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section shall be used in calculating the MWC unit capacity in megagrams per day (tons per day) of MSW.

(3) [Reserved]

(4) The MWC unit capacity shall be calculated using a design heating value of 10,500 kilojoules per kilogram (4,500 British thermal units per pound) for all MSW.

[56 FR 5507, Feb. 11, 1991, as amended at 60 FR 65387, Dec. 19, 1995; 65 FR 61753, Oct. 17, 2000]

**§ 60.59a Reporting and recordkeeping requirements.**

(a) The owner or operator of an affected facility located at an MWC plant with a capacity greater than 225 megagrams per day (250 tons per day) shall provide notification of intent to construct and of planned initial start-up date and the type(s) of fuels that they plan to combust in the affected facility. The MWC unit capacity and MWC plant capacity and supporting capacity calculations shall be provided at the time of the notification of construction.

(b) The owner or operator of an affected facility located within a small or large MWC plant and subject to the standards under § 60.52a, § 60.53a, § 60.54a, § 60.55a, § 60.56a, or § 60.57a shall maintain records of the following information for each affected facility for a period of at least 2 years:

(1) Calendar date.

(2) The emission rates and parameters measured using CEMS as specified under (b)(2) (i) and (ii) of this section:

(i) The following measurements shall be recorded in computer-readable format and on paper:

(A) All 6-minute average opacity levels required under § 60.58a(b).

(B) All 1 hour average sulfur dioxide emission rates at the inlet and outlet of the acid gas control device if compliance is based on a percent reduction, or at the outlet only if compliance is based on the outlet emission limit, as specified under § 60.58a(e).

(C) All 1-hour average nitrogen oxides emission rates as specified under § 60.58a(g).

(D) All 1-hour average carbon monoxide emission rates, MWC unit load measurements, and particulate matter

control device inlet temperatures as specified under § 60.58a(h).

(ii) The following average rates shall be computed and recorded:

(A) All 24-hour daily geometric average percent reductions in sulfur dioxide emissions and all 24-hour daily geometric average sulfur dioxide emission rates as specified under § 60.58a(e).

(B) All 24-hour daily arithmetic average nitrogen oxides emission rates as specified under § 60.58a(g).

(C) All 4-hour block or 24-hour daily arithmetic average carbon monoxide emission rates, as applicable, as specified under § 60.58a(h).

(D) All 4-hour block arithmetic average MWC unit load levels and particulate matter control device inlet temperatures as specified under § 60.58a(h).

(3) Identification of the operating days when any of the average emission rates, percent reductions, or operating parameters specified under paragraph (b)(2)(ii) of this section or the opacity level exceeded the applicable limits, with reasons for such exceedances as well as a description of corrective actions taken.

(4) Identification of operating days for which the minimum number of hours of sulfur dioxide or nitrogen oxides emissions or operational data (carbon monoxide emissions, unit load, particulate matter control device temperature) have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.

(5) Identification of the times when sulfur dioxide or nitrogen oxides emission or operational data (carbon monoxide emissions, unit load, particulate matter control device temperature) have been excluded from the calculation of average emission rates or parameters and the reasons for excluding data.

(6) The results of daily sulfur dioxide, nitrogen oxides, and carbon monoxide CEMS drift tests and accuracy assessments as required under appendix F, Procedure 1.

(7) The results of all annual performance tests conducted to determine compliance with the particulate matter, dioxin/furan and hydrogen chloride limits. For all annual dioxin/furan tests, the maximum demonstrated

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MWC unit load and maximum demonstrated particulate matter control device temperature shall be recorded along with supporting calculations.

(8)-(15) [Reserved]

(c) Following the initial compliance test as required under §§ 60.8 and 60.58a, the owner or operator of an affected facility located within a large MWC plant shall submit the initial compliance test data, the performance evaluation of the CEMS using the applicable performance specifications in appendix B, and the maximum demonstrated MWC unit load and maximum demonstrated particulate matter control device temperature established during the dioxin/furan compliance test.

(d) [Reserved]

(e)(1) The owner or operator of an affected facility located within a large MWC plant shall submit annual compliance reports for sulfur dioxide, nitrogen oxide (if applicable), carbon monoxide, load level, and particulate matter control device temperature to the Administrator containing the information recorded under paragraphs (b)(1), (2)(ii), (4), (5), and (6) of this section for each pollutant or parameter. The hourly average values recorded under paragraph (b)(2)(i) of this section are not required to be included in the annual reports. Combustors firing a mixture of medical waste and other MSW shall also provide the information under paragraph (b)(15) of this section, as applicable, in each annual report. The owner or operator of an affected facility must submit reports semiannually once the affected facility is subject to permitting requirements under Title V of the Act.

(2) The owner or operator shall submit a semiannual report for any pollutant or parameter that does not comply with the pollutant or parameter limits specified in this subpart. Such report shall include the information recorded under paragraph (b)(3) of this section. For each of the dates reported, include the sulfur dioxide, nitrogen oxide, carbon monoxide, load level, and particulate matter control device temperature data, as applicable, recorded under paragraphs (b)(2)(ii)(A) through (D) of this section.

(3) Reports shall be postmarked no later than the 30th day following the

end of the annual or semiannual period, as applicable.

(f)(1) The owner or operator of an affected facility located within a large MWC plant shall submit annual compliance reports, as applicable, for opacity. The annual report shall list the percent of the affected facility operating time for the reporting period that the opacity CEMS was operating and collecting valid data. Once the unit is subject to permitting requirements under Title V of the Act, the owner or operator of an affected facility must submit these reports semiannually.

(2) The owner or operator shall submit a semiannual report for all periods when the 6-minute average levels exceeded the opacity limit under § 60.52a. The semiannual report shall include all information recorded under paragraph (b)(3) of this section which pertains to opacity, and a listing of the 6-minute average opacity levels recorded under paragraph (b)(2)(i)(A) of this section, which exceeded the opacity limit.

(3) Reports shall be postmarked no later than the 30th day following the end of the annual or semiannual period, as applicable.

(g)(1) The owner or operator of an affected facility located within a large MWC plant shall submit reports to the Administrator of all annual performance tests for particulate matter, dioxin/furan, and hydrogen chloride as recorded under paragraph (b)(7) of this section, as applicable, from the affected facility. For each annual dioxin/furan compliance test, the maximum demonstrated MWC unit load and maximum demonstrated particulate matter control device temperature shall be reported. Such reports shall be submitted when available and in no case later than the date of required submittal of the annual report specified under paragraphs (e) and (f) of this section, or within six months of the date the test was conducted, whichever is earlier.

(2) The owner or operator shall submit a report of test results which document any particulate matter, dioxin/furan, and hydrogen chloride levels that were above the applicable pollutant limit. The report shall include a copy of the test report documenting the emission levels and shall include

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the corrective action taken. Such reports shall be submitted when available and in no case later than the date required for submittal of any semi-annual report required in paragraphs (e) or (f) of this section, or within six months of the date the test was conducted, whichever is earlier.

(h) [Reserved]

(i) Records of CEMS data for opacity, sulfur dioxide, nitrogen oxides, and carbon monoxide, load level data, and particulate matter control device temperature data shall be maintained for at least 2 years after date of recordation and be made available for inspection upon request.

(j) Records showing the names of persons who have completed review of the operating manual, including the date of the initial review and all subsequent annual reviews, shall be maintained for at least 2 years after date of review and be made available for inspection upon request.

[56 FR 5507, Feb. 11, 1991, as amended at 60 FR 65387, Dec. 19, 1995; 64 FR 7465, Feb. 12, 1999]

**Subpart Eb—Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996**

SOURCE: 60 FR 65419, Dec. 19, 1995, unless otherwise noted.

**§ 60.50b Applicability and delegation of authority.**

(a) The affected facility to which this subpart applies is each municipal waste combustor unit with a combustion capacity greater than 250 tons per day of municipal solid waste for which construction is commenced after September 20, 1994 or for which modification or reconstruction is commenced after June 19, 1996.

(b) Any waste combustion unit that is capable of combusting more than 250 tons per day of municipal solid waste and is subject to a federally enforceable permit limiting the maximum amount of municipal solid waste that

may be combusted in the unit to less than or equal to 11 tons per day is not subject to this subpart if the owner or operator:

(1) Notifies the EPA Administrator of an exemption claim;

(2) Provides a copy of the federally enforceable permit that limits the firing of municipal solid waste to less than 11 tons per day; and

(3) Keeps records of the amount of municipal solid waste fired on a daily basis.

(c) An affected facility to which this subpart applies is not subject to subpart E or Ea of this part.

(d) Physical or operational changes made to an existing municipal waste combustor unit primarily for the purpose of complying with emission guidelines under subpart Cb are not considered a modification or reconstruction and do not result in an existing municipal waste combustor unit becoming subject to this subpart.

(e) A qualifying small power production facility, as defined in section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)), that burns homogeneous waste (such as automotive tires or used oil, but not including refuse-derived fuel) for the production of electric energy is not subject to this subpart if the owner or operator of the facility notifies the EPA Administrator of this exemption and provides data documenting that the facility qualifies for this exemption.

(f) A qualifying cogeneration facility, as defined in section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)), that burns homogeneous waste (such as automotive tires or used oil, but not including refuse-derived fuel) for the production of electric energy and steam or forms of useful energy (such as heat) that are used for industrial, commercial, heating, or cooling purposes, is not subject to this subpart if the owner or operator of the facility notifies the EPA Administrator of this exemption and provides data documenting that the facility qualifies for this exemption.

(g) Any unit combusting a single-item waste stream of tires is not subject to this subpart if the owner or operator of the unit: