

(1) For months of compliance, semi-annual reports to the Administrator stating that the affected coating operation was in compliance for each 1-month period; and

(2) For months of noncompliance, quarterly reports to the Administrator documenting the 1-month amount of VOC contained in the coatings, the 1-month amount of VOC recovered, and the percent emission reduction for each month.

(f) Each owner or operator of an affected coating operation, either by itself or with associated coating mix preparation equipment, shall submit the following with the reports required under paragraphs (d) and (e) of this section:

(1) All periods during actual mixing or coating operations when a required monitoring device (if any) was malfunctioning or not operating; and

(2) All periods during actual mixing or coating operations when the control device was malfunctioning or not operating.

(g) The reports required under paragraphs (b), (c), (d), and (e) of this section shall be postmarked within 30 days of the end of the reporting period.

(h) Records required in § 60.747 must be retained for at least 2 years.

(i) The requirements of this section remain in force until and unless EPA, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In this event, affected sources within the State will be relieved of the obligation to comply with this subsection, provided that they comply with the requirements established by the State.

#### § 60.748 Delegation of authority.

(a) In delegating implementation and enforcement authority to a State under section 111(c) of the Act, the authorities contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.

(b) Authorities that will not be delegated to States: §§ 60.743(a)(3)(v) (A) and (B); 60.743(e); 60.745(a); 60.746.

### Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills

SOURCE: 61 FR 9919, Mar. 12, 1996, unless otherwise noted.

#### § 60.750 Applicability, designation of affected facility, and delegation of authority.

(a) The provisions of this subpart apply to each municipal solid waste landfill that commenced construction, reconstruction or modification on or after May 30, 1991. Physical or operational changes made to an existing MSW landfill solely to comply with Subpart Cc of this part are not considered construction, reconstruction, or modification for the purposes of this section.

(b) The following authorities shall be retained by the Administrator and not transferred to the State: § 60.754(a)(5).

(c) Activities required by or conducted pursuant to a CERCLA, RCRA, or State remedial action are not considered construction, reconstruction, or modification for purposes of this subpart.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32750, June 16, 1998]

#### § 60.751 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act or in subpart A of this part.

*Active collection system* means a gas collection system that uses gas mover equipment.

*Active landfill* means a landfill in which solid waste is being placed or a landfill that is planned to accept waste in the future.

*Closed landfill* means a landfill in which solid waste is no longer being placed, and in which no additional solid wastes will be placed without first filing a notification of modification as prescribed under § 60.7(a)(4). Once a notification of modification has been filed, and additional solid waste is placed in the landfill, the landfill is no longer closed.

*Closure* means that point in time when a landfill becomes a closed landfill.