

**§ 63.1351**

**40 CFR Ch. I (7–1–08 Edition)**

(9) The owner or operator must maintain and operate the fabric filter such that the bag leak detector alarm is not activated and alarm condition does not exist for more than 5 percent of the total operating time in a 6-month block period. Each time the alarm activates, alarm time will be counted as the actual amount of time taken by the owner or operator to initiate corrective actions. If inspection of the fabric filter demonstrates that no corrective actions are necessary, no alarm time will be counted. The owner or operator must continuously record the output from the BLDS during periods of normal operation. Normal operation does not include periods when the BLDS is being maintained or during startup, shutdown or malfunction.

(n) Any kiln or kiln/in-line raw mill using a control device (other than ACI) to comply with a mercury emissions limit or equipment standard will monitor the control device parameters as specified in 40 CFR part 63 subpart SS.

(o) For kilns and in-line kilns/raw mills complying with the requirements in Section 63.1344(g), each owner or operator must obtain a certification from the supplier for each shipment of fly ash received to demonstrate that the fly ash was not derived from a source in which the use of activated carbon, or any other sorbent, is used as a method of mercury emissions control. The certification shall include the name of the supplier and a signed statement from the supplier confirming that the fly ash was not derived from a source in which the use of activated carbon, or any other sorbent, is used as a method of emission control.

(p) If the facility opts to use a fly ash derived from a source in which the use of activated carbon, or any other sorbent, is used as a method of mercury emissions control and demonstrate that the use of this fly ash does not increase mercury emissions, they must obtain daily fly ash samples, composites monthly, and analyze the samples for mercury.

[64 FR 31925, June 14, 1999, as amended at 64 FR 53070, Sept. 30, 1999; 67 FR 16620, Apr. 5, 2002; 67 FR 44769, July 5, 2002; 67 FR 72585, Dec. 6, 2002; 71 FR 76551, Dec. 20, 2006]

**§ 63.1351 Compliance dates.**

(a) Except as noted in paragraph (c) below, the compliance date for an owner or operator of an existing affected source subject to the provisions of this subpart is June 14, 2002.

(b) Except as noted in paragraph (d) below, the compliance date for an owner or operator of an affected source subject to the provisions of this subpart that commences new construction or reconstruction after March 24, 1998, is June 14, 1999, or upon startup of operations, whichever is later.

(c) The compliance date for an existing source to meet the requirements of GCP for THC is December 20, 2007.

(d) The compliance date for a new source which commenced construction after December 2, 2005, and before December 20, 2006 to meet the THC emission limit of 20 ppmv/98 percent reduction or the mercury standard of 41 µg/dscm or a site-specific standard based on application of a wet scrubber will be December 21, 2009.

[71 FR 76552, Dec. 20, 2006]

**§ 63.1352 Additional test methods.**

(a) Owners or operators conducting tests to determine the rates of emission of hydrogen chloride (HCl) from kilns, in-line kiln/raw mills and associated bypass stacks at portland cement manufacturing facilities, for use in applicability determinations under §63.1340 are permitted to use Method 320 or Method 321 of appendix A of this part.

(b) Owners or operators conducting tests to determine the rates of emission of hydrogen chloride (HCl) from kilns, in-line kiln/raw mills and associated bypass stacks at portland cement manufacturing facilities, for use in applicability determinations under §63.1340 are permitted to use Methods 26 or 26A of appendix A to part 60 of this chapter, except that the results of these tests shall not be used to establish status as an area source.

(c) Owners or operators conducting tests to determine the rates of emission of specific organic HAP from raw material dryers, kilns and in-line kiln/raw mills at portland cement manufacturing facilities, for use in applicability determinations under §63.1340 of

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this subpart are permitted to use Method 320 of appendix A to this part, or Method 18 of appendix A to part 60 of this chapter.

### NOTIFICATION, REPORTING AND RECORDKEEPING

#### § 63.1353 Notification requirements.

(a) The notification provisions of 40 CFR part 63, subpart A that apply and those that do not apply to owners and operators of affected sources subject to this subpart are listed in Table 1 of this subpart. If any State requires a notice that contains all of the information required in a notification listed in this section, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of this section for that notification.

(b) Each owner or operator subject to the requirements of this subpart shall comply with the notification requirements in § 63.9 as follows:

(1) Initial notifications as required by § 63.9(b) through (d). For the purposes of this subpart, a Title V or 40 CFR part 70 permit application may be used in lieu of the initial notification required under § 63.9(b), provided the same information is contained in the permit application as required by § 63.9(b), and the State to which the permit application has been submitted has an approved operating permit program under part 70 of this chapter and has received delegation of authority from the EPA. Permit applications shall be submitted by the same due dates as those specified for the initial notification.

(2) Notification of performance tests, as required by §§ 63.7 and 63.9(e).

(3) Notification of opacity and visible emission observations required by § 63.1349 in accordance with §§ 63.6(h)(5) and 63.9(f).

(4) Notification, as required by § 63.9(g), of the date that the continuous emission monitor performance evaluation required by § 63.8(e) is scheduled to begin.

(5) Notification of compliance status, as required by § 63.9(h).

#### § 63.1354 Reporting requirements.

(a) The reporting provisions of subpart A of this part that apply and those that do not apply to owners or operators of affected sources subject to this subpart are listed in Table 1 of this subpart. If any State requires a report that contains all of the information required in a report listed in this section, the owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of this section for that report.

(b) The owner or operator of an affected source shall comply with the reporting requirements specified in § 63.10 of the general provisions of this part 63, subpart A as follows:

(1) As required by § 63.10(d)(2), the owner or operator shall report the results of performance tests as part of the notification of compliance status.

(2) As required by § 63.10(d)(3), the owner or operator of an affected source shall report the opacity results from tests required by § 63.1349.

(3) As required by § 63.10(d)(4), the owner or operator of an affected source who is required to submit progress reports as a condition of receiving an extension of compliance under § 63.6(i) shall submit such reports by the dates specified in the written extension of compliance.

(4) As required by § 63.10(d)(5), if actions taken by an owner or operator during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan specified in § 63.6(e)(3), the owner or operator shall state such information in a semi-annual report. Reports shall only be required if a startup, shutdown, or malfunction occurred during the reporting period. The startup, shutdown, and malfunction report may be submitted simultaneously with the excess emissions and continuous monitoring system performance reports; and

(5) Any time an action taken by an owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures in the startup, shutdown, and malfunction plan, the owner or operator shall