

**Environmental Protection Agency**

**Pt. 63, Subpt. FFFFFF, Table 1**

blast furnace and converter or that uses another pyrometallurgical purification process to produce anode copper from copper scrap, including low-grade copper scrap. A facility where recycled copper scrap or copper alloy scrap is melted to produce ingots or for direct use in a manufacturing process is not a secondary copper smelter.

*Smelting furnace* means any furnace, reactor, or other type of vessel in which copper scrap and fluxes are melted to form a molten mass of material containing copper and slag.

*Work practice standard* means any design, equipment, work practice, or operational standard, or combination thereof.

**§ 63.11159 Who implements and enforces this subpart?**

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as a State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or tribal agency, then that Agency has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out if 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 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(c) The authorities that will not be delegated to State, local, or tribal agencies are listed in paragraphs (c)(1) through (4) of this section.

(1) Approval of an alternative non-opacity emissions standard under § 63.6(g).

(2) Approval of a major change to test methods under § 63.7(e)(2)(ii) and (f). A “major change to test method” is defined in § 63.90.

(3) Approval of a major change to monitoring under § 63.8(f). A “major change to monitoring” is defined in § 63.90.

(4) Approval of a major change to recordkeeping/ reporting under § 63.10(f). A “major change to recordkeeping/reporting” is defined in § 63.90.

As required in § 63.11157(a), you must comply with the requirements of the General Provisions (40 CFR part 63, subpart A) as shown in the following table.

TABLE 1 TO SUBPART FFFFFF OF PART 63.—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART FFFFFF

Citation	Subject	Applies to subpart FFFFFF?	Explanation
63.1(a)(1), (a)(2), (a)(3), (a)(4), (a)(6), (a)(10)–(a)(12), (b)(1), (b)(3), (c)(1), (c)(2), (c)(5), (e).	Applicability .....	Yes.	
63.1(a)(5), (a)(7)–(a)(9), (b)(2), (c)(3), (c)(4), (d).	Reserved .....	No.	
63.2 .....	Definitions .....	Yes.	
63.3 .....	Units and Abbreviations .....	Yes.	
63.4 .....	Prohibited Activities and Circumvention.	Yes.	
63.5 .....	Preconstruction Review and Notification Requirements.	No.	
63.6(a), (b)(1)–(b)(5), (b)(7), (c)(1), (c)(2), (c)(5), (e)(3)(i), (e)(3)(iii)–(e)(3)(ix), (f), (g), (i), (j).	Compliance with Standards and Maintenance Requirements.	Yes.	
63.6(b)(6), (c)(3), (c)(4), (d), (e)(2), (e)(3)(ii), (h)(3), (h)(5)(iv).	Reserved .....	No.	
63.6(h)(1)–(h)(4), (h)(5)(i)–(h)(5)(iii), (h)(6)–(h)(9).	.....	No .....	Subpart FFFFFF does not include opacity or visible emissions standards.
63.7 .....	Performance Testing Requirements.	Yes.	
63.8(a)(1), (a)(2), (b), (f)(1)–(5) ...	Monitoring Requirements .....	Yes.	
63.8(a)(3) .....	Reserved .....	No.	
63.8(c), (d), (e), (f)(6), (g) .....	.....	No .....	Subpart FFFFFF does not require a continuous monitoring system.

Citation	Subject	Applies to subpart FFFFFF?	Explanation
63.8(a)(4)		No	Subpart FFFFFF does not require flares.
63.9(a), (b)(1), (b)(2), (b)(5), (c), (d), (e), (f), (g), (h)(1)–(h)(3), (h)(5), (h)(6), (i), (j).	Notification Requirements	Yes.	
63.9(b)(3), (h)(4)	Reserved	No.	
63.9(b)(4)		No.	
63.9(f)		No	Subpart FFFFFF does not include opacity or visible emissions standards.
63.9(g)		No	Subpart FFFFFF does not require a continuous monitoring system.
63.10(a), (b)(2)(i)–(b)(2)(v), (b)(2)(xiv), (d)(1), (d)(2), (d)(4), (d)(5), (e)(1), (e)(2), (f).	Recordkeeping and Reporting Requirements.	Yes.	
63.10(c)(2)–(c)(4), (c)(9)	Reserved	No.	
63.10(b)(2)(vi)–(b)(2)(xiii), (c)(1), (c)(5)–(c)(14), (e)(1)–(e)(2), (e)(4).			Subpart FFFFFF does not require a continuous monitoring system.
63.10(d)(3)		No	Subpart FFFFFF does not include opacity or visible emissions standards.
63.10(e)(3)		Yes.	
63.11	Control Device Requirements	No	Subpart FFFFFF does not require flares.
63.12	State Authorities and Delegations.	Yes.	
63.13	Addresses	Yes.	
63.14	Incorporations by Reference	Yes.	
63.15	Availability of Information and Confidentiality.	Yes.	
63.16	Performance Track Provisions	Yes.	

**Subpart GGGGGG—National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources—Zinc, Cadmium, and Beryllium**

SOURCE: 72 FR 2955, Jan. 23, 2007, unless otherwise noted.

APPLICABILITY AND COMPLIANCE DATES

**§ 63.11160 Am I subject to this subpart?**

(a) You are subject to this subpart if you own or operate a primary zinc production facility or primary beryllium production facility that is an area source of hazardous air pollutant (HAP) emissions.

(b) The affected source is each existing or new primary zinc production facility or primary beryllium production facility.

(1) An affected source is existing if you commenced construction or reconstruction of the affected source before October 6, 2006.

(2) An affected source is new if you commenced construction or reconstruction of the affected source on or after October 6, 2006.

(c) If you own or operate a new or existing affected source, you must obtain a permit under 40 CFR part 70 or 71.

**§ 63.11161 What are my compliance dates?**

(a) If you have an existing affected source, you must achieve compliance with applicable provisions in this subpart by January 23, 2007. If you startup a new sintering machine at an existing affected source after January 23, 2007, you must achieve compliance with the applicable provisions in this subpart not later than 180 days after startup.

(b) If you have a new affected source, you must achieve compliance with applicable provisions in this subpart according to the dates in paragraphs (b)(1) and (2) of this section.

(1) If you startup a new affected source on or before January 23, 2007,