

§ 63.1286

records specified in § 63.1284(b)(7) must be included in the next Periodic Report.

(iv) For each closed-vent system with a bypass line subject to § 63.1281(c)(3)(i)(A), records required under § 63.1284(b)(4)(iii) of all periods when the vent stream is diverted from the control device through a bypass line. For each closed-vent system with a bypass line subject to § 63.1281(c)(3)(i)(B), records required under § 63.1284(b)(4)(iv) of all periods in which the seal or closure mechanism is broken, the bypass valve position has changed, or the key to unlock the bypass line valve was checked out.

(v) If an owner or operator elects to comply with § 63.1275(b)(1)(ii), the records required under § 63.1284(c)(3).

(vi) The information in paragraphs (e)(2)(vi)(A) and (B) of this section shall be stated in the Periodic Report, when applicable.

(A) No excursions.

(B) No continuous monitoring system has been inoperative, out of control, repaired, or adjusted.

(vii) Any change in compliance methods as specified in § 63.1282(e).

(viii) If the owner or operator elects to comply with § 63.1275(c)(2), the records required under § 63.1284(b)(10).

(ix) For flares, the records specified in § 63.1284(e).

(f) *Notification of process change.* Whenever a process change is made, or a change in any of the information submitted in the Notification of Compliance Status Report, the owner or operator shall submit a report within 180 days after the process change is made or as a part of the next Periodic Report as required under paragraph (e) of this section, whichever is sooner. The report shall include:

(1) A brief description of the process change;

(2) A description of any modification to standard procedures or quality assurance procedures;

(3) Revisions to any of the information reported in the original Notification of Compliance Status Report under paragraph (d) of this section; and

(4) Information required by the Notification of Compliance Status Report under paragraph (d) of this section for

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changes involving the addition of processes or equipment.

[64 FR 32648, June 17, 1999, as amended at 66 FR 34558, June 29, 2001]

§ 63.1286 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 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 §§ 63.1270, 63.1274 through 63.1275, 63.1281, and 63.1287.

(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 37357, June 23, 2003]

§ 63.1287 Alternative means of emission limitation.

(a) If, in the judgment of the Administrator, an alternative means of emission limitation will achieve a reduction in HAP emissions at least equivalent to the reduction in HAP emissions from that source achieved under the applicable requirements in §§ 63.1274

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through 63.1281, the Administrator will publish a notice in the FEDERAL REGISTER permitting the use of the alternative means for purposes of compliance with that requirement. The notice may condition the permission on requirements related to the operation and maintenance of the alternative means.

(b) Any notice under paragraph (a) of this section shall be published only after public notice and an opportunity for a hearing.

(c) Any person seeking permission to use an alternative means of compliance under this section shall collect, verify, and submit to the Administrator information showing that this means achieves equivalent emission reductions.

§§ 63.1288–63.1289 [Reserved]

APPENDIX: TABLE 1 TO SUBPART HHH OF PART 63—LIST OF HAZARDOUS AIR POLLUTANTS (HAP) FOR SUBPART HHH

| CAS Number ^a | Chemical name |
|-------------------------|--|
| 75070 | Acetaldehyde |
| 71432 | Benzene (includes benzene in gasoline) |
| 75150 | Carbon disulfide |
| 463581 | Carbonyl sulfide |
| 100414 | Ethyl benzene |
| 107211 | Ethylene glycol |
| 75050 | Acetaldehyde |
| 50000 | Formaldehyde |
| 110543 | n-Hexane |
| 91203 | Naphthalene |
| 108883 | Toluene |
| 540841 | 2,2,4-Trimethylpentane |
| 1330207 | Xylenes (isomers and mixture) |
| 95476 | o-Xylene |
| 108383 | m-Xylene |
| 106423 | p-Xylene |

^aCAS numbers refer to the Chemical Abstracts Services registry number assigned to specific compounds, isomers, or mixtures of compounds.

APPENDIX: TABLE 2 TO SUBPART HHH OF PART 63—APPLICABILITY OF 40 CFR PART 63 GENERAL PROVISIONS TO SUBPART HHH

| General provisions reference | Applicable to subpart HHH | Explanation |
|-------------------------------|---------------------------|---|
| § 63.1(a)(1) | Yes | |
| § 63.1(a)(2) | Yes | |
| § 63.1(a)(3) | Yes | |
| § 63.1(a)(4) | Yes | |
| § 63.1(a)(5) | No | Section reserved. |
| § 63.1(a)(6) through (a)(8) | Yes | |
| § 63.1(a)(9) | No | Section reserved. |
| § 63.1(a)(10) | Yes | |
| § 63.1(a)(11) | Yes | |
| § 63.1(a)(12) through (a)(14) | Yes | |
| § 63.1(b)(1) | No | Subpart HHH specifies applicability. |
| § 63.1(b)(2) | Yes | |
| § 63.1(b)(3) | No | |
| § 63.1(c)(1) | No | Subpart HHH specifies applicability. |
| § 63.1(c)(2) | No | |
| § 63.1(c)(3) | No | Section reserved. |
| § 63.1(c)(4) | Yes | |
| § 63.1(c)(5) | Yes | |
| § 63.1(d) | No | Section reserved. |
| § 63.1(e) | Yes | |
| § 63.2 | Yes | Except definition of major source is unique for this source category and there are additional definitions in subpart HHH. |
| § 63.3(a) through (c) | Yes | |
| § 63.4(a)(1) through (a)(3) | Yes | |
| § 63.4(a)(4) | No | Section reserved. |
| § 63.4(a)(5) | Yes | |
| § 63.4(b) | Yes | |
| § 63.4(c) | Yes | |
| § 63.5(a)(1) | Yes | |
| § 63.5(a)(2) | No | Preconstruction review required only for major sources that commence construction after promulgation of the standard. |
| § 63.5(b)(1) | Yes | |
| § 63.5(b)(2) | No | Section reserved. |
| § 63.5(b)(3) | Yes | |
| § 63.5(b)(4) | Yes | |