

Environmental Protection Agency

§ 63.1195

(a) A performance test report, as required by § 63.10(d)(2) of the general provisions in subpart A of this part, that documents the process and control equipment operating parameters during the test period, the test methods and procedures, the analytical procedures, all calculations, and the results of the performance tests.

(b) A startup, shutdown, and malfunction plan, as described in § 63.6(e)(3) of the general provisions in subpart A of this part, that contains specific procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction and a program of corrective action for malfunctioning process and control systems used to comply with the emission standards. In addition to the information required by § 63.6(e)(3), your plan must include the following:

(1) Procedures to determine and record what caused the malfunction and when it began and ended.

(2) Corrective actions you will take if a process or control device malfunctions, including procedures for recording the actions taken to correct the malfunction or minimize emissions.

(3) An inspection and maintenance schedule for each process and control device that is consistent with the manufacturer's instructions and recommendations for routine and long-term maintenance.

(c) A report of each event as required by § 63.10(b) of the general provisions in subpart A of this part, including a report if an action taken during a startup, shutdown, or malfunction is inconsistent with the procedures in the plan as described in § 63.6(e)(3) of the general provisions in subpart A of this part.

(d) An operations, maintenance, and monitoring plan as specified in § 63.1187 of this subpart.

(e) A semiannual report as required by § 63.10(e)(3) of the general provisions in subpart A of this part if measured emissions exceed the applicable standard or a monitored parameter varies from the level established during performance testing. The report must contain the information specified in § 63.10(c) of the general provisions, as well as the relevant records required by § 63.1192(b) of this subpart.

(f) A semiannual report stating that no excess emissions or deviations of monitored parameters occurred during the reporting period as required by § 63.10(e)(3)(v) of the general provisions in subpart A of this part if no deviations have occurred.

OTHER REQUIREMENTS AND INFORMATION

§ 63.1194 Which general provisions apply?

The general provisions in subpart A of this part define requirements applicable to all owners and operators affected by NESHAP in part 63. See Table 1 of this subpart for general provisions that apply (or don't apply) to you as an owner or operator subject to the requirements of this subpart.

§ 63.1195 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 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.

(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 §§ 63.1177 through 63.1180.

(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.

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(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 37356, June 23, 2003]

§§ 63.1197–63.1199 [Reserved]

TABLE 1 TO SUBPART DDD OF PART 63—APPLICABILITY OF GENERAL PROVISIONS (40 CFR PART 63, SUBPART A) TO SUBPART DDD OF PART 63

General provisions citation	Requirement	Applies to subpart DDD?	Explanation
63.1(a)(1)–(a)(4)	General Applicability	Yes.	
63.1(a)(5)		No	[Reserved].
63.1(a)(6)–(a)(8)	Initial Applicability Determination ..	Yes.	
63.1(a)(9)		No	[Reserved].
63.1(a)(10)–(a)(14)	Applicability After Standard Estab- lished.	Yes.	
63.1(b)		Yes.	
63.1(c)(1)	Some plants may be area sources.	Yes	
63.1(c)(2)		No	[Reserved].
63.1(c)(3)	[Reserved].	No	
63.1(c)(4)–(c)(5)		Yes.	
63.1(d)	Applicability of Permit Program ...	No	[Reserved].
63.1(e)		Yes.	
63.2	Definitions	Yes	Additional definitions in § 63.1196.
63.3		Yes.	
63.4(a)(1)–(a)(3)	Units and Abbreviations	Yes.	
63.4(a)(4)		No	[Reserved].
63.4(a)(5)	Prohibited Activities	Yes.	
63.4(b)–(c)		Yes.	
63.5(a)	Circumvention/Severability	Yes.	
63.5(b)(1)		Yes.	
63.5(b)(2)	Construction/Reconstruction Ap- plicability.	No	[Reserved].
63.5(b)(3)–(b)(6)		Yes.	
63.5(c)	Existing, New, Reconstructed Sources Requirements.	No	[Reserved].
63.5(d)		Yes.	
63.5(e)	Application for Approval of Con- struction/Reconstruction.	Yes.	
63.5(f)		Yes.	
63.6(a)	Approval of Construction/Recon- struction.	Yes.	
63.6(b)(1)–(b)(5)		Yes.	
63.6(b)(6)	Approval of Construction/Recon- struction Based on State Re- view.	No	[Reserved].
63.6(b)(7)		Yes.	
63.6(c)(1)	Compliance with Standards and Maintenance Applicability.	Yes	§ 63.1180 specifies compliance dates.
63.6(c)(2)		No	
63.6(c)(3)–(c)(4)	Existing Sources Dates	No	[Reserved].
63.6(c)(5)		Yes.	
63.6(d)	Operation & Maintenance Re- quirements.	No	[Reserved].
63.6(e)(1)–(e)(2)		Yes	§ 63.1187 specifies additional re- quirements.
63.6(e)(3)	Startup, Shutdown, and Malfunc- tion Plan.	Yes.	
63.6(f)		Yes.	
63.6(g)	Compliance with Emission Stand- ards.	Yes.	
63.6(h)		No	Subpart DDD does not include VE/opacity standards.
63.6(i)(1)–(i)(14)	Compliance with Opacity/VE Standards.	Yes	§ 63.1180 specifies date.
63.6(i)(15)		No	
63.6(i)(16)	Extension of Compliance	Yes.	[Reserved].
63.6(j)		Yes.	
63.7(a)	Exemption from Compliance	Yes.	
		Yes.	
	Performance Test Requirements Applicability.	Yes.	