

Environmental Protection Agency

§ 60.1

MODEL RULE—PERFORMANCE TESTING

- 60.2690 How do I conduct the initial and annual performance test?
60.2695 How are the performance test data used?

MODEL RULE—INITIAL COMPLIANCE REQUIREMENTS

- 60.2700 How do I demonstrate initial compliance with the emission limitations and establish the operating limits?
60.2705 By what date must I conduct the initial performance test?

MODEL RULE—CONTINUOUS COMPLIANCE REQUIREMENTS

- 60.2710 How do I demonstrate continuous compliance with the emission limitations and the operating limits?
60.2715 By what date must I conduct the annual performance test?
60.2720 May I conduct performance testing less often?
60.2725 May I conduct a repeat performance test to establish new operating limits?

MODEL RULE—MONITORING

- 60.2730 What monitoring equipment must I install and what parameters must I monitor?
60.2735 Is there a minimum amount of monitoring data I must obtain?

MODEL RULE—RECORDKEEPING AND REPORTING

- 60.2740 What records must I keep?
60.2745 Where and in what format must I keep my records?
60.2750 What reports must I submit?
60.2755 When must I submit my waste management plan?
60.2760 What information must I submit following my initial performance test?
60.2765 When must I submit my annual report?
60.2770 What information must I include in my annual report?
60.2775 What else must I report if I have a deviation from the operating limits or the emission limitations?
60.2780 What must I include in the deviation report?
60.2785 What else must I report if I have a deviation from the requirement to have a qualified operator accessible?
60.2790 Are there any other notifications or reports that I must submit?
60.2795 In what form can I submit my reports?
60.2800 Can reporting dates be changed?

MODEL RULE—TITLE V OPERATING PERMITS

- 60.2805 Am I required to apply for and obtain a title V operating permit for my unit?

MODEL RULE—AIR CURTAIN INCINERATORS

- 60.2810 What is an air curtain incinerator?
60.2815 What are my requirements for meeting increments of progress and achieving final compliance?
60.2820 When must I complete each increment of progress?
60.2825 What must I include in the notifications of achievement of increments of progress?
60.2830 When must I submit the notifications of achievement of increments of progress?
60.2835 What if I do not meet an increment of progress?
60.2840 How do I comply with the increment of progress for submittal of a control plan?
60.2845 How do I comply with the increment of progress for achieving final compliance?
60.2850 What must I do if I close my air curtain incinerator and then restart it?
60.2855 What must I do if I plan to permanently close my air curtain incinerator and not restart it?
60.2860 What are the emission limitations for air curtain incinerators?
60.2865 How must I monitor opacity for air curtain incinerators?
60.2870 What are the recordkeeping and reporting requirements for air curtain incinerators?

MODEL RULE—DEFINITIONS

- 60.2875 What definitions must I know?

Tables to Subpart DDDD

TABLE 1 TO SUBPART DDDD—MODEL RULE—INCREMENTS OF PROGRESS AND COMPLIANCE SCHEDULES

TABLE 2 TO SUBPART DDDD—MODEL RULE—EMISSION LIMITATIONS

TABLE 3 TO SUBPART DDDD—MODEL RULE—OPERATING LIMITS FOR WET SCRUBBERS

TABLE 4 TO SUBPART DDDD—MODEL RULE—TOXIC EQUIVALENCY FACTORS

TABLE 5 TO SUBPART DDDD—MODEL RULE—SUMMARY OF REPORTING REQUIREMENTS

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

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

Subpart A—General Provisions

§ 60.1 Applicability.

(a) Except as provided in subparts B and C, the provisions of this part apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this

§ 60.2

40 CFR Ch. I (7-1-02 Edition)

part of any standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(b) Any new or revised standard of performance promulgated pursuant to section 111(b) of the Act shall apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of such new or revised standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(c) In addition to complying with the provisions of this part, the owner or operator of an affected facility may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution control agency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to Title V of the Clean Air Act (Act) as amended November 15, 1990 (42 U.S.C. 7661). For more information about obtaining an operating permit see part 70 of this chapter.

(d) *Site-specific standard for Merck & Co., Inc.'s Stonewall Plant in Elkton, Virginia.* (1) This paragraph applies only to the pharmaceutical manufacturing facility, commonly referred to as the Stonewall Plant, located at Route 340 South, in Elkton, Virginia ("site").

(2) Except for compliance with 40 CFR 60.49b(u), the site shall have the option of either complying directly with the requirements of this part, or reducing the site-wide emissions caps in accordance with the procedures set forth in a permit issued pursuant to 40 CFR 52.2454. If the site chooses the option of reducing the site-wide emissions caps in accordance with the procedures set forth in such permit, the requirements of such permit shall apply in lieu of the otherwise applicable requirements of this part.

(3) Notwithstanding the provisions of paragraph (d)(2) of this section, for any provisions of this part except for Subpart Kb, the owner/operator of the site shall comply with the applicable provisions of this part if the Administrator determines that compliance with the provisions of this part is necessary for achieving the objectives of the regulation and the Administrator notifies the

site in accordance with the provisions of the permit issued pursuant to 40 CFR 52.2454.

[40 FR 53346, Nov. 17, 1975, as amended at 55 FR 51382, Dec. 13, 1990; 59 FR 12427, Mar. 16, 1994; 62 FR 52641, Oct. 8, 1997]

§ 60.2 Definitions.

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 *et seq.*)

Administrator means the Administrator of the Environmental Protection Agency or his authorized representative.

Affected facility means, with reference to a stationary source, any apparatus to which a standard is applicable.

Alternative method means any method of sampling and analyzing for an air pollutant which is not a reference or equivalent method but which has been demonstrated to the Administrator's satisfaction to, in specific cases, produce results adequate for his determination of compliance.

Approved permit program means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to Title V of the Act (42 U.S.C. 7661).

Capital expenditure means an expenditure for a physical or operational change to an existing facility which exceeds the product of the applicable "annual asset guideline repair allowance percentage" specified in the latest edition of Internal Revenue Service (IRS) Publication 534 and the existing facility's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to an existing facility must not be reduced by any "excluded additions" as defined in IRS Publication 534, as would be done for tax purposes.

Clean coal technology demonstration project means a project using funds appropriated under the heading 'Department of Energy-Clean Coal Technology', up to a total amount of \$2,500,000,000 for commercial demonstrations of clean coal technology,