

§ 63.708

40 CFR Ch. I (7–1–07 Edition)

(2) In the excess emissions and continuous monitoring system performance report and summary report required by §63.10(e)(3), include parameter or CEM data to demonstrate compliance or noncompliance with the alternate outlet HAP concentration established in accordance with §§63.703(i) and 63.704(b)(11)(ii) once the limit is approved.

§ 63.708 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.

(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 §§ 63.701 and 63.703.

(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 37352, June 23, 2003]

TABLE 1 TO SUBPART EE OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART EE

Reference	Applies to subpart EE	Comment
63.1(a)(1)	Yes	Additional terms defined in § 63.702(a); when overlap between subparts A and EE occurs, subpart EE takes precedence.
63.1(a)(2)–(14)	Yes.	
63.1(b)(1)–(3)	Yes.	Subpart EE specifies the applicability of each paragraph in subpart A to sources subject to subpart EE.
63.1(c)(1)	Yes	
63.1(c)(2)	No	
63.1(c)(4)–(5)	Yes.	Additional terms defined in § 63.702(a); when overlap between subparts A and EE occurs, subpart EE takes precedence.
63.1(e)	Yes.	
63.2	Yes	Units specific to subpart EE are defined in subpart EE.
63.3	Yes	
63.4(a)(1)–(3)	Yes.	Owners or operators of affected sources subject to subpart EE do not need to address startups and shutdowns because the emission limitations apply during these times.
63.4(a)(5)	Yes.	
63.4(b)	Yes.	
63.4(c)	Yes.	
63.5(a)	Yes.	
63.5(b)(1)	Yes.	
63.5(b)(3)–(6)	Yes.	
63.5(d)	Yes.	
63.5(e)	Yes.	
63.5(f)	Yes.	
63.6(a)	Yes.	
63.6(b)(1)–(5)	Yes.	
63.6(b)(7)	Yes.	
63.6(c)(1)–(2)	Yes.	
63.6(c)(5)	Yes.	
63.6(e)(1)–(2)	Yes.	
63.6(e)(3)	Yes	
63.6(f)(1)	No	§ 63.701(f) of subpart EE specifies when the standards apply.

Environmental Protection Agency

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Reference	Applies to subpart EE	Comment
63.6(f)(2)(i)-(ii)	Yes.	
63.6(f)(2)(iii)	Yes	§ 63.705(a)(3) of subpart EE includes additional circumstances under which previous capture device demonstrations are acceptable to show compliance.
63.6(f)(2)(iv)-(v)	Yes.	
63.6(f)(3)	Yes.	
63.6(g)	Yes.	
63.6(h)(1)	No	§ 63.701(f) of subpart EE specifies when the standards apply.
63.6(h)(2)(i)	Yes.	
63.6(h)(2)(iii)	Yes.	
63.6(h)(4)	Yes	This requirement applies only for the visible emission test required under § 63.705(g)(2).
63.6(h)(5)(i)-(iii)	Yes.	
63.6(h)(5)(v)	No.	
63.6(h)(6)	Yes.	
63.6(h)(7)	No.	
63.6(h)(8)	Yes.	
63.6(h)(9)	No.	
63.6(i)(1)-(14)	Yes	§ 63.703(c)(4) of subpart EE shall not be considered emissions averaging for the purposes of § 63.6(i)(4)(i)(B).
63.6(j)(16)	Yes.	
63.6(j)	Yes.	
63.7(a)(1)	Yes.	
63.7(a)(2)(i)-(vi)	Yes.	
63.7(a)(2)(ix)	Yes.	
63.7(a)(3)	Yes.	
63.7(b)	Yes.	
63.7(c)	Yes.	
63.7(d)	Yes.	
63.7(e)	Yes	§ 63.7(e) establishes the minimum performance test requirements. This section does not preclude owners or operators from conducting multiple test runs under alternate operating conditions to establish an appropriate range of compliance operating parameter values in accordance with § 63.704(b)(11)(i) of subpart EE. Also as required in § 63.701(f) of subpart EE, the emissions standards apply during startup and shutdown.
63.7(f)	Yes.	
63.7(g)(1)	Yes.	
63.7(g)(3)	Yes.	
63.7(h)	Yes.	
63.8(a)(1)-(2)	Yes.	
63.8(a)(4)	Yes.	
63.8(b)(1)	Yes.	
63.8(b)(2)	No	§ 63.704 of subpart EE specifies monitoring locations; when multiple emission points are tied to one central control device, the monitors are located at the central control device.
63.8(b)(3)	Yes.	
63.8(c)(1)-(3)	Yes.	
63.8(c)(4)	Yes	Provisions related to COMS, however, do not apply.
63.8(c)(5)	No.	
63.8(c)(6)-(8)	Yes.	
63.8(d)	Yes.	
63.8(e)	Yes.	
63.8(f)(1)-(6)	Yes.	
63.8(g)(1)-(5)	Yes.	
63.9(a)	Yes.	
63.9(b)	Yes.	
63.9(c)	Yes.	
63.9(d)	Yes.	
63.9(e)	Yes.	
63.9(f)	Yes.	
63.9(g)(1)	Yes.	
63.9(g)(2)	No.	
63.9(g)(3)	Yes.	
63.9(h)(1)-(3)	Yes.	
63.9(h)(5)-(6)	Yes.	
63.9(i)	Yes.	
63.9(j)	Yes.	
63.10(a)	Yes.	
63.10(b)(1)	Yes.	
63.10(b)(2)	Yes	Except information on startup and shutdown periods is not necessary because the standards apply during these time periods.
63.10(b)(3)	Yes.	
63.10(c)(1)	Yes.	
63.10(c)(5)-(8)	Yes	Except information on startup and shutdown periods is not necessary because the standards apply during these times.

Reference	Applies to subpart EE	Comment
63.10(c)(10)–(15)	Yes	Except information on startup and shutdown periods is not necessary because the standards apply during these times.
63.10(d)(1)–(2)	Yes.	
63.10(d)(3)	Yes	This requirement applies only for the visible emissions test required under § 63.705(g)(2). The results of visible emissions tests under § 63.704(e) shall be reported as required in § 63.10(e)(3).
63.10(d)(4)	Yes.	
63.10(d)(5)	Yes	Except information on startup and shutdown periods is not necessary because the standards apply during these times.
63.10(e)(1)	Yes.	
63.10(e)(2)(i)	Yes.	Except emissions/CMS performance during startup and shutdown do not need to be specified because the standards apply during startup and shutdown.
63.10(e)(2)(ii)	No.	
63.10(e)(3)(i)–(v)	Yes.	
63.10(e)(3)(vi)–(viii) ...	Yes	
63.10(e)(4)	No.	
63.10(f)	Yes.	
63.11–63.15	Yes.	

Subpart FF [Reserved]

Subpart GG—National Emission Standards for Aerospace Manufacturing and Rework Facilities

SOURCE: 60 FR 45956, Sept. 1, 1996, unless otherwise noted.

§ 63.741 Applicability and designation of affected sources.

(a) This subpart applies to facilities that are engaged, either in part or in whole, in the manufacture or rework of commercial, civil, or military aerospace vehicles or components and that are major sources as defined in § 63.2.

(b) The owner or operator of an affected source shall comply with the requirements of this subpart and of subpart A of this part, except as specified in § 63.743(a) and Table 1 of this subpart.

(c) *Affected sources.* The affected sources to which the provisions of this subpart apply are specified in paragraphs (c)(1) through (7) of this section. The activities subject to this subpart are limited to the manufacture or rework of aerospace vehicles or components as defined in this subpart. Where a dispute arises relating to the applicability of this subpart to a specific activity, the owner or operator shall demonstrate whether or not the activity is regulated under this subpart.

(1) Each cleaning operation as follows:

(i) All hand-wipe cleaning operations constitute an affected source.

(ii) Each spray gun cleaning operation constitutes an affected source.

(iii) All flush cleaning operations constitute an affected source.

(2) For organic HAP or VOC emissions, each primer application operation, which is the total of all primer applications at the facility.

(3) For organic HAP or VOC emissions, each topcoat application operation, which is the total of all topcoat applications at the facility.

(4) For organic HAP or VOC emissions, each depainting operation, which is the total of all depainting at the facility.

(5) Each chemical milling maskant application operation, which is the total of all chemical milling maskant applications at the facility.

(6) Each waste storage and handling operation, which is the total of all waste handling and storage at the facility.

(7) For inorganic HAP emissions, each spray booth or hangar that contains a primer or topcoat application operation subject to § 63.745(g) or a depainting operation subject to § 63.746(b)(4).

(d) An owner or operator of an affected source subject to this subpart shall obtain an operating permit from the permitting authority in the State in which the source is located. The owner or operator shall apply for and obtain such permit in accordance with the regulations contained in part 70 of