

## Environmental Protection Agency

## § 63.11168

*Cadmium melting furnace* means any furnace used to melt cadmium or produce cadmium oxide from the cadmium recovered in the zinc production process.

*Capture system* means the collection of equipment used to capture gases and fumes released from one or more emissions points and then convey the captured gas stream to a control device. A capture system may include, but is not limited to, the following components as applicable to a given capture system design: duct intake devices, hoods, enclosures, ductwork, dampers, manifolds, plenums, and fans.

*Deviation* means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emissions limitation or work practice standard;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emissions limitation or work practice standard in this subpart during startup, shutdown, or malfunction, regardless of whether or not such failure is permitted by this subpart.

*Primary beryllium production facility* means any establishment engaged in the chemical processing of beryllium ore to produce beryllium metal, alloy, or oxide, or performing any of the intermediate steps in these processes. A primary beryllium production facility may also be known as an extraction plant.

*Primary zinc production facility* means an installation engaged in the production, or any intermediate process in the production, of zinc or zinc oxide from zinc sulfide ore concentrates through the use of pyrometallurgical techniques.

*Responsible official* means responsible official as defined in 40 CFR 70.2.

*Roaster* means any facility in which a zinc sulfide ore concentrate charge is heated in the presence of air to eliminate a significant portion (more than

10 percent) of the sulfur contained in the charge.

*Sintering machine* means any furnace in which calcines are heated in the presence of air to agglomerate the calcines into a hard porous mass called sinter.

*Sulfuric acid plant* means any facility producing sulfuric acid from the sulfur dioxide (SO<sub>2</sub>) in the gases from the roaster.

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

*Zinc cathode melting furnace* means any furnace used to melt the pure zinc from the electrolytic process.

### § 63.11168 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 your 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 paragraphs (c) and (d) 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) For primary zinc production facilities subject to this subpart, the authorities that will not be delegated to State, local, or tribal agencies are listed in paragraphs (c)(1) through (5) of this section.

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

(2) Approval of an alternative opacity emissions standard under § 63.6(h)(9).

(3) 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

(4) Approval of a major change to monitoring under § 63.8(f). A “major

change to monitoring” is defined in §63.90.

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

(d) For primary beryllium manufacturing facilities subject to this subpart, the authorities that will not be delegated to State, local, or tribal agencies are listed in paragraphs (d)(1) through (4) of this section.

(1) Approval of an alternative non-opacity emissions standard under 40 CFR 61.12(d).

(2) Approval of a major change to test methods under 40 CFR 61.13(h). A “major change to test method” is defined in §63.90.

(3) Approval of a major change to monitoring under 40 CFR 61.14(g). A “major change to monitoring” is defined in §63.90.

(4) Approval of a major change to recordkeeping/reporting under 40 CFR 61.10. A “major change to recordkeeping/reporting” is defined in §63.90.

As required in §63.11164(a) and (b), you must comply with the requirements of the NESHAP General Provisions (40 CFR part 63, subpart A) as shown in the following table.

TABLE 1 TO SUBPART GGGGGG OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO PRIMARY ZINC PRODUCTION AREA SOURCES

Citation	Subject	Applies to subpart GGGGGG	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), 63.1(a)(5), (a)(7)–(a)(9), (b)(2), (c)(3), (c)(4), (d), 63.2, 63.3, 63.4	Applicability ..... Reserved .....	Yes. No.	
63.2, 63.3, 63.4	Definitions ..... Units and Abbreviations .....	Yes. 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)	Compliance with Standards and Maintenance Requirements—Applicability Compliance Dates.	Yes.	
63.6(e)	Operation and Maintenance Requirements.	Yes/No .....	Operation and maintenance requirements do not apply to existing sources except that the startup, shutdown, and malfunction requirements in §63.6(e)(3) are allowed as an alternative to the rule requirements for emergency situations. Operation and maintenance requirements apply to new sources except that the rule requirements for emergency situations are allowed as an alternative to the startup, shutdown, and malfunction requirements in §63.6(e)(3).
63.6(f), (g), (i), (j)	Compliance with Nonopacity Emission Standards.	Yes.	
63.6(b)(6), (c)(3), (c)(4), (d), (e)(2), (e)(3)(ii), (h)(3), (h)(5)(iv), 63.6(h)(1)–(h)(4), (h)(5)(i)–(h)(5)(iii), (h)(6)–(h)(9)	Reserved .....	No.	
63.7(a), (e), (f), (g), (h)	Performance Testing Requirements.	Yes.	
63.7(b), (c)		Yes/No .....	Notification of performance tests and quality assurance program apply to new sources but not existing sources.
63.8(a)(1), (a)(2), (b), (c), (f), (g)	Monitoring Requirements .....	Yes .....	Requirements in §63.6(c)(4)(i)–(ii), (c)(5), (c)(6), (d), (e), (f)(6), and (g) apply if a COMS is used.
63.8(a)(3)	Reserved .....	No.	