

## § 63.608

notification of compliance status required in § 63.9.

(2) *Excess emissions report.* As required by § 63.10, the owner or operator of an affected source shall submit an excess emissions report for any exceedance of an operating parameter limit. The report shall contain the information specified in § 63.10. When no exceedances of an operating parameter have occurred, such information shall be included in the report. The report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half. If exceedances are reported, the owner or operator shall report quarterly until a request to reduce reporting frequency is approved as described in § 63.10.

(3) *Summary report.* If the total duration of control system exceedances for the reporting period is less than 1 percent of the total operating time for the reporting period, the owner or operator shall submit a summary report containing the information specified in § 63.10 rather than the full excess emissions report, unless required by the Administrator. The summary report shall be submitted semiannually and shall be delivered or postmarked by the 30th day following the end of the calendar half.

(4) If the total duration of control system operating parameter exceedances for the reporting period is 1 percent or greater of the total operating time for the reporting period, the owner or operator shall submit a summary report and the excess emissions report.

### § 63.608 Applicability of general provisions.

The requirements of the general provisions in subpart A of this part that are applicable to the owner or operator subject to the requirements of this subpart are shown in appendix A to this subpart.

### § 63.609 Compliance dates.

(a) Each owner or operator of an existing affected source at a phosphoric acid manufacturing plant shall achieve compliance with the requirements of this subpart no later than June 10, 2002. Notwithstanding the requirements of

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§ 63.7(a)(2)(iii), each owner or operator of an existing source at an affected existing phosphoric acid manufacturing plant shall fulfill the applicable requirements of § 63.606 no later than June 10, 2002.

(b) Each owner or operator of a phosphoric acid manufacturing plant that commences construction or reconstruction of an affected source after December 27, 1996 shall achieve compliance with the requirements of this subpart upon startup of operations or by June 10, 1999, whichever is later.

### § 63.610 Exemption from new source performance standards.

Any affected source subject to the provisions of this subpart is exempted from any otherwise applicable new source performance standard contained in 40 CFR part 60, subpart T, subpart U or subpart NN. To be exempt, a source must have a current operating permit pursuant to Title V of the Act and the source must be in compliance with all requirements of this subpart. For each affected source, this exemption is effective upon the date that the owner or operator demonstrates to the Administrator that the requirements of §§ 63.604, 63.605 and 63.606 have been met.

### § 63.611 Implementation and enforcement.

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to a State, local, or Tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

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(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§63.600, 63.602 through 63.604, and 63.609 through 63.610.

(2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and

(f), as defined in §63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.

[68 FR 37351, June 23, 2003]

**APPENDIX A TO SUBPART AA OF PART 63—APPLICABILITY OF GENERAL PROVISIONS (40 CFR PART 63, SUBPART A) TO SUBPART AA**

40 CFR citation	Requirement	Applies to subpart AA	Comment
63.1(a)(1) through (4)	General Applicability	Yes.	
63.1(a)(5)		No	[Reserved].
63.1(a)(6) through (8)		Yes.	
63.1(a)(9)		No	[Reserved].
63.1(a)(10) through (14)		Yes.	
63.1(b)	Initial Applicability Determination	Yes.	
63.1(c)(1)	Applicability After Standard Established.	Yes.	
63.1(c)(2)		Yes.	Some plants may be area sources.
63.1(c)(3)		No	[Reserved].
63.1(c)(4) and (5)		Yes.	
63.1(d)		No	[Reserved].
63.1(e)	Applicability of Permit Program	Yes.	
63.2	Definitions	Yes.	Additional definitions in §63.601.
63.3	Units and Abbreviations	Yes.	
63.4(a)(1) through (3)	Prohibited Activities	Yes.	
63.4(a)(4)		No	[Reserved].
63.4(a)(5)		Yes.	
63.4(b) and (c)	Circumvention/Severability	Yes.	
63.5(a)	Construction/Reconstruction Applicability.	Yes.	
63.5(b)(1)	Existing, New, Reconstructed Sources Requirements.	Yes.	
63.5(b)(2)		No	[Reserved].
63.5(b)(3) through (6)		Yes.	
63.5(c)		No	[Reserved].
63.5(d)	Application for Approval of Construction/ Reconstruction.	Yes.	
63.5(e)	Approval of Construction/Reconstruction.	Yes.	
63.5(f)	Approval of Construction/Reconstruction Based on State Review.	Yes.	
63.6(a)	Compliance with Standards and Maintenance Applicability.	Yes.	
63.6(b)(1) through (5)	New and Reconstructed Sources Dates.	Yes.	See also §63.609.
63.6(b)(6)		No	[Reserved].
63.6(b)(7)		Yes.	
63.6(c)(1)	Existing Sources Dates	Yes.	§63.609 specifies dates.
63.6(c)(2)		Yes.	
63.6(c)(3) and (4)		No	[Reserved].
63.6(c)(5)		Yes.	
63.6(d)		No	[Reserved].
63.6(e)(1) and (2)	Operation & Maintenance Requirements.	Yes	
63.6(e)(3)	Startup, Shutdown, and Malfunction Plan.	Yes	
63.6(f)	Compliance with Emission Standards.	Yes	
63.6(g)	Alternative Standard	Yes.	
63.6(h)	Compliance with Opacity/VE Standards.	No	Subpart AA does not include VE/opacity standards.

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40 CFR citation	Requirement	Applies to subpart AA	Comment
63.6(i)(1) through (14)	Extension of Compliance	Yes.	
63.6(i)(15)		No	[Reserved].
63.6(i)(16)		Yes.	
63.6(j)	Exemption from Compliance	Yes.	
63.7(a)	Performance Test Requirements Applicability.	Yes.	§ 63.609(a) applies rather than § 63.7(a)(2)(iii).
63.7(b)	Notification	Yes.	
63.7(c)	Quality Assurance/Test Plan	Yes.	
63.7(d)	Testing Facilities	Yes.	
63.7(e)	Conduct of Tests	Yes.	§§ 63.604 and 63.605 specify additional requirements.
63.7(f)	Alternative Test Method	Yes.	
63.7(g)	Data Analysis	Yes.	
63.7(h)	Waiver of Tests	Yes.	
63.8(a)(1)	Monitoring Requirements Applicability.	Yes.	
63.8(a)(2)		No	Subpart AA does not require CMS performance specifications.
63.8(a)(3)		No	[Reserved].
63.8(a)(4)		Yes.	
63.8(b)	Conduct of Monitoring	Yes.	
63.8(c)(1) through (4)	CMS Operation/Maintenance	Yes.	
63.8(c)(5) through (8)		No	Subpart AA does not require COMS/CEMS or CMS performance specifications.
63.8(d)	Quality Control	Yes.	
63.8(e)	CMS Performance Evaluation	No	Subpart AA does not require CMS performance evaluations
63.8(f)(1) through (5)	Alternative Monitoring Method	Yes.	
63.8(f)(6)	Alternative to RATA Test	No	Subpart AA does not require CEMS.
63.8(g)(1)	Data Reduction	Yes.	
63.8(g)(2)		No	Subpart AA does not require COMS or CEMS
63.8(g)(3) through (5)		Yes.	
63.9(a)	Notification Requirements Applicability.	Yes.	
63.9(b)	Initial Notifications	Yes.	
63.9(c)	Request for Compliance Extension.	Yes.	
63.9(d)	New Source Notification for Special Compliance Requirements.	Yes.	
63.9(e)	Notification of Performance Test	Yes.	
63.9(f)	Notification of VE/Opacity Test	No	Subpart AA does not include VE/opacity standards.
63.9(g)	Additional CMS Notifications	No	Subpart AA does not require CMS performance evaluation, COMS, or CEMS.
63.9(h)(1) through (3)	Notification of Compliance Status	Yes.	
63.9(h)(4)		No	[Reserved].
63.9(h)(5) and (6)		Yes.	
63.9(i)	Adjustment of Deadlines	Yes.	
63.9(j)	Change in Previous Information	Yes.	
63.10(a)	Recordkeeping/Reporting-Applicability.	Yes.	
63.10(b)	General Recordkeeping Requirements.	Yes.	
63.10(c)(1)	Additional CMS Recordkeeping	Yes.	
63.10(c)(2) through (4)		No	[Reserved].
63.10(c)(5)		Yes.	
63.10(c)(6)		No	Subpart AA does not require CMS performance specifications.
63.10(c)(7) and (8)		Yes.	
63.10(c)(9)		No	[Reserved].
63.10(c)(10) through (13)		Yes.	
63.10(c)(14)		No	Subpart AA does not require a CMS quality control program.
63.10(c)(15)		Yes.	
63.10(d)(1)	General Reporting Requirements	Yes.	
63.10(d)(2)	Performance Test Results	Yes.	
63.10(d)(3)	Opacity or VE Observations	No	Subpart AA does not include VE/opacity standards.
63.10(d)(4) and (5)	Progress Reports/Startup, Shutdown, and Malfunction Reports.	Yes.	

40 CFR citation	Requirement	Applies to subpart AA	Comment
63.10(e)(1) and (2)	Additional CMS Reports	No	Subpart AA does not require CEMS or CMS performance evaluations.
63.10(e)(3)	Excess Emissions/CMS Performance Reports.	Yes.	§63.606(c)(2) includes additional requirements. A CMS performance report is not required.
63.10(e)(4)	COMS Data Reports	No	Subpart AA does not require COMS.
63.10(f)	Recordkeeping/Reporting Waiver	Yes.	
63.11(a)	Control Device Requirements Applicability.	Yes.	
63.11(b)	Flares	No	Flares not applicable.
63.12	State Authority and Delegations	Yes.	
63.13	Addresses	Yes.	
63.14	Incorporation by Reference	Yes.	
63.15	Information Availability/Confidentiality.	Yes.	

**Subpart BB—National Emission Standards for Hazardous Air Pollutants From Phosphate Fertilizers Production Plants**

SOURCE: 64 FR 31382, June 10, 1999, unless otherwise noted.

**§ 63.620 Applicability.**

(a) Except as provided in paragraphs (c), (d), and (e) of this section, the requirements of this subpart apply to the owner or operator of each phosphate fertilizers production plant.

(b) The requirements of this subpart apply to emissions of hazardous air pollutants (HAPs) emitted from the following new or existing affected sources at a phosphate fertilizers production plant:

(1) Each diammonium and/or monoammonium phosphate process line. The requirements of this subpart apply to the following emission points which are components of a diammonium and/or monoammonium phosphate process line: reactors, granulators, dryers, coolers, screens, and mills.

(2) Each granular triple superphosphate process line. The requirements of this subpart apply to the following emission points which are components of a granular triple superphosphate process line: mixers, curing belts (dens), reactors, granulators, dryers, coolers, screens, and mills.

(3) Each granular triple superphosphate storage building. The requirements of this subpart apply to the fol-

lowing emission points which are components of a granular triple superphosphate storage building: storage or curing buildings, conveyors, elevators, screens and mills.

(c) The requirements of this subpart do not apply to the owner or operator of a new or existing phosphate fertilizers production plant that is not a major source as defined in §63.2.

(d) The provisions of this subpart do not apply to research and development facilities as defined in §63.621.

(e) The emission limitations and operating parameter requirements of this subpart do not apply during periods of startup, shutdown, or malfunction, as those terms are defined in §63.2, provided that the source is operated in accordance with §63.6(e)(1)(i) and the Startup, Shutdown, and Malfunction Plan submitted pursuant to §63.6(e)(3).

[64 FR 31382, June 10, 1999, as amended at 67 FR 65077, Dec. 17, 2001]

**§ 63.621 Definitions.**

Terms used in this subpart are defined in the Clean Air Act, in §63.2, or in this section as follows:

*Diammonium and/or monoammonium phosphate process line* means any process line manufacturing granular diammonium and/or monoammonium phosphate by reacting ammonia with phosphoric acid which has been derived from or manufactured by reacting phosphate rock and acid.

*Equivalent P<sub>2</sub>O<sub>5</sub> feed* means the quantity of phosphorus, expressed as phosphorous pentoxide, fed to the process.