

Environmental Protection Agency

§ 63.1581

Citation	Subject	Applies to subpart UUU	Explanation
§ 63.6(h)	Opacity/VE Standards	Yes.	Subpart UUU specifies methods.
§ 63.6(h)(2)(i)	Determining Compliance with Opacity/VE Standards. [Reserved]	No	
§ 63.6(h)(2)(ii)	[Reserved]	Not applicable.	Applies to Method 22 tests.
§ 63.6(h)(2)(iii)	[Reserved]	Yes.	
§ 63.6(h)(3)	[Reserved]	Not applicable.	
§ 63.6(h)(4)	Notification of Opacity/VE Observation Date.	Yes	
§ 63.6(h)(5)	Conducting Opacity/VE Observations.	No.	
§ 63.6(h)(6)	Records of Conditions During Opacity/VE Observations.	Yes	
§ 63.6(h)(7)(i)	Report COM Monitoring Data from Performance Test.	Yes.	
§ 63.6(h)(7)(ii)	Using COM Instead of Method 9.	No.	
§ 63.6(h)(7)(iii)	Averaging Time for COM during Performance Test.	Yes.	
§ 63.6(h)(7)(iv)	COM Requirements	Yes.	
§ 63.6(h)(8)	Determining Compliance with Opacity/VE Standards.	Yes.	Applies to Method 22 observations.
§ 63.6(h)(9)	Adjusted Opacity Standard	Yes.	
§ 63.6(i)(1)-(14)	Extension of Compliance	Yes	Not applicable to an affected source with Tier II compliance date. May be applicable to an affected source exempt from Tier II rule.
§ 63.6(i)(15)	[Reserved]	Not applicable.	
§ 63.6(i)(16)	Yes.	

Subpart VVV—National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works

SOURCE: 64 FR 57579, Oct. 26, 1999, unless otherwise noted.

APPLICABILITY

§ 63.1580 Am I subject to this subpart?

(a) You are subject to this subpart if the following are all true:

(1) You own or operate a publicly owned treatment works (POTW) that includes an affected source (§ 63.1595);

(2) The affected source is located at a POTW which is a major source of HAP emissions, or at any industrial POTW regardless of whether or not it is a major source of HAP; and

(3) Your POTW is required to develop and implement a pretreatment program as defined by 40 CFR 403.8 (for a POTW owned or operated by a municipality, State, or intermunicipal or interstate agency), or your POTW would meet the general criteria for development and implementation of a pretreatment program (for a POTW owned or operated by a department,

agency, or instrumentality of the Federal government).

(b) If your existing POTW treatment plant is not located at a major source as of October 26, 1999, but thereafter becomes a major source for any reason other than reconstruction, then, for the purpose of this subpart, your POTW treatment plant would be considered an existing source. Note to Paragraph (b): See § 63.2 of the national emission standards for hazardous air pollutants (NESHAP) General Provisions in subpart A of this part for the definitions of major source and area source.

(c) If you reconstruct your POTW treatment plant, then the requirements for a new or reconstructed POTW treatment plant, as defined in § 63.1595, apply.

[67 FR 64745, Oct. 21, 2002]

§ 63.1581 Does the subpart distinguish between different types of POTW treatment plants?

Yes, POTW treatment plants are divided into two subcategories. A POTW treatment plant which does not meet the characteristics of an industrial POTW treatment plant belongs in the

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non-industrial POTW treatment plant subcategory as defined in §63.1595.

INDUSTRIAL POTW TREATMENT PLANT
DESCRIPTION AND REQUIREMENTS

§ 63.1582 What are the characteristics of an industrial POTW treatment plant?

(a) Your POTW is an industrial POTW treatment plant if an industrial discharger complies with its NESHAP by using the treatment and controls located at your POTW. Your POTW accepts the regulated waste stream and provides treatment and controls as an agent for the industrial discharger. Industrial POTW treatment plant is defined in §63.1595.

(b) If, in the future, an industrial discharger begins complying with its NESHAP by using the treatment and controls at your POTW, then on the date that the industrial discharger certifies compliance, your POTW treatment plant will be considered an industrial POTW treatment plant.

(c) If your POTW treatment plant accepts one or more specific regulated industrial waste streams as part of compliance with one or more other NESHAP, then you are subject to all the requirements of each appropriate NESHAP for each waste stream, as described in the following section. In the case of overlapping NESHAP requirements, the more stringent of the requirements will apply.

§ 63.1583 What are the emission points and control requirements for an industrial POTW treatment plant?

(a) The emission points and control requirements for an existing industrial POTW treatment plant are specified in the appropriate NESHAP(s) for the industrial user(s) (see §63.1582). For example, an existing industrial POTW treatment plant that provides treatment for a facility subject to subpart FF of this part, the National Emission Standard for Benzene Waste Operations, must meet the treatment and control requirements specified in §61.348(d)(4) of this chapter.

(b) The emission points and control requirements for a new or reconstructed industrial POTW treatment plant are either those specified by the particular NESHAP(s) which apply to

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the industrial user(s) who discharge their waste for treatment to the POTW, or those emission points and control requirements set forth in §63.1586. The set of control requirements which applies to a particular new or reconstructed POTW is that set which requires the most stringent overall control of HAP emissions. If you are uncertain which set of requirements is more stringent, this determination should be made in consultation with the permitting authority. Reconstruction is defined in §63.1595.

§ 63.1584 When do I have to comply?

(a) *Existing industrial POTW treatment plant.* If you have an existing industrial POTW treatment plant, the appropriate NESHAP(s) for the industrial user(s) sets the compliance date, or the compliance date is 60 days after October 26, 1999, whichever is later.

(b) *New industrial POTW treatment plant.* If you have a new industrial POTW treatment plant, you must be in compliance as soon as you begin accepting the waste stream(s) for treatment. If you begin accepting a specific regulated industrial waste stream(s) for treatment, you must be in compliance by the time specified in the appropriate NESHAP(s) for the industrial user(s).

§ 63.1585 How does an industrial POTW treatment plant demonstrate compliance?

(a) An existing industrial POTW treatment plant demonstrates compliance by operating treatment and control devices which meet all requirements specified in the appropriate industrial NESHAP(s). Requirements may include performance tests, routine monitoring, recordkeeping, and reporting.

(b) If you have a new or reconstructed industrial POTW plant, you must first determine whether the control requirements set forth in the applicable industrial NESHAP(s) or the control requirements applicable to a new or reconstructed nonindustrial POTW under §63.1586 would require more stringent overall control of HAP