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TABLE 5 TO SUBPART MMMMM OF PART 63—
CONTINUOUS COMPLIANCE WITH EMISSION
LIMITS AND OPERATING LIMITS

TABLE 6 TO SUBPART MMMMM OF PART 63—
REQUIREMENTS FOR REPORTS

TABLE 7 TO SUBPART MMMMM OF PART 63—
APPLICABILITY OF GENERAL PROVISIONS TO
SUBPART MMMMM

AUTHORITY: 42 U.S.C. 7401 *et seq.*

SOURCE: 57 FR 61992, Dec. 29, 1992, unless
otherwise noted.

**Subpart ZZZZ—National Emissions
Standards for Hazardous Air
Pollutants for Stationary Re-
ciprocating Internal Combustion
Engines**

SOURCE: 69 FR 33506, June 15, 2004, unless
otherwise noted.

WHAT THIS SUBPART COVERS

**§ 63.6580 What is the purpose of sub-
part ZZZZ?**

Subpart ZZZZ establishes national
emission limitations and operating
limitations for hazardous air pollut-
ants (HAP) emitted from stationary re-
ciprocating internal combustion en-
gines (RICE) located at major and area
sources of HAP emissions. This subpart
also establishes requirements to dem-
onstrate initial and continuous compli-
ance with the emission limitations and
operating limitations.

[73 FR 3603, Jan. 18, 2008]

§ 63.6585 Am I subject to this subpart?

You are subject to this subpart if you
own or operate a stationary RICE at a
major or area source of HAP emissions,
except if the stationary RICE is being
tested at a stationary RICE test cell/
stand.

(a) A stationary RICE is any internal
combustion engine which uses reciprocating
motion to convert heat energy
into mechanical work and which is not
mobile. Stationary RICE differ from
mobile RICE in that a stationary RICE
is not a non-road engine as defined at
40 CFR 1068.30, and is not used to propel
a motor vehicle or a vehicle used solely
for competition.

(b) A major source of HAP emissions
is a plant site that emits or has the po-
tential to emit any single HAP at a

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rate of 10 tons (9.07 megagrams) or
more per year or any combination of
HAP at a rate of 25 tons (22.68
megagrams) or more per year, except
that for oil and gas production facili-
ties, a major source of HAP emissions
is determined for each surface site.

(c) An area source of HAP emissions
is a source that is not a major source.

(d) If you are an owner or operator of
an area source subject to this subpart,
your status as an entity subject to a
standard or other requirements under
this subpart does not subject you to
the obligation to obtain a permit under
40 CFR part 70 or 71, provided you are
not required to obtain a permit under
40 CFR 70.3(a) or 40 CFR 71.3(a) for a
reason other than your status as an
area source under this subpart. Not-
withstanding the previous sentence,
you must continue to comply with the
provisions of this subpart as applicable.

(e) If you are an owner or operator of
a stationary RICE used for national se-
curity purposes, you may be eligible to
request an exemption from the require-
ments of this subpart as described in 40
CFR part 1068, subpart C.

[69 FR 33506, June 15, 2004, as amended at 73
FR 3603, Jan. 18, 2008]

**§ 63.6590 What parts of my plant does
this subpart cover?**

This subpart applies to each affected
source.

(a) *Affected source.* An affected source
is any existing, new, or reconstructed
stationary RICE located at a major or
area source of HAP emissions, exclud-
ing stationary RICE being tested at a
stationary RICE test cell/stand.

(1) Existing stationary RICE.

(i) For stationary RICE with a site
rating of more than 500 brake horse-
power (HP) located at a major source of
HAP emissions, a stationary RICE is
existing if you commenced construc-
tion or reconstruction of the sta-
tionary RICE before December 19, 2002.

(ii) For stationary RICE with a site
rating of less than or equal to 500 brake
HP located at a major source of HAP
emissions, a stationary RICE is exist-
ing if you commenced construction or
reconstruction of the stationary RICE
before June 12, 2006.

(iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.

(2) *New stationary RICE.* (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(3) *Reconstructed stationary RICE.* (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.

(b) *Stationary RICE subject to limited requirements.* (1) An affected source which meets either of the criteria in paragraph (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of § 63.6645(h).

(i) The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions; or

(ii) The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of § 63.6645(h) and the requirements of §§ 63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.

(3) A stationary RICE which is an existing spark ignition 4 stroke rich burn (4SRB) stationary RICE located at an area source, an existing spark ignition 4SRB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source, an existing spark ignition 2 stroke lean burn (2SLB) stationary RICE, an existing spark ignition 4 stroke lean burn (4SLB) stationary RICE, an existing compression ignition (CI) stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, does not have to meet the requirements of this subpart and of subpart A of this part. No initial notification is necessary.

(c) *Stationary RICE subject to Regulations under 40 CFR Part 60.* An affected source that is a new or reconstructed stationary RICE located at an area source, or is a new or reconstructed stationary RICE located at a major source of HAP emissions and is a spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of less than 500 brake HP, a spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of less than 250 brake HP, or a 4 stroke rich burn

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(4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP, a stationary RICE with a site rating of less than or equal to 500 brake HP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP, or a compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake HP, must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008]

§ 63.6595 When do I have to comply with this subpart?

(a) *Affected Sources.* (1) If you have an existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than June 15, 2007.

(2) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart no later than August 16, 2004.

(3) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(4) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limita-

tions in this subpart no later than January 18, 2008.

(5) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(6) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(7) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(b) *Area sources that become major sources.* If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, the compliance dates in paragraphs (b)(1) and (2) of this section apply to you.

(1) Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source.

(2) Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.

(c) If you own or operate an affected source, you must meet the applicable notification requirements in § 63.6645 and in 40 CFR part 63, subpart A.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008]