subpart DDDDD.

[45CSR34, 40 C.F.R. §63.7500(e)] (BL2, HTR2, HTR3, HTR4)

§63.7510 What are my initial compliance requirements and by what date must I conduct them?

(e) For existing affected sources (as defined in 40 C.F.R. §63.7490), you must complete the initial compliance demonstrations, as specified in paragraphs (a) through (d) of 40 C.F.R. §63.7510, no later than 180 days after the compliance date that is specified for your source in 40 C.F.R. §63.7495 and according to the applicable provisions in 40 C.F.R. §63.7(a)(2) as cited in Table 10 to 40 C.F.R.63 Subpart ZZZZ, except as specified in paragraph (j) of 40 C.F.R. §63.7510. You must complete an initial tune-up by following the procedures described in 40 C.F.R. §63.7540(a)(10)(i) through (vi) no later than the compliance date specified in 40 C.F.R. §63.7495, except as specified in paragraph (j) of 40 C.F.R. §63.7510. You must complete the one-time energy assessment specified in Table 3 to this subpart no later than the compliance date specified in 40 C.F.R. §63.7495 (January 31, 2016).

[45CSR34, 40 C.F.R. §63.7510(e)] (BL2)

(g) For new or reconstructed affected sources (as defined in 40 C.F.R. §63.7490), you must demonstrate initial compliance with the applicable work practice standards in Table 3 to this subpart within the applicable annual,

biennial, or 5-year schedule as specified in 40 C.F.R. §63.7515(d) following the initial compliance date specified in 40 C.F.R. §63.7495(a). Thereafter, you are required to complete the applicable annual, biennial, or 5-year tune-up as specified in 40 C.F.R. §63.7515(d).

[45CSR34, 40 C.F.R. §63.7510(g)] (HTR2, HTR3, HTR4)

§63.7540 How do I demonstrate continuous compliance with the emission limitations, fuel specifications and work practice standards?

(a)(10) You must conduct the tune-up while burning the type of fuel (or fuels in case of units that routinely burn a mixture) that provided the majority of the heat input to the boiler or process heater over the 12 months prior to the tune-up.

(i) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may perform the burner inspection any time prior to the tune-up or delay the burner inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection. At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment;

(ii) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;

(iii) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection;

(iv) Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NO_x requirement to which the unit is subject;

(v) Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer; and

(vi) Maintain on-site and submit, if requested by the Administrator, a report containing the information in paragraphs (a)(10)(vi)(A) through (C) of this section,

(A) The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater;

(B) A description of any corrective actions taken as a part of the tune-up; and

(C) The type and amount of fuel used over the 12 months prior to the tune-up, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel used by each unit.

[45CSR34, 40 C.F.R. §63.7540(a)(10); 45CSR14, R14-0013, 4.1.8(b) and 4.4.5]

(12) If your boiler or process heater has a heat input capacity of less than or equal to 5 million Btu per hour and the unit is in the units designed to burn gas 1, you must conduct a tune-up of the boiler or process heater every 5 years as specified in paragraphs (a)(10)(i) through (vi) of 40 C.F.R. §63.7540 to demonstrate continuous compliance. You may delay the burner inspection specified in paragraph (a)(10)(i) of 40 C.F.R. §63.7540 until the next scheduled or unscheduled unit shutdown, but you must inspect each burner at least once every 72 months.

[45CSR34, 40 C.F.R. §63.7540(a)(12); 45CSR14, R14-0013, 4.1.8(b)] (BL2, HTR2, HTR3, HTR4)

(13) If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 calendar days of startup.

[45CSR34, 40 C.F.R. §63.7540(a)(13); 45CSR14, R14-0013, 4.1.8(b)]

9.2. Monitoring Requirements

9.2.1. None.

9.3. Testing Requirements

9.3.1. §63.7515 *When must I conduct subsequent performance tests, fuel analyses, or tune-ups?*

(d) If you are required to meet an applicable tune-up work practice standard, you must conduct an annual, biennial, or 5-year performance tune-up according to 40 C.F.R. §63.7540(a)(10), (11), or (12), respectively. Each annual tune-up specified in 40 C.F.R. §63.7540(a)(10) must be no more than 13 months after the previous tune-up. Each biennial tune-up specified in 40 C.F.R. §63.7540(a)(11) must be conducted no more than 25 months after the previous tune-up. Each 5-year tune-up specified in 40 C.F.R. §63.7540(a)(12) must be conducted no more than 61 months after the previous tune-up. For a new or reconstructed affected source (as defined in 40 C.F.R. §63.7490), the first annual, biennial, or 5-year tune-up must be no later than 13 months, 25 months, or 61 months, respectively, after April 1, 2013 or the initial startup of the new or reconstructed affected source, whichever is later.

[45CSR34, 40 C.F.R. §63.7515(d)] (BL2, HTR2, HTR3, HTR4)

9.4. Recordkeeping Requirements

9.4.1. §63.7555 *What records must I keep?*

(a) You must keep records according to paragraphs (a)(1) and (2) of 40 C.F.R. §63.7555.

(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 or semiannual compliance report that you submitted, according to the requirements in 40 C.F.R. §63.10(b)(2)(xiv).

(h) If you operate a unit in the unit designed to burn gas 1 subcategory that is subject to this subpart, and you use an alternative fuel other than natural gas, refinery gas, gaseous fuel subject to another subpart under this part, other gas 1 fuel, or gaseous fuel subject to another subpart of this part or part 60, 61, or 65, you must

keep records of the total hours per calendar year that alternative fuel is burned and the total hours per calendar year that the unit operated during periods of gas curtailment or gas supply emergencies.

[45CSR34, 40 C.F.R. §§63.7555(a)(1) and (h)]

§63.7560 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 40 C.F.R. §63.10(b)(1).

(b) As specified in 40 C.F.R. §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 on site, or they must be accessible from on site (for example, through a computer network), for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 C.F.R. §63.10(b)(1). You can keep the records off site for the remaining 3 years.

[45CSR34, 40 C.F.R. §63.7560]

9.5. Reporting Requirements

9.5.1. §63.7530 *How do I demonstrate initial compliance with the emission limitations, fuel specifications and work practice standards?*

(e) You must include with the Notification of Compliance Status a signed certification that either the energy assessment was completed according to Table 3 to 40 C.F.R. 63 Subpart DDDDD, and that the assessment is an accurate depiction of your facility at the time of the assessment, or that the maximum number of on-site technical hours specified in the definition of energy assessment applicable to the facility has been expended.

(f) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in 40 C.F.R. §63.7545(e).

[45CSR34, 40 C.F.R. §§63.7530(e) and (f)]

§63.7545 What notifications must I submit and when?

(c) As specified in 40 C.F.R. §63.9(b)(4) and (5), if you startup your new or reconstructed affected source on or after January 31, 2013, you must submit an Initial Notification not later than 15 days after the actual date of startup of the affected source.

(e) If you are required to conduct an initial compliance demonstration as specified in 40 C.F.R. §63.7530, you must submit a Notification of Compliance Status according to 40 C.F.R. §63.9(h)(2)(ii). For the initial compliance demonstration for each boiler or process heater, you must submit the Notification of Compliance Status, including all performance test results and fuel analyses, before the close of business on the 60th day following the completion of all performance test and/or other initial compliance demonstrations for all boiler or process heaters at the facility according to 40 C.F.R. §63.10(d)(2). The Notification of Compliance Status report must contain all the information specified in paragraphs (e)(1) through (8) of 40 C.F.R. §63.7545, as applicable. If you are not required to conduct an initial compliance demonstration as specified in 40 C.F.R. §63.7530(a), the Notification

of Compliance Status must only contain the information specified in paragraphs (e)(1) and (8) of 40 C.F.R. §63.7545 and must be submitted within 60 days of the compliance date specified at 40 C.F.R. §63.7495(b).

(1) A description of the affected unit(s) including identification of which subcategories the unit is in, the design heat input capacity of the unit, a description of the add-on controls used on the unit to comply with this subpart, description of the fuel(s) burned, including whether the fuel(s) were a secondary material determined by you or the EPA through a petition process to be a non-waste under §241.3 of this chapter, whether the fuel(s) were a secondary material processed from discarded non-hazardous secondary materials within the meaning of §241.3 of this chapter, and justification for the selection of fuel(s) burned during the compliance demonstration.

(8) In addition to the information required in 40 C.F.R. §63.9(h)(2), your notification of compliance status must include the following certification(s) of compliance, as applicable, and signed by a responsible official:

(i) “This facility completed the required initial tune-up for all of the boilers and process heaters covered by 40 C.F.R. part 63 Subpart DDDDD at this site according to the procedures in 40 C.F.R. §63.7540(a)(10)(i) through (vi).”

(ii) “This facility has had an energy assessment performed according to 40 C.F.R. §63.7530(e).”

(iii) Except for units that burn only natural gas, refinery gas, or other gas 1 fuel, or units that qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act, include the following: “No secondary materials that are solid waste were combusted in any affected unit.”

(f) If you operate a unit designed to burn natural gas, refinery gas, or other gas 1 fuels that is subject to this subpart, and you intend to use a fuel other than natural gas, refinery gas, gaseous fuel subject to another subpart of this part, part 60, 61, or 65, or other gas 1 fuel to fire the affected unit during a period of natural gas curtailment or supply interruption, as defined in 40 C.F.R. §63.7575, you must submit a notification of alternative fuel use within 48 hours of the declaration of each period of natural gas curtailment or supply interruption, as defined in 40 C.F.R. §63.7575. The notification must include the information specified in paragraphs (f)(1) through (5) of 40 C.F.R. §63.7545.

(1) Company name and address.

(2) Identification of the affected unit.

(3) Reason you are unable to use natural gas or equivalent fuel, including the date when the natural gas curtailment was declared or the natural gas supply interruption began.

(4) Type of alternative fuel that you intend to use.

(5) Dates when the alternative fuel use is expected to begin and end.

[45CSR34, 40 C.F.R. §§63.7545(c), (e)(1), (e)(8), (f)]

§63.7550 What reports must I submit and when?

(a) You must submit each report in Table 9 to 40 C.F.R. 63 Subpart DDDDD that applies to you.

Table 9 to Subpart DDDDD of Part 63—Reporting Requirements

As stated in 40 C.F.R. §63.7550, you must comply with the following requirements for reports:

| You must submit a(n) | The report must contain . . . | You must submit the report . . . |
|-----------------------------|---|--|
| 1. Compliance report | <p>a. Information required in 40 C.F.R. §63.7550(c)(1) through (5); and</p> <p>b. If there are no deviations from any emission limitation (emission limit and operating limit) that applies to you and there are no deviations from the requirements for work practice standards for periods of startup and shutdown in Table 3 to this subpart that apply to you, a statement that there were no deviations from the emission limitations and work practice standards during the reporting period. If there were no periods during which the CMSs, including continuous emissions monitoring system, continuous opacity monitoring system, and operating parameter monitoring systems, were out-of-control as specified in 40 C.F.R. §63.8(c)(7), a statement that there were no periods during which the CMSs were out-of-control during the reporting period; and</p> <p>c. If you have a deviation from any emission limitation (emission limit and operating limit) where you are not using a CMS to comply with that emission limit or operating limit, or a deviation from a work practice standard for periods of startup and shutdown, during the reporting period, the report must contain the information in 40 C.F.R. §63.7550(d); and</p> <p>d. If there were periods during which the CMSs, including continuous emissions monitoring system, continuous opacity monitoring system, and operating parameter monitoring systems, were out-of-control as specified in 40 C.F.R. §63.8(c)(7), or otherwise not operating, the report must contain the information in 40 C.F.R. §63.7550(e)</p> | Semiannually, annually, biennially, or every 5 years according to the requirements in 40 C.F.R. §63.7550(b). |

(b) Unless the EPA Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report, according to paragraph (h) of this section, by the date in Table 9 to this subpart and according to the requirements in paragraphs (b)(1) through (4) of 40 C.F.R. §63.7550. For units that are subject only to a requirement to conduct subsequent annual, biennial, or 5-year tune-up according to 40 C.F.R. §63.7540(a)(10), (11), or (12), respectively, and not subject to emission limits or Table 4 operating limits, you may submit only an annual, biennial, or 5-year compliance report, as applicable, as specified in paragraphs (b)(1) through (4) of 40 C.F.R. §63.7550, instead of a semi-annual compliance report.

(1) The first semi-annual compliance report must cover the period beginning on the compliance date that is specified for each boiler or process heater in 40 C.F.R. §63.7495 and ending on June 30 or December 31, whichever date is the first date that occurs at least 180 days after the compliance date that is specified for your source in 40 C.F.R. §63.7495. If submitting an annual, biennial, or 5-year compliance report, the first compliance report must cover the period beginning on the compliance date that is specified for each boiler or process heater in §63.7495 and ending on December 31 within 1, 2, or 5 years, as applicable, after the compliance date that is specified for your source in 40 C.F.R. §63.7495.

(2) The first semi-annual compliance report must be postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for each boiler or process heater in §63.7495. The first annual, biennial, or 5-year compliance report must be postmarked or submitted no later than January 31.

(3) Each subsequent semi-annual 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. Annual, biennial, and 5-year compliance reports must cover the applicable 1-, 2-, or 5-year periods from January 1 to December 31.

(4) Each subsequent semi-annual compliance report must be postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. Annual, biennial, and 5-year compliance reports must be postmarked or submitted no later than January 31.

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

(c) A compliance report must contain the following information depending on how the facility chooses to comply with the limits set in this rule.

(1) If the facility is subject to the requirements of a tune up you must submit a compliance report with the information in paragraphs (c)(5)(i) through (iii) of this section, (xiv) and (xvii) of this section, and paragraph (c)(5)(iv) of this section for limited-use boiler or process heater.

(5) (i) Company and Facility name and address.

(ii) Process unit information, emissions limitations, and operating parameter limitations.

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

(xiv) Include the date of the most recent tune-up for each unit subject to only the requirement to conduct an annual, biennial, or 5-year tune-up according to 40 C.F.R. §63.7540(a)(10), (11), or (12) respectively. Include the date of the most recent burner inspection if it was not done annually, biennially, or on a 5-year period and was delayed until the next scheduled or unscheduled unit shutdown.

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

(h)(3) You must submit all reports required by Table 9 of this subpart electronically to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX.) You must use the appropriate electronic report in CEDRI for this subpart. Instead of using the electronic report in CEDRI for this subpart, you may submit an alternate electronic file consistent with the XML schema listed on the CEDRI Web site (<http://www.epa.gov/ttn/chief/cedri/index.html>), once the XML schema is available. If the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, you must submit the report to the Administrator at the appropriate address listed in 40 C.F.R. §63.13. You must begin submitting reports via CEDRI no later than 90 days after the form becomes available in CEDRI.

[45CSR34, 40 C.F.R. §§63.7550(a), (b)(1), (c)(1), (c)(5)(i) through (iii), (xiv), (xvii), (h)(3) and Table 9; 45CSR14, R14-0013, 4.5.2]

9.6. Compliance Plan

9.6.1. N/A

10.0 40 C.F.R. 63 Subpart YYYY Requirements for Turbines [emission point IDs: T01, T02, T03, T04]

10.1. Limitations and Standards

10.1.1. § 63.6100 What emission and operating limitations must I meet?

For each new or reconstructed stationary combustion turbine which is a lean premix gas-fired stationary combustion turbine, a lean premix oil-fired stationary combustion turbine, a diffusion flame gas-fired stationary combustion turbine, or a diffusion flame oil-fired stationary combustion turbine as defined by this subpart, you must comply with the emission limitations and operating limitations in Table 1 and Table 2 of this subpart.

As stated in §63.6100, you must comply with the following emission limitations.

Table 1

| For each new or reconstructed stationary combustion turbine described in §63.6100 which is . . . | You must meet the following emission limitations . . . |
|---|---|
| 1. a lean premix gas-fired stationary combustion turbine as defined in this subpart | limit the concentration of formaldehyde to 91 ppbvd or less at 15-percent O ₂ , except during turbine startup. The period of time for turbine startup is subject to the limits specified in the definition of startup in §63.6175. |

As stated in §§63.6100 and 63.6140, you must comply with the following operating limitations.

Table 2

| For... | You must... |
|---|---|
| 2. each stationary combustion turbine that is required to comply with the emission limitation for formaldehyde and is not using an oxidation catalyst | maintain any operating limitations approved by the Administrator. |

[45CSR34, 40 C.F.R. §63.6100, Table 1, line 1 and Table 2, line 2]

10.1.2. §63.6105 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 which apply to you at all times.
- (a) At all times, 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. The general duty to minimize emissions does not require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether a source is operating in compliance with operation and maintenance requirements 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.

[45CSR34, 40 C.F.R. §§63.6105(a) & (c)]

10.1.3. §63.6130 How do I demonstrate initial compliance with the emission and operating limitations?

- (a) You must demonstrate initial compliance with each emission and operating limitation that applies to you according to Table 4 of this subpart.

As stated in §§63.6110 and 63.6130, you must comply with the following requirements to demonstrate initial compliance with emission limitations.

Table 4

| For the... | You have demonstrated initial compliance if... |
|---------------------------------------|---|
| emission limitation for formaldehyde. | the average formaldehyde concentration meets the emission limitations specified in Table 1. |

[45CSR34, 40CFR§63.6130(a) and Table 4]

10.1.4. §63.6140 How do I demonstrate continuous compliance with the emission and operating limitations?

- (a) You must demonstrate continuous compliance with each emission limitation and operating limitation in Table 1 and Table 2 of this subpart according to methods specified in Table 5 of this subpart.

As stated in §§63.6135 and 63.6140, you must comply with the following requirements to demonstrate continuing compliance with operating limitations:

Table 5

| For each stationary combustion turbine complying with the emission limitation for formaldehyde... | You must demonstrate continuous compliance by... |
|--|--|
| 2. without the use of an oxidation catalyst | continuously monitoring the operating limitations that have been approved in your petition to the Administrator. |

[45CSR34, 40 C.F.R. §63.6140(a) and Table 5, line 2]

10.2. Monitoring Requirements

10.2.1. §63.6125 What are my monitor installation, operation, and maintenance requirements?

- (b) If you are operating a stationary combustion turbine that is required to comply with the formaldehyde emission limitation and you are not using an oxidation catalyst, you must continuously monitor any parameters specified in your approved petition to the Administrator, in order to comply with the operating limitations in Table 2 and as specified in Table 5 of this subpart.
- (e) If you are required to use a continuous monitoring system (CMS), you must develop and implement a CMS quality control program that included written procedures for CMS according to §63.8(d)(1) through (2). You must 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. The program of corrective action should be included in the plan required under §63.8(d)(2).

[45CSR34, 40 C.F.R. §§63.6125(b)&(e)]

10.2.2. §63.6135 How do I monitor and collect data to demonstrate continuous compliance?

- (a) Except for monitor malfunctions, associated repairs, and required quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments of the monitoring system), you must conduct all parametric monitoring at all times the stationary combustion turbine is operating.
- (b) Do not use data recorded during monitor malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this subpart, including data averages and calculations. You must use all the data collected during all other periods in assessing the performance of the control device or in assessing emissions from the new or reconstructed stationary combustion turbine.

[45CSR34, 40 C.F.R. §§63.6135(a) & (b)]

10.3. Testing Requirements

10.3.1. §63.6110 By what date must I conduct the initial performance tests or other initial compliance demonstrations?

You must conduct the initial performance tests or other initial compliance demonstrations in Table 4 of this subpart that apply to you within 180 calendar days after the compliance date that is specified for your stationary combustion turbine in §63.6095 (March 9, 2022) and according to the provisions in §63.7(a)(2).

[45CSR34, 40 C.F.R. §63.6110(a)]

10.3.2. §63.6115 When must I conduct subsequent performance tests?

Subsequent performance tests must be performed on an annual basis as specified in Table 3 of this subpart.

[45CSR34, 40 C.F.R. §63.6115]

10.3.3. §63.6120 What performance tests and other procedures must I use?

- (a) You must conduct each performance test in Table 3 of this subpart that applies to you.
- (b) Each performance test must be conducted according to the requirements in Table 3 of this subpart.
- (c) Performance tests must be conducted at high load, defined as 100 percent plus or minus 10 percent. Performance tests shall be conducted under such conditions based on representative performance of the affected source for the period being tested. Representative conditions exclude periods of startup and shutdown. The owner or operator may not conduct performance tests during periods of malfunction. The owner or operator must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. 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.
- (d) You must conduct three separate test runs for each performance test, and each test run must last at least 1 hour.
- (e) If your stationary combustion turbine is not equipped with an oxidation catalyst, you must petition the Administrator for operating limitations that you will monitor to demonstrate compliance with the formaldehyde emission limitation in Table 1. You must measure these operating parameters during the initial performance test and continuously monitor thereafter. Alternatively, you may petition the Administrator for approval of no additional operating limitations. If you submit a petition under this

section, you must not conduct the initial performance test until after the petition has been approved or disapproved by the Administrator.

- (f) If your stationary combustion turbine is not equipped with an oxidation catalyst and you petition the Administrator for approval of additional operating limitations to demonstrate compliance with the formaldehyde emission limitation in Table 1, your petition must include the following information described in paragraphs (f)(1) through (5) of this section.
 - (1) Identification of the specific parameters you propose to use as additional 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.
- (g) If you petition the Administrator for approval of no additional operating limitations, your petition must include the information described in paragraphs (g)(1) through (7) of this section.
 - (1) Identification of the parameters associated with operation of the stationary combustion turbine 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 why establishing limitations on the parameters is not possible;
 - (4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of why you could not establish upper and/or lower values for the parameters which would establish limits on the parameters as operating limitations;
 - (5) For the parameters which could change in such a way as to increase HAP emissions, 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, unreasonable or unnecessary to adopt the parameters as operating limitations.

As stated in §63.6120, you must comply with the following requirements for performance tests and initial compliance demonstrations.

Table 3

| You must... | Using... | According to the following requirements... |
|---|---|--|
| a. demonstrate formaldehyde emissions meet the emission limitations specified in Table 1 by a performance test initially and on an annual basis AND | Test Method 320 of 40 CFR part 63, appendix A; ASTM D6348-12e1 ¹ provided that the test plan preparation and implementation provisions of Annexes A1 through A8 are followed and the %R as determined in Annex A5 is equal or greater than 70% and less than or equal to 130%; ² or other methods approved by the Administrator | formaldehyde concentration must be corrected to 15-percent O ₂ , dry basis. Results of this test consist of the average of the three 1-hour runs. Test must be conducted within 10 percent of 100-percent load. |
| b. select the sampling port location and the number of traverse points AND | Method 1 or 1A of 40 CFR part 60, appendix A | if using an air pollution control device, the sampling site must be located at the outlet of the air pollution control device. |
| c. determine the O ₂ concentration at the sampling port location AND | Method 3A or 3B of 40 CFR part 60, appendix A; ANSI/ASME PTC 19.10-1981 ¹ (Part 10) manual portion only; ASTM D6522-11 ¹ if the turbine is fueled by natural gas | measurements to determine O ₂ concentration must be made at the same time as the performance test. |
| d. determine the moisture content at the sampling port location for the purposes of correcting the formaldehyde concentration to a dry basis | Method 4 of 40 CFR part 60, appendix A or Test Method 320 of 40 CFR part 63, appendix A, or ASTM D6348-12e1 ¹ | measurements to determine moisture content must be made at the same time as the performance test. |

¹ Incorporated by reference, see §63.14.

² The %R value for each compound must be reported in the test report, and all field measurements must be corrected with the calculated %R value for that compound using the following equation:

$$\text{Reported Results} = ((\text{Measured Concentration in Stack})/(\%R)) \times 100.$$

[45CSR34, 40 C.F.R. §63.6120 and Table 3]

10.4. Recordkeeping Requirements

10.4.1. §63.6155 What records must I keep?

- (a) You must keep the records as described in §63.6155(a)(1) through (7).
 - (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 requirements in §63.10(b)(2)(xiv).
 - (2) Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii).
 - (5) Records of all maintenance on the air pollution control equipment as required in §63.10(b)(2)(iii).
 - (6) Records of the date, time, and duration of each startup period, recording the periods when the affected source was subject to the standard applicable to startup.
 - (7) Keep records as follows.
 - (i) Record the number of deviations. For each deviation, record the date, time, cause, and duration of the deviation.
 - (ii) For each deviation, record and retain a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit and a description of the method used to estimate the emissions.
 - (iii) Record actions taken to minimize emissions in accordance with §63.6105(c), and any corrective actions taken to return the affected unit to its normal or usual manner of operation.
- (c) You must keep the records required in Table 5 of this subpart to show continuous compliance with each operating limitation that applies to you.
- (d) Any records required to be maintained by this part 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.

[45CSR34, 40 C.F.R. §§63.6155(a)(1) through (2), (a)(5) through (7), (c), (d)]

10.4.2. §63.6160 In what form and how long must I keep my records?

- (a) You must maintain all applicable records in such a manner that they can be readily accessed and are suitable for inspection 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 retain your records of the most recent 2 years on site or your records must be accessible on site. Your records of the remaining 3 years may be retained off site.

[45CSR34, 40 C.F.R. §63.6160]

10.5. Reporting Requirements

10.5.1 §63.6130 How do I demonstrate initial compliance with the emission and operating limitations?

- (b) You must submit the Notification of Compliance Status containing results of the initial compliance demonstration according to the requirements in §63.6145(f).

[45CSR34, 40 C.F.R. §63.6130 (b)]

10.5.2. §63.6140 How do I demonstrate continuous compliance with the emission and operating limitations?

- (b) You must report each instance in which you did not meet each emission limitation or operating limitation. You must also report each instance in which you did not meet the requirements in Table 7 of 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 §63.6150.

[45CSR34, 40 C.F.R. §63.6140 (b)]

10.5.3. § 63.6145 What notifications must I submit and when?

- (a) You must submit all of the notifications in §§63.7(b) and (c), 63.8(e), 63.8(f)(4), and 63.9(b) and (h) that apply to you by the dates specified.
- (c) As specified in §63.9(b), if you start up your new or reconstructed stationary combustion turbine on or after March 5, 2004, you must submit an Initial Notification not later than 120 calendar days after you become subject to this subpart.
- (e) If you are required to conduct an initial performance test, you must submit a notification of intent to conduct an initial performance test at least 60 calendar days before the initial performance test is scheduled to begin as required in §63.7(b)(1).
- (f) If you are required to comply with the emission limitation for formaldehyde, you must submit a Notification of Compliance Status according to §63.9(h)(2)(ii). For each performance test required to demonstrate compliance with the emission limitation for formaldehyde, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th calendar day following the completion of the performance test.

[45CSR34, 40 C.F.R. §63.6145(a), (c), (e) and (f)]

10.5.4 §63.6150 What reports must I submit and when?

- (a) *Compliance report.* Anyone who owns or operates a stationary combustion turbine which must meet the emissions limitation for formaldehyde must submit a semiannual compliance report according to Table 6 of this subpart. The semiannual compliance report must contain the information described in

§63.6150(a)(1) through (5). The semiannual compliance report, including the excess emissions and monitoring system performance reports of §63.10(e)(3), must be submitted by the dates specified in §63.6150(b)(1) through (5), unless the Administrator has approved a different schedule. After September 8, 2020, or once the reporting template has been available on the Compliance and Emissions Data Reporting Interface (CEDRI) website for 180 days, whichever date is later, you must submit all subsequent reports to the EPA following the procedure specified in §63.6150(g).

- (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.
 - (5) Report each deviation in the semiannual compliance report. Report the following information:
 - (i) Report the number of deviations. For each instance, report the start date, start time, duration, and cause of each deviation, and the corrective action taken.
 - (ii) For each deviation, the report must include a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit, a description of the method used to estimate the emissions.
 - (iii) Information on the number, duration, and cause for monitor downtime incidents (including unknown cause, if applicable, other than downtime associated with zero and span and other daily calibration checks), as applicable, and the corrective action taken.
 - (iv) Report the total operating time of the affected source during the reporting period.
- (b) Dates of submittal for the semiannual compliance report are provided in §63.6150(b)(1) through (5).
- (5) For each stationary combustion turbine that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established the date for submitting annual reports pursuant to 40 C.F.R. §70.6(a)(3)(iii)(A) or 40 C.F.R. §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 §63.6150(b)(1) through (4).
- (d) Dates of submittal for the annual report are provided in §63.6150(d)(1) through (5).
- (5) For each stationary combustion turbine that is subject to permitting regulations pursuant to 40 C.F.R. part 70 or 71, and if the permitting authority has established the date for submitting annual reports pursuant to 40 C.F.R. §70.6(a)(3)(iii)(A) or 40 C.F.R. §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 §63.6150(d)(1) through (4).
- (f) *Performance test report.* Within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test (as specified in §63.6145(f)) following the procedures specified in paragraphs (f)(1) through (3) of this section.
- (1) *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.* Submit the results of the performance test to the EPA via the CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The data must be submitted in a file format generated through the use of 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.
 - (2) *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.* The results of the performance test must be included as an

attachment in the ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the ERT generated package or alternative file to the EPA via CEDRI.

- (3) *Confidential business information (CBI)*. If you claim some of the information submitted under paragraph (f)(1) of this section is CBI, you must submit a complete file, including information claimed to be CBI, to the EPA. The file must be generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the file on a compact disc, flash drive, or other commonly used electronic storage medium and clearly mark the medium as CBI. Mail the electronic medium to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described in paragraph (f)(1) of this section.
- (g) If you are required to submit reports following the procedure specified in this paragraph, you must submit reports to the EPA via CEDRI, which can be accessed through the EPA's CDX (<https://cdx.epa.gov/>). You must use the appropriate electronic report template on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>) for this subpart. The date report templates become available will be listed on the CEDRI website. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. If you claim some of the information required to be submitted via CEDRI is CBI, submit a complete report, including information claimed to be CBI, to the EPA. The report must be generated using the appropriate form on the CEDRI website. Submit the file on a compact disc, flash drive, or other commonly used electronic storage medium and clearly mark the medium as CBI. Mail the electronic medium to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described earlier in this paragraph.
- (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 the 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) 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 the 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) 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.

[45CSR34, 40 C.F.R. §§63.6150(a)(1) through (3), (a)(5), (b)(5), (d)(5), (f) through (i)]

10.6. Compliance Plan

10.6.1. N/A