INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

TO: Interested Parties / Applicant

DATE: May 5, 2010

RE: POET BIOREFINING / 169-28809-00068

FROM: Matthew Stuckey, Branch Chief
Permits Branch
Office of Air Quality

Notice of Decision: Approval - Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted according to IC 13-15-6-3, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3 and IC 13-15-6-1 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) calendar days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

(1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
(2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
(3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

(1) the name and address of the person making the request;
(2) the interest of the person making the request;
(3) identification of any persons represented by the person making the request;
(4) the reasons, with particularity, for the request;
(5) the issues, with particularity, proposed for considerations at any hearing; and
(6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosures
FNPER.dot12/03/07

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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May 5, 2010

Mr. Greg Lyons
POET Biorefining - North Manchester
4615 N. Lewis Avenue
Sioux Falls, SD 57104

Re: 169-28809-00068
First Significant Revision to
F169-24515-00068

Dear Mr. Lyons,

POET Biorefining - North Manchester was issued a Federally Enforceable State Operating Permit (FESOP) No. F169-24515-00068 on August 30, 2008 for a stationary ethanol production plant located at 868 East 800 North, North Manchester, Indiana 46962. On December 23, 2009, the Office of Air Quality (OAQ) received an application from the source requesting the fuel ethanol production limit be increased from 69 million gallons of denatured ethanol per twelve consecutive month period, to 83.2 million gallons of a combination of normal denatured ethanol and E-85 per twelve consecutive month period. The attached Technical Support Document (TSD) provides additional explanation of the changes to the source/permit. Pursuant to the provisions of 326 IAC 2-8-11.1, these changes to the permit are required to be reviewed in accordance with the Significant Permit Revision (SPR) procedures of 326 IAC 2-8-11.1(f). Pursuant to the provisions of 326 IAC 2-8-11.1, a significant permit revision to this permit is hereby approved as described in the attached Technical Support Document (TSD).

Pursuant to 326 IAC 2-8-11.1, this permit shall be revised by incorporating the significant permit revision into the permit. All other conditions of the permit shall remain unchanged and in effect. Attached please find the entire revised permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Jason R. Krawczyk, of my staff, at 317-232-8427or 1-800-451-6027, and ask for extension 2-8427.

Sincerely,

Iryn Calilung, Section Chief
Permits Branch
Office of Air Quality

Attachments: Technical Support Document and revised permit

IC/JRK

cc: File - Wabash County
Wabash County Health Department
U.S. EPA, Region V
Compliance and Enforcement Branch
Billing, Licensing and Training Section

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NEW CONSTRUCTION AND FEDERALLY ENFORCEABLE STATE OPERATING PERMIT OFFICE OF AIR QUALITY

POET Biorefining - North Manchester
868 East 800 North
North Manchester, Indiana 46962

(herein known as the Permittee) is hereby authorized to construct and operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-8 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17. This permit also addresses certain new source review requirements and is intended to fulfill the new source review procedures pursuant to 326 IAC 2-2 and 326 IAC 2-8-11.1, applicable to those conditions.

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a FESOP under 326 IAC 2-8.

Operation Permit No.: 169-24515-00068	
Issued by/Original Signed By: Nisha Sizemore, Chief Permit Administration and Support Section Office of Air Quality	Issuance Date: August 30, 2007 Expiration Date: August 30, 2012

First Administrative Amendment No.: 169-26895-00068, issued on September 19, 2008
First Minor Permit Revision No. 169-27641-00068, issued April 24, 2009
Second Administrative Amendment No. 169-27880-00068, issued May 13, 2009

First Significant Permit Revision No. 169-28809-00068	
Issued by: Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Issuance Date: May 5, 2010 Expiration Date: August 30, 2012

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SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 and A.2 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-8-3(b)]

The Permittee owns and operates a stationary ethanol production plant.

Source Address:	868 East 800 North, North Manchester, Indiana 46962
Mailing Address:	868 East 800 North, North Manchester, Indiana 46962
General Source Phone Number:	(260) 774-3532
SIC Code:	2869
County Location:	Wabash
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Federally Enforceable State Operating Permit Program Minor Source, under PSD Rules Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

This stationary source consists of the following emission units and pollution control devices:

(a) One (1) grain receiving and handling operation, approved for construction in 2007, controlled by baghouse CE001, exhausting through stack SV001, and consisting of the following:

(1) Four (4) truck dump pits, identified as EU001, approved for construction in 2007, with a maximum throughput rate of 840 tons of corn per hour.

(2) Two (2) grain legs and conveying system, identified as EU002, approved for construction in 2007, with a maximum throughput rate of 840 tons per hour.

(3) Four (4) grain bins, identified as EU003, approved for construction in 2007, with a maximum throughput rate of 840 tons per hour.

Under 40 CFR, Subpart DD, the units comprising the grain receiving and handling operations are considered affected facilities.

(b) One (1) corn transfer conveyor system, identified as EU004, approved for construction in 2007, with a maximum throughput rate of 140 tons of corn per hour, controlled by baghouse CE002, and exhausting through stack SV002.

Under 40 CFR, Subpart DD, the corn scalper is considered an affected facility.

(c) One (1) surge bin, identified as EU005, approved for construction in 2007, with a maximum throughput rate of 140 tons of corn per hour, controlled by baghouse CE002, and exhausting through stack SV002.

Under 40 CFR, Subpart DD, the surge bin is considered and affected facility.

(d) Five (5) hammermills, identified as EU006, EU007, EU008, EU009, and EU010, approved for construction in 2007, each with a maximum throughput rate of 20 tons of corn per hour, controlled by baghouses CE003, CE004, CE005, CE006, and CE007, respectively, and exhausting through stacks SV003, SV004, SV005, SV006, and SV007,

respectively.

(e) One (1) fermentation process, approved for construction in 2007, with a maximum throughput rate of 58,500 gallons per hour, controlled by scrubber CE008 and thermal oxidizer CE009, with emissions exhausted through SV009. This process consists of the following:

(1) One (1) slurry tank, identified as EU011, approved for construction in 2007.

(2) Five (5) fermenters, identified as EU012 through EU016, approved for construction in 2007.

(3) One (1) yeast propagation tank, identified as EU017, approved for construction in 2007.

(4) One (1) beer well, identified as EU018, approved for construction in 2007.

Under NSPS, Subpart VVa, equipment (as defined in 40 CFR 60.481a) within a process unit is an affected facility.

(f) One (1) regenerative thermal oxidizer, identified as CE009, approved for construction in 2007, with a maximum heat input capacity of 30 MMBtu/hr, using natural gas as fuel, with emissions exhausted through stack SV009.

(g) One (1) distillation process, approved for construction in 2007, with a maximum throughput rate of 57,000 gallons of ethanol per hour, controlled by scrubber CE008 and thermal oxidizer CE009, with emissions exhausted through stack SV009. This process consists of the following:

(1) One (1) beer stripper, identified as EU019, approved for construction in 2007.

(2) One (1) rectifier column, identified as EU020, approved for construction in 2007.

(3) One (1) side stripper, identified as EU021, approved for construction in 2007.

(4) One (1) set of three (3) molecular sieves, identified as EU022, approved for construction in 2007.

(5) One (1) set of four (4) evaporators, identified as EU023, approved for construction in 2007.

Under NSPS, Subpart VVa, equipment (as defined in 40 CFR 60.481a) within a process unit is an affected facility.

(h) One (1) set of four (4) centrifuges, identified as EU024, approved for construction in 2007, controlled by thermal oxidizer CE009 during normal operation, with emissions exhausted through stack SV009. During wetcake production, emissions from EU024 are exhausted through bypass stack SV017.

Under NSPS, Subpart VVa, equipment (as defined in 40 CFR 60.481a) within a process unit is an affected facility.

(i) Two (2) natural gas fired DDGS dryers, identified as EU025 and EU026, approved for construction in 2007, each with a maximum heat input rate of 60 MMBtu/hr, with a total maximum throughput rate of 26 tons of DDGS per hour, controlled by multiclones CE013 and CE014, respectively, with emissions venting to thermal oxidizer CE009, and exhausting to stack SV009.

(j) Two (2) natural gas fired boilers, identified as EU027 and EU028, approved for construction in 2007, each with a maximum heat input rate of 143 MMBtu/hr each, with

emissions exhausting to stacks SV013 and SV014, respectively.

Under 40 CFR, Subpart Db, the two (2) boilers are considered to be new steam generating units.

(k) One (1) fluidized DDGS cooler, identified as EU029, approved for construction in 2007, with a maximum throughput rate of 26 tons/hr of DDGS, controlled by baghouse CE010, and exhausting to stack SV010.

(l) One (1) DDGS handling and storage operation, approved for construction in 2007, with a maximum throughput rate of 220 tons/hr of DDGS, and consisting of the following:

(1) One (1) DDGS storage silo, identified as EU030, approved for construction in 2007, controlled by baghouse CE011, with emissions exhausted to stack SV011.

(2) One (1) DDGS silo bypass, identified as EU031, approved for construction in 2007, controlled by baghouse CE012, with emissions exhausted to stack SV012.

(3) One (1) DDGS storage building, identified as EU032, approved for construction in 2007, controlled by baghouse CE016, with emissions exhausted to stack SV018.

(m) One (1) DDGS loadout operation, approved for construction in 2007, with a maximum throughput rate of 220 tons/hr of DDGS, and consisting of the following:

(1) One (1) DDGS conveyor, identified as EU033, approved for construction in 2007, controlled by baghouse CE016, with emissions exhausted to stack SV018.

(2) One (1) DDGS truck loadout spout, identified as EU034, approved for construction in 2007, controlled by baghouse CE016, with emissions exhausted to stack SV018.

(3) One (1) DDGS rail loadout spout, identified as EU035, approved for construction in 2007, controlled by baghouse CE016, with emissions exhausted to stack SV018.

(n) One (1) ethanol loading system, identified as EU036, consisting of two (2) racks for trucks and one (1) rack for railcars, approved for construction in 2007, with a maximum throughput rate of 39,000 gallons per hour when loading trucks, and 144,000 gallons per hour when loading railcars. This unit is controlled by enclosed flare CE015, which is fueled by natural gas and has a pilot gas flare heat input capacity of 54,000 Btu/hr, and exhausts through stack SV016.

Under NSPS, Subpart VVa, equipment (as defined in 40 CFR 60.481a) within a process unit is an affected facility.

(o) One (1) diesel generator, identified as EU037, approved for construction in 2007, with a maximum power output rate of 2,640 HP, and exhausting to stack SV015.

Under NSPS, Subpart IIII, this unit is considered an affected source.
Under NESHAP, Subpart ZZZZ, this unit is considered an affected source.

A.3 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]

This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(21):

(a) Solvent recycling systems with batch capacity less than or equal to 100 gallons.

(b) Forced and induced draft cooling tower system not regulated under a NESHAP.

(c) Replacement or repair of bags in baghouses and filters in other air filtration equipment.

(d) Paved roads and parking lots with public access. [326 IAC 6-4]

(e) Underground conveyors, including underground grain and product transfer conveyors.

(f) Blowdown for any of the following: sight glass; boiler; compressors; pumps; and cooling tower.

(g) Other emission units, not regulated by a NESHAP, with PM10, NOx, and SO_2 emissions less than five (5) pounds per hour or twenty-five (25) pounds per day, CO emissions less than twenty-five (25) pounds per day, VOC emissions less than three (3) pounds per hour or fifteen (15) pounds per day, lead emissions less than six-tenths (0.6) tons per year or three and twenty-nine hundredths (3.29) pounds per day, and emitting greater than one (1) pound per day but less than five (5) pounds per day or one (1) ton per year of a single HAP, or emitting greater than one (1) pound per day but less than twelve and five tenths (12.5) pounds per day or two and five tenths (2.5) ton per year of any combination of HAPs:

(1) One (1) off spec tank for 190-proof ethanol, identified as T001, approved for construction in 2007, with a maximum capacity of 250,000 gallons. [40 CFR 60, Subpart Kb]

(2) One (1) denaturant tank, identified as T002, constructed in 2008, approved for modification in 2009, with a maximum capacity of 250,000 gallons of denaturant. [40 CFR 60, Subpart Kb]

(3) One (1) 200-proof ethanol tank, identified as T003, constructed in 2008, approved for modification in 2009, with a maximum capacity of 2,000,000 gallons of 200-proof ethanol. [40 CFR 60, Subpart Kb]

(4) One (1) 200-proof ethanol tank, identified as T004, constructed in 2008, approved for modification in 2009, with a maximum capacity of 2,000,000 gallons of 200-proof ethanol. [40 CFR 60, Subpart Kb]

(5) One (1) denaturant tank, identified as T005, approved for construction in 2007, with a maximum capacity of 126,900 gallons of natural gasoline. [326 IAC 8-9] [40 CFR 60, Subpart Kb]

(6) One (1) diesel storage tank, identified as T006, approved for construction in 2007, with a maximum storage capacity less than 2,000 gallons of diesel fuel.

(7) One (1) thin stillage tank, identified as T007, approved for construction in 2007, with a maximum storage capacity of 500,000 gallons of thin stillage.

(8) One (1) syrup tank, identified as T008, approved for construction in 2007, with a maximum storage capacity of 61,000 gallons of syrup.

A.4 FESOP Applicability [326 IAC 2-8-2]

This stationary source, otherwise required to have a Part 70 permit as described in 326 IAC 2-7-2(a), has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) for a Federally Enforceable State Operating Permit (FESOP).

SECTION B GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-8-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

B.2 Revocation of Permits [326 IAC 2-1.1-9(5)]

Pursuant to 326 IAC 2-1.1-9(5)(Revocation of Permits), the Commissioner may revoke this permit if construction is not commenced within eighteen (18) months after receipt of this approval or if construction is suspended for a continuous period of one (1) year or more.

B.3 Affidavit of Construction [326 IAC 2-5.1-3(h)] [326 IAC 2-5.1-4][326 IAC 2-8]

This document shall also become the approval to operate pursuant to 326 IAC 2-5.1-4 and [326 IAC 2-8] when prior to the start of operation, the following requirements are met:

(a) The attached Affidavit of Construction shall be submitted to the Office of Air Quality (OAQ), verifying that the emission units were constructed as proposed in the application or the permit. The emission units covered in this permit may begin operating on the date the Affidavit of Construction is postmarked or hand delivered to IDEM if constructed as proposed.

(b) If actual construction of the emission units differs from the construction proposed in the application, the source may not begin operation until the permit has been revised pursuant to 326 IAC 2 and an Operation Permit Validation Letter is issued.

(c) The Permittee shall attach the Operation Permit Validation Letter received from the Office of Air Quality (OAQ) to this permit.

B.4 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]

(a) This permit, 169-24515-00068, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.

(b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, until the renewal permit has been issued or denied.

B.5 Term of Conditions [326 IAC 2-1.1-9.5]

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

(a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or

(b) the emission unit to which the condition pertains permanently ceases operation.

B.6 Enforceability [326 IAC 2-8-6]

Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

B.7 Severability [326 IAC 2-8-4(4)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.8 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]

This permit does not convey any property rights of any sort or any exclusive privilege.

B.9 Duty to Provide Information [326 IAC 2-8-4(5)(E)]

(a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.

(b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.10 Compliance Order Issuance [326 IAC 2-8-5(b)]

IDEM, OAQ may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

B.11 Certification [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]

(a) A certification required by this permit meets the requirements of 326 IAC 2-8-5(a)(1) if:

(i) it contains a certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1), and

(ii) the certification is based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(b) The Permittee may use the attached Certification Form, or its equivalent with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.

(c) An "authorized individual" is defined at 326 IAC 2-1.1-1(1)

B.12 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

(a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than July 1 of each year to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

(b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

(c) The annual compliance certification report shall include the following:

(1) The appropriate identification of each term or condition of this permit that is the basis of the certification;

(2) The compliance status;

(3) Whether compliance was continuous or intermittent;

(4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and

(5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

The submittal by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

B.13 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)][326 IAC 2-8-5(a)(1)]

(a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) no later than ninety (90) days after issuance of this permit or ninety (90) days after initial start-up, whichever is later, including the following information on each facility:

(1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;

(2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and

(3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

The Permittee shall implement the PMPs.

(b) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.14 Emergency Provisions [326 IAC 2-8-12]

(a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation except as provided in 326 IAC 2-8-12.

(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

(1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;

(2) The permitted facility was at the time being properly operated;

(3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;

(4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or
Telephone Number: 317-233-0178 (ask for Compliance and Enforcement Branch)
Facsimile Number: 317-233-6865

(5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-8-4(3)(C)(ii) and must contain the following:

(A) A description of the emergency;

(B) Any steps taken to mitigate the emissions; and

(C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(6) The Permittee immediately took all reasonable steps to correct the emergency.

(c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

(d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.

(e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.

(f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.

(g) Operations may continue during an emergency only if the following conditions are met:

(1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

(2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:

(A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and

(B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.

B.15 Prior Permits Superseded [326 IAC 2-1.1-9.5]

(a) All terms and conditions of permits established prior to F169-24515-00068 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

(2) revised, or

(3) deleted

(b) All previous registrations and permits are superseded by this permit.

B.16 Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source’s existing permit, consistent with 326 IAC 2-8-3(h) and 326 IAC 2-8-9.

B.17 Reserved

B.18 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-8-4(5)(C)][326 IAC 2-8-7(a)][326 IAC 2-8-8]

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Federally Enforceable State Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)] The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:

(1) That this permit contains a material mistake.

(2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.

(3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-8-8(a)]

(c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-8-8(b)]

(d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

B.19 Permit Renewal [326 IAC 2-8-3(h)]

(a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40) The renewal application does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

(b) A timely renewal application is one that is:

(1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and

(2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

(c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified, pursuant to 326 IAC 2-8-3 (g), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.20 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]

(a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this.

(b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.21 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-8-15(b) through (d) without a prior permit revision, if each of the following conditions is met:

(1) The changes are not modifications under any provision of Title I of the Clean Air Act;

(2) Any approval required by 326 IAC 2-8-11.1 has been obtained;

(3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

(4) The Permittee notifies the:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

(5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-8-15(b) through (d). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ in the notices specified in 326 IAC 2-8-15(b)(2), (c)(1), and (d).

(b) Emission Trades [326 IAC 2-8-15(c)]
The Permittee may trade emissions increases and decreases at in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).

(c) Alternative Operating Scenarios Federally Enforceable State Operating Permit
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ, or U.S. EPA is required.

(d) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.22 Source Modification Requirement [326 IAC 2-8-11.1]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2.

B.23 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC13-30-3-1]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee’s right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

(a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

(b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

(c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

(d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

(e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.24 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

(a) The Permittee must comply with the requirements of 326 IAC 2-8-10 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.

(b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.25 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]

(a) The Permittee shall pay annual fees to IDEM, OAQ, no later than thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.

(b) Failure to pay may result in administrative enforcement action or revocation of this permit.

(c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.26 Advanced Source Modification Approval [326 IAC 2-8-4(11)] [326 IAC 2-1.1-9]

(a) The requirements to obtain a permit modification under 326 IAC 2-8-11.1 are satisfied by this permit for the proposed emission units, control equipment or insignificant activities in Sections A.2 and A.3.

(b) Pursuant to 326 IAC 2-1.1-9 any permit authorizing construction may be revoked if construction of the emission unit has not commenced within eighteen (18) months from the date of issuance of the permit, or if during the construction, work is suspended for a continuous period of one (1) year or more.

B.27 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][62 FR 8314] [326 IAC 1-1-6]

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

Emission Limitations and Standards [326 IAC 2-8-4(1)]

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.

C.2 Overall Source Limit [326 IAC 2-8]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

(a) Pursuant to 326 IAC 2-8:

(1) The potential to emit any regulated pollutant, except particulate matter (PM), from the entire source shall be limited to less than one hundred (100) tons per twelve (12) consecutive month period. This limitation shall also make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

(2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and

(3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.

(b) The potential to emit particulate matter (PM) from the entire source shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period. This limitation shall make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD) not applicable.

(c) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided that the source's potential to emit does not exceed the above specified limits.

(d) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

C.3 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-1 (Applicability) and 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

(a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.

(b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

C.4 Open Burning [326 IAC 4-1] [IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1.

C.5 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2.

C.6 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions).

C.7 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.

C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

(a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.

(b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:

(1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or

(2) If there is a change in the following:

(A) Asbestos removal or demolition start date;

(B) Removal or demolition contractor; or

(C) Waste disposal site.

(c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).

(d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(e) Procedures for Asbestos Emission Control
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.

(f) Demolition and Renovation
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).

(g) Indiana Licensed Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos.

Testing Requirements [326 IAC 2-8-4(3)]

C.9 Performance Testing [326 IAC 3-6]

(a) For performance testing required by this permit, a test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

C.10 Compliance Requirements [326 IAC 2-1.1-11]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

Compliance Monitoring Requirements [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]

C.11 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]

Unless otherwise specified in this permit, for all monitoring requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or initial start-up, whichever is later, to begin such monitoring. If due to circumstances beyond the Permittee's control, any monitoring equipment required by this permit cannot be installed and operated no later than ninety (90) days after permit issuance or the date of initial startup, whichever is later, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1**)** by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a permit revision shall be implemented when operation begins.

C.12 Reserved

C.13 Reserved

C.14 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)][326 IAC 2-8-5(1)]

(a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale.

(b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative [326 IAC 2-8-4][326 IAC 2-8-5] or other instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

Corrective Actions and Response Steps [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]

C.15 Risk Management Plan[326 IAC 2-8-4] [40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

C.16 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]

Upon detecting an excursion where a response step is required by the D Section or an exceedance of a limitation in this permit:

(a) The Permittee shall take reasonable response steps to restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing excess emissions.

(b) The response shall include minimizing the period of any startup, shutdown or malfunction. The response may include, but is not limited to, the following:

(1) initial inspection and evaluation;

(2) recording that operations returned or are returning to normal without operator action (such as through response by a computerized distribution control system); or

(3) any necessary follow-up actions to return operation to normal or usual manner of operation.

(c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:

(1) monitoring results;

(2) review of operation and maintenance procedures and records;

(3) inspection of the control device, associated capture system, and the process.

(d) Failure to take reasonable response steps shall be considered a deviation from the permit.

(e) The Permittee shall record of the reasonable responses steps taken.

C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

(a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall submit a description of **its** response actions to IDEM, OAQ, no later than seventy-five (75) days after the date of the test.

(b) A retest to demonstrate compliance shall be performed no later than one hundred eighty (180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) days is not practicable, IDEM, OAQ may extend the retesting deadline.

(c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

C.18 General Record Keeping Requirements[326 IAC 2-8-4(3)] [326 IAC 2-8-5]

(a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

(b) Unless otherwise specified in this permit, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of

permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.

C.19 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]

(a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported except that a deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. This report shall be submitted not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-11(1). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

(b) The address for report submittal is:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

(c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

(d) Reserved

(e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit “calendar year” means the twelve (12) month period from January 1 to December 31 inclusive.

Stratospheric Ozone Protection

C.20 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the applicable standards for recycling and emissions reduction.

SECTION D.1 FACILITY OPERATION CONDITIONS – Grain and DDGS Handling Processes

Facility Description [326 IAC 2-8-4(10)] :

(a) One (1) grain receiving and handling operation, approved for construction in 2007, controlled by baghouse CE001, exhausting through stack SV001, and consisting of the following:

(1) Four (4) truck dump pits, identified as EU001, approved for construction in 2007, with a maximum throughput rate of 840 tons of corn per hour.

(2) Two (2) grain legs and conveying system, identified as EU002, approved for construction in 2007, with a maximum throughput rate of 840 tons per hour.

(3) Four (4) grain bins, identified as EU003, approved for construction in 2007, with a maximum throughput rate of 840 tons per hour.

(b) One (1) corn transfer conveyor system, identified as EU004, approved for construction in 2007, with a maximum throughput rate of 140 tons of corn per hour, controlled by baghouse CE002, and exhausting through stack SV002.

(c) One (1) surge bin, identified as EU005, approved for construction in 2007, with a maximum throughput rate of 140 tons of corn per hour, controlled by baghouse CE002, and exhausting through stack SV002.

(d) Five (5) hammermills, identified as EU006, EU007, EU008, EU009, and EU010, approved for construction in 2007, each with a maximum throughput rate of 20 tons of corn per hour, controlled by baghouses CE003, CE004, CE005, CE006, and CE007, respectively, and exhausting through stacks SV003, SV004, SV005, SV006, and SV007, respectively.

(l) One (1) DDGS handling and storage operation, approved for construction in 2007, with a maximum throughput rate of 220 tons/hr of DDGS, and consisting of the following:

(1) One (1) DDGS storage silo, identified as EU030, approved for construction in 2007, controlled by baghouse CE011, with emissions exhausted to stack SV011.

(2) One (1) DDGS silo bypass, identified as EU031, approved for construction in 2007, controlled by baghouse CE012, with emissions exhausted to stack SV012.

(3) One (1) DDGS storage building, identified as EU032, approved for construction in 2007, controlled by baghouse CE016, with emissions exhausted to stack SV001.

(m) One (1) DDGS loadout operation, approved for construction in 2007, with a maximum throughput rate of 220 tons/hr of DDGS, and consisting of the following:

(1) One (1) DDGS conveyor, identified as EU033, approved for construction in 2007, controlled by baghouse CE016, with emissions exhausted to stack SV018.

(2) One (1) DDGS truck loadout spout, identified as EU034, approved for construction in 2007, controlled by baghouse CE016, with emissions exhausted to stack SV018.

(3) One (1) DDGS rail loadout spout, identified as EU035, approved for construction in 2007, controlled by baghouse CE016, with emissions exhausted to stack SV018.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2-1 AND 326 IAC 2-8-11.1, WITH CONDITIONS LISTED BELOW.

Construction Conditions

General Construction Conditions

D.1.1 Permit No Defense

This permit to construct does not relieve the Permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.

Effective Date of the Permit

D.1.2 Effective Date of the Permit [IC13-15-5-3]

Pursuant to IC 13-15-5-3, this section of this permit becomes effective upon its issuance.

D.1.3 Modification to Construction Conditions [326 IAC 2]

All requirements of these construction conditions shall remain in effect unless modified in a manner consistent with procedures established for revisions pursuant to 326 IAC 2.

Operation Conditions

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.1.4 FESOP and PSD Limits [326 IAC 2-2] [326 IAC 2-8-4]

(a) In order to render the requirements of 326 IAC 2-2 (PSD) not applicable, PM emissions from the following units shall not exceed the emission limits listed in the table below:

Unit ID	Unit Description	Baghouse ID	PM Emission Limit (lbs/hr)
EU001, EU002, EU003	Grain Receiving, Conveyors, and Storage Bins	CE001	1.36 (combined)
EU032, EU033, EU035	DDGS conveying, storage, and loadout	CE016	0.34 (combined)
EU004, EU005	Corn Scalper, Surge Bin	CE002	0.10 (combined)
EU006	Hammermill #1	CE003	0.41
EU007	Hammermill #2	CE004	0.41
EU008	Hammermill #3	CE005	0.41
EU009	Hammermill #4	CE006	0.41
EU010	Hammermill #5	CE007	0.41
EU030	DDGS Silo Loading	CE011	0.14
EU031	DDGS Silo Bypass	CE012	0.15

(b) Pursuant to 326 IAC 2-8-4 (FESOP) and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following emission limits for the grain receiving and DDGS handling operations:

(1) The PM10 and PM2.5 emissions from the following units shall not exceed the emission limits listed in the table below:

Unit ID	Unit Description	Baghouse ID	PM10 Emission Limit (lbs/hr)	PM2.5 Emission Limit (lbs/hr)
EU001, EU002, EU003	Grain Receiving, Conveyors, and Storage Bins	CE001	1.36 (combined)	1.36 (combined)
EU032, EU033, EU035	DDGS conveying, storage, and loadout	CE016	0.34 (combined)	0.34 (combined)
EU004, EU005	Corn Scalper, Surge Bin	CE002	0.10 (combined)	0.10 (combined)
EU006	Hammermill #1	CE003	0.41	0.41
EU007	Hammermill #2	CE004	0.41	0.41
EU008	Hammermill #3	CE005	0.41	0.41
EU009	Hammermill #4	CE006	0.41	0.41
EU010	Hammermill #5	CE007	0.41	0.41
EU030	DDGS Silo Loading	CE011	0.14	0.14
EU031	DDGS Silo Bypass	CE012	0.15	0.15

Compliance with these PM limits in conjunction with the PM PTE from all other emission units shall limit the PM emissions from the entire source to less than 250 tons per year and therefore, render the requirements of 326 IAC 2-2 (PSD) not applicable.

Combined with the PM10 and PM2.5 emissions from other emission units, the PM10 and PM2.5 emissions from the entire source are limited to less than 100 tons/yr. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program) and 326 IAC 2-2 (PSD) are not applicable.

D.1.5 Particulate Emission Limitations [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), particulate emissions from each of following operations shall not exceed the pound per hour limits listed in the table below:

Unit ID	Unit Description	Max. Throughput Rate (tons/hr)	Particulate Emission Limit (lbs/hr)
EU001, EU002, EU003	Grain Receiving, Conveyors, and Storage Bins	840	75.4
EU004, EU005	Corn Scalper, Surge Bin	140	54.7
EU006	Hammermill #1	20	30.5
EU007	Hammermill #2	20	30.5
EU008	Hammermill #3	20	30.5
EU009	Hammermill #4	20	30.5
EU010	Hammermill #5	20	30.5
EU030	DDGS Silo Loading	26	36.4
EU031	DDGS Silo Bypass	26	36.4
EU032	DDGS Storage Building	220	59.5
EU033	DDGS Conveyor	220	59.5
EU035	DDGS Rail Loadout Spout	220	59.5

The pounds per hour limitations were calculated using the following equation:

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$E = 4.10\ P^{0.67}$ where E = rate of emission in pounds per hour and
P = process weight rate in tons per hour

Interpolation and extrapolation of the data for the process weight rate in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$E = 55.0\ P^{0.11} - 40$ where E = rate of emission in pounds per hour; and
P = process weight rate in tons per hour

Pursuant to 326 IAC 6-3-2(e)(3), when the process weight exceeds 200 tons per hour, the maximum allowable emission may exceed the emission limits shown in the table above, provided the concentration of particulate matter in the gas discharged to the atmosphere is less than 0.10 pounds per 1,000 pounds of gases.

D.1.6 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for these facilities and any control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

Compliance Determination Requirements

D.1.7 Particulate Control

(a) In order to comply with Conditions D.1.4(a) and D.1.5, each of the following emission units shall be controlled by the associated baghouse, as listed in the table below, when these units are in operation:

Unit ID	Unit Description	Baghouse ID
EU001, EU002, EU003	Grain Receiving, Conveyors, and Storage Bins	CE001
EU032, EU033, EU035	DDGS conveying, storage, and loadout	CE016
EU004, EU005	Corn Scalper, Surge Bin	CE002
EU006	Hammermill #1	CE003
EU007	Hammermill #2	CE004
EU008	Hammermill #3	CE005
EU009	Hammermill #4	CE006
EU010	Hammermill #5	CE007
EU030	DDGS Silo Loading	CE011
EU031	DDGS Silo Bypass	CE012

(b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

D.1.8 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

In order to demonstrate compliance with Conditions D.1.4(a), D.1.4(b), D.1.5 and D.1.6, the Permittee shall perform PM, PM10, and PM2.5 testing for one of baghouses CE001 through CE007 including CE016, and one of baghouses CE011 or CE012, utilizing methods as approved by the Commissioner. These tests shall be repeated on a different baghouse at least once every five (5) years from the date of the last valid compliance demonstration. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C – Performance Testing contains the Permittee’s obligation with regard to the performance testing required by this condition. PM10 and PM2.5 includes filterable and condensible particulate matter.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

D.1.9 Visible Emissions Notations

(a) Visible emission notations of the baghouse stack exhausts (stacks SV001 through SV007, SV011, SV012, and SV018) shall be performed once per day during normal daylight operations. A trained employee or a trained contractor shall record whether emissions are normal or abnormal.

(b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

(c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

(d) A trained employee or contractor is a person who has worked or trained at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

(e) If abnormal emissions are observed, the Permittee shall take reasonable response steps**.** Section C – Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. Failure to take response steps shall be considered a deviation from this permit.

D.1.10 Parametric Monitoring

(a) The Permittee shall record the pressure drop across the baghouses used in conjunction with the grain receiving and handling operations (EU001 through EU005), the hammermills (EU006 through EU010), and the DDGS handling and loadout operations (EU030 through EU033, and EU035), at least once per day when these units are in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 1.0 to 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps. Section C – Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps shall be considered a deviation from this permit.

(b) The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ and shall be calibrated or replaced at least once every six (6) months.

D.1.11 Broken or Failed Bag Detection

(a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

(b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the line. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

Bag failure can be indicated by a significant drop in the baghouse's pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.1.12 Record Keeping Requirements

(a) To document compliance with Condition D.1.9, the Permittee shall maintain a daily record of visible emission notations of the baghouse stack exhausts. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (i.e., the process did not operate that day).

(b) To document compliance with Condition D.1.10, the Permittee shall maintain a daily record of the pressure drop across the baghouse controlling the process. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of a pressure drop reading (i.e., the process did not operate that day).

(c) Section C - General Record Keeping Requirements contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.

SECTION D.2 FACILITY OPERATION CONDITIONS – Fermentation/Distillation and DDGS Drying

Facility Description [326 IAC 2-8-4(10)]:

(e) One (1) fermentation process, approved to be constructed in 2007, with a maximum throughput rate of 58,500 gallons per hour, controlled by scrubber CE008 and thermal oxidizer CE009, with emissions exhausted through stack SV009. This process consists of the following:

(1) One (1) slurry tank, identified as EU011, approved to be constructed in 2007.

(2) Five (5) fermenters, identified as EU012 through EU016, approved to be constructed in 2007.

(3) One (1) yeast propagation tank, identified as EU017, approved to be constructed in 2007.

(4) One (1) beer well, identified as EU018, approved to be constructed in 2007.

(f) One (1) regenerative thermal oxidizer, identified as CE009, constructed in 2007, with a maximum heat input capacity of 30 MMBtu/hr, using natural gas as fuel, with emissions exhausted through stack SV009.

(g) One (1) distillation process, approved to be constructed in 2007, with a maximum throughput rate of 57,000 gallons of ethanol per hour, controlled by scrubber CE008 and thermal oxidizer CE009, with emissions exhausted through SV009. This process consists of the following:

(1) One (1) beer stripper, identified as EU019, approved to be constructed in 2007.

(2) One (1) rectifier column, identified as EU020, approved to be constructed in 2007.

(3) One (1) side stripper, identified as EU021, approved to be constructed in 2007.

(4) One (1) set of three (3) molecular sieves, identified as EU022, approved to be constructed in 2007.

(5) One (1) set of four (4) evaporators, identified as EU023, approved to be constructed in 2007.

(h) One (1) set of four (4) centrifuges, identified as EU024, approved to be constructed in 2007, controlled by thermal oxidizer CE009 during normal operation, with emissions exhausted through stack SV009. During wetcake production, emissions from EU024 are exhausted through bypass stack SV017.

(i) Two (2) natural gas fired DDGS dryers, identified as EU025 and EU026, approved to be constructed in 2007, each with a maximum heat input rate of 60 MMBtu/hr, with a total maximum throughput rate of 26 tons of DDGS per hour, controlled by multiclones CE013 and CE014, respectively, with emissions venting to thermal oxidizer CE009, and exhausting to stack SV009.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2-1 AND 326 IAC 2-8-11.1, WITH CONDITIONS LISTED BELOW.

Construction Conditions

General Construction Conditions

D.2.1 Permit No Defense

This permit to construct does not relieve the Permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated there under, as well as other applicable local, state, and federal requirements.

Effective Date of the Permit

D.2.2 Effective Date of the Permit [IC13-15-5-3]

Pursuant to IC 13-15-5-3, this section of this permit becomes effective upon its issuance.

D.2.3 Modification to Construction Conditions [326 IAC 2]

All requirements of these construction conditions shall remain in effect unless modified in a manner consistent with procedures established for revisions pursuant to 326 IAC 2.

Operation Conditions

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.2.4 PSD Minor Limits [326 IAC 2-2]

In order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following emission limits for the RTO system (CE009) which is used to control emissions from the fermentation and distillation processes and the DDGS dryers (EU025 and EU026):

(1) PM emissions shall not exceed 6.90 lbs/hr.

Compliance with this PM limit in conjunction with the limited PM PTE from other emission units shall limit the PM emissions from the entire source to less than 250 tons per year and therefore, render the requirements of 326 IAC 2-2 (PSD) not applicable.

D.2.5 FESOP Limits [326 IAC 2-2] [326 IAC 2-8-4] [326 IAC 2-4.1]

Pursuant to 326 IAC 2-8-4 (FESOP) and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable:

(a) The Permittee shall comply with the following emission limits for the RTO system (CE009), which is used to control the emissions from the fermentation and distillation processes and the DDGS dryers (EU025 and EU026):

(1) PM10 emissions shall not exceed 6.90 lbs/hr.

(2) PM2.5 emissions shall not exceed 6.90 lbs/hr.

(3) VOC emissions shall not exceed 12.23 lbs/hr.

(4) CO emissions shall not exceed 13.26 lbs/hr.

(5) NOx emissions shall not exceed 11.0 lbs/hr.

(6) SO2 emissions shall not exceed 11.91 lbs/hr.

(7) Acetaldehyde emissions shall not exceed 0.95 lbs/hr.

(8) Total HAP emissions shall not exceed 1.91 lbs/hr.

(b) The Permittee shall comply with the following requirements for the fermentation and distillation scrubber (CE008):

(1) The scrubber (CE008) shall not vent to the atmosphere more than 500 hours per twelve (12) consecutive month period with compliance determined at the end of each month.

Note: This means that the RTO is down, thus the scrubber is venting directly to the atmosphere.

(2) VOC emissions shall not exceed 23.16 lbs/hr.

(3) Acetaldehyde emissions shall not exceed 4.82 lbs/hr.

Combined with the PM10, PM2.5, VOC, SO_2, CO, and NOx emissions from other units, the PM10, PM2.5, SO_2, VOC, CO, NOx emissions from the entire source are each limited to less than 100 tons/yr. Combined with the HAP emissions from other units, the HAP emissions from the entire source are limited to less than 10 tons/yr for a single HAP and less than 25 tons/yr for total HAPs. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program), 326 IAC 2-2 (PSD), and 326 IAC 2-4.1 (MACT) are not applicable.

D.2.6 VOC Emissions [326 IAC 8-5-6]

Pursuant to 326 IAC 8-5-6, the Permittee shall control the VOC emissions from the fermentation and distillation processes and the DDGS dryers (EU025 and EU026) using the following controls:

(a) The VOC emissions from the fermentation and distillation process shall be controlled by scrubber CE008 when venting to the emergency stack, or by the combination of scrubber CE008 followed by a thermal oxidizer CE009.

(b) The overall efficiency for the scrubber CE008 and thermal oxidizer CE009 (including the capture efficiency and destruction efficiency) shall be at least 98%, or the VOC outlet concentration shall not exceed 10 ppmv.

(c) The overall efficiency for the scrubber CE008 (including the capture efficiency and the destruction efficiency) shall be at least 98%, or the VOC outlet concentration shall not exceed 20 ppmv.

(d) The VOC emissions from the DDGS dryers (EU025 and EU026) shall be controlled by thermal oxidizer CE009.

(e) The overall efficiency for the thermal oxidizer CE009 controlling the DDGS dryers (EU025 and EU026) (including the capture efficiency and destruction efficiency) shall be at least 98%, or the VOC outlet concentration shall not exceed 10 ppmv.

D.2.7 Particulate Emission Limitations [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), particulate emissions from each of following operations shall not exceed the pound per hour limit listed in the table below:

Unit ID	Unit Description	Max. Throughput Rate (tons/hr)	Particulate Emission Limit (lbs/hr)
EU025	DDGS Dryer	26.0	36.4
EU026	DDGS Dryer	26.0	36.4

The pounds per hour limitations were calculated using the following equation:

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$E = 4.10\ P^{0.67}$ where E = rate of emission in pounds per hour; and
P = process weight rate in tons per hour

D.2.8 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for these facilities and any control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

Compliance Determination Requirements

D.2.9 VOC and HAP Control

In order to comply with Conditions D.2.4 and D.2.5:

(a) The scrubber CE008 shall be in operation, and control emissions from the fermentation and distillation processes at all times that the fermentation and distillation processes are in operation.

(b) Thermal oxidizer CE009 shall be in operation and control emissions from the DDGS dryers (EU025 and EU026) at all times that the dryers are in operation and the scrubber CE008 and thermal oxidizer CE009 shall be in operation, and control emissions from the fermentation and distillation processes at all times that these units are in operation.

D.2.10 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 8-5-6]

In order to demonstrate compliance with Conditions D.2.5, D.2.6, and D.2.7:

(a) The Permittee shall perform PM, PM10, PM2.5, VOC (including emission rate, and destruction efficiency), NOx, SO2, CO, and Acetaldehyde testing for the RTO system stack (SV009), utilizing methods as approved by the Commissioner. PM10 and PM2.5 includes filterable and condensible particulate matter. These tests shall be repeated at least once every five (5) years from the date of the last valid compliance demonstration. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C – Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition.

(b) The Permittee shall perform VOC and Acetaldehyde (including emission rate, and destruction efficiency) testing for the scrubber (CE008) within 60 days after achieving maximum capacity, but not later than 180 days after initial startup, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C – Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

D.2.11 Visible Emissions Notations

(a) Visible emission notations of the stack exhaust from the RTO system stack (SV009) shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

(b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

(c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

(d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

(e) If abnormal emissions are observed, the Permittee shall take reasonable response steps**.** Section C – Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. Failure to take response steps shall be considered a deviation from this permit.

D.2.12 Thermal Oxidizer Temperature [326 IAC 8-5-6]

To demonstrate compliance with 326 IAC 8-5-6, the Permittee shall meet the following requirements:

(a) A continuous monitoring system shall be calibrated, maintained, and operated on the RTO system (CE009) for measuring operating temperature. For the purpose of this condition, continuous means no less than once per minute. The output of this system shall be recorded as 3-hour average. From the date of startup until the approved stack test results are available, the Permittee shall operate the thermal oxidizer at or above the 3-hour average temperature of 1,400°F.

(b) The Permittee shall determine the 3-hour average temperature from the most recent valid stack test that demonstrates compliance with limits in Conditions D.2.5 and D.2.6, as approved by IDEM.

(c) On and after the date the approved stack test results are available, the Permittee shall operate the thermal oxidizers at or above the 3-hour average temperature as observed during the compliant stack test.

D.2.13 Parametric Monitoring [326 IAC 8-5-6]

(a) A continuous monitoring system shall be calibrated, maintained, and operated on the RTO system (CE009) for measuring duct pressure or fan amperage. For the purpose of this condition, continuous means no less than once per minute. The output of this system shall be recorded as 3-hour average.

(b) The Permittee shall determine the 3-hour average duct pressure or fan amperage from the most recent valid stack test that demonstrates compliance with limits in Conditions D.2.5 and D.2.6, as approved by IDEM.

(c) On and after the date the approved stack test results are available, the duct pressure or fan amperage shall be maintained within the normal range as established in most recent compliant stack test.

D.2.14 Scrubber Pressure Drop and Flow Rate [326 IAC 8-5-6]

The Permittee shall monitor and record the pressure drop and the flow rate of the scrubber CE008 at least once per day when the fermentation and/or the distillation process is in operation. When for any one reading, the pressure drop across the scrubber is outside the normal range of 1.0 and 12.0 inches of water, or a range established during the latest stack test, the Permittee shall take reasonable response steps. Section C - Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. When for any one reading, the flow rate of the scrubber is less than the normal minimum of 35 gallons per minute, or a minimum established during the latest stack test, the Permittee shall take reasonable response steps. Section C - Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. A pressure reading that is outside the above mentioned range or a flow rate that is below the above mentioned minimum is not a deviation from this permit. Failure to take response steps shall be considered a deviation from this permit.

The instruments used for determining the pressure drop and flow rate shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall

be calibrated or replaced at least once every six (6) months.

D.2.15 Scrubber Detection

In the event that a scrubber malfunction has been observed:

Failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions). Section C – Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. Failure to take response steps shall be considered a deviation from this permit.

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16] [326 IAC 8-5-6]

D.2.16 Record Keeping Requirements

(a) To document compliance with Condition D.2.5(b)(1), the Permittee shall maintain monthly records of the amount of hours the scrubber (CE008) is vented to the atmosphere.

(b) To document compliance with Condition D.2.11, the Permittee shall maintain a daily record of visible emission notations of the stack SV009. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g., the process did not operate that day).

(c) To document compliance with Condition D.2.12, the Permittee shall maintain continuous temperature records for the thermal oxidizer and the 3-hour average temperature used to demonstrate compliance during the most recent compliant stack test.

(d) To document compliance with Condition D.2.13, the Permittee shall maintain continuous duct pressure or fan amperage records for the RTO system (CE009) and the 3-hour average duct pressure or fan amperage used to demonstrate compliance during the most recent compliant stack test.

(e) To document compliance with Condition D.2.14, the Permittee shall maintain a daily record of pressure drop and flow rate for scrubber CE008. The Permittee shall include in its daily record when pressure drop and flow rate are not taken and the reason for the lack of the readings (e.g., the process did not operate that day).

(f) Section C - General Record Keeping Requirements contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.

SECTION D.3 FACILITY OPERATION CONDITIONS – Boilers

Facility Description [326 IAC 2-8-4(10)]:

(j) Two (2) natural gas fired boilers, identified as EU027 and EU028, approved to be constructed in 2007, each with a maximum heat input rate of 143 MMBtu/hr, with emissions exhausting to stacks SV013 and SV014, respectively.

Under 40 CFR, Subpart Db, the two (2) boilers are considered to be new steam generating units.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2-1 AND 326 IAC 2-8-11.1, WITH CONDITIONS LISTED BELOW.

Construction Conditions

General Construction Conditions

D.3.1 Permit No Defense

This permit to construct does not relieve the Permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.

Effective Date of the Permit

D.3.2 Effective Date of the Permit [IC13-15-5-3]

Pursuant to IC 13-15-5-3, this section of this permit becomes effective upon its issuance.

D.3.3 Modification to Construction Conditions [326 IAC 2]

All requirements of these construction conditions shall remain in effect unless modified in a manner consistent with procedures established for revisions pursuant to 326 IAC 2.

Operation Conditions

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.3.4 Nitrogen Oxides (NOx) [326 IAC 2-8-4] [326 IAC 2-2]

Pursuant to 326 IAC 2-8-4 (FESOP), and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following:

(a) The input of the natural gas to the boilers shall be limited to less than 2,505.4 MMCF per 12 consecutive month period, with compliance determined at the end of each month.

(b) NOx emissions from each boiler shall not exceed 35 pounds per MMCF.

Combined with the NOx emissions from other units, the NOx emissions from the entire source are limited to less than one hundred (100) tons per year. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program) and 326 IAC 2-2 (PSD) are not applicable.

D.3.5 CO Emissions [326 IAC 2-8-4] [326 IAC 2-2]

Pursuant to 326 IAC 2-8-4, and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following:

(a) The input of natural gas to the boilers shall be limited to less than 2,505.4 MMCF per 12 consecutive month period, with compliance determined at the end of each month.

(b) CO emissions from the boilers shall not exceed 30 pounds per MMCF.

Combined with the CO emissions from other units, the CO emissions from the entire source are limited to less than one hundred (100) tons per year. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program) and 326 IAC 2-2 (PSD) are not applicable.

D.3.6 Particulate Emissions [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (Particulate Emission Limitations for Sources of Indirect Heating: Emission Limitations for facilities specified in 326 IAC 6-2-1(d)), the PM emissions from the boilers shall not exceed 0.250 pounds per million Btu heat input (lb/MMBtu). This limitation was calculated using the following equation:

$$Pt = \frac{1.09}{Q^{0.26}}$$

where Q = total source heat input capacity (MMBtu/hr)
For these units, Q = 286 MMBtu/hr.

D.3.7 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for these facilities and any control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

Compliance Determination Requirements

D.3.8 Testing Requirements [326 IAC 2-8-5(a) (1), (4)] [326 IAC 2-1.1-11]

In order to demonstrate compliance with Conditions D.3.4 and D.3.5, the Permittee shall perform NOx and CO testing for the boilers, within sixty (60) days after achieving the maximum capacity, but not later than one hundred eighty (180) days after initial startup, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C – Performance Testing contains the Permittee’s obligation with regard to the performance testing required by this condition.

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.3.9 Record Keeping Requirements

(a) To document compliance with Conditions D.3.4 and D.3.5, the Permittee shall maintain daily records of the amount of fuel combusted in the boilers.

(b) Section C - General Record Keeping Requirements contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.

D.3.10 Reporting Requirements

A quarterly summary of the information to document compliance status with Conditions D.3.4 and D.3.5 shall be submitted not later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting contains the Permittee’s obligation with regard to the reporting required by this condition. The report submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

SECTION D.4 FACILITY OPERATION CONDITIONS – DDGS Cooler

Facility Description [326 IAC 2-8-4(10)] :

(k) One (1) fluidized DDGS cooler, identified as EU029, approved to be constructed in 2007, with a maximum throughput rate of 26 tons/hr of DDGS, controlled by baghouse CE010, and exhausting to stack SV010.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2-1 AND 326 IAC 2-8-11.1, WITH CONDITIONS LISTED BELOW.

Construction Conditions

General Construction Conditions

D.4.1 Permit No Defense

This permit to construct does not relieve the Permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.

Effective Date of the Permit

D.4.2 Effective Date of the Permit [IC13-15-5-3]

Pursuant to IC 13-15-5-3, this section of this permit becomes effective upon its issuance.

D.4.3 Modification to Construction Conditions [326 IAC 2]

All requirements of these construction conditions shall remain in effect unless modified in a manner consistent with procedures established for revisions pursuant to 326 IAC 2.

Operation Conditions

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.4.4 FESOP and PSD Limits [326 IAC 2-2] [326 IAC 2-8-4]

(a) In order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following:

(1) The PM emissions from the DDGS cooler, which is controlled by baghouse CE010, shall not exceed the 0.82 lbs/hr.

Combined with the PM emissions from other emission units, the PM emissions from the entire source are limited to less than 250 tons/yr. Therefore, the requirements of 326 IAC 2-2 (PSD) are not applicable.

(b) Pursuant to 326 IAC 2-8-4 (FESOP) and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following:

(1) The PM10 emissions from the DDGS cooler, which is controlled by baghouse CE010, shall not exceed the 0.82 lbs/hr.

(2) The PM2.5 emissions from the DDGS cooler, which is controlled by baghouse CE010, shall not exceed the 0.82 lbs/hr.

Combined with the PM10 and PM2.5 emissions from other emission units, the PM10 and PM2.5 emissions from the entire source are limited to less than 100 tons/yr. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program) and 326 IAC 2-2 (PSD) are not applicable.

D.4.5 VOC Emissions [326 IAC 2-2] [326 IAC 2-8-4] [326 IAC 2-4.1]

Pursuant to 326 IAC 2-8-4 (FESOP), and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following:

(a) VOC emissions from EU029, exhausting to stack SV010 shall not exceed 11.4 lbs/hr.

(b) Acetaldehyde emissions from EU029, exhausting to stack SV010 shall not exceed 2.67 lbs/hr.

(c) The fluidized DDGS cooler (EU029) shall not vent to the atmosphere more than 200 hours per twelve (12) consecutive month period with compliance determined at the end of each month.

Combined with the VOC emissions from other emission units, the VOC emissions from the entire source are limited to less than 100 tons/yr. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program) and 326 IAC 2-2 (PSD) are not applicable. Combined with Acetaldehyde emissions from other units, emissions from the entire source are limited to less than 10 tons/yr for a single HAP and less than 25 tons/yr for total HAPs. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program), 326 IAC 2-2 (PSD), and 326 IAC 2-4.1 (MACT) are not applicable.

D.4.6 Particulate Emission Limitations [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2, particulate emissions from the DDGS cooler (EU029) shall not exceed 36.4 pounds per hour when operating at the maximum process throughput rate of 26 tons per hour.

The pounds per hour limitation was calculated using the following equation:

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$E = 4.10\ P^{0.67}$ where E = rate of emission in pounds per hour; and
P = process weight rate in tons per hour

D.4.7 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for these facilities and any control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

Compliance Determination Requirements

D.4.8 Particulate Control

(a) In order to comply with Conditions D.4.4(a), D.4.4(b) and D.4.6, Baghouse CE010 shall be in operation and control emissions from the DDGS cooler (EU029) at all times that this unit is in operation.

(b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

D.4.9 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

In order to demonstrate compliance with Conditions D.4.4, D.4.5 and D.4.6, the Permittee shall perform PM, PM10, PM2.5, acetaldehyde and VOC testing for the DDGS cooler (EU029), utilizing

methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of the last valid compliance demonstration. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C – Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition. PM10 and PM2.5 includes filterable and condensible particulate matter.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

D.4.10 Visible Emissions Notations

(a) Visible emission notations of the baghouse stack exhaust (stack SV010) shall be performed once per day during normal daylight operations. A trained employee or a trained contractor shall record whether emissions are normal or abnormal.

(b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

(c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

(d) A trained employee or contractor is a person who has worked or trained at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

(e) If abnormal emissions are observed, the Permittee shall take reasonable response steps. Section C – Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. Failure to take response steps shall be considered a deviation from this permit.

D.4.11 Parametric Monitoring

(a) The Permittee shall record the pressure drop across the baghouse used in conjunction with the DDGS cooler (EU029) at least once per day when this unit is in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 1.0 to 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps. Section C – Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps shall be considered a deviation from this permit.

(b) The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ and shall be calibrated or replaced at least once every six (6) months.

D.4.12 Broken or Failed Bag Detection

(a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

(b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the line. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

Bag failure can be indicated by a significant drop in the baghouse's pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.4.13 Record Keeping Requirements

(a) To document compliance with Condition D.4.5(c), the Permittee shall maintain monthly records of the number of hours the fluidized DDGS cooler (EU029) exhausts to the atmosphere.

(b) To document compliance with Condition D.4.10, the Permittee shall maintain a daily record of visible emission notations of the baghouse stack exhaust. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g., the process did not operate that day).

(c) To document compliance with Condition D.4.11, the Permittee shall maintain a daily record of the pressure drop across the baghouse controlling the process. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of a pressure drop reading (e.g., the process did not operate that day).

(d) Section C - General Record Keeping Requirements contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.

D.4.14 Reporting Requirements

A quarterly summary of the information to document compliance status with Condition D.4.5(c) shall be submitted not later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting contains the Permittee’s obligation with regard to the reporting required by this condition. The report submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

SECTION D.5 FACILITY OPERATION CONDITIONS – Ethanol Loading Racks

Facility Description [326 IAC 2-8-4(10)]:

(n) One (1) ethanol loading system, identified as EU036, consisting of two (2) racks for trucks and one (1) rack for railcars, approved to be constructed in 2007, with a maximum throughput rate of 39,000 gallons per hour when loading trucks, and 144,000 gallons per hour when loading railcars. This unit is controlled by enclosed flare CE015, which is fueled by natural gas and has a pilot gas flare heat input capacity of 54,000 Btu/hr, and exhausting through stack SV016.

Under NSPS, Subpart VV, equipment (as defined in 40 CFR 60.481) within a process unit is an affected facility.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2-1 AND 326 IAC 2-8-11.1, WITH CONDITIONS LISTED BELOW.

Construction Conditions

General Construction Conditions

D.5.1 Permit No Defense

This permit to construct does not relieve the Permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.

Effective Date of the Permit

D.5.2 Effective Date of the Permit [IC13-15-5-3]

Pursuant to IC 13-15-5-3, this section of this permit becomes effective upon its issuance.

D.5.3 Modification to Construction Conditions [326 IAC 2]

All requirements of these construction conditions shall remain in effect unless modified in a manner consistent with procedures established for revisions pursuant to 326 IAC 2.

Operation Conditions

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.5.4 FESOP Limits [326 IAC 2-2] [326 IAC 2-8-4]

Pursuant to 326 IAC 2-8-4 (FESOP) and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following emission limits for the ethanol loading racks:

(a) The total combined denatured ethanol and E-85 loadout from loading rack EU036 shall not exceed 83,150,000 gallons per twelve (12) consecutive month period with compliance determined at the end of each month.

(b) The E-85 loadout from the ethanol loading rack EU036 shall not exceed 10,060,000 gallons per twelve (12) consecutive month period, with compliance determined at the end of each month.

(c) The Permittee shall use flare CE015 to control the emissions from the ethanol loading rack (EU036).

(d) CO emissions from flare CE015 shall not exceed 0.084 lbs/kgal.

(e) NOx emissions from flare CE015 shall not exceed 0.0334 lbs/kgal.

(f) The ethanol loading rack shall utilize submerged loading method when loading trucks and railcars.

(g) The railcars and trucks shall not use vapor balance services during ethanol loading.

(h) The flare CE015 shall be designed as a smokeless flare.

(i) The VOC emissions from enclosed flare CE015 shall not exceed 1.06 lbs/hr.

Combined with the VOC, CO, NOx and HAP emissions from other units, the VOC, CO, and NOx emissions from the entire source are each limited to less than 100 tons/yr and the HAP emissions from the entire source are limited to less than 10 tons/yr for a single HAP and less than 25 tons/yr for total HAPs. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program) and 326 IAC 2-2 (PSD) are not applicable.

D.5.5 VOC Emissions [326 IAC 8-5-6]

Pursuant to 326 IAC 8-5-6, the Permittee shall collect and control the VOC emissions from the ethanol loading rack (EU036), using the following:

(a) The VOC emissions from the ethanol loading rack (EU036) shall be collected and controlled by enclosed flare CE015.

(b) The overall control efficiency for the vapor collection system and enclosed flare CE015 (including the capture efficiency and destruction efficiency) shall be at least 98%.

D.5.6 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for these facilities and any control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

Compliance Determination Requirements

D.5.7 VOC Control

In order to comply with Conditions D.5.4 and D.5.5, enclosed flare CE015 shall be in operation and control emissions from the ethanol loading rack (EU036) at all times when this unit is in operation.

D.5.8 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 8-5-6]

In order to demonstrate compliance with Conditions D.5.4 and D.5.5, the Permittee shall perform VOC (including emission rate, destruction efficiency, and capture efficiency), CO, and NOx testing for enclosed flare CE015, within 60 days after achieving the maximum production, but not later than 180 days after initial startup, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C – Performance Testing contains the Permittee’s obligation with regard to the performance testing required by this condition.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

D.5.9 Flare Pilot Flame [326 IAC 8-5-6]

In order to comply with Conditions D.5.4 and D.5.5, the Permittee shall monitor the presence of a flare pilot flame for flare CE015 using a thermocouple or any other equivalent device to detect the presence of a flame when ethanol loading rack EU036 is in operation.

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.5.10 Record Keeping Requirements

(a) To document compliance with Condition D.5.4(a), the Permittee shall maintain monthly records of the total combined denatured ethanol and E-85 loaded out from loading rack EU036.

(b) To document compliance with Condition D.5.4(b), the Permittee shall maintain monthly records of the total amount of E-85 loaded out from the loading rack EU036.

(c) To document compliance with Condition D.5.10, the Permittee shall maintain records of temperature or other parameters sufficient to demonstrate the presence of a pilot flame when loading rack EU036 is in operation.

(d) Section C - General Record Keeping Requirements contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.

D.5.11 Reporting Requirements

Quarterly summaries of the information to document compliance status with Conditions D.5.4(a) and D.5.4(b) shall be submitted not later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting contains the Permittee’s obligation with regard to the reporting required by this condition. The report submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

SECTION D.6 FACILITY OPERATION CONDITIONS – Diesel Generator

Facility Description [326 IAC 2-8-4(10)]: Insignificant Activities

(o) One (1) diesel Generator, identified as EU037, approved to be constructed in 2007, with a maximum power output rate of 2,640 horsepower, and exhausting to stack SV015.

Under NSPS, Subpart IIII, this unit is considered an affected source.
Under NESHAP, Subpart ZZZZ, this unit is considered an affected source.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.6.1 FESOP Limits [326 IAC 2-2] [326 IAC 2-8-4] [326 IAC 2-4.1]

Pursuant to 326 IAC 2-8-4 (FESOP) and to render 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following limits for diesel generator EU037:

(a) The operating hours for the diesel generator (EU037) shall not exceed 100 hours per twelve (12) consecutive month period with compliance determined at the end of each month.

(b) CO Emissions from EU037 shall not exceed 1.21 lbs/hr.

Combined with emission limits from other emission units, the emissions of each regulated pollutant from the entire source are each limited to less than 100 tons/yr. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program) and 326 IAC 2-2 (PSD) are not applicable.

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.6.2 Record Keeping Requirements

(a) To document compliance with Condition D.6.1(a), the Permittee shall maintain monthly records of the operating hours for the diesel generator (EU036).

(b) Section C - General Record Keeping Requirements contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.

D.6.3 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.6.1(a) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the “authorized individual” as defined by 326 IAC 2-1.1-1(1).

SECTION D.7 FACILITY OPERATION CONDITIONS – Storage Tanks

Facility Description [326 IAC 2-8-4(10)]:

Insignificant Activities

(g) Other emission units, not regulated by a NESHAP, with PM10, NOx, and SO_2 emissions less than five (5) pounds per hour or twenty-five (25) pounds per day, CO emissions less than twenty-five (25) pounds per day, VOC emissions less than three (3) pounds per hour or fifteen (15) pounds per day, lead emissions less than six-tenths (0.6) tons per year or three and twenty-nine hundredths (3.29) pounds per day, and emitting greater than one (1) pound per day but less than five (5) pounds per day or one (1) ton per year of a single HAP, or emitting greater than one (1) pound per day but less than twelve and five tenths (12.5) pounds per day or two and five tenths (2.5) ton per year of any combination of HAPs:

(1) One (1) off spec tank for 190-proof ethanol, identified as T001, approved for construction in 2007, with a maximum capacity of 250,000 gallons. [40 CFR 60, Subpart Kb]

(2) One (1) denaturant tank, identified as T002, constructed in 2008, approved for modification in 2009, with a maximum capacity of 250,000 gallons of denaturant. [40 CFR 60, Subpart Kb]

(3) One (1) 200-proof ethanol tank, identified as T003, constructed in 2008, approved for modification in 2009, with a maximum capacity of 2,000,000 gallons of 200-proof ethanol. [40 CFR 60, Subpart Kb]

(4) One (1) 200-proof ethanol tank, identified as T004, constructed in 2008, approved for modification in 2009, with a maximum capacity of 2,000,000 gallons of 200-proof ethanol. [40 CFR 60, Subpart Kb]

(5) One (1) denaturant tank, identified as T005, approved for construction in 2007, with a maximum capacity of 126,900 gallons of natural gasoline. [40 CFR 60, Subpart Kb]

Under 40 CFR 60, Subpart Kb, storage tanks T001 through T005 are considered to be new volatile organic liquid storage tanks.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.7.1 Volatile Organic Compounds (VOC) [326 IAC 8-4-3]

(a) Pursuant to 326 IAC 8-4-3(b)(1)(B), storage tanks T002 and T005 shall be maintained such that there are no visible holes, tears, or other openings in the seal or any seal fabric or materials.

(b) Pursuant to 326 IAC 8-4-3(b)(1)(C), all openings, except stub drains, are equipped with covers, lids, or seals such that:

(1) The cover, lid or seal in the closed potion at all times except when in actual use;

(2) Automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports;

(3) Rim vents, if provided, are set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting.

(c) Pursuant to 326 IAC 8-4-3(d) (Petroleum Liquid Storage Facilities), the Permittee shall maintain the following records for a period of two (2) years for tanks T002 and T005:

(1) The types of volatile petroleum liquid stored;

(2) The maximum true vapor pressure of the liquids as stored; and

(3) The results of the inspections performed on the storage vessels.

The above records shall be made available to the IDEM, OAQ upon written request.

D.7.2 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for these facilities and any control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.7.3 Record Keeping Requirements

(a) To document compliance with Condition D.7.1, the Permittee shall maintain the following records for tanks T002 and T005:

(1) The types of volatile petroleum liquid stored;

(2) The maximum true vapor pressure of the liquids as stored; and

(3) The results of the inspections performed on the storage vessels.

(b) Section C - General Record Keeping Requirements contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.

SECTION E.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

(e) One (1) fermentation process, approved for construction in 2007, with a maximum throughput rate of 58,500 gallons per hour, controlled by scrubber CE008 and thermal oxidizer CE009, with emissions exhausted through stack SV009. This process consists of the following:

(1) One (1) slurry tank, identified as EU011, approved for construction in 2007.

(2) Five (5) fermenters, identified as EU012 through EU016, approved for construction in 2007.

(3) One (1) yeast propagation tank, identified as EU017, approved for construction in 2007.

(4) One (1) beer well, identified as EU018, approved for construction in 2007.

Under NSPS, Subpart VVa, equipment (as defined in 40 CFR 60.481a) within a process unit is an affected facility.

(g) One (1) distillation process, approved for construction in 2007, with a maximum throughput rate of 57,000 gallons of ethanol per hour, controlled by scrubber CE008 and thermal oxidizer CE009, with emissions exhausted through stack SV009. This process consists of the following:

(1) One (1) beer stripper, identified as EU019, approved for construction in 2007.

(2) One (1) rectifier column, identified as EU020, approved for construction in 2007.

(3) One (1) side stripper, identified as EU021, approved for construction in 2007.

(4) One (1) set of three (3) molecular sieves, identified as EU022, approved for construction in 2007.

(5) One (1) set of four (4) evaporators, identified as EU023, approved for construction in 2007.

Under NSPS, Subpart VVa, equipment (as defined in 40 CFR 60.481a) within a process unit is an affected facility.

(h) One (1) set of four (4) centrifuges, identified as EU024, approved for construction in 2007, controlled by thermal oxidizer CE009 during normal operation, with emissions exhausted through tack SV009. During wetcake production, emissions from EU024 are exhausted through bypass stack SV017.

(n) One (1) ethanol loading system, identified as EU036, consisting of two (2) racks for trucks and one (1) rack for railcars, approved for construction in 2007, with a maximum throughput rate of 39,000 gallons per hour when loading trucks, and 144,000 gallons per hour when loading railcars. This unit is controlled by enclosed flare CE015, which is fueled by natural gas and has a pilot gas flare heat input capacity of 54,000 Btu/hr, and exhausts through stack SV016.

Under NSPS, Subpart VVa, equipment (as defined in 40 CFR 60.481a) within a process unit is an affected facility.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

E.1.1 General Provisions Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A]

(a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1, except as otherwise specified in 40 CFR Part 60, Subpart VVa.

(b) Pursuant to 40 CFR 60.19, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

E.1.2 Standard of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction Commenced After November 7, 2006 [40 CFR Part 60, Subpart VVa] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart VVa, the Permittee shall comply with the provisions of Standard of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction Commenced After November 7, 2006, which are incorporated by reference as 326 IAC 12, as specified as follows:

(1) 40 CFR 60.480a
(2) 40 CFR 60.481a
(3) 40 CFR 60.482-1a
(4) 40 CFR 60.482-2a
(5) 40 CFR 60.482-3a
(6) 40 CFR 60.482-4a
(7) 40 CFR 60.482-5a
(8) 40 CFR 60.482-6a
(9) 40 CFR 60.482-7a
(10) 40 CFR 60.482-8a
(11) 40 CFR 60.482-9a
(12) 40 CFR 60.482-10a
(13) 40 CFR 60.482-11a
(14) 40 CFR 60.483-1a
(15) 40 CFR 60.483-2a
(16) 40 CFR 60.484a
(17) 40 CFR 60.485a
(18) 40 CFR 60.486a
(19) 40 CFR 60.487a
(20) 40 CFR 60.488a
(21) 40 CFR 60.489a

SECTION E.2 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

(j) Two (2) natural gas fired boilers, identified as EU027 and EU028, approved for construction in 2007, each with a maximum heat input rate of 143 MMBtu/hr, with emissions exhausting to stacks SV013 and SV014, respectively.

Under 40 CFR, Subpart Db, the two (2) boilers are considered to be new steam generating units.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

E.2.1 General Provisions Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A]

(a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1 for boilers EU027 and EU028, except as otherwise specified in 40 CFR Part 60, Subpart Db.

(b) Pursuant to 40 CFR 60.19, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue, MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

E.2.2 Standard of Performance for Industrial-Commercial-Institutional Steam Generating Units Requirements [40 CFR Part 60, Subpart Db] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart Db, the Permittee shall comply with the provisions of Standard of Performance for Industrial-Commercial-Institutional Steam Generating Units, which are incorporated by reference as 326 IAC 12, for boilers EU027 and EU028 as specified as follows:

(1) 40 CFR 60.40b
(2) 40 CFR 60.41b
(3) 40 CFR 60.44b(a), (h) and (i)
(4) 40 CFR 60.46b(a)
(5) 40 CFR 60.46b(c)
(6) 40 CFR 60.46b(e)(1)
(7) 40 CFR 60.48b(b)
(8) 40 CFR 60.48b(b)(1)
(9) 40 CFR 60.48b(c)
(10) 40 CFR 60.48b(d)
(11) 40 CFR 60.48b(e)(2)
(12) 40 CFR 60.48b(f)
(13) 40 CFR 60.48b(g)(2)
(14) 40 CFR 60.49(a)(1) and (3)
(15) 40 CFR 60.49b(b)
(16) 40 CFR 60.49b(c)
(17) 40 CFR 60.49b(d)
(18) 40 CFR 60.49b(g)(1-10)
(19) 40 CFR 60.49b(v)
(20) 40 CFR 60.49b(w)

SECTION E.3 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

(g) Other emission units, not regulated by a NESHAP, with PM10, NOx, and SO_2 emissions less than five (5) pounds per hour or twenty-five (25) pounds per day, CO emissions less than twenty-five (25) pounds per day, VOC emissions less than three (3) pounds per hour or fifteen (15) pounds per day, lead emissions less than six-tenths (0.6) tons per year or three and twenty-nine hundredths (3.29) pounds per day, and emitting greater than one (1) pound per day but less than five (5) pounds per day or one (1) ton per year of a single HAP, or emitting greater than one (1) pound per day but less than twelve and five tenths (12.5) pounds per day or two and five tenths (2.5) ton per year of any combination of HAPs:

(1) One (1) off spec tank for 190-proof ethanol, identified as T001, approved for construction in 2007, with a maximum capacity of 250,000 gallons. [40 CFR 60, Subpart Kb]

(2) One (1) denaturant tank, identified as T002, constructed in 2008, approved for modification in 2009, with a maximum capacity of 250,000 gallons of denaturant. [40 CFR 60, Subpart Kb]

(3) One (1) 200-proof ethanol tank, identified as T003, constructed in 2008, approved for modification in 2009, with a maximum capacity of 2,000,000 gallons of 200-proof ethanol. [40 CFR 60, Subpart Kb]

(4) One (1) 200-proof ethanol tank, identified as T004, constructed in 2008, approved for modification in 2009, with a maximum capacity of 2,000,000 gallons of 200-proof ethanol. [40 CFR 60, Subpart Kb]

(5) One (1) denaturant tank, identified as T005, approved for construction in 2007, with a maximum capacity of 126,900 gallons of natural gasoline. [326 IAC 8-9] [40 CFR 60, Subpart Kb]

Under 40 CFR 60, Subpart Kb, storage tanks T001 through T005 are considered to be new volatile organic liquid storage tanks.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

E.3.1 General Provisions Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A]

(a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1 for tanks T001, T002, T003, T004, and T005, except as otherwise specified in 40 CFR Part 60, Subpart Kb.

(b) Pursuant to 40 CFR 60.19, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

E.3.2 Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) [40 CFR Part 60, Subpart Kb] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart Kb, the Permittee shall comply with the provisions of Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels), which are incorporated by reference as 326 IAC 12, for tanks T001, T002, T003, T004, and T005 as follows:

(1) 40 CFR 60.110b
(2) 40 CFR 60.111b
(3) 40 CFR 60.112b(a)(1)
(4) 40 CFR 60.113b(a)
(5) 40 CFR 60.115b(a)
(6) 40 CFR 60.116b(a) through (e)

SECTION E.4 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

(a) One (1) grain receiving and handling operation, approved for construction in 2007, controlled by baghouse CE001, exhausting through stack SV001, and consisting of the following:

(1) Four (4) truck dump pits, identified as EU001, approved for construction in 2007, with a maximum throughput rate of 840 tons of corn per hour.

(2) Two (2) grain legs and conveying system, identified as EU002, approved for construction in 2007, with a maximum throughput rate of 840 tons per hour.

(3) Four (4) grain bins, identified as EU003, approved for construction in 2007, with a maximum throughput rate of 840 tons per hour.

Under 40 CFR, Subpart DD, the units comprising the grain receiving and handling operations are considered affected facilities.

(b) One (1) corn transfer conveyor system, identified as EU004, approved for construction in 2007, with a maximum throughput rate of 140 tons of corn per hour, controlled by baghouse CE002, and exhausting through stack SV002.

Under 40 CFR, Subpart DD, the corn scalper is considered an affected facility.

(c) One (1) surge bin, identified as EU005, approved for construction in 2007, with a maximum throughput rate of 140 tons of corn per hour, controlled by baghouse CE002, and exhausting through stack SV002.

Under 40 CFR, Subpart DD, the surge bin is considered and affected facility.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

E.4.1 General Provisions Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A]

Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1, except as otherwise specified in 40 CFR Part 60, Subpart DD.

E.4.2 Standards of Performance for Grain Elevators [40 CFR Part 60, Subpart DD] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart DD, the Permittee shall comply with the provisions of Standards of Performance for Grain Elevators, which are incorporated by reference as 326 IAC 12, for the grain receiving and handling operation (EU001, EU002, and EU003), corn transfer conveyor system (EU004), and surge bin (EU005) as follows:

(1) 40 CFR 60.300
(2) 40 CFR 60.301
(3) 40 CFR 60.302
(4) 40 CFR 60.303
(5) 40 CFR 60.304

SECTION E.5 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

(o) One (1) diesel generator, identified as EU037, approved for construction in 2007, with a maximum power output rate of 2,640 HP, and exhausting to stack SV015.

Under NSPS, Subpart IIII, this unit is considered an affected source.
Under NESHAP, Subpart ZZZZ, this unit is considered an affected source.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

E.5.1 General Provisions Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A]

(a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1 for emergency generator EU037, except as otherwise specified in 40 CFR Part 60, Subpart IIII.

(b) Pursuant to 40 CFR 60.19, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

E.5.2 Standards of Performance for Stationary Compression Ignition Internal Combustion Engines [40 CFR Part 60, Subpart IIII] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart IIII, the Permittee shall comply with the provisions of Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, which are incorporated by reference as 326 IAC 12, for emergency generator EU037 as follows:

(1) 40 CFR 60.4200 (a)(2)(i) and (c)
(2) 40 CFR 60.4205 (b)
(3) 40 CFR 60.4206
(4) 40 CFR 60.4207 (a),(b),(c)
(5) 40 CFR 60.4208
(6) 40 CFR 60.4209
(7) 40 CFR 60.4211 (a),(c),(e)
(8) 40 CFR 60.4212
(9) 40 CFR 60.4214 (b),(c)
(10) 40 CFR 60.4218
(11) 40 CFR 60.4219
(12) Table 1
(13) Table 8

SECTION E.6 FACILITY OPERATION CONDITIONS - 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE)

Facility Description [326 IAC 2-8-4(10)]:

Emission Units:

(o) One (1) diesel Generator, identified as EU037, approved to be constructed in 2007, with a maximum power output rate of 2,640 horsepower, and exhausting to stack SV015.

Under NSPS, Subpart IIII, this unit is considered an affected source.
Under NESHAP, Subpart ZZZZ, this unit is considered an affected source.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

National Emissions Standards for Hazardous Air Pollutants (NESHAP) Requirements: Stationary Reciprocating Internal Combustion Engines

E.6.1 General Provisions Relating to National Emissions Standards for Hazardous Air Pollutants under 40 CFR Part 63 [326 IAC 20-1] [40 CFR Part 63, Subpart A]

(a) Pursuant to 40 CFR 63.340(b), the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-82, for the reciprocating internal combustion engines as specified in Table 8 of 40 CFR Part 63, Subpart ZZZZ in accordance with the schedule in 40 CFR 63, Subpart ZZZZ.

(b) Pursuant to 40 CFR 63.10, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

E.6.2 National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines [40 CFR Part 63, Subpart ZZZZ]

The Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart ZZZZ (included as Attachment F) which are incorporated by reference as 326 IAC 20-82 for the reciprocating internal combustion engine:

(1) 40 CFR 63.6580
(2) 40 CFR 63.6585(a),(c),(d)
(3) 40 CFR 63.6590(a)(2)(iii),(b)(3)
(4) 40 CFR 63.6665
(5) 40 CFR 63.6675
(6) Table 8

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) CERTIFICATION

Source Name: POET Biorefining -North Manchester
Source Address: 868 East 800 North, North Manchester, Indiana 46962
Mailing Address: 868 East 800 North, North Manchester, Indiana 46962
FESOP Permit No.: 169-24515-00068

This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.

Please check what document is being certified:

☐ Annual Compliance Certification Letter

☐ Test Result (specify)_____

☐ Report (specify)_____

☐ Notification (specify)_____

☐ Affidavit (specify)_____

☐ Other (specify)_____

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Date:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

COMPLIANCE AND ENFORCEMENT BRANCH
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
Phone: 317-233-0178
Fax: 317-233-6865

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
EMERGENCY OCCURRENCE REPORT

Source Name: POET Biorefining -North Manchester
Source Address: 868 East 800 North, North Manchester, Indiana 46962
Mailing Address: 868 East 800 North, North Manchester, Indiana 46962
FESOP Permit No.: 169-24515-00068

This form consists of 2 pages **Page 1 of 2**

☐ This is an emergency as defined in 326 IAC 2-7-1(12)

- The Permittee must notify the Office of Air Quality (OAQ), within four (**4**) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance and Enforcement Branch); and
- The Permittee must submit notice in writing or by facsimile within two (**2**) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency:
Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A **Page 2 of 2**

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO_2, VOC, NO_X, CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

A certification is not required for this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

FESOP Quarterly Report

Source Name: POET Biorefining -North Manchester
Source Address: 868 East 800 North, North Manchester, Indiana 46962
Mailing Address: 868 East 800 North, North Manchester, Indiana 46962
FESOP Permit No.: 169-24515-00068
Facility: Boilers EU027 and EU028
Parameter: Natural Gas Usage
Limit: Less than 2,504.4 MMCF per twelve (12) consecutive month period with compliance determined at the end of each month.

QUARTER:_____ YEAR:_____

Month	Column 1 This Month	Column 2 Previous 11 Months	Column 1 + Column 2 12 Month Total
Month 1			
Month 2			
Month 3			

☐ No deviation occurred in this quarter.

☐ Deviation/s occurred in this quarter.
Deviation has been reported on:

Submitted by: _____
Title / Position: _____
Signature:_____
Date: _____
Phone: _____

Attach a signed certification to complete this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

FESOP Quarterly Report

Source Name: POET Biorefining -North Manchester
Source Address: 868 East 800 North, North Manchester, Indiana 46962
Mailing Address: 868 East 800 North, North Manchester, Indiana 46962
FESOP Permit No.: 169-24515-00068
Facility: Fluidized Bed Cooler (EU029)
Parameter: Hours Vented To Atmosphere
Limit: The fluidized DDGS cooler (EU029) shall not vent to the atmosphere more than 200 hours per twelve (12) consecutive month period with compliance determined at the end of each month.

QUARTER:_____ YEAR:_____

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

☐ No deviation occurred in this quarter.

☐ Deviation/s occurred in this quarter.
Deviation has been reported on:

Submitted by: _____
Title / Position: _____
Signature:_____
Date: _____
Phone: _____

Attach a signed certification to complete this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

FESOP Quarterly Report

Source Name: POET Biorefining -North Manchester
Source Address: 868 East 800 North, North Manchester, Indiana 46962
Mailing Address: 868 East 800 North, North Manchester, Indiana 46962
FESOP Permit No.: 169-24515-00068
Facility: Ethanol Loading Rack EU036
Parameter: Denatured Ethanol Loadout
Limit: Less than 83.15 MMgal per twelve (12) consecutive month period with compliance determined at the end of each month.

QUARTER:_____ YEAR:_____

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

☐ No deviation occurred in this quarter.

☐ Deviation/s occurred in this quarter.
Deviation has been reported on:

Submitted by: _____
Title / Position: _____
Signature:_____
Date: _____
Phone: _____

Attach a signed certification to complete this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

FESOP Quarterly Report

Source Name: POET Biorefining -North Manchester
Source Address: 868 East 800 North, North Manchester, Indiana 46962
Mailing Address: 868 East 800 North, North Manchester, Indiana 46962
FESOP Permit No.: 169-24515-00068
Facility: Ethanol Loading Rack EU036
Parameter: E-85 Loadout
Limit: Less than 10.06 MMgal per twelve (12) consecutive month period with compliance determined at the end of each month.

QUARTER:_____ YEAR:_____

Month	Column 1 This Month	Column 2 Previous 11 Months	Column 1 + Column 2 12 Month Total
Month 1			
Month 2			
Month 3			

☐ No deviation occurred in this quarter.

☐ Deviation/s occurred in this quarter.
Deviation has been reported on:

Submitted by: _____
Title / Position: _____
Signature:_____
Date: _____
Phone: _____

Attach a signed certification to complete this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

FESOP Quarterly Report

Source Name: POET Biorefining -North Manchester
Source Address: 868 East 800 North, North Manchester, Indiana 46962
Mailing Address: 868 East 800 North, North Manchester, Indiana 46962
FESOP Permit No.: 169-24515-00068
Facility: Diesel Generator EU037
Parameter: Operating Hours
Limit: Less than 100 hours per twelve (12) consecutive month period with compliance determined at the end of each month.

QUARTER:_____ YEAR:_____

Month	Column 1 This Month	Column 2 Previous 11 Months	Column 1 + Column 2 12 Month Total
Month 1			
Month 2			
Month 3			

☐ No deviation occurred in this quarter.

☐ Deviation/s occurred in this quarter.
Deviation has been reported on:

Submitted by: _____
Title / Position: _____
Signature:_____
Date: _____
Phone: _____

Attach a signed certification to complete this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT

Source Name: POET Biorefining -North Manchester
Source Address: 868 East 800 North, North Manchester, Indiana 46962
Mailing Address: 868 East 800 North, North Manchester, Indiana 46962
FESOP Permit No.: 169-24515-00068

Months: _____ **to** _____ **Year:** _____

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements of this permit, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

☐ NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

☐ THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

Permit Requirement (specify permit condition #)

Date of Deviation:	**Duration of Deviation:**

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)

Date of Deviation:	**Duration of Deviation:**

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)	
Date of Deviation:	**Duration of Deviation:**
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	**Duration of Deviation:**
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	**Duration of Deviation:**
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

Mail to: Permit Administration & Development Section
Office of Air Quality
MC 61 - 53 IGCN 1003
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

POET Biorefining - North Manchester
868 East 800 North
North Manchester, Indiana 46962

Affidavit of Construction

I, _____, being duly sworn upon my oath, depose and say:
(Name of the Authorized Representative)

1. I live in _____ County, Indiana and being of sound mind and over twenty-one (21) years of age, I am competent to give this affidavit.

2. I hold the position of _____ for _____.
(Title) (Company Name)

3. By virtue of my position with _____,I have personal
(Company Name)

knowledge of the representations contained in this affidavit and am authorized to make

these representations on behalf of _____ .
(Company Name)

4. I hereby certify that POET Biorefining - North Manchester located at the 868 East 800 North, North Manchester, Indiana 46962, completed construction of the an ethanol production plant on _____in conformity with the requirements and intent of the construction permit application received by the Office of Air Quality on March 28, 2007, and as permitted pursuant to New Source Construction Permit and Federally Enforceable State Operating Permit No. F169-24515-00068, Plant ID No. 169-00068 issued on _____.

Further Affiant said not.
I affirm under penalties of perjury that the representations contained in this affidavit are true, to the best of my information and belief.

Signature_____

Date_____

STATE OF INDIANA)
)SS

COUNTY OF _____)

Subscribed and sworn to me, a notary public in and for _____ County and State of Indiana on this _____ day of _____, 20 _____ .

My Commission expires:

Signature_____

_____
Name (typed or printed)

Indiana Department of Environmental Management
Office of Air Quality

Attachment A

Fugitive Particulate Matter Emission Control Plan

This plan addresses the fugitive particulate matter (dust) generated by the operation of the POET Biorefining - North Manchester located in North Manchester, Indiana.

The facility receives corn by truck for storage and processing into fuel ethanol. POET Biorefining - North Manchester also receives denaturant (gasoline or natural gas liquids), bulk chemicals, equipment and miscellaneous maintenance products by truck. POET Biorefining - North Manchester ships dried distillers grains with solubles (DDGS) and denatured ethanol off-site by truck and rail.

1) Company Address:

POET Biorefining - North Manchester
868 E. 800 North
North Manchester, Indiana 46962

2) Person Responsible for Plan Implementation:

Plant Engineer
868 E. 800 North
North Manchester, Indiana 46962

3) Processes, Operations, and Areas which have the Potential to Emit Fugitive Dust:

a. Grain Receiving
b. DDGS Loading
c. Vehicle Travel on Paved Roads
d. Vehicle Travel on Unpaved Roads

4) Measures to be Implemented to Control Fugitive Dust

For the purposes of this fugitive dust control plan, abnormal fugitive dust emissions are defined as fugitive dust emissions heavier than normal or fugitive dust emissions reaching the facility's property boundary.

*** Note: The trucking receiving, rail shipping/receiving, and grain handling operations are applicable to 40 CFR Subpart DD (Standards of Performance for Grain Elevators). This regulation limits the fugitive emissions from truck receiving rail operations to less than or equal to 5 percent opacity; and the fugitive emissions from grain handling operations to 0 percent opacity, as measured using US EPA Method 9.***

a. Truck Receiving

i) Description: The facility operates two truck receiving areas. Each truck receiving area is located within a building enclosure that is open at each end and vented to fabric filter dust collection systems.

ii) Fugitive Dust Control Measures: Specific fugitive dust control measures that will be implemented include:

- Maintaining a speed limit of 10 miles per hour on all plant roads;
- Operating and maintaining the particulate matter aspiration system in the grain receiving building; and
- Cleaning up spilled grain as soon as possible.

Facility personnel will be trained to identify abnormal fugitive dust emissions. If abnormal fugitive dust emissions are observed, additional corrective actions will be taken by facility personnel. These may include closing the doors on the truck receiving building and/or stopping grain receiving operations until the source of the abnormal fugitive emissions is identified and corrected.

b. Truck DDGS Shipping

i) Description: The facility operates one truck DDGS shipping. The truck DDGS shipping area is located within a building enclosure that is open at each end.

ii) Fugitive Dust Control Measures: Specific fugitive dust control measures that will be implemented include:

- Reducing loading drop height in to the trucks
- Maintaining a speed limit of 10 miles per hour on all plant roads; and
- Cleaning up spilled DDGS as soon as possible.

Facility personnel will be trained to identify abnormal fugitive dust emissions. If abnormal fugitive dust emissions are observed, additional corrective actions will be taken by facility personnel. These may include stopping DDGS shipping operations until the source of the abnormal fugitive emissions is identified and corrected.

c. Rail DDGS Shipping

i) Description: The facility operates rail shipping for DDGS that is located within a building enclosure that is open at each end and vented to a fabric filter dust collection system.

ii) Fugitive Dust Control Measures: Specific fugitive dust control measures that will be implemented include:

- Reducing loading drop height in to the trucks with a flexible load system or adjustable arm;
- Operating and maintaining the particulate matter aspiration system in the DDGS shipping building; and
- Cleaning up spilled DDGS as soon as possible.

Facility personnel will be trained to identify abnormal fugitive dust emissions. If abnormal fugitive dust emissions are observed, additional corrective actions will be taken by facility personnel. These may include stopping DDGS shipping operations until the source of the abnormal fugitive emissions is identified and corrected.

d. Paved Roads and Parking Areas

i) Description: The roads on the facility that are traveled by grain trucks, DDGS trucks, employee vehicles, and other support vehicles are paved. Parking areas

are also paved. Trucks delivering grain to the facility are primarily staged on the facility access road. Trucks in the staging process do not travel at sufficient speed to normally generate fugitive dust.

ii) Fugitive Dust Control Measures: Specific fugitive dust control measures that will be implemented include:

- Maintaining a speed limit of 10 miles per hour on all plant roads.

Facility personnel will be trained to identify abnormal fugitive dust emissions. If abnormal fugitive dust emissions are observed, additional corrective actions will be taken by facility personnel. Corrective measures may include either sweeping the roads using a wet sweeper or the application of water.

e. Unpaved Roads

i) Description: Maintenance activities may require occasional truck traffic on unpaved surfaces. No routine operations will require travel on unpaved surfaces.

ii) Fugitive Dust Control Measures: Facility personnel will be trained to identify abnormal fugitive dust emissions. If abnormal fugitive dust emissions are observed, additional corrective actions will be taken by facility personnel. Corrective measures may include the application of water or other dust suppressant.

5) Plan implementation:

This plan will be implemented once the final permit is issued.

Indiana Department of Environmental Management
Office of Air Quality

Attachment B

Title 40: Protection of Environment

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Subpart VVa—Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006

Source: 72 FR 64883, Nov. 16, 2007, unless otherwise noted.

§ 60.480a Applicability and designation of affected facility.

(a)(1) The provisions of this subpart apply to affected facilities in the synthetic organic chemicals manufacturing industry.

(2) The group of all equipment (defined in §60.481a) within a process unit is an affected facility.

(b) Any affected facility under paragraph (a) of this section that commences construction, reconstruction, or modification after November 7, 2006, shall be subject to the requirements of this subpart.

(c) Addition or replacement of equipment for the purpose of process improvement which is accomplished without a capital expenditure shall not by itself be considered a modification under this subpart.

(d)(1) If an owner or operator applies for one or more of the exemptions in this paragraph, then the owner or operator shall maintain records as required in §60.486a(i).

(2) Any affected facility that has the design capacity to produce less than 1,000 Mg/yr (1,102 ton/yr) of a chemical listed in §60.489 is exempt from §§60.482–1a through 60.482–11a.

(3) If an affected facility produces heavy liquid chemicals only from heavy liquid feed or raw materials, then it is exempt from §§60.482–1a through 60.482–11a.

(4) Any affected facility that produces beverage alcohol is exempt from §§60.482–1a through 60.482–11a.

(5) Any affected facility that has no equipment in volatile organic compounds (VOC) service is exempt from §§60.482–1a through 60.482–11a.

(e) *Alternative means of compliance* —(1) *Option to comply with part 65.* (i) Owners or operators may choose to comply with the provisions of 40 CFR part 65, subpart F, to satisfy the requirements of §§60.482–1a through 60.487a for an affected facility. When choosing to comply with 40 CFR part 65, subpart F, the requirements of §§60.485a(d), (e), and (f), and 60.486a(i) and (j) still apply. Other provisions applying to an owner or operator who chooses to comply with 40 CFR part 65 are provided in 40 CFR 65.1.

(ii) *Part 60, subpart A.* Owners or operators who choose to comply with 40 CFR part 65, subpart F must also comply with §§60.1, 60.2, 60.5, 60.6, 60.7(a)(1) and (4), 60.14, 60.15, and 60.16 for that equipment. All sections and paragraphs of subpart A of this part that are not mentioned in this paragraph (e)(1)(ii) do not apply to owners or operators of equipment subject to this subpart complying with 40 CFR part 65, subpart F, except that provisions required to be met prior to implementing 40 CFR part 65 still apply. Owners and operators who choose to comply with 40 CFR part 65, subpart F, must comply with 40 CFR part 65, subpart A.

(2) *Part 63, subpart H.* (i) Owners or operators may choose to comply with the provisions of 40 CFR part 63, subpart H, to satisfy the requirements of §§60.482–1a through 60.487a for an affected facility. When choosing to comply with 40 CFR part 63, subpart H, the requirements of §60.485a(d), (e), and (f), and §60.486a(i) and (j) still apply.

(ii) *Part 60, subpart A.* Owners or operators who choose to comply with 40 CFR part 63, subpart H must also comply with §§60.1, 60.2, 60.5, 60.6, 60.7(a)(1) and (4), 60.14, 60.15, and 60.16 for that equipment. All sections and paragraphs of subpart A of this part that are not mentioned in this paragraph (e)(2)(ii) do not apply to owners or operators of equipment subject to this subpart complying with 40 CFR part 63, subpart H, except that provisions required to be met prior to implementing 40 CFR part 63 still apply. Owners and operators who choose to comply with 40 CFR part 63, subpart H, must comply with 40 CFR part 63, subpart A.

(f) *Stay of standards.* (1) Owners or operators that start a new, reconstructed, or modified affected source prior to November 16, 2007 are not required to comply with the requirements in this paragraph until EPA takes final action to require compliance and publishes a document in theFederal Register.

(i) The definition of “capital expenditure” in §60.481a of this subpart. While the definition of “capital expenditure” is stayed, owners or operators should use the definition found in §60.481 of subpart VV of this part.

(ii) [Reserved]

(2) Owners or operators are not required to comply with the requirements in this paragraph until EPA takes final action to require compliance and publishes a document in theFederal Register.

(i) The definition of “process unit” in §60.481a of this subpart. While the definition of “process unit” is stayed, owners or operators should use the following definition:

Process unit means components assembled to produce, as intermediate or final products, one or more of the chemicals listed in §60.489 of this part. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

(ii) The method of allocation of shared storage vessels in §60.482–1a(g) of this subpart.

(iii) The standards for connectors in gas/vapor service and in light liquid service in §60.482–11a of this subpart.

[72 FR 64883, Nov. 16, 2007, as amended at 73 FR 31375, June 2, 2008]

§ 60.481a Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act (CAA) or in subpart A of part 60, and the following terms shall have the specific meanings given them.

Capital expenditure means, in addition to the definition in 40 CFR 60.2, an expenditure for a physical or operational change to an existing facility that:

(a) Exceeds P, the product of the facility's replacement cost, R, and an adjusted annual asset guideline repair allowance, A, as reflected by the following equation: $P = R \times A$, where:

(1) The adjusted annual asset guideline repair allowance, A, is the product of the percent of the replacement cost, Y, and the applicable basic annual asset guideline repair allowance, B, divided by 100 as reflected by the following equation:

$A = Y \times (B \div 100)$;

(2) The percent Y is determined from the following equation: Y = 1.0 − 0.575 log X, where X is 2006 minus the year of construction; and

(3) The applicable basic annual asset guideline repair allowance, B, is selected from the following table consistent with the applicable subpart:

Table for Determining Applicable Value for B

Subpart applicable to facility	Value of B to be used in equation
VVa	12.5
GGGa	7.0

Closed-loop system means an enclosed system that returns process fluid to the process.

Closed-purge system means a system or combination of systems and portable containers to capture purged liquids. Containers for purged liquids must be covered or closed when not being filled or emptied.

Closed vent system means a system that is not open to the atmosphere and that is composed of hard-piping, ductwork, connections, and, if necessary, flow-inducing devices that transport gas or vapor from a piece or pieces of equipment to a control device or back to a process.

Connector means flanged, screwed, or other joined fittings used to connect two pipe lines or a pipe line and a piece of process equipment or that close an opening in a pipe that could be connected to another pipe. Joined fittings welded completely around the circumference of the interface are not considered connectors for the purpose of this regulation.

Control device means an enclosed combustion device, vapor recovery system, or flare.

Distance piece means an open or enclosed casing through which the piston rod travels, separating the compressor cylinder from the crankcase.

Double block and bleed system means two block valves connected in series with a bleed valve or line that can vent the line between the two block valves.

Duct work means a conveyance system such as those commonly used for heating and ventilation systems. It is often made of sheet metal and often has sections connected by screws or crimping. Hard-piping is not ductwork.

Equipment means each pump, compressor, pressure relief device, sampling connection system, open-ended valve or line, valve, and flange or other connector in VOC service and any devices or systems required by this subpart.

First attempt at repair means to take action for the purpose of stopping or reducing leakage of organic material to the atmosphere using best practices.

Fuel gas means gases that are combusted to derive useful work or heat.

Fuel gas system means the offsite and onsite piping and flow and pressure control system that gathers gaseous stream(s) generated by onsite operations, may blend them with other sources of gas, and transports the gaseous stream for use as fuel gas in combustion devices or in-process combustion equipment, such as furnaces and gas turbines, either singly or in combination.

Hard-piping means pipe or tubing that is manufactured and properly installed using good engineering judgment and standards such as ASME B31.3, Process Piping (available from the American Society of Mechanical Engineers, P.O. Box 2300, Fairfield, NJ 07007–2300).

In gas/vapor service means that the piece of equipment contains process fluid that is in the gaseous state at operating conditions.

In heavy liquid service means that the piece of equipment is not in gas/vapor service or in light liquid service.

In light liquid service means that the piece of equipment contains a liquid that meets the conditions specified in §60.485a(e).

In-situ sampling systems means nonextractive samplers or in-line samplers.

In vacuum service means that equipment is operating at an internal pressure which is at least 5 kilopascals (kPa) (0.7 psia) below ambient pressure.

In VOC service means that the piece of equipment contains or contacts a process fluid that is at least 10 percent VOC by weight. (The provisions of §60.485a(d) specify how to determine that a piece of equipment is not in VOC service.)

Initial calibration value means the concentration measured during the initial calibration at the beginning of each day required in §60.485a(b)(1), or the most recent calibration if the instrument is recalibrated during the day (i.e., the calibration is adjusted) after a calibration drift assessment.

Liquids dripping means any visible leakage from the seal including spraying, misting, clouding, and ice formation.

Open-ended valve or line means any valve, except safety relief valves, having one side of the valve seat in contact with process fluid and one side open to the atmosphere, either directly or through open piping.

Pressure release means the emission of materials resulting from system pressure being greater than set pressure of the pressure relief device.

Process improvement means routine changes made for safety and occupational health requirements, for energy savings, for better utility, for ease of maintenance and operation, for correction of design deficiencies, for bottleneck removal, for changing product requirements, or for environmental control.

Process unit means the components assembled and connected by pipes or ducts to process raw materials and to produce, as intermediate or final products, one or more of the chemicals listed in §60.489. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product. For the purpose of this subpart, process unit includes any feed, intermediate and final product storage vessels (except as specified in §60.482–1a(g)), product transfer racks, and connected ducts and piping. A process unit includes all equipment as defined in this subpart.

Process unit shutdown means a work practice or operational procedure that stops production from a process unit or part of a process unit during which it is technically feasible to clear process material from a process unit or part of a process unit consistent with safety constraints and during which repairs can be accomplished. The following are not considered process unit shutdowns:

(1) An unscheduled work practice or operational procedure that stops production from a process unit or part of a process unit for less than 24 hours.

(2) An unscheduled work practice or operational procedure that would stop production from a process unit or part of a process unit for a shorter period of time than would be required to clear the process unit or part of the process unit of materials and start up the unit, and would result in greater emissions than delay of repair of leaking components until the next scheduled process unit shutdown.

(3) The use of spare equipment and technically feasible bypassing of equipment without stopping production.

Quarter means a 3-month period; the first quarter concludes on the last day of the last full month during the 180 days following initial startup.

Repaired means that equipment is adjusted, or otherwise altered, in order to eliminate a leak as defined in the applicable sections of this subpart and, except for leaks identified in accordance with §§60.482–2a(b)(2)(ii) and (d)(6)(ii) and (d)(6)(iii), 60.482–3a(f), and 60.482–10a(f)(1)(ii), is re-monitored as specified in §60.485a(b) to verify that emissions from the equipment are below the applicable leak definition.

Replacement cost means the capital needed to purchase all the depreciable components in a facility.

Sampling connection system means an assembly of equipment within a process unit used during periods of representative operation to take samples of the process fluid. Equipment used to take nonroutine grab samples is not considered a sampling connection system.

Sensor means a device that measures a physical quantity or the change in a physical quantity such as temperature, pressure, flow rate, pH, or liquid level.

Storage vessel means a tank or other vessel that is used to store organic liquids that are used in the process as raw material feedstocks, produced as intermediates or final products, or generated as wastes. Storage vessel does not include vessels permanently attached to motor vehicles, such as trucks, railcars, barges or ships.

Synthetic organic chemicals manufacturing industry means the industry that produces, as intermediates or final products, one or more of the chemicals listed in §60.489.

Transfer rack means the collection of loading arms and loading hoses, at a single loading rack, that are used to fill tank trucks and/or railcars with organic liquids.

Volatile organic compounds or VOC means, for the purposes of this subpart, any reactive organic compounds as defined in §60.2 Definitions.

Effective Date Note: At 73 FR 31376, June 2, 2008, in §60.481a, the definitions of “capital expenditure” and “process unit” were stayed until further notice.

§ 60.482-1a Standards: General.

(a) Each owner or operator subject to the provisions of this subpart shall demonstrate compliance with the requirements of §§60.482–1a through 60.482–10a or §60.480a(e) for all equipment within 180 days of initial startup.

(b) Compliance with §§60.482–1a to 60.482–10a will be determined by review of records and reports, review of performance test results, and inspection using the methods and procedures specified in §60.485a.

(c)(1) An owner or operator may request a determination of equivalence of a means of emission limitation to the requirements of §§60.482–2a, 60.482–3a, 60.482–5a, 60.482–6a, 60.482–7a, 60.482–8a, and 60.482–10a as provided in §60.484a.

(2) If the Administrator makes a determination that a means of emission limitation is at least equivalent to the requirements of §§60.482–2a, 60.482–3a, 60.482–5a, 60.482–6a, 60.482–7a, 60.482–8a, or 60.482–10a, an owner or operator shall comply with the requirements of that determination.

(d) Equipment that is in vacuum service is excluded from the requirements of §§60.482–2a through 60.482–10a if it is identified as required in §60.486a(e)(5).

(e) Equipment that an owner or operator designates as being in VOC service less than 300 hr/yr is excluded from the requirements of §§60.482–2a through 60.482–11a if it is identified as required in §60.486a(e)(6) and it meets any of the conditions specified in paragraphs (e)(1) through (3) of this section.

(1) The equipment is in VOC service only during startup and shutdown, excluding startup and shutdown between batches of the same campaign for a batch process.

(2) The equipment is in VOC service only during process malfunctions or other emergencies.

(3) The equipment is backup equipment that is in VOC service only when the primary equipment is out of service.

(f)(1) If a dedicated batch process unit operates less than 365 days during a year, an owner or operator may monitor to detect leaks from pumps, valves, and open-ended valves or lines at the frequency specified in the following table instead of monitoring as specified in §§60.482–2a, 60.482–7a, and 60.483.2a:

Operating time (percent of hours during year)	Equivalent monitoring frequency time in use		
	Monthly	**Quarterly**	**Semiannually**
0 to <25	Quarterly	Annually	Annually.
25 to <50	Quarterly	Semiannually	Annually.
50 to <75	Bimonthly	Three quarters	Semiannually.
75 to 100	Monthly	Quarterly	Semiannually.

(2) Pumps and valves that are shared among two or more batch process units that are subject to this subpart may be monitored at the frequencies specified in paragraph (f)(1) of this section, provided the operating time of all such process units is considered.

(3) The monitoring frequencies specified in paragraph (f)(1) of this section are not requirements for monitoring at specific intervals and can be adjusted to accommodate process operations. An owner or operator may monitor at any time during the specified monitoring period (e.g., month, quarter, year), provided the monitoring is conducted at a reasonable interval after completion of the last monitoring campaign. Reasonable intervals are defined in paragraphs (f)(3)(i) through (iv) of this section.

(i) When monitoring is conducted quarterly, monitoring events must be separated by at least 30 calendar days.

(ii) When monitoring is conducted semiannually (*i.e.* , once every 2 quarters), monitoring events must be separated by at least 60 calendar days.

(iii) When monitoring is conducted in 3 quarters per year, monitoring events must be separated by at least 90 calendar days.

(iv) When monitoring is conducted annually, monitoring events must be separated by at least 120 calendar days.

(g) If the storage vessel is shared with multiple process units, the process unit with the greatest annual amount of stored materials (predominant use) is the process unit the storage vessel is assigned to. If the storage vessel is shared equally among process units, and one of the process units has equipment subject to this subpart, the storage vessel is assigned to that process unit. If the storage vessel is shared equally among process units, none of which have equipment subject to this subpart of this part, the storage vessel is assigned to any process unit subject to subpart VV of this part. If the predominant use of the storage vessel varies from year to year, then the owner or operator must estimate the predominant use initially and reassess every 3 years. The owner or

operator must keep records of the information and supporting calculations that show how predominant use is determined. All equipment on the storage vessel must be monitored when in VOC service.

Effective Date Note: At 73 FR 31376, June 2, 2008, in §60.482–1a, paragraph (g) was stayed until further notice.

§ 60.482-2a Standards: Pumps in light liquid service.

(a)(1) Each pump in light liquid service shall be monitored monthly to detect leaks by the methods specified in §60.485a(b), except as provided in §60.482–1a(c) and (f) and paragraphs (d), (e), and (f) of this section. A pump that begins operation in light liquid service after the initial startup date for the process unit must be monitored for the first time within 30 days after the end of its startup period, except for a pump that replaces a leaking pump and except as provided in §60.482–1a(c) and paragraphs (d), (e), and (f) of this section.

(2) Each pump in light liquid service shall be checked by visual inspection each calendar week for indications of liquids dripping from the pump seal, except as provided in §60.482–1a(f).

(b)(1) The instrument reading that defines a leak is specified in paragraphs (b)(1)(i) and (ii) of this section.

(i) 5,000 parts per million (ppm) or greater for pumps handling polymerizing monomers;

(ii) 2,000 ppm or greater for all other pumps.

(2) If there are indications of liquids dripping from the pump seal, the owner or operator shall follow the procedure specified in either paragraph (b)(2)(i) or (ii) of this section. This requirement does not apply to a pump that was monitored after a previous weekly inspection and the instrument reading was less than the concentration specified in paragraph (b)(1)(i) or (ii) of this section, whichever is applicable.

(i) Monitor the pump within 5 days as specified in §60.485a(b). A leak is detected if the instrument reading measured during monitoring indicates a leak as specified in paragraph (b)(1)(i) or (ii) of this section, whichever is applicable. The leak shall be repaired using the procedures in paragraph (c) of this section.

(ii) Designate the visual indications of liquids dripping as a leak, and repair the leak using either the procedures in paragraph (c) of this section or by eliminating the visual indications of liquids dripping.

(c)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §60.482–9a.

(2) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected. First attempts at repair include, but are not limited to, the practices described in paragraphs (c)(2)(i) and (ii) of this section, where practicable.

(i) Tightening the packing gland nuts;

(ii) Ensuring that the seal flush is operating at design pressure and temperature.

(d) Each pump equipped with a dual mechanical seal system that includes a barrier fluid system is exempt from the requirements of paragraph (a) of this section, provided the requirements specified in paragraphs (d)(1) through (6) of this section are met.

(1) Each dual mechanical seal system is:

(i) Operated with the barrier fluid at a pressure that is at all times greater than the pump stuffing box pressure; or

(ii) Equipped with a barrier fluid degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device that complies with the requirements of §60.482–10a; or

(iii) Equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.

(2) The barrier fluid system is in heavy liquid service or is not in VOC service.

(3) Each barrier fluid system is equipped with a sensor that will detect failure of the seal system, the barrier fluid system, or both.

(4)(i) Each pump is checked by visual inspection, each calendar week, for indications of liquids dripping from the pump seals.

(ii) If there are indications of liquids dripping from the pump seal at the time of the weekly inspection, the owner or operator shall follow the procedure specified in either paragraph (d)(4)(ii)(A) or (B) of this section prior to the next required inspection.

(A) Monitor the pump within 5 days as specified in §60.485a(b) to determine if there is a leak of VOC in the barrier fluid. If an instrument reading of 2,000 ppm or greater is measured, a leak is detected.

(B) Designate the visual indications of liquids dripping as a leak.

(5)(i) Each sensor as described in paragraph (d)(3) is checked daily or is equipped with an audible alarm.

(ii) The owner or operator determines, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.

(iii) If the sensor indicates failure of the seal system, the barrier fluid system, or both, based on the criterion established in paragraph (d)(5)(ii) of this section, a leak is detected.

(6)(i) When a leak is detected pursuant to paragraph (d)(4)(ii)(A) of this section, it shall be repaired as specified in paragraph (c) of this section.

(ii) A leak detected pursuant to paragraph (d)(5)(iii) of this section shall be repaired within 15 days of detection by eliminating the conditions that activated the sensor.

(iii) A designated leak pursuant to paragraph (d)(4)(ii)(B) of this section shall be repaired within 15 days of detection by eliminating visual indications of liquids dripping.

(e) Any pump that is designated, as described in §60.486a(e)(1) and (2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs (a), (c), and (d) of this section if the pump:

(1) Has no externally actuated shaft penetrating the pump housing;

(2) Is demonstrated to be operating with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background as measured by the methods specified in §60.485a(c); and

(3) Is tested for compliance with paragraph (e)(2) of this section initially upon designation, annually, and at other times requested by the Administrator.

(f) If any pump is equipped with a closed vent system capable of capturing and transporting any leakage from the seal or seals to a process or to a fuel gas system or to a control device that complies with the requirements of §60.482–10a, it is exempt from paragraphs (a) through (e) of this section.

(g) Any pump that is designated, as described in §60.486a(f)(1), as an unsafe-to-monitor pump is exempt from the monitoring and inspection requirements of paragraphs (a) and (d)(4) through (6) of this section if:

(1) The owner or operator of the pump demonstrates that the pump is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (a) of this section; and

(2) The owner or operator of the pump has a written plan that requires monitoring of the pump as frequently as practicable during safe-to-monitor times, but not more frequently than the periodic monitoring schedule otherwise applicable, and repair of the equipment according to the procedures in paragraph (c) of this section if a leak is detected.

(h) Any pump that is located within the boundary of an unmanned plant site is exempt from the weekly visual inspection requirement of paragraphs (a)(2) and (d)(4) of this section, and the daily requirements of paragraph (d)(5) of this section, provided that each pump is visually inspected as often as practicable and at least monthly.

§ 60.482-3a Standards: Compressors.

(a) Each compressor shall be equipped with a seal system that includes a barrier fluid system and that prevents leakage of VOC to the atmosphere, except as provided in §60.482–1a(c) and paragraphs (h), (i), and (j) of this section.

(b) Each compressor seal system as required in paragraph (a) of this section shall be:

(1) Operated with the barrier fluid at a pressure that is greater than the compressor stuffing box pressure; or

(2) Equipped with a barrier fluid system degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device that complies with the requirements of §60.482–10a; or

(3) Equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.

(c) The barrier fluid system shall be in heavy liquid service or shall not be in VOC service.

(d) Each barrier fluid system as described in paragraph (a) shall be equipped with a sensor that will detect failure of the seal system, barrier fluid system, or both.

(e)(1) Each sensor as required in paragraph (d) of this section shall be checked daily or shall be equipped with an audible alarm.

(2) The owner or operator shall determine, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.

(f) If the sensor indicates failure of the seal system, the barrier system, or both based on the criterion determined under paragraph (e)(2) of this section, a leak is detected.

(g)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §60.482–9a.

(2) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

(h) A compressor is exempt from the requirements of paragraphs (a) and (b) of this section, if it is equipped with a closed vent system to capture and transport leakage from the compressor drive shaft back to a process or fuel gas system or to a control device that complies with the requirements of §60.482–10a, except as provided in paragraph (i) of this section.

(i) Any compressor that is designated, as described in §60.486a(e)(1) and (2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs (a) through (h) of this section if the compressor:

(1) Is demonstrated to be operating with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the methods specified in §60.485a(c); and

(2) Is tested for compliance with paragraph (i)(1) of this section initially upon designation, annually, and at other times requested by the Administrator.

(j) Any existing reciprocating compressor in a process unit which becomes an affected facility under provisions of §60.14 or §60.15 is exempt from paragraphs (a) through (e) and (h) of this section, provided the owner or operator demonstrates that recasting the distance piece or replacing the compressor are the only options available to bring the compressor into compliance with the provisions of paragraphs (a) through (e) and (h) of this section.

§ 60.482-4a Standards: Pressure relief devices in gas/vapor service.

(a) Except during pressure releases, each pressure relief device in gas/vapor service shall be operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as determined by the methods specified in §60.485a(c).

(b)(1) After each pressure release, the pressure relief device shall be returned to a condition of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as soon as practicable, but no later than 5 calendar days after the pressure release, except as provided in §60.482–9a.

(2) No later than 5 calendar days after the pressure release, the pressure relief device shall be monitored to confirm the conditions of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, by the methods specified in §60.485a(c).

(c) Any pressure relief device that is routed to a process or fuel gas system or equipped with a closed vent system capable of capturing and transporting leakage through the pressure relief device to a control device as described in §60.482–10a is exempted from the requirements of paragraphs (a) and (b) of this section.

(d)(1) Any pressure relief device that is equipped with a rupture disk upstream of the pressure relief device is exempt from the requirements of paragraphs (a) and (b) of this section, provided the owner or operator complies with the requirements in paragraph (d)(2) of this section.

(2) After each pressure release, a new rupture disk shall be installed upstream of the pressure relief device as soon as practicable, but no later than 5 calendar days after each pressure release, except as provided in §60.482–9a.

§ 60.482-5a Standards: Sampling connection systems.

(a) Each sampling connection system shall be equipped with a closed-purge, closed-loop, or closed-vent system, except as provided in §60.482–1a(c) and paragraph (c) of this section.

(b) Each closed-purge, closed-loop, or closed-vent system as required in paragraph (a) of this section shall comply with the requirements specified in paragraphs (b)(1) through (4) of this section.

(1) Gases displaced during filling of the sample container are not required to be collected or captured.

(2) Containers that are part of a closed-purge system must be covered or closed when not being filled or emptied.

(3) Gases remaining in the tubing or piping between the closed-purge system valve(s) and sample container valve(s) after the valves are closed and the sample container is disconnected are not required to be collected or captured.

(4) Each closed-purge, closed-loop, or closed-vent system shall be designed and operated to meet requirements in either paragraph (b)(4)(i), (ii), (iii), or (iv) of this section.

(i) Return the purged process fluid directly to the process line.

(ii) Collect and recycle the purged process fluid to a process.

(iii) Capture and transport all the purged process fluid to a control device that complies with the requirements of §60.482–10a.

(iv) Collect, store, and transport the purged process fluid to any of the following systems or facilities:

(A) A waste management unit as defined in 40 CFR 63.111, if the waste management unit is subject to and operated in compliance with the provisions of 40 CFR part 63, subpart G, applicable to Group 1 wastewater streams;

(B) A treatment, storage, or disposal facility subject to regulation under 40 CFR part 262, 264, 265, or 266;

(C) A facility permitted, licensed, or registered by a state to manage municipal or industrial solid waste, if the process fluids are not hazardous waste as defined in 40 CFR part 261;

(D) A waste management unit subject to and operated in compliance with the treatment requirements of 40 CFR 61.348(a), provided all waste management units that collect, store, or transport the purged process fluid to the treatment unit are subject to and operated in compliance with the management requirements of 40 CFR 61.343 through 40 CFR 61.347; or

(E) A device used to burn off-specification used oil for energy recovery in accordance with 40 CFR part 279, subpart G, provided the purged process fluid is not hazardous waste as defined in 40 CFR part 261.

(c) In-situ sampling systems and sampling systems without purges are exempt from the requirements of paragraphs (a) and (b) of this section.

§ 60.482-6a Standards: Open-ended valves or lines.

(a)(1) Each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve, except as provided in §60.482–1a(c) and paragraphs (d) and (e) of this section.

(2) The cap, blind flange, plug, or second valve shall seal the open end at all times except during operations requiring process fluid flow through the open-ended valve or line.

(b) Each open-ended valve or line equipped with a second valve shall be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed.

(c) When a double block-and-bleed system is being used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall comply with paragraph (a) of this section at all other times.

(d) Open-ended valves or lines in an emergency shutdown system which are designed to open automatically in the event of a process upset are exempt from the requirements of paragraphs (a), (b), and (c) of this section.

(e) Open-ended valves or lines containing materials which would autocatalytically polymerize or would present an explosion, serious overpressure, or other safety hazard if capped or equipped with a double block and bleed system as specified in paragraphs (a) through (c) of this section are exempt from the requirements of paragraphs (a) through (c) of this section.

§ 60.482-7a Standards: Valves in gas/vapor service and in light liquid service.

(a)(1) Each valve shall be monitored monthly to detect leaks by the methods specified in §60.485a(b) and shall comply with paragraphs (b) through (e) of this section, except as provided in paragraphs (f), (g), and (h) of this section, §60.482–1a(c) and (f), and §§60.483–1a and 60.483–2a.

(2) A valve that begins operation in gas/vapor service or light liquid service after the initial startup date for the process unit must be monitored according to paragraphs (a)(2)(i) or (ii), except for a valve that replaces a leaking valve and except as provided in paragraphs (f), (g), and (h) of this section, §60.482–1a(c), and §§60.483–1a and 60.483–2a.

(i) Monitor the valve as in paragraph (a)(1) of this section. The valve must be monitored for the first time within 30 days after the end of its startup period to ensure proper installation.

(ii) If the existing valves in the process unit are monitored in accordance with §60.483–1a or §60.483–2a, count the new valve as leaking when calculating the percentage of valves leaking as described in §60.483–2a(b)(5). If less than 2.0 percent of the valves are leaking for that process unit, the valve must be monitored for the first time during the next scheduled monitoring event for existing valves in the process unit or within 90 days, whichever comes first.

(b) If an instrument reading of 500 ppm or greater is measured, a leak is detected.

(c)(1)(i) Any valve for which a leak is not detected for 2 successive months may be monitored the first month of every quarter, beginning with the next quarter, until a leak is detected.

(ii) As an alternative to monitoring all of the valves in the first month of a quarter, an owner or operator may elect to subdivide the process unit into two or three subgroups of valves and monitor each subgroup in a different month during the quarter, provided each subgroup is monitored every 3 months. The owner or operator must keep records of the valves assigned to each subgroup.

(2) If a leak is detected, the valve shall be monitored monthly until a leak is not detected for 2 successive months.

(d)(1) When a leak is detected, it shall be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected, except as provided in §60.482–9a.

(2) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

(e) First attempts at repair include, but are not limited to, the following best practices where practicable:

(1) Tightening of bonnet bolts;

(2) Replacement of bonnet bolts;

(3) Tightening of packing gland nuts;

(4) Injection of lubricant into lubricated packing.

(f) Any valve that is designated, as described in §60.486a(e)(2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraph (a) of this section if the valve:

(1) Has no external actuating mechanism in contact with the process fluid,

(2) Is operated with emissions less than 500 ppm above background as determined by the method specified in §60.485a(c), and

(3) Is tested for compliance with paragraph (f)(2) of this section initially upon designation, annually, and at other times requested by the Administrator.

(g) Any valve that is designated, as described in §60.486a(f)(1), as an unsafe-to-monitor valve is exempt from the requirements of paragraph (a) of this section if:

(1) The owner or operator of the valve demonstrates that the valve is unsafe to monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (a) of this section, and

(2) The owner or operator of the valve adheres to a written plan that requires monitoring of the valve as frequently as practicable during safe-to-monitor times.

(h) Any valve that is designated, as described in §60.486a(f)(2), as a difficult-to-monitor valve is exempt from the requirements of paragraph (a) of this section if:

(1) The owner or operator of the valve demonstrates that the valve cannot be monitored without elevating the monitoring personnel more than 2 meters above a support surface.

(2) The process unit within which the valve is located either:

(i) Becomes an affected facility through §60.14 or §60.15 and was constructed on or before January 5, 1981; or

(ii) Has less than 3.0 percent of its total number of valves designated as difficult-to-monitor by the owner or operator.

(3) The owner or operator of the valve follows a written plan that requires monitoring of the valve at least once per calendar year.

§ 60.482-8a Standards: Pumps, valves, and connectors in heavy liquid service and pressure relief devices in light liquid or heavy liquid service.

(a) If evidence of a potential leak is found by visual, audible, olfactory, or any other detection method at pumps, valves, and connectors in heavy liquid service and pressure relief devices in light liquid or heavy liquid service, the owner or operator shall follow either one of the following procedures:

(1) The owner or operator shall monitor the equipment within 5 days by the method specified in §60.485a(b) and shall comply with the requirements of paragraphs (b) through (d) of this section.

(2) The owner or operator shall eliminate the visual, audible, olfactory, or other indication of a potential leak within 5 calendar days of detection.

(b) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

(c)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §60.482–9a.

(2) The first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

(d) First attempts at repair include, but are not limited to, the best practices described under §§60.482–2a(c)(2) and 60.482–7a(e).

§ 60.482-9a Standards: Delay of repair.

(a) Delay of repair of equipment for which leaks have been detected will be allowed if repair within 15 days is technically infeasible without a process unit shutdown. Repair of this equipment shall occur before the end of the next process unit shutdown. Monitoring to verify repair must occur within 15 days after startup of the process unit.

(b) Delay of repair of equipment will be allowed for equipment which is isolated from the process and which does not remain in VOC service.

(c) Delay of repair for valves and connectors will be allowed if:

(1) The owner or operator demonstrates that emissions of purged material resulting from immediate repair are greater than the fugitive emissions likely to result from delay of repair, and

(2) When repair procedures are effected, the purged material is collected and destroyed or recovered in a control device complying with §60.482–10a.

(d) Delay of repair for pumps will be allowed if:

(1) Repair requires the use of a dual mechanical seal system that includes a barrier fluid system, and

(2) Repair is completed as soon as practicable, but not later than 6 months after the leak was detected.

(e) Delay of repair beyond a process unit shutdown will be allowed for a valve, if valve assembly replacement is necessary during the process unit shutdown, valve assembly supplies have been depleted, and valve assembly supplies had been sufficiently stocked before the supplies were depleted. Delay of repair beyond the next process unit shutdown will not be allowed unless the next process unit shutdown occurs sooner than 6 months after the first process unit shutdown.

(f) When delay of repair is allowed for a leaking pump, valve, or connector that remains in service, the pump, valve, or connector may be considered to be repaired and no longer subject to delay of repair requirements if two consecutive monthly monitoring instrument readings are below the leak definition.

§ 60.482-10a Standards: Closed vent systems and control devices.

(a) Owners or operators of closed vent systems and control devices used to comply with provisions of this subpart shall comply with the provisions of this section.

(b) Vapor recovery systems (for example, condensers and absorbers) shall be designed and operated to recover the VOC emissions vented to them with an efficiency of 95 percent or greater, or to an exit concentration of 20 parts per million by volume (ppmv), whichever is less stringent.

(c) Enclosed combustion devices shall be designed and operated to reduce the VOC emissions vented to them with an efficiency of 95 percent or greater, or to an exit concentration of 20 ppmv, on a dry basis, corrected to 3 percent oxygen, whichever is less stringent or to provide a minimum residence time of 0.75 seconds at a minimum temperature of 816 °C.

(d) Flares used to comply with this subpart shall comply with the requirements of §60.18.

(e) Owners or operators of control devices used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs.

(f) Except as provided in paragraphs (i) through (k) of this section, each closed vent system shall be inspected according to the procedures and schedule specified in paragraphs (f)(1) and (2) of this section.

(1) If the vapor collection system or closed vent system is constructed of hard-piping, the owner or operator shall comply with the requirements specified in paragraphs (f)(1)(i) and (ii) of this section:

(i) Conduct an initial inspection according to the procedures in §60.485a(b); and

(ii) Conduct annual visual inspections for visible, audible, or olfactory indications of leaks.

(2) If the vapor collection system or closed vent system is constructed of ductwork, the owner or operator shall:

(i) Conduct an initial inspection according to the procedures in §60.485a(b); and

(ii) Conduct annual inspections according to the procedures in §60.485a(b).

(g) Leaks, as indicated by an instrument reading greater than 500 ppmv above background or by visual inspections, shall be repaired as soon as practicable except as provided in paragraph (h) of this section.

(1) A first attempt at repair shall be made no later than 5 calendar days after the leak is detected.

(2) Repair shall be completed no later than 15 calendar days after the leak is detected.

(h) Delay of repair of a closed vent system for which leaks have been detected is allowed if the repair is technically infeasible without a process unit shutdown or if the owner or operator determines that emissions resulting from immediate repair would be greater than the fugitive emissions likely to result from delay of repair. Repair of such equipment shall be complete by the end of the next process unit shutdown.

(i) If a vapor collection system or closed vent system is operated under a vacuum, it is exempt from the inspection requirements of paragraphs (f)(1)(i) and (f)(2) of this section.

(j) Any parts of the closed vent system that are designated, as described in paragraph (l)(1) of this section, as unsafe to inspect are exempt from the inspection requirements of paragraphs (f)(1)(i) and (f)(2) of this section if they comply with the requirements specified in paragraphs (j)(1) and (2) of this section:

(1) The owner or operator determines that the equipment is unsafe to inspect because inspecting personnel would be exposed to an imminent or potential danger as a consequence of complying with paragraphs (f)(1)(i) or (f)(2) of this section; and

(2) The owner or operator has a written plan that requires inspection of the equipment as frequently as practicable during safe-to-inspect times.

(k) Any parts of the closed vent system that are designated, as described in paragraph (l)(2) of this section, as difficult to inspect are exempt from the inspection requirements of paragraphs (f)(1)(i) and (f)(2) of this section if they comply with the requirements specified in paragraphs (k)(1) through (3) of this section:

(1) The owner or operator determines that the equipment cannot be inspected without elevating the inspecting personnel more than 2 meters above a support surface; and

(2) The process unit within which the closed vent system is located becomes an affected facility through §§60.14 or 60.15, or the owner or operator designates less than 3.0 percent of the total number of closed vent system equipment as difficult to inspect; and

(3) The owner or operator has a written plan that requires inspection of the equipment at least once every 5 years. A closed vent system is exempt from inspection if it is operated under a vacuum.

(l) The owner or operator shall record the information specified in paragraphs (l)(1) through (5) of this section.

(1) Identification of all parts of the closed vent system that are designated as unsafe to inspect, an explanation of why the equipment is unsafe to inspect, and the plan for inspecting the equipment.

(2) Identification of all parts of the closed vent system that are designated as difficult to inspect, an explanation of why the equipment is difficult to inspect, and the plan for inspecting the equipment.

(3) For each inspection during which a leak is detected, a record of the information specified in §60.486a(c).

(4) For each inspection conducted in accordance with §60.485a(b) during which no leaks are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected.

(5) For each visual inspection conducted in accordance with paragraph (f)(1)(ii) of this section during which no leaks are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected.

(m) Closed vent systems and control devices used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.

§ 60.482-11a Standards: Connectors in gas/vapor service and in light liquid service.

(a) The owner or operator shall initially monitor all connectors in the process unit for leaks by the later of either 12 months after the compliance date or 12 months after initial startup. If all connectors in the process unit have been monitored for leaks prior to the compliance date, no initial monitoring is required provided either no process changes have been made since the monitoring or the owner or operator can determine that the results of the monitoring, with or without adjustments, reliably demonstrate compliance despite process changes. If required to monitor because of a process change, the owner or operator is required to monitor only those connectors involved in the process change.

(b) Except as allowed in §60.482–1a(c), §60.482–10a, or as specified in paragraph (e) of this section, the owner or operator shall monitor all connectors in gas and vapor and light liquid service as specified in paragraphs (a) and (b)(3) of this section.

(1) The connectors shall be monitored to detect leaks by the method specified in §60.485a(b) and, as applicable, §60.485a(c).

(2) If an instrument reading greater than or equal to 500 ppm is measured, a leak is detected.

(3) The owner or operator shall perform monitoring, subsequent to the initial monitoring required in paragraph (a) of this section, as specified in paragraphs (b)(3)(i) through (iii) of this section, and shall comply with the requirements of paragraphs (b)(3)(iv) and (v) of this section. The required period in which monitoring must be conducted shall be determined from paragraphs (b)(3)(i) through (iii) of this section using the monitoring results from the preceding monitoring period. The percent leaking connectors shall be calculated as specified in paragraph (c) of this section.

(i) If the percent leaking connectors in the process unit was greater than or equal to 0.5 percent, then monitor within 12 months (1 year).

(ii) If the percent leaking connectors in the process unit was greater than or equal to 0.25 percent but less than 0.5 percent, then monitor within 4 years. An owner or operator may comply with the requirements of this paragraph by monitoring at least 40 percent of the connectors within 2 years of the start of the monitoring period, provided all connectors have been monitored by the end of the 4-year monitoring period.

(iii) If the percent leaking connectors in the process unit was less than 0.25 percent, then monitor as provided in paragraph (b)(3)(iii)(A) of this section and either paragraph (b)(3)(iii)(B) or (b)(3)(iii)(C) of this section, as appropriate.

(A) An owner or operator shall monitor at least 50 percent of the connectors within 4 years of the start of the monitoring period.

(B) If the percent of leaking connectors calculated from the monitoring results in paragraph (b)(3)(iii)(A) of this section is greater than or equal to 0.35 percent of the monitored connectors, the owner or operator shall monitor as soon as practical, but within the next 6 months, all connectors that have not yet been monitored during the monitoring period. At the conclusion of monitoring, a new monitoring period shall be started pursuant to paragraph (b)(3) of this section, based on the percent of leaking connectors within the total monitored connectors.

(C) If the percent of leaking connectors calculated from the monitoring results in paragraph (b)(3)(iii)(A) of this section is less than 0.35 percent of the monitored connectors, the owner or operator shall monitor all connectors that have not yet been monitored within 8 years of the start of the monitoring period.

(iv) If, during the monitoring conducted pursuant to paragraphs (b)(3)(i) through (iii) of this section, a connector is found to be leaking, it shall be re-monitored once within 90 days after repair to confirm that it is not leaking.

(v) The owner or operator shall keep a record of the start date and end date of each monitoring period under this section for each process unit.

(c) For use in determining the monitoring frequency, as specified in paragraphs (a) and (b)(3) of this section, the percent leaking connectors as used in paragraphs (a) and (b)(3) of this section shall be calculated by using the following equation:

$\%C_L = C_L / C_t * 100$

Where:

$\%C_L$= Percent of leaking connectors as determined through periodic monitoring required in paragraphs (a) and (b)(3)(i) through (iii) of this section.

C_L= Number of connectors measured at 500 ppm or greater, by the method specified in §60.485a(b).

C_t= Total number of monitored connectors in the process unit or affected facility.

(d) When a leak is detected pursuant to paragraphs (a) and (b) of this section, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §60.482–9a. A first attempt at repair as defined in this subpart shall be made no later than 5 calendar days after the leak is detected.

(e) Any connector that is designated, as described in §60.486a(f)(1), as an unsafe-to-monitor connector is exempt from the requirements of paragraphs (a) and (b) of this section if:

(1) The owner or operator of the connector demonstrates that the connector is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraphs (a) and (b) of this section; and

(2) The owner or operator of the connector has a written plan that requires monitoring of the connector as frequently as practicable during safe-to-monitor times but not more frequently than the periodic monitoring schedule otherwise applicable, and repair of the equipment according to the procedures in paragraph (d) of this section if a leak is detected.

(f) *Inaccessible, ceramic, or ceramic-lined connectors* . (1) Any connector that is inaccessible or that is ceramic or ceramic-lined (e.g., porcelain, glass, or glass-lined), is exempt from the monitoring requirements of paragraphs (a) and (b) of this section, from the leak repair requirements of paragraph (d) of this section, and from the recordkeeping and reporting requirements of §§63.1038 and 63.1039. An inaccessible connector is one that meets any of the provisions specified in paragraphs (f)(1)(i) through (vi) of this section, as applicable:

(i) Buried;

(ii) Insulated in a manner that prevents access to the connector by a monitor probe;

(iii) Obstructed by equipment or piping that prevents access to the connector by a monitor probe;

(iv) Unable to be reached from a wheeled scissor-lift or hydraulic-type scaffold that would allow access to connectors up to 7.6 meters (25 feet) above the ground;

(v) Inaccessible because it would require elevating the monitoring personnel more than 2 meters (7 feet) above a permanent support surface or would require the erection of scaffold; or

(vi) Not able to be accessed at any time in a safe manner to perform monitoring. Unsafe access includes, but is not limited to, the use of a wheeled scissor-lift on unstable or uneven terrain, the use of a motorized man-lift basket in areas where an ignition potential exists, or access would require near proximity to hazards such as electrical lines, or would risk damage to equipment.

(2) If any inaccessible, ceramic, or ceramic-lined connector is observed by visual, audible, olfactory, or other means to be leaking, the visual, audible, olfactory, or other indications of a leak to the atmosphere shall be eliminated as soon as practical.

(g) Except for instrumentation systems and inaccessible, ceramic, or ceramic-lined connectors meeting the provisions of paragraph (f) of this section, identify the connectors subject to the requirements of this subpart. Connectors need not be individually identified if all connectors in a designated area or length of pipe subject to the provisions of this subpart are identified as a group, and the number of connectors subject is indicated.

Effective Date Note: At 73 FR 31376, June 2, 2008, §60.482–11a was stayed until further notice.

§ 60.483-1a Alternative standards for valves—allowable percentage of valves leaking.

(a) An owner or operator may elect to comply with an allowable percentage of valves leaking of equal to or less than 2.0 percent.

(b) The following requirements shall be met if an owner or operator wishes to comply with an allowable percentage of valves leaking:

(1) An owner or operator must notify the Administrator that the owner or operator has elected to comply with the allowable percentage of valves leaking before implementing this alternative standard, as specified in §60.487a(d).

(2) A performance test as specified in paragraph (c) of this section shall be conducted initially upon designation, annually, and at other times requested by the Administrator.

(3) If a valve leak is detected, it shall be repaired in accordance with §60.482–7a(d) and (e).

(c) Performance tests shall be conducted in the following manner:

(1) All valves in gas/vapor and light liquid service within the affected facility shall be monitored within 1 week by the methods specified in §60.485a(b).

(2) If an instrument reading of 500 ppm or greater is measured, a leak is detected.

(3) The leak percentage shall be determined by dividing the number of valves for which leaks are detected by the number of valves in gas/vapor and light liquid service within the affected facility.

(d) Owners and operators who elect to comply with this alternative standard shall not have an affected facility with a leak percentage greater than 2.0 percent, determined as described in §60.485a(h).

§ 60.483-2a Alternative standards for valves—skip period leak detection and repair.

(a)(1) An owner or operator may elect to comply with one of the alternative work practices specified in paragraphs (b)(2) and (3) of this section.

(2) An owner or operator must notify the Administrator before implementing one of the alternative work practices, as specified in §60.487(d)a.

(b)(1) An owner or operator shall comply initially with the requirements for valves in gas/vapor service and valves in light liquid service, as described in §60.482–7a.

(2) After 2 consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, an owner or operator may begin to skip 1 of the quarterly leak detection periods for the valves in gas/vapor and light liquid service.

(3) After 5 consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, an owner or operator may begin to skip 3 of the quarterly leak detection periods for the valves in gas/vapor and light liquid service.

(4) If the percent of valves leaking is greater than 2.0, the owner or operator shall comply with the requirements as described in §60.482–7a but can again elect to use this section.

(5) The percent of valves leaking shall be determined as described in §60.485a(h).

(6) An owner or operator must keep a record of the percent of valves found leaking during each leak detection period.

(7) A valve that begins operation in gas/vapor service or light liquid service after the initial startup date for a process unit following one of the alternative standards in this section must be monitored in accordance with §60.482–7a(a)(2)(i) or (ii) before the provisions of this section can be applied to that valve.

§ 60.484a Equivalence of means of emission limitation.

(a) Each owner or operator subject to the provisions of this subpart may apply to the Administrator for determination of equivalence for any means of emission limitation that achieves a reduction in emissions of VOC at least equivalent to the reduction in emissions of VOC achieved by the controls required in this subpart.

(b) Determination of equivalence to the equipment, design, and operational requirements of this subpart will be evaluated by the following guidelines:

(1) Each owner or operator applying for an equivalence determination shall be responsible for collecting and verifying test data to demonstrate equivalence of means of emission limitation.

(2) The Administrator will compare test data for demonstrating equivalence of the means of emission limitation to test data for the equipment, design, and operational requirements.

(3) The Administrator may condition the approval of equivalence on requirements that may be necessary to assure operation and maintenance to achieve the same emission reduction as the equipment, design, and operational requirements.

(c) Determination of equivalence to the required work practices in this subpart will be evaluated by the following guidelines:

(1) Each owner or operator applying for a determination of equivalence shall be responsible for collecting and verifying test data to demonstrate equivalence of an equivalent means of emission limitation.

(2) For each affected facility for which a determination of equivalence is requested, the emission reduction achieved by the required work practice shall be demonstrated.

(3) For each affected facility, for which a determination of equivalence is requested, the emission reduction achieved by the equivalent means of emission limitation shall be demonstrated.

(4) Each owner or operator applying for a determination of equivalence shall commit in writing to work practice(s) that provide for emission reductions equal to or greater than the emission reductions achieved by the required work practice.

(5) The Administrator will compare the demonstrated emission reduction for the equivalent means of emission limitation to the demonstrated emission reduction for the required work practices and will consider the commitment in paragraph (c)(4) of this section.

(6) The Administrator may condition the approval of equivalence on requirements that may be necessary to assure operation and maintenance to achieve the same emission reduction as the required work practice.

(d) An owner or operator may offer a unique approach to demonstrate the equivalence of any equivalent means of emission limitation.

(e)(1) After a request for determination of equivalence is received, the Administrator will publish a notice in theFederal Registerand provide the opportunity for public hearing if the Administrator judges that the request may be approved.

(2) After notice and opportunity for public hearing, the Administrator will determine the equivalence of a means of emission limitation and will publish the determination in theFederal Register.

(3) Any equivalent means of emission limitations approved under this section shall constitute a required work practice, equipment, design, or operational standard within the meaning of section 111(h)(1) of the CAA.

(f)(1) Manufacturers of equipment used to control equipment leaks of VOC may apply to the Administrator for determination of equivalence for any equivalent means of emission limitation that achieves a reduction in emissions of VOC achieved by the equipment, design, and operational requirements of this subpart.

(2) The Administrator will make an equivalence determination according to the provisions of paragraphs (b), (c), (d), and (e) of this section.

§ 60.485a Test methods and procedures.

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

(b) The owner or operator shall determine compliance with the standards in §§60.482–1a through 60.482–11a, 60.483a, and 60.484a as follows:

(1) Method 21 shall be used to determine the presence of leaking sources. The instrument shall be calibrated before use each day of its use by the procedures specified in Method 21 of appendix A–7 of this part. The following calibration gases shall be used:

(i) Zero air (less than 10 ppm of hydrocarbon in air); and

(ii) A mixture of methane or n-hexane and air at a concentration no more than 2,000 ppm greater than the leak definition concentration of the equipment monitored. If the monitoring instrument's design allows for multiple calibration scales, then the lower scale shall be calibrated with a calibration gas that is no higher than 2,000 ppm above the concentration specified as a leak, and the highest scale shall be calibrated with a calibration gas that is approximately equal to 10,000 ppm. If only one scale on an instrument will be used during monitoring, the owner or operator need not calibrate the scales that will not be used during that day's monitoring.

(2) A calibration drift assessment shall be performed, at a minimum, at the end of each monitoring day. Check the instrument using the same calibration gas(es) that were used to calibrate the instrument before use. Follow the procedures specified in Method 21 of appendix A–7 of this part, Section 10.1, except do not adjust the meter readout to correspond to the calibration gas value. Record the instrument reading for each scale used as specified in §60.486a(e)(7). Calculate the average algebraic difference between the three meter readings and the most recent calibration value. Divide this algebraic difference by the initial calibration value and multiply by 100 to express the calibration drift as a percentage. If any calibration drift assessment shows a negative drift of more than 10 percent from the initial calibration value, then all equipment monitored since the last calibration with instrument readings below the appropriate leak definition and above the leak definition multiplied by (100 minus the percent of negative drift/divided by 100) must be re-monitored. If any calibration drift assessment shows a positive drift of more than 10 percent from the initial calibration value, then, at the owner/operator's discretion, all equipment since the last calibration with instrument readings above the appropriate leak definition and below the leak definition multiplied by (100 plus the percent of positive drift/divided by 100) may be re-monitored.

(c) The owner or operator shall determine compliance with the no-detectable-emission standards in §§60.482–2a(e), 60.482–3a(i), 60.482–4a, 60.482–7a(f), and 60.482–10a(e) as follows:

(1) The requirements of paragraph (b) shall apply.

(2) Method 21 of appendix A–7 of this part shall be used to determine the background level. All potential leak interfaces shall be traversed as close to the interface as possible. The arithmetic difference between the maximum concentration indicated by the instrument and the background level is compared with 500 ppm for determining compliance.

(d) The owner or operator shall test each piece of equipment unless he demonstrates that a process unit is not in VOC service, i.e., that the VOC content would never be reasonably expected to exceed 10 percent by weight. For purposes of this demonstration, the following methods and procedures shall be used:

(1) Procedures that conform to the general methods in ASTM E260–73, 91, or 96, E168–67, 77, or 92, E169–63, 77, or 93 (incorporated by reference—see §60.17) shall be used to determine the percent VOC content in the process fluid that is contained in or contacts a piece of equipment.

(2) Organic compounds that are considered by the Administrator to have negligible photochemical reactivity may be excluded from the total quantity of organic compounds in determining the VOC content of the process fluid.

(3) Engineering judgment may be used to estimate the VOC content, if a piece of equipment had not been shown previously to be in service. If the Administrator disagrees with the judgment, paragraphs (d)(1) and (2) of this section shall be used to resolve the disagreement.

(e) The owner or operator shall demonstrate that a piece of equipment is in light liquid service by showing that all the following conditions apply:

(1) The vapor pressure of one or more of the organic components is greater than 0.3 kPa at 20 °C (1.2 in. H_2O at 68 °F). Standard reference texts or ASTM D2879–83, 96, or 97 (incorporated by reference—see §60.17) shall be used to determine the vapor pressures.

(2) The total concentration of the pure organic components having a vapor pressure greater than 0.3 kPa at 20 °C (1.2 in. H_2O at 68 °F) is equal to or greater than 20 percent by weight.

(3) The fluid is a liquid at operating conditions.

(f) Samples used in conjunction with paragraphs (d), (e), and (g) of this section shall be representative of the process fluid that is contained in or contacts the equipment or the gas being combusted in the flare.

(g) The owner or operator shall determine compliance with the standards of flares as follows:

(1) Method 22 of appendix A–7 of this part shall be used to determine visible emissions.

(2) A thermocouple or any other equivalent device shall be used to monitor the presence of a pilot flame in the flare.

(3) The maximum permitted velocity for air assisted flares shall be computed using the following equation:

$V_{max} = K_1 + K_2 H_T$

Where:

V_{max}= Maximum permitted velocity, m/sec (ft/sec).

H_T= Net heating value of the gas being combusted, MJ/scm (Btu/scf).

K_1= 8.706 m/sec (metric units) = 28.56 ft/sec (English units).

K_2= 0.7084 m^4 /(MJ-sec) (metric units) = 0.087 ft^4 /(Btu-sec) (English units).

(4) The net heating value (HT) of the gas being combusted in a flare shall be computed using the following equation:

$$H_T = K \sum_{i=1}^{n} C_i H_i$$

Where:

K = Conversion constant, 1.740×10^{-7} (g-mole)(MJ)/(ppm-scm-kcal) (metric units) = 4.674×10^{-6} [(g-mole)(Btu)/(ppm-scf-kcal)] (English units).

C_i= Concentration of sample component “i,” ppm

H_i= net heat of combustion of sample component “i” at 25 °C and 760 mm Hg (77 °F and 14.7 psi), kcal/g-mole.

(5) Method 18 of appendix A–6 of this part or ASTM D6420–99 (2004) (where the target compound(s) are those listed in Section 1.1 of ASTM D6420–99, and the target concentration is between 150 parts per billion by volume and 100 ppmv) and ASTM D2504–67, 77, or 88 (Reapproved 1993) (incorporated by reference-see §60.17) shall be used to determine the concentration of sample component “i.”

(6) ASTM D2382–76 or 88 or D4809–95 (incorporated by reference-see §60.17) shall be used to determine the net heat of combustion of component “i” if published values are not available or cannot be calculated.

(7) Method 2, 2A, 2C, or 2D of appendix A–7 of this part, as appropriate, shall be used to determine the actual exit velocity of a flare. If needed, the unobstructed (free) cross-sectional area of the flare tip shall be used.

(h) The owner or operator shall determine compliance with §60.483–1a or §60.483–2a as follows:

(1) The percent of valves leaking shall be determined using the following equation:

$\%V_L = (V_L / V_T) * 100$

Where:

$\%V_L$= Percent leaking valves.

V_L= Number of valves found leaking.

V_T= The sum of the total number of valves monitored.

(2) The total number of valves monitored shall include difficult-to-monitor and unsafe-to-monitor valves only during the monitoring period in which those valves are monitored.

(3) The number of valves leaking shall include valves for which repair has been delayed.

(4) Any new valve that is not monitored within 30 days of being placed in service shall be included in the number of valves leaking and the total number of valves monitored for the monitoring period in which the valve is placed in service.

(5) If the process unit has been subdivided in accordance with §60.482–7a(c)(1)(ii), the sum of valves found leaking during a monitoring period includes all subgroups.

(6) The total number of valves monitored does not include a valve monitored to verify repair.

§ 60.486a Recordkeeping requirements.

(a)(1) Each owner or operator subject to the provisions of this subpart shall comply with the recordkeeping requirements of this section.

(2) An owner or operator of more than one affected facility subject to the provisions of this subpart may comply with the recordkeeping requirements for these facilities in one recordkeeping system if the system identifies each record by each facility.

(3) The owner or operator shall record the information specified in paragraphs (a)(3)(i) through (v) of this section for each monitoring event required by §§60.482–2a, 60.482–3a, 60.482–7a, 60.482–8a, 60.482–11a, and 60.483–2a.

(i) Monitoring instrument identification.

(ii) Operator identification.

(iii) Equipment identification.

(iv) Date of monitoring.

(v) Instrument reading.

(b) When each leak is detected as specified in §§60.482–2a, 60.482–3a, 60.482–7a, 60.482–8a, 60.482–11a, and 60.483–2a, the following requirements apply:

(1) A weatherproof and readily visible identification, marked with the equipment identification number, shall be attached to the leaking equipment.

(2) The identification on a valve may be removed after it has been monitored for 2 successive months as specified in §60.482–7a(c) and no leak has been detected during those 2 months.

(3) The identification on a connector may be removed after it has been monitored as specified in §60.482–11a(b)(3)(iv) and no leak has been detected during that monitoring.

(4) The identification on equipment, except on a valve or connector, may be removed after it has been repaired.

(c) When each leak is detected as specified in §§60.482–2a, 60.482–3a, 60.482–7a, 60.482–8a, 60.482–11a, and 60.483–2a, the following information shall be recorded in a log and shall be kept for 2 years in a readily accessible location:

(1) The instrument and operator identification numbers and the equipment identification number, except when indications of liquids dripping from a pump are designated as a leak.

(2) The date the leak was detected and the dates of each attempt to repair the leak.

(3) Repair methods applied in each attempt to repair the leak.

(4) Maximum instrument reading measured by Method 21 of appendix A–7 of this part at the time the leak is successfully repaired or determined to be nonrepairable, except when a pump is repaired by eliminating indications of liquids dripping.

(5) “Repair delayed” and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak.

(6) The signature of the owner or operator (or designate) whose decision it was that repair could not be effected without a process shutdown.

(7) The expected date of successful repair of the leak if a leak is not repaired within 15 days.

(8) Dates of process unit shutdowns that occur while the equipment is unrepaired.

(9) The date of successful repair of the leak.

(d) The following information pertaining to the design requirements for closed vent systems and control devices described in §60.482–10a shall be recorded and kept in a readily accessible location:

(1) Detailed schematics, design specifications, and piping and instrumentation diagrams.

(2) The dates and descriptions of any changes in the design specifications.

(3) A description of the parameter or parameters monitored, as required in §60.482–10a(e), to ensure that control devices are operated and maintained in conformance with their design and an explanation of why that parameter (or parameters) was selected for the monitoring.

(4) Periods when the closed vent systems and control devices required in §§60.482–2a, 60.482–3a, 60.482–4a, and 60.482–5a are not operated as designed, including periods when a flare pilot light does not have a flame.

(5) Dates of startups and shutdowns of the closed vent systems and control devices required in §§60.482–2a, 60.482–3a, 60.482–4a, and 60.482–5a.

(e) The following information pertaining to all equipment subject to the requirements in §§60.482–1a to 60.482–11a shall be recorded in a log that is kept in a readily accessible location:

(1) A list of identification numbers for equipment subject to the requirements of this subpart.

(2)(i) A list of identification numbers for equipment that are designated for no detectable emissions under the provisions of §§60.482–2a(e), 60.482–3a(i), and 60.482–7a(f).

(ii) The designation of equipment as subject to the requirements of §60.482–2a(e), §60.482–3a(i), or §60.482–7a(f) shall be signed by the owner or operator. Alternatively, the owner or operator may establish a mechanism with their permitting authority that satisfies this requirement.

(3) A list of equipment identification numbers for pressure relief devices required to comply with §60.482–4a.

(4)(i) The dates of each compliance test as required in §§60.482–2a(e), 60.482–3a(i), 60.482–4a, and 60.482–7a(f).

(ii) The background level measured during each compliance test.

(iii) The maximum instrument reading measured at the equipment during each compliance test.

(5) A list of identification numbers for equipment in vacuum service.

(6) A list of identification numbers for equipment that the owner or operator designates as operating in VOC service less than 300 hr/yr in accordance with §60.482–1a(e), a description of the conditions under which the equipment is in VOC service, and rationale supporting the designation that it is in VOC service less than 300 hr/yr.

(7) The date and results of the weekly visual inspection for indications of liquids dripping from pumps in light liquid service.

(8) Records of the information specified in paragraphs (e)(8)(i) through (vi) of this section for monitoring instrument calibrations conducted according to sections 8.1.2 and 10 of Method 21 of appendix A–7 of this part and §60.485a(b).

(i) Date of calibration and initials of operator performing the calibration.

(ii) Calibration gas cylinder identification, certification date, and certified concentration.

(iii) Instrument scale(s) used.

(iv) A description of any corrective action taken if the meter readout could not be adjusted to correspond to the calibration gas value in accordance with section 10.1 of Method 21 of appendix A–7 of this part.

(v) Results of each calibration drift assessment required by §60.485a(b)(2) (i.e., instrument reading for calibration at end of monitoring day and the calculated percent difference from the initial calibration value).

(vi) If an owner or operator makes their own calibration gas, a description of the procedure used.

(9) The connector monitoring schedule for each process unit as specified in §60.482–11a(b)(3)(v).

(10) Records of each release from a pressure relief device subject to §60.482–4a.

(f) The following information pertaining to all valves subject to the requirements of §60.482–7a(g) and (h), all pumps subject to the requirements of §60.482–2a(g), and all connectors subject to the requirements of §60.482–11a(e) shall be recorded in a log that is kept in a readily accessible location:

(1) A list of identification numbers for valves, pumps, and connectors that are designated as unsafe-to-monitor, an explanation for each valve, pump, or connector stating why the valve, pump, or connector is unsafe-to-monitor, and the plan for monitoring each valve, pump, or connector.

(2) A list of identification numbers for valves that are designated as difficult-to-monitor, an explanation for each valve stating why the valve is difficult-to-monitor, and the schedule for monitoring each valve.

(g) The following information shall be recorded for valves complying with §60.483–2a:

(1) A schedule of monitoring.

(2) The percent of valves found leaking during each monitoring period.

(h) The following information shall be recorded in a log that is kept in a readily accessible location:

(1) Design criterion required in §§60.482–2a(d)(5) and 60.482–3a(e)(2) and explanation of the design criterion; and

(2) Any changes to this criterion and the reasons for the changes.

(i) The following information shall be recorded in a log that is kept in a readily accessible location for use in determining exemptions as provided in §60.480a(d):

(1) An analysis demonstrating the design capacity of the affected facility,

(2) A statement listing the feed or raw materials and products from the affected facilities and an analysis demonstrating whether these chemicals are heavy liquids or beverage alcohol, and

(3) An analysis demonstrating that equipment is not in VOC service.

(j) Information and data used to demonstrate that a piece of equipment is not in VOC service shall be recorded in a log that is kept in a readily accessible location.

(k) The provisions of §60.7(b) and (d) do not apply to affected facilities subject to this subpart.

§ 60.487a Reporting requirements.

(a) Each owner or operator subject to the provisions of this subpart shall submit semiannual reports to the Administrator beginning 6 months after the initial startup date.

(b) The initial semiannual report to the Administrator shall include the following information:

(1) Process unit identification.

(2) Number of valves subject to the requirements of §60.482–7a, excluding those valves designated for no detectable emissions under the provisions of §60.482–7a(f).

(3) Number of pumps subject to the requirements of §60.482–2a, excluding those pumps designated for no detectable emissions under the provisions of §60.482–2a(e) and those pumps complying with §60.482–2a(f).

(4) Number of compressors subject to the requirements of §60.482–3a, excluding those compressors designated for no detectable emissions under the provisions of §60.482–3a(i) and those compressors complying with §60.482–3a(h).

(5) Number of connectors subject to the requirements of §60.482–11a.

(c) All semiannual reports to the Administrator shall include the following information, summarized from the information in §60.486a:

(1) Process unit identification.

(2) For each month during the semiannual reporting period,

(i) Number of valves for which leaks were detected as described in §60.482–7a(b) or §60.483–2a,

(ii) Number of valves for which leaks were not repaired as required in §60.482–7a(d)(1),

(iii) Number of pumps for which leaks were detected as described in §60.482–2a(b), (d)(4)(ii)(A) or (B), or (d)(5)(iii),

(iv) Number of pumps for which leaks were not repaired as required in §60.482–2a(c)(1) and (d)(6),

(v) Number of compressors for which leaks were detected as described in §60.482–3a(f),

(vi) Number of compressors for which leaks were not repaired as required in §60.482–3a(g)(1),

(vii) Number of connectors for which leaks were detected as described in §60.482–11a(b)

(viii) Number of connectors for which leaks were not repaired as required in §60.482–11a(d), and

(ix)–(x) [Reserved]

(xi) The facts that explain each delay of repair and, where appropriate, why a process unit shutdown was technically infeasible.

(3) Dates of process unit shutdowns which occurred within the semiannual reporting period.

(4) Revisions to items reported according to paragraph (b) of this section if changes have occurred since the initial report or subsequent revisions to the initial report.

(d) An owner or operator electing to comply with the provisions of §§60.483–1a or 60.483–2a shall notify the Administrator of the alternative standard selected 90 days before implementing either of the provisions.

(e) An owner or operator shall report the results of all performance tests in accordance with §60.8 of the General Provisions. The provisions of §60.8(d) do not apply to affected facilities subject to the provisions of this subpart except that an owner or operator must notify the Administrator of the schedule for the initial performance tests at least 30 days before the initial performance tests.

(f) The requirements of paragraphs (a) through (c) of this section remain in force until and unless EPA, in delegating enforcement authority to a state under section 111(c) of the CAA, approves reporting requirements or an alternative means of compliance surveillance adopted by such state. In that event, affected sources within the

state will be relieved of the obligation to comply with the requirements of paragraphs (a) through (c) of this section, provided that they comply with the requirements established by the state.

§ 60.488a Reconstruction.

For the purposes of this subpart:

(a) The cost of the following frequently replaced components of the facility shall not be considered in calculating either the “fixed capital cost of the new components” or the “fixed capital costs that would be required to construct a comparable new facility” under §60.15: Pump seals, nuts and bolts, rupture disks, and packings.

(b) Under §60.15, the “fixed capital cost of new components” includes the fixed capital cost of all depreciable components (except components specified in §60.488a(a)) which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 2-year period following the applicability date for the appropriate subpart. (See the “Applicability and designation of affected facility” section of the appropriate subpart.) For purposes of this paragraph, “commenced” means that an owner or operator has undertaken a continuous program of component replacement or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of component replacement.

§ 60.489a List of chemicals produced by affected facilities.

Process units that produce, as intermediates or final products, chemicals listed in §60.489 are covered under this subpart. The applicability date for process units producing one or more of these chemicals is November 8, 2006.

Indiana Department of Environmental Management
Office of Air Quality

Attachment C

Subpart Db—Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units

Source: 72 FR 32742, June 13, 2007, unless otherwise noted.

§ 60.40b Applicability and delegation of authority.

(a) The affected facility to which this subpart applies is each steam generating unit that commences construction, modification, or reconstruction after June 19, 1984, and that has a heat input capacity from fuels combusted in the steam generating unit of greater than 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/hr)).

(b) Any affected facility meeting the applicability requirements under paragraph (a) of this section and commencing construction, modification, or reconstruction after June 19, 1984, but on or before June 19, 1986, is subject to the following standards:

(1) Coal-fired affected facilities having a heat input capacity between 29 and 73 MW (100 and 250 MMBtu/hr), inclusive, are subject to the particulate matter (PM) and nitrogen oxides (NO_X) standards under this subpart.

(2) Coal-fired affected facilities having a heat input capacity greater than 73 MW (250 MMBtu/hr) and meeting the applicability requirements under subpart D (Standards of performance for fossil-fuel-fired steam generators; §60.40) are subject to the PM and NO_Xstandards under this subpart and to the sulfur dioxide (SO_2) standards under subpart D (§60.43).

(3) Oil-fired affected facilities having a heat input capacity between 29 and 73 MW (100 and 250 MMBtu/hr), inclusive, are subject to the NO_Xstandards under this subpart.

(4) Oil-fired affected facilities having a heat input capacity greater than 73 MW (250 MMBtu/hr) and meeting the applicability requirements under subpart D (Standards of performance for fossil-fuel-fired steam generators; §60.40) are also subject to the NO_Xstandards under this subpart and the PM and SO_2standards under subpart D (§60.42 and §60.43).

(c) Affected facilities that also meet the applicability requirements under subpart J (Standards of performance for petroleum refineries; §60.104) are subject to the PM and NO_Xstandards under this subpart and the SO_2standards under subpart J (§60.104).

(d) Affected facilities that also meet the applicability requirements under subpart E (Standards of performance for incinerators; §60.50) are subject to the $NO_X$and PM standards under this subpart.

(e) Steam generating units meeting the applicability requirements under subpart Da (Standards of performance for electric utility steam generating units; §60.40Da) are not subject to this subpart.

(f) Any change to an existing steam generating unit for the sole purpose of combusting gases containing total reduced sulfur (TRS) as defined under §60.281 is not considered a modification under §60.14 and the steam generating unit is not subject to this subpart.

(g) In delegating implementation and enforcement authority to a State under section 111(c) of the Clean Air Act, the following authorities shall be retained by the Administrator and not transferred to a State.

(1) Section 60.44b(f).

(2) Section 60.44b(g).

(3) Section 60.49b(a)(4).

(h) Any affected facility that meets the applicability requirements and is subject to subpart Ea, subpart Eb, or subpart AAAA of this part is not covered by this subpart.

(i)

(i) Heat recovery steam generators that are associated with combined cycle gas turbines and that meet the applicability requirements of subpart KKKK of this part are not subject to this subpart. This subpart will continue to apply to all other heat recovery steam generators that are capable of combusting more than 29 MW (100 MMBtu/hr) heat input of fossil fuel. If the heat recovery steam generator is subject to this subpart, only emissions resulting from combustion of fuels in the steam generating unit are subject to this subpart. (The gas turbine emissions are subject to subpart GG or KKKK, as applicable, of this part.)

(j) Any affected facility meeting the applicability requirements under paragraph (a) of this section and commencing construction, modification, or reconstruction after June 19, 1986 is not subject to subpart D (Standards of Performance for Fossil-Fuel-Fired Steam Generators, §60.40).

(k) Any affected facility that meets the applicability requirements and is subject to an EPA approved State or Federal section 111(d)/129 plan implementing subpart Cb or subpart BBBB of this part is not covered by this subpart.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5084, Jan. 28, 2009]

§ 60.41b Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act and in subpart A of this part.

Annual capacity factor means the ratio between the actual heat input to a steam generating unit from the fuels listed in §60.42b(a), §60.43b(a), or §60.44b(a), as applicable, during a calendar year and the potential heat input to the steam generating unit had it been operated for 8,760 hours during a calendar year at the maximum steady state design heat input capacity. In the case of steam generating units that are rented or leased, the actual heat input shall be determined based on the combined heat input from all operations of the affected facility in a calendar year.

Byproduct/waste means any liquid or gaseous substance produced at chemical manufacturing plants, petroleum refineries, or pulp and paper mills (except natural gas, distillate oil, or residual oil) and combusted in a steam generating unit for heat recovery or for disposal. Gaseous substances with carbon dioxide (CO_2) levels greater than 50 percent or carbon monoxide levels greater than 10 percent are not byproduct/waste for the purpose of this subpart.

Chemical manufacturing plants mean industrial plants that are classified by the Department of Commerce under Standard Industrial Classification (SIC) Code 28.

Coal means all solid fuels classified as anthracite, bituminous, subbituminous, or lignite by the American Society of Testing and Materials in ASTM D388 (incorporated by reference, see §60.17), coal refuse, and petroleum coke. Coal-derived synthetic fuels, including but not limited to solvent refined coal, gasified coal not meeting the definition of natural gas, coal-oil mixtures, coke oven gas, and coal-water mixtures, are also included in this definition for the purposes of this subpart.

Coal refuse means any byproduct of coal mining or coal cleaning operations with an ash content greater than 50 percent, by weight, and a heating value less than 13,900 kJ/kg (6,000 Btu/lb) on a dry basis.

Cogeneration , also known as combined heat and power, means a facility that simultaneously produces both electric (or mechanical) and useful thermal energy from the same primary energy source.

Coke oven gas means the volatile constituents generated in the gaseous exhaust during the carbonization of bituminous coal to form coke.

Combined cycle system means a system in which a separate source, such as a gas turbine, internal combustion engine, kiln, etc., provides exhaust gas to a steam generating unit.

Conventional technology means wet flue gas desulfurization (FGD) technology, dry FGD technology, atmospheric fluidized bed combustion technology, and oil hydrodesulfurization technology.

Distillate oil means fuel oils that contain 0.05 weight percent nitrogen or less and comply with the specifications for fuel oil numbers 1 and 2, as defined by the American Society of Testing and Materials in ASTM D396 (incorporated by reference, see §60.17) or diesel fuel oil numbers 1 and 2, as defined by the American Society for Testing and Materials in ASTM D975 (incorporated by reference, see §60.17).

Dry flue gas desulfurization technology means a SO_2control system that is located downstream of the steam generating unit and removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline reagent and water, whether introduced separately or as a premixed slurry or solution and forming a dry powder material. This definition includes devices where the dry powder material is subsequently converted to another form. Alkaline slurries or solutions used in dry flue gas desulfurization technology include but are not limited to lime and sodium.

Duct burner means a device that combusts fuel and that is placed in the exhaust duct from another source, such as a stationary gas turbine, internal combustion engine, kiln, etc., to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a steam generating unit.

Emerging technology means any SO_2control system that is not defined as a conventional technology under this section, and for which the owner or operator of the facility has applied to the Administrator and received approval to operate as an emerging technology under §60.49b(a)(4).

Federally enforceable means all limitations and conditions that are enforceable by the Administrator, including the requirements of 40 CFR parts 60 and 61, requirements within any applicable State Implementation Plan, and any permit requirements established under 40 CFR 52.21 or under 40 CFR 51.18 and 51.24.

Fluidized bed combustion technology means combustion of fuel in a bed or series of beds (including but not limited to bubbling bed units and circulating bed units) of limestone aggregate (or other sorbent materials) in which these materials are forced upward by the flow of combustion air and the gaseous products of combustion.

Fuel pretreatment means a process that removes a portion of the sulfur in a fuel before combustion of the fuel in a steam generating unit.

Full capacity means operation of the steam generating unit at 90 percent or more of the maximum steady-state design heat input capacity.

Gaseous fuel means any fuel that is a gas at ISO conditions. This includes, but is not limited to, natural gas and gasified coal (including coke oven gas).

Gross output means the gross useful work performed by the steam generated. For units generating only electricity, the gross useful work performed is the gross electrical output from the turbine/generator set. For cogeneration units, the gross useful work performed is the gross electrical or mechanical output plus 75 percent of the useful thermal output measured relative to ISO conditions that is not used to generate additional electrical or mechanical output or to enhance the performance of the unit (*i.e.* , steam delivered to an industrial process).

Heat input means heat derived from combustion of fuel in a steam generating unit and does not include the heat derived from preheated combustion air, recirculated flue gases, or exhaust gases from other sources, such as gas turbines, internal combustion engines, kilns, etc.

Heat release rate means the steam generating unit design heat input capacity (in MW or Btu/hr) divided by the furnace volume (in cubic meters or cubic feet); the furnace volume is that volume bounded by the front furnace wall where the burner is located, the furnace side waterwall, and extending to the level just below or in front of the first row of convection pass tubes.

Heat transfer medium means any material that is used to transfer heat from one point to another point.

High heat release rate means a heat release rate greater than 730,000 J/sec-m^3 (70,000 Btu/hr-ft^3).

ISO Conditions means a temperature of 288 Kelvin, a relative humidity of 60 percent, and a pressure of 101.3 kilopascals.

Lignite means a type of coal classified as lignite A or lignite B by the American Society of Testing and Materials in ASTM D388 (incorporated by reference, see §60.17).

Low heat release rate means a heat release rate of 730,000 J/sec-m^3 (70,000 Btu/hr-ft^3) or less.

Mass-feed stoker steam generating unit means a steam generating unit where solid fuel is introduced directly into a retort or is fed directly onto a grate where it is combusted.

Maximum heat input capacity means the ability of a steam generating unit to combust a stated maximum amount of fuel on a steady state basis, as determined by the physical design and characteristics of the steam generating unit.

Municipal-type solid waste means refuse, more than 50 percent of which is waste consisting of a mixture of paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustible materials, and noncombustible materials such as glass and rock.

Natural gas means:

(1) A naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal constituent is methane; or

(2) Liquefied petroleum gas, as defined by the American Society for Testing and Materials in ASTM D1835 (incorporated by reference, see §60.17); or

(3) A mixture of hydrocarbons that maintains a gaseous state at ISO conditions. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 34 and 43 megajoules (MJ) per dry standard cubic meter (910 and 1,150 Btu per dry standard cubic foot).

Noncontinental area means the State of Hawaii, the Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico, or the Northern Mariana Islands.

Oil means crude oil or petroleum or a liquid fuel derived from crude oil or petroleum, including distillate and residual oil.

Petroleum refinery means industrial plants as classified by the Department of Commerce under Standard Industrial Classification (SIC) Code 29.

Potential sulfur dioxide emission rate means the theoretical SO_2emissions (nanograms per joule (ng/J) or lb/MMBtu heat input) that would result from combusting fuel in an uncleaned state and without using emission control systems. For gasified coal or oil that is desulfurized prior to combustion, the *Potential sulfur*

dioxide emission rate is the theoretical SO_2emissions (ng/J or lb/MMBtu heat input) that would result from combusting fuel in a cleaned state without using any post combustion emission control systems.

Process heater means a device that is primarily used to heat a material to initiate or promote a chemical reaction in which the material participates as a reactant or catalyst.

Pulp and paper mills means industrial plants that are classified by the Department of Commerce under North American Industry Classification System (NAICS) Code 322 or Standard Industrial Classification (SIC) Code 26.

Pulverized coal-fired steam generating unit means a steam generating unit in which pulverized coal is introduced into an air stream that carries the coal to the combustion chamber of the steam generating unit where it is fired in suspension. This includes both conventional pulverized coal-fired and micropulverized coal-fired steam generating units. Residual oil means crude oil, fuel oil numbers 1 and 2 that have a nitrogen content greater than 0.05 weight percent, and all fuel oil numbers 4, 5 and 6, as defined by the American Society of Testing and Materials in ASTM D396 (incorporated by reference, see §60.17).

Spreader stoker steam generating unit means a steam generating unit in which solid fuel is introduced to the combustion zone by a mechanism that throws the fuel onto a grate from above. Combustion takes place both in suspension and on the grate.

Steam generating unit means a device that combusts any fuel or byproduct/waste and produces steam or heats water or heats any heat transfer medium. This term includes any municipal-type solid waste incinerator with a heat recovery steam generating unit or any steam generating unit that combusts fuel and is part of a cogeneration system or a combined cycle system. This term does not include process heaters as they are defined in this subpart.

Steam generating unit operating day means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the steam generating unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

Very low sulfur oil means for units constructed, reconstructed, or modified on or before February 28, 2005, oil that contains no more than 0.5 weight percent sulfur or that, when combusted without SO_2emission control, has a SO_2emission rate equal to or less than 215 ng/J (0.5 lb/MMBtu) heat input. For units constructed, reconstructed, or modified after February 28, 2005 and not located in a noncontinental area, *very low sulfur oil* means oil that contains no more than 0.30 weight percent sulfur or that, when combusted without SO_2emission control, has a SO_2emission rate equal to or less than 140 ng/J (0.32 lb/MMBtu) heat input. For units constructed, reconstructed, or modified after February 28, 2005 and located in a noncontinental area, *very low sulfur oil* means oil that contains no more than 0.5 weight percent sulfur or that, when combusted without SO_2emission control, has a SO_2emission rate equal to or less than 215 ng/J (0.50 lb/MMBtu) heat input.

Wet flue gas desulfurization technology means a SO_2control system that is located downstream of the steam generating unit and removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gas with an alkaline slurry or solution and forming a liquid material. This definition applies to devices where the aqueous liquid material product of this contact is subsequently converted to other forms. Alkaline reagents used in wet flue gas desulfurization technology include, but are not limited to, lime, limestone, and sodium.

Wet scrubber system means any emission control device that mixes an aqueous stream or slurry with the exhaust gases from a steam generating unit to control emissions of PM or SO_2.

Wood means wood, wood residue, bark, or any derivative fuel or residue thereof, in any form, including, but not limited to, sawdust, sanderdust, wood chips, scraps, slabs, millings, shavings, and processed pellets made from wood or other forest residues.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5084, Jan. 28, 2009]

§ 60.42b Standard for sulfur dioxide (SO2).

(a) Except as provided in paragraphs (b), (c), (d), or (j) of this section, on and after the date on which the performance test is completed or required to be completed under §60.8, whichever comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, that combusts coal or oil shall cause to be discharged into the atmosphere any gases that contain SO_2in excess of 87 ng/J (0.20 lb/MMBtu) or 10 percent (0.10) of the potential SO_2emission rate (90 percent reduction) and the emission limit determined according to the following formula:

$$E_s = \frac{(K_a H_a + K_b H_b)}{(H_a + H_b)}$$

Where:

E_s= SO_2emission limit, in ng/J or lb/MMBtu heat input;

K_a= 520 ng/J (or 1.2 lb/MMBtu);

K_b= 340 ng/J (or 0.80 lb/MMBtu);

H_a= Heat input from the combustion of coal, in J (MMBtu); and

H_b= Heat input from the combustion of oil, in J (MMBtu).

For facilities complying with the percent reduction standard, only the heat input supplied to the affected facility from the combustion of coal and oil is counted in this paragraph. No credit is provided for the heat input to the affected facility from the combustion of natural gas, wood, municipal-type solid waste, or other fuels or heat derived from exhaust gases from other sources, such as gas turbines, internal combustion engines, kilns, etc.

(b) On and after the date on which the performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, that combusts coal refuse alone in a fluidized bed combustion steam generating unit shall cause to be discharged into the atmosphere any gases that contain SO_2in excess of 87 ng/J (0.20 lb/MMBtu) or 20 percent (0.20) of the potential SO_2emission rate (80 percent reduction) and 520 ng/J (1.2 lb/MMBtu) heat input. If coal or oil is fired with coal refuse, the affected facility is subject to paragraph (a) or (d) of this section, as applicable. For facilities complying with the percent reduction standard, only the heat input supplied to the affected facility from the combustion of coal and oil is counted in this paragraph. No credit is provided for the heat input to the affected facility from the combustion of natural gas, wood, municipal-type solid waste, or other fuels or heat derived from exhaust gases from other sources, such as gas turbines, internal combustion engines, kilns, etc.

(c) On and after the date on which the performance test is completed or is required to be completed under §60.8, whichever comes first, no owner or operator of an affected facility that combusts coal or oil, either alone or in combination with any other fuel, and that uses an emerging technology for the control of SO_2emissions, shall cause to be discharged into the atmosphere any gases that contain SO_2in excess of 50 percent of the potential SO_2emission rate (50 percent reduction) and that contain SO_2in excess of the emission limit determined according to the following formula:

$$E_s = \frac{(K_c H_c + K_d H_d)}{(H_c + H_d)}$$

Where:

E_s= SO2 emission limit, in ng/J or lb/MM Btu heat input;

K_c= 260 ng/J (or 0.60 lb/MMBtu);

K_d= 170 ng/J (or 0.40 lb/MMBtu);

H_c= Heat input from the combustion of coal, in J (MMBtu); and

H_d= Heat input from the combustion of oil, in J (MMBtu).

For facilities complying with the percent reduction standard, only the heat input supplied to the affected facility from the combustion of coal and oil is counted in this paragraph. No credit is provided for the heat input to the affected facility from the combustion of natural gas, wood, municipal-type solid waste, or other fuels, or from the heat input derived from exhaust gases from other sources, such as gas turbines, internal combustion engines, kilns, etc.

(d) On and after the date on which the performance test is completed or required to be completed under §60.8, whichever comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005 and listed in paragraphs (d)(1), (2), (3), or (4) of this section shall cause to be discharged into the atmosphere any gases that contain SO_2in excess of 520 ng/J (1.2 lb/MMBtu) heat input if the affected facility combusts coal, or 215 ng/J (0.5 lb/MMBtu) heat input if the affected facility combusts oil other than very low sulfur oil. Percent reduction requirements are not applicable to affected facilities under paragraphs (d)(1), (2), (3) or (4) of this section. For facilities complying with paragraphs (d)(1), (2), or (3) of this section, only the heat input supplied to the affected facility from the combustion of coal and oil is counted in this paragraph. No credit is provided for the heat input to the affected facility from the combustion of natural gas, wood, municipal-type solid waste, or other fuels or heat derived from exhaust gases from other sources, such as gas turbines, internal combustion engines, kilns, etc.

(1) Affected facilities that have an annual capacity factor for coal and oil of 30 percent (0.30) or less and are subject to a federally enforceable permit limiting the operation of the affected facility to an annual capacity factor for coal and oil of 30 percent (0.30) or less;

(2) Affected facilities located in a noncontinental area; or

(3) Affected facilities combusting coal or oil, alone or in combination with any fuel, in a duct burner as part of a combined cycle system where 30 percent (0.30) or less of the heat entering the steam generating unit is from combustion of coal and oil in the duct burner and 70 percent (0.70) or more of the heat entering the steam generating unit is from the exhaust gases entering the duct burner; or

(4) The affected facility burns coke oven gas alone or in combination with natural gas or very low sulfur distillate oil.

(e) Except as provided in paragraph (f) of this section, compliance with the emission limits, fuel oil sulfur limits, and/or percent reduction requirements under this section are determined on a 30-day rolling average basis.

(f) Except as provided in paragraph (j)(2) of this section, compliance with the emission limits or fuel oil sulfur limits under this section is determined on a 24-hour average basis for affected facilities that (1) have a

federally enforceable permit limiting the annual capacity factor for oil to 10 percent or less, (2) combust only very low sulfur oil, and (3) do not combust any other fuel.

(g) Except as provided in paragraph (i) of this section and §60.45b(a), the SO_2emission limits and percent reduction requirements under this section apply at all times, including periods of startup, shutdown, and malfunction.

(h) Reductions in the potential SO_2emission rate through fuel pretreatment are not credited toward the percent reduction requirement under paragraph (c) of this section unless:

(1) Fuel pretreatment results in a 50 percent or greater reduction in potential SO_2emissions and

(2) Emissions from the pretreated fuel (without combustion or post-combustion SO_2control) are equal to or less than the emission limits specified in paragraph (c) of this section.

(i) An affected facility subject to paragraph (a), (b), or (c) of this section may combust very low sulfur oil or natural gas when the SO_2control system is not being operated because of malfunction or maintenance of the SO_2control system.

(j) Percent reduction requirements are not applicable to affected facilities combusting only very low sulfur oil. The owner or operator of an affected facility combusting very low sulfur oil shall demonstrate that the oil meets the definition of very low sulfur oil by: (1) Following the performance testing procedures as described in §60.45b(c) or §60.45b(d), and following the monitoring procedures as described in §60.47b(a) or §60.47b(b) to determine SO_2emission rate or fuel oil sulfur content; or (2) maintaining fuel records as described in §60.49b(r).

(k)(1) Except as provided in paragraphs (k)(2), (k)(3), and (k)(4) of this section, on and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts coal, oil, natural gas, a mixture of these fuels, or a mixture of these fuels with any other fuels shall cause to be discharged into the atmosphere any gases that contain SO_2in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 8 percent (0.08) of the potential SO_2emission rate (92 percent reduction) and 520 ng/J (1.2 lb/MMBtu) heat input. For facilities complying with the percent reduction standard and paragraph (k)(3) of this section, only the heat input supplied to the affected facility from the combustion of coal and oil is counted in paragraph (k) of this section. No credit is provided for the heat input to the affected facility from the combustion of natural gas, wood, municipal-type solid waste, or other fuels or heat derived from exhaust gases from other sources, such as gas turbines, internal combustion engines, kilns, etc.

(2) Units firing only very low sulfur oil, gaseous fuel, a mixture of these fuels, or a mixture of these fuels with any other fuels with a potential SO_2emission rate of 140 ng/J (0.32 lb/MMBtu) heat input or less are exempt from the SO_2emissions limit in paragraph (k)(1) of this section.

(3) Units that are located in a noncontinental area and that combust coal, oil, or natural gas shall not discharge any gases that contain SO_2in excess of 520 ng/J (1.2 lb/MMBtu) heat input if the affected facility combusts coal, or 215 ng/J (0.50 lb/MMBtu) heat input if the affected facility combusts oil or natural gas.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5084, Jan. 28, 2009]

§ 60.43b Standard for particulate matter (PM).

(a) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005 that combusts coal or combusts mixtures of coal with other fuels, shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of the following emission limits:

(1) 22 ng/J (0.051 lb/MMBtu) heat input, (i) If the affected facility combusts only coal, or

(ii) If the affected facility combusts coal and other fuels and has an annual capacity factor for the other fuels of 10 percent (0.10) or less.

(2) 43 ng/J (0.10 lb/MMBtu) heat input if the affected facility combusts coal and other fuels and has an annual capacity factor for the other fuels greater than 10 percent (0.10) and is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor greater than 10 percent (0.10) for fuels other than coal.

(3) 86 ng/J (0.20 lb/MMBtu) heat input if the affected facility combusts coal or coal and other fuels and

(i) Has an annual capacity factor for coal or coal and other fuels of 30 percent (0.30) or less,

(ii) Has a maximum heat input capacity of 73 MW (250 MMBtu/hr) or less,

(iii) Has a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor of 30 percent (0.30) or less for coal or coal and other solid fuels, and

(iv) Construction of the affected facility commenced after June 19, 1984, and before November 25, 1986.

(4) An affected facility burning coke oven gas alone or in combination with other fuels not subject to a PM standard under §60.43b and not using a post-combustion technology (except a wet scrubber) for reducing PM or SO_2emissions is not subject to the PM limits under §60.43b(a).

(b) On and after the date on which the performance test is completed or required to be completed under §60.8, whichever comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, and that combusts oil (or mixtures of oil with other fuels) and uses a conventional or emerging technology to reduce SO_2emissions shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 43 ng/J (0.10 lb/MMBtu) heat input.

(c) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, and that combusts wood, or wood with other fuels, except coal, shall cause to be discharged from that affected facility any gases that contain PM in excess of the following emission limits:

(1) 43 ng/J (0.10 lb/MMBtu) heat input if the affected facility has an annual capacity factor greater than 30 percent (0.30) for wood.

(2) 86 ng/J (0.20 lb/MMBtu) heat input if (i) The affected facility has an annual capacity factor of 30 percent (0.30) or less for wood;

(ii) Is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor of 30 percent (0.30) or less for wood; and

(iii) Has a maximum heat input capacity of 73 MW (250 MMBtu/hr) or less.

(d) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that combusts municipal-type solid waste or mixtures of municipal-type solid waste with other fuels, shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of the following emission limits:

(1) 43 ng/J (0.10 lb/MMBtu) heat input;

(i) If the affected facility combusts only municipal-type solid waste; or

(ii) If the affected facility combusts municipal-type solid waste and other fuels and has an annual capacity factor for the other fuels of 10 percent (0.10) or less.

(2) 86 ng/J (0.20 lb/MMBtu) heat input if the affected facility combusts municipal-type solid waste or municipal-type solid waste and other fuels; and

(i) Has an annual capacity factor for municipal-type solid waste and other fuels of 30 percent (0.30) or less;

(ii) Has a maximum heat input capacity of 73 MW (250 MMBtu/hr) or less;

(iii) Has a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor of 30 percent (0.30) or less for municipal-type solid waste, or municipal-type solid waste and other fuels; and

(iv) Construction of the affected facility commenced after June 19, 1984, but on or before November 25, 1986.

(e) For the purposes of this section, the annual capacity factor is determined by dividing the actual heat input to the steam generating unit during the calendar year from the combustion of coal, wood, or municipal-type solid waste, and other fuels, as applicable, by the potential heat input to the steam generating unit if the steam generating unit had been operated for 8,760 hours at the maximum heat input capacity.

(f) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that can combust coal, oil, wood, or mixtures of these fuels with any other fuels shall cause to be discharged into the atmosphere any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity. Owners and operators of an affected facility that elect to install, calibrate, maintain, and operate a continuous emissions monitoring system (CEMS) for measuring PM emissions according to the requirements of this subpart and are subject to a federally enforceable PM limit of 0.030 lb/MMBtu or less are exempt from the opacity standard specified in this paragraph.

(g) The PM and opacity standards apply at all times, except during periods of startup, shutdown, or malfunction.

(h)(1) Except as provided in paragraphs (h)(2), (h)(3), (h)(4), (h)(5), and (h)(6) of this section, on and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification after February 28, 2005, and that combusts coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 13 ng/J (0.030 lb/MMBtu) heat input,

(2) As an alternative to meeting the requirements of paragraph (h)(1) of this section, the owner or operator of an affected facility for which modification commenced after February 28, 2005, may elect to meet the requirements of this paragraph. On and after the date on which the initial performance test is completed or required to be completed under §60.8, no owner or operator of an affected facility that commences modification after February 28, 2005 shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of both:

(i) 22 ng/J (0.051 lb/MMBtu) heat input derived from the combustion of coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels; and

(ii) 0.2 percent of the combustion concentration (99.8 percent reduction) when combusting coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels.

(3) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commences modification after February 28, 2005, and that combusts over 30 percent wood (by heat input) on an annual basis and has a maximum heat input capacity of 73 MW (250 MMBtu/h) or less shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 43 ng/J (0.10 lb/MMBtu) heat input.

(4) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commences modification after February 28, 2005, and that combusts over 30 percent wood (by heat input) on an annual basis and has a maximum heat input capacity greater than 73 MW (250 MMBtu/h) shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 37 ng/J (0.085 lb/MMBtu) heat input.

(5) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, an owner or operator of an affected facility not located in a noncontinental area that commences construction, reconstruction, or modification after February 28, 2005, and that combusts only oil that contains no more than 0.30 weight percent sulfur, coke oven gas, a mixture of these fuels, or either fuel (or a mixture of these fuels) in combination with other fuels not subject to a PM standard in §60.43b and not using a post-combustion technology (except a wet scrubber) to reduce SO_2or PM emissions is not subject to the PM limits in (h)(1) of this section.

(6) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, an owner or operator of an affected facility located in a noncontinental area that commences construction, reconstruction, or modification after February 28, 2005, and that combusts only oil that contains no more than 0.5 weight percent sulfur, coke oven gas, a mixture of these fuels, or either fuel (or a mixture of these fuels) in combination with other fuels not subject to a PM standard in §60.43b and not using a post-combustion technology (except a wet scrubber) to reduce SO_2or PM emissions is not subject to the PM limits in (h)(1) of this section.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5084, Jan. 28, 2009]

§ 60.44b Standard for nitrogen oxides (NOX).

(a) Except as provided under paragraphs (k) and (l) of this section, on and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that is subject to the provisions of this section and that combusts only coal, oil, or natural gas shall cause to be discharged into the atmosphere from that affected facility any gases that contain NO_X(expressed as NO_2) in excess of the following emission limits:

Fuel/steam generating unit type	Nitrogen oxide emission limits (expressed as NO_2) heat input	
	ng/J	lb/MMBTu
(1) Natural gas and distillate oil, except (4):		
(i) Low heat release rate	43	0.10
(ii) High heat release rate	86	0.20
(2) Residual oil:		
(i) Low heat release rate	130	0.30
(ii) High heat release rate	170	0.40
(3) Coal:		
(i) Mass-feed stoker	210	0.50

(ii) Spreader stoker and fluidized bed combustion	260	0.60
(iii) Pulverized coal	300	0.70
(iv) Lignite, except (v)	260	0.60
(v) Lignite mined in North Dakota, South Dakota, or Montana and combusted in a slag tap furnace	340	0.80
(vi) Coal-derived synthetic fuels	210	0.50
(4) Duct burner used in a combined cycle system:		
(i) Natural gas and distillate oil	86	0.20
(ii) Residual oil	170	0.40

(b) Except as provided under paragraphs (k) and (l) of this section, on and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that simultaneously combusts mixtures of coal, oil, or natural gas shall cause to be discharged into the atmosphere from that affected facility any gases that contain NO_X in excess of a limit determined by the use of the following formula:

$$E_n = \frac{(EL_{go}H_{go}) + (EL_{ro}H_{ro}) + (EL_cH_c)}{(H_{go} + H_{ro} + H_c)}$$

Where:

E_n= NO_Xemission limit (expressed as NO_2), ng/J (lb/MMBtu);

EL_{go}= Appropriate emission limit from paragraph (a)(1) for combustion of natural gas or distillate oil, ng/J (lb/MMBtu);

H_{go}= Heat input from combustion of natural gas or distillate oil, J (MMBtu);

EL_{ro}= Appropriate emission limit from paragraph (a)(2) for combustion of residual oil, ng/J (lb/MMBtu);

H_{ro}= Heat input from combustion of residual oil, J (MMBtu);

EL_c= Appropriate emission limit from paragraph (a)(3) for combustion of coal, ng/J (lb/MMBtu); and

H_c= Heat input from combustion of coal, J (MMBtu).

(c) Except as provided under paragraph (l) of this section, on and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that simultaneously combusts coal or oil, or a mixture of these fuels with natural gas, and wood, municipal-type solid waste, or any other fuel shall cause to be discharged into the atmosphere any gases that contain NO_X in excess of the emission limit for the coal or oil, or mixtures of these fuels with natural gas combusted in the affected facility, as determined pursuant to paragraph (a) or (b) of this section, unless the affected facility has an annual capacity factor for coal or oil, or mixture of these fuels with natural gas of 10 percent (0.10) or less and is subject to a federally enforceable requirement that limits operation of the affected facility to an annual capacity factor of 10 percent (0.10) or less for coal, oil, or a mixture of these fuels with natural gas.

(d) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that simultaneously combusts natural gas with wood, municipal-type solid waste, or other solid fuel, except coal, shall cause to be discharged into the atmosphere from that affected facility any gases that contain NO_Xin excess of 130 ng/J (0.30 lb/MMBtu) heat input unless the affected facility has an annual capacity factor for natural gas of 10 percent (0.10) or less and is subject to a federally enforceable requirement that limits operation of the affected facility to an annual capacity factor of 10 percent (0.10) or less for natural gas.

(e) Except as provided under paragraph (l) of this section, on and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that simultaneously combusts coal, oil, or natural gas with byproduct/waste shall cause to be discharged into the atmosphere any gases that contain NO_Xin excess of the emission limit determined by the following formula unless the affected facility has an annual capacity factor for coal, oil, and natural gas of 10 percent (0.10) or less and is subject to a federally enforceable requirement that limits operation of the affected facility to an annual capacity factor of 10 percent (0.10) or less:

$$E_n = \frac{(EL_{go}H_{go}) + (EL_{ro}H_{ro}) + (EL_cH_c)}{(H_{go} + H_{ro} + H_c)}$$

Where:

E_n= NO_X emission limit (expressed as NO_2), ng/J (lb/MMBtu);

EL_{go}= Appropriate emission limit from paragraph (a)(1) for combustion of natural gas or distillate oil, ng/J (lb/MMBtu);

H_{go}= Heat input from combustion of natural gas, distillate oil and gaseous byproduct/waste, J (MMBtu);

EL_{ro}= Appropriate emission limit from paragraph (a)(2) for combustion of residual oil and/or byproduct/waste, ng/J (lb/MMBtu);

H_{ro}= Heat input from combustion of residual oil, J (MMBtu);

EL_c= Appropriate emission limit from paragraph (a)(3) for combustion of coal, ng/J (lb/MMBtu); and

H_c= Heat input from combustion of coal, J (MMBtu).

(f) Any owner or operator of an affected facility that combusts byproduct/waste with either natural gas or oil may petition the Administrator within 180 days of the initial startup of the affected facility to establish a NO_X emission limit that shall apply specifically to that affected facility when the byproduct/waste is combusted. The petition shall include sufficient and appropriate data, as determined by the Administrator, such as NO_X emissions from the affected facility, waste composition (including nitrogen content), and combustion conditions to allow the Administrator to confirm that the affected facility is unable to comply with the emission limits in paragraph (e) of this section and to determine the appropriate emission limit for the affected facility.

(1) Any owner or operator of an affected facility petitioning for a facility-specific NO_X emission limit under this section shall:

(i) Demonstrate compliance with the emission limits for natural gas and distillate oil in paragraph (a)(1) of this section or for residual oil in paragraph (a)(2) or (l)(1) of this section, as appropriate, by conducting a 30-

day performance test as provided in §60.46b(e). During the performance test only natural gas, distillate oil, or residual oil shall be combusted in the affected facility; and

(ii) Demonstrate that the affected facility is unable to comply with the emission limits for natural gas and distillate oil in paragraph (a)(1) of this section or for residual oil in paragraph (a)(2) or (l)(1) of this section, as appropriate, when gaseous or liquid byproduct/waste is combusted in the affected facility under the same conditions and using the same technological system of emission reduction applied when demonstrating compliance under paragraph (f)(1)(i) of this section.

(2) The NO_X emission limits for natural gas or distillate oil in paragraph (a)(1) of this section or for residual oil in paragraph (a)(2) or (l)(1) of this section, as appropriate, shall be applicable to the affected facility until and unless the petition is approved by the Administrator. If the petition is approved by the Administrator, a facility-specific NO_X emission limit will be established at the NO_X emission level achievable when the affected facility is combusting oil or natural gas and byproduct/waste in a manner that the Administrator determines to be consistent with minimizing NO_X emissions. In lieu of amending this subpart, a letter will be sent to the facility describing the facility-specific NO_X limit. The facility shall use the compliance procedures detailed in the letter and make the letter available to the public. If the Administrator determines it is appropriate, the conditions and requirements of the letter can be reviewed and changed at any point.

(g) Any owner or operator of an affected facility that combusts hazardous waste (as defined by 40 CFR part 261 or 40 CFR part 761) with natural gas or oil may petition the Administrator within 180 days of the initial startup of the affected facility for a waiver from compliance with the NO_X emission limit that applies specifically to that affected facility. The petition must include sufficient and appropriate data, as determined by the Administrator, on NO_X emissions from the affected facility, waste destruction efficiencies, waste composition (including nitrogen content), the quantity of specific wastes to be combusted and combustion conditions to allow the Administrator to determine if the affected facility is able to comply with the NO_X emission limits required by this section. The owner or operator of the affected facility shall demonstrate that when hazardous waste is combusted in the affected facility, thermal destruction efficiency requirements for hazardous waste specified in an applicable federally enforceable requirement preclude compliance with the NO_X emission limits of this section. The NO_X emission limits for natural gas or distillate oil in paragraph (a)(1) of this section or for residual oil in paragraph (a)(2) or (l)(1) of this section, as appropriate, are applicable to the affected facility until and unless the petition is approved by the Administrator. (See 40 CFR 761.70 for regulations applicable to the incineration of materials containing polychlorinated biphenyls (PCB's).) In lieu of amending this subpart, a letter will be sent to the facility describing the facility-specific NO_X limit. The facility shall use the compliance procedures detailed in the letter and make the letter available to the public. If the Administrator determines it is appropriate, the conditions and requirements of the letter can be reviewed and changed at any point.

(h) For purposes of paragraph (i) of this section, the NO_X standards under this section apply at all times including periods of startup, shutdown, or malfunction.

(i) Except as provided under paragraph (j) of this section, compliance with the emission limits under this section is determined on a 30-day rolling average basis.

(j) Compliance with the emission limits under this section is determined on a 24-hour average basis for the initial performance test and on a 3-hour average basis for subsequent performance tests for any affected facilities that:

(1) Combust, alone or in combination, only natural gas, distillate oil, or residual oil with a nitrogen content of 0.30 weight percent or less;

(2) Have a combined annual capacity factor of 10 percent or less for natural gas, distillate oil, and residual oil with a nitrogen content of 0.30 weight percent or less; and

(3) Are subject to a federally enforceable requirement limiting operation of the affected facility to the firing of natural gas, distillate oil, and/or residual oil with a nitrogen content of 0.30 weight percent or less and limiting operation of the affected facility to a combined annual capacity factor of 10 percent or less for natural gas, distillate oil, and residual oil with a nitrogen content of 0.30 weight percent or less.

(k) Affected facilities that meet the criteria described in paragraphs (j)(1), (2), and (3) of this section, and that have a heat input capacity of 73 MW (250 MMBtu/hr) or less, are not subject to the NO_X emission limits under this section.

(l) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commenced construction or reconstruction after July 9, 1997 shall cause to be discharged into the atmosphere from that affected facility any gases that contain NO_X(expressed as NO_2) in excess of the following limits:

(1) If the affected facility combusts coal, oil, natural gas, a mixture of these fuels, or a mixture of these fuels with any other fuels: A limit of 86 ng/J (0.20 lb/MMBtu) heat input unless the affected facility has an annual capacity factor for coal, oil, and natural gas of 10 percent (0.10) or less and is subject to a federally enforceable requirement that limits operation of the facility to an annual capacity factor of 10 percent (0.10) or less for coal, oil, and natural gas; or

(2) If the affected facility has a low heat release rate and combusts natural gas or distillate oil in excess of 30 percent of the heat input on a 30-day rolling average from the combustion of all fuels, a limit determined by use of the following formula:

$$E_n = \frac{(0.10 \times H_{go}) + (0.20 \times H_r)}{(H_{go} + H_r)}$$

Where:

E_n= NO_X emission limit, (lb/MMBtu);

H_{go}= 30-day heat input from combustion of natural gas or distillate oil; and

H_r= 30-day heat input from combustion of any other fuel.

(3) After February 27, 2006, units where more than 10 percent of total annual output is electrical or mechanical may comply with an optional limit of 270 ng/J (2.1 lb/MWh) gross energy output, based on a 30-day rolling average. Units complying with this output-based limit must demonstrate compliance according to the procedures of §60.48Da(i) of subpart Da of this part, and must monitor emissions according to §60.49Da(c), (k), through (n) of subpart Da of this part.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5086, Jan. 28, 2009]

§ 60.45b Compliance and performance test methods and procedures for sulfur dioxide.

(a) The SO_2emission standards in §60.42b apply at all times. Facilities burning coke oven gas alone or in combination with any other gaseous fuels or distillate oil are allowed to exceed the limit 30 operating days per calendar year for SO_2control system maintenance.

(b) In conducting the performance tests required under §60.8, the owner or operator shall use the methods and procedures in appendix A (including fuel certification and sampling) of this part or the methods and procedures as specified in this section, except as provided in §60.8(b). Section 60.8(f) does not apply to this section. The 30-day notice required in §60.8(d) applies only to the initial performance test unless otherwise specified by the Administrator.

(c) The owner or operator of an affected facility shall conduct performance tests to determine compliance with the percent of potential SO_2emission rate (% P_s) and the SO_2emission rate (E_s) pursuant to §60.42b following the procedures listed below, except as provided under paragraph (d) and (k) of this section.

(1) The initial performance test shall be conducted over 30 consecutive operating days of the steam generating unit. Compliance with the SO_2standards shall be determined using a 30-day average. The first operating day included in the initial performance test shall be scheduled within 30 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of the facility.

(2) If only coal, only oil, or a mixture of coal and oil is combusted, the following procedures are used:

(i) The procedures in Method 19 of appendix A–7 of this part are used to determine the hourly SO_2emission rate (E_{ho}) and the 30-day average emission rate (E_{ao}). The hourly averages used to compute the 30-day averages are obtained from the CEMS of §60.47b(a) or (b).

(ii) The percent of potential SO_2emission rate ($\%P_s$) emitted to the atmosphere is computed using the following formula:

$$\%P_s = 100\left(1 - \frac{\%R_g}{100}\right)\left(1 - \frac{\%R_f}{100}\right)$$

Where:

$\%P_s$= Potential SO_2emission rate, percent;

$\%R_g$= SO_2removal efficiency of the control device as determined by Method 19 of appendix A of this part, in percent; and

$\%R_f$= SO_2removal efficiency of fuel pretreatment as determined by Method 19 of appendix A of this part, in percent.

(3) If coal or oil is combusted with other fuels, the same procedures required in paragraph (c)(2) of this section are used, except as provided in the following:

(i) An adjusted hourly SO_2emission rate (E_{ho}^{o}) is used in Equation 19–19 of Method 19 of appendix A of this part to compute an adjusted 30-day average emission rate (E_{ao}^{o}). The Eho° is computed using the following formula:

$$E_{ho}^{o} = \frac{E_{ho} - E_w(1 - X_k)}{X_k}$$

Where:

E_{ho}^{o} = Adjusted hourly SO_2emission rate, ng/J (lb/MMBtu);

E_{ho}= Hourly SO_2emission rate, ng/J (lb/MMBtu);

E_w= SO_2concentration in fuels other than coal and oil combusted in the affected facility, as determined by the fuel sampling and analysis procedures in Method 19 of appendix A of this part, ng/J (lb/MMBtu). The value $E_w$for each fuel lot is used for each hourly average during the time that the lot is being combusted; and

X_k= Fraction of total heat input from fuel combustion derived from coal, oil, or coal and oil, as determined by applicable procedures in Method 19 of appendix A of this part.

(ii) To compute the percent of potential SO_2emission rate ($\%P_s$), an adjusted $\%R_g$($\%R_g^o$) is computed from the adjusted E_{ao}^o from paragraph (b)(3)(i) of this section and an adjusted average SO_2inlet rate (E_{ai}^o) using the following formula:

$$\%R_g^o = 100\left(1.0 - \frac{E_{ao}^o}{E_{ai}^o}\right)$$

To compute E_{ai}^o , an adjusted hourly SO_2inlet rate (E_{hi}^o) is used. The E_{hi}^o is computed using the following formula:

$$E_{hi}^o = \frac{E_{hi} - E_w(1 - X_k)}{X_k}$$

Where:

E_{hi}^o = Adjusted hourly SO_2inlet rate, ng/J (lb/MMBtu); and

E_{hi}= Hourly SO_2inlet rate, ng/J (lb/MMBtu).

(4) The owner or operator of an affected facility subject to paragraph (c)(3) of this section does not have to measure parameters E_w or X_k if the owner or operator elects to assume that X_k= 1.0. Owners or operators of affected facilities who assume X_k= 1.0 shall:

(i) Determine $\%P_s$ following the procedures in paragraph (c)(2) of this section; and

(ii) Sulfur dioxide emissions (E_s) are considered to be in compliance with SO_2emission limits under §60.42b.

(5) The owner or operator of an affected facility that qualifies under the provisions of §60.42b(d) does not have to measure parameters E_w or X_k in paragraph (c)(3) of this section if the owner or operator of the affected facility elects to measure SO_2emission rates of the coal or oil following the fuel sampling and analysis procedures in Method 19 of appendix A–7 of this part.

(d) Except as provided in paragraph (j) of this section, the owner or operator of an affected facility that combusts only very low sulfur oil, natural gas, or a mixture of these fuels, has an annual capacity factor for oil of 10 percent (0.10) or less, and is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor for oil of 10 percent (0.10) or less shall:

(1) Conduct the initial performance test over 24 consecutive steam generating unit operating hours at full load;

(2) Determine compliance with the standards after the initial performance test based on the arithmetic average of the hourly emissions data during each steam generating unit operating day if a CEMS is used, or based on a daily average if Method 6B of appendix A of this part or fuel sampling and analysis procedures under Method 19 of appendix A of this part are used.

(e) The owner or operator of an affected facility subject to §60.42b(d)(1) shall demonstrate the maximum design capacity of the steam generating unit by operating the facility at maximum capacity for 24 hours. This demonstration will be made during the initial performance test and a subsequent demonstration may be requested at any other time. If the 24-hour average firing rate for the affected facility is less than the maximum design capacity provided by the manufacturer of the affected facility, the 24-hour average firing rate shall be used to determine the capacity utilization rate for the affected facility, otherwise the maximum design capacity provided by the manufacturer is used.

(f) For the initial performance test required under §60.8, compliance with the SO_2emission limits and percent reduction requirements under §60.42b is based on the average emission rates and the average percent reduction for $SO_2$for the first 30 consecutive steam generating unit operating days, except as provided under paragraph (d) of this section. The initial performance test is the only test for which at least 30 days prior notice is required unless otherwise specified by the Administrator. The initial performance test is to be scheduled so that the first steam generating unit operating day of the 30 successive steam generating unit operating days is completed within 30 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of the facility. The boiler load during the 30-day period does not have to be the maximum design load, but must be representative of future operating conditions and include at least one 24-hour period at full load.

(g) After the initial performance test required under §60.8, compliance with the SO_2emission limits and percent reduction requirements under §60.42b is based on the average emission rates and the average percent reduction for $SO_2$for 30 successive steam generating unit operating days, except as provided under paragraph (d). A separate performance test is completed at the end of each steam generating unit operating day after the initial performance test, and a new 30-day average emission rate and percent reduction for $SO_2$are calculated to show compliance with the standard.

(h) Except as provided under paragraph (i) of this section, the owner or operator of an affected facility shall use all valid SO_2emissions data in calculating $\%P_s$ and E_{ho} under paragraph (c), of this section whether or not the minimum emissions data requirements under §60.46b are achieved. All valid emissions data, including valid SO_2emission data collected during periods of startup, shutdown and malfunction, shall be used in calculating $\%P_s$ and E_{ho} pursuant to paragraph (c) of this section.

(i) During periods of malfunction or maintenance of the SO_2control systems when oil is combusted as provided under §60.42b(i), emission data are not used to calculate $\%P_s$ or E_s under §60.42b(a), (b) or (c), however, the emissions data are used to determine compliance with the emission limit under §60.42b(i).

(j) The owner or operator of an affected facility that only combusts very low sulfur oil, natural gas, or a mixture of these fuels with any other fuels not subject to an SO_2standard is not subject to the compliance and performance testing requirements of this section if the owner or operator obtains fuel receipts as described in §60.49b(r).

(k) The owner or operator of an affected facility seeking to demonstrate compliance in §§60.42b(d)(4), 60.42b(j), 60.42b(k)(2), and 60.42b(k)(3) (when not burning coal) shall follow the applicable procedures in §60.49b(r).

[72 FR 32742, June 13, 2007, as amended at 74 FR 5086, Jan. 28, 2009]

§ 60.46b Compliance and performance test methods and procedures for particulate matter and nitrogen oxides.

(a) The PM emission standards and opacity limits under §60.43b apply at all times except during periods of startup, shutdown, or malfunction. The NO_X emission standards under §60.44b apply at all times.

(b) Compliance with the PM emission standards under §60.43b shall be determined through performance testing as described in paragraph (d) of this section, except as provided in paragraph (i) of this section.

(c) Compliance with the NO_X emission standards under §60.44b shall be determined through performance testing under paragraph (e) or (f), or under paragraphs (g) and (h) of this section, as applicable.

(d) To determine compliance with the PM emission limits and opacity limits under §60.43b, the owner or operator of an affected facility shall conduct an initial performance test as required under §60.8, and shall conduct subsequent performance tests as requested by the Administrator, using the following procedures and reference methods:

(1) Method 3A or 3B of appendix A–2 of this part is used for gas analysis when applying Method 5 of appendix A–3 of this part or Method 17 of appendix A–6 of this part.

(2) Method 5, 5B, or 17 of appendix A of this part shall be used to measure the concentration of PM as follows:

(i) Method 5 of appendix A of this part shall be used at affected facilities without wet flue gas desulfurization (FGD) systems; and

(ii) Method 17 of appendix A–6 of this part may be used at facilities with or without wet scrubber systems provided the stack gas temperature does not exceed a temperature of 160 °C (320 °F). The procedures of sections 8.1 and 11.1 of Method 5B of appendix A–3 of this part may be used in Method 17 of appendix A–6 of this part only if it is used after a wet FGD system. Do not use Method 17 of appendix A–6 of this part after wet FGD systems if the effluent is saturated or laden with water droplets.

(iii) Method 5B of appendix A of this part is to be used only after wet FGD systems.

(3) Method 1 of appendix A of this part is used to select the sampling site and the number of traverse sampling points. The sampling time for each run is at least 120 minutes and the minimum sampling volume is 1.7 dscm (60 dscf) except that smaller sampling times or volumes may be approved by the Administrator when necessitated by process variables or other factors.

(4) For Method 5 of appendix A of this part, the temperature of the sample gas in the probe and filter holder is monitored and is maintained at 160±14 °C (320±25 °F).

(5) For determination of PM emissions, the oxygen (O_2) or CO_2sample is obtained simultaneously with each run of Method 5, 5B, or 17 of appendix A of this part by traversing the duct at the same sampling location.

(6) For each run using Method 5, 5B, or 17 of appendix A of this part, the emission rate expressed in ng/J heat input is determined using:

(i) The O_2or CO_2measurements and PM measurements obtained under this section;

(ii) The dry basis F factor; and

(iii) The dry basis emission rate calculation procedure contained in Method 19 of appendix A of this part.

(7) Method 9 of appendix A of this part is used for determining the opacity of stack emissions.

(e) To determine compliance with the emission limits for NO_X required under §60.44b, the owner or operator of an affected facility shall conduct the performance test as required under §60.8 using the continuous system for monitoring NO_X under §60.48(b).

(1) For the initial compliance test, NO_X from the steam generating unit are monitored for 30 successive steam generating unit operating days and the 30-day average emission rate is used to determine compliance with the NO_X emission standards under §60.44b. The 30-day average emission rate is calculated as the average of all hourly emissions data recorded by the monitoring system during the 30-day test period.

(2) Following the date on which the initial performance test is completed or is required to be completed in §60.8, whichever date comes first, the owner or operator of an affected facility which combusts coal (except as specified under §60.46b(e)(4)) or which combusts residual oil having a nitrogen content greater than 0.30 weight percent shall determine compliance with the NO_X emission standards in §60.44b on a continuous basis through the use of a 30-day rolling average emission rate. A new 30-day rolling average emission rate is calculated for each steam generating unit operating day as the average of all of the hourly NO_X emission data for the preceding 30 steam generating unit operating days.

(3) Following the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, the owner or operator of an affected facility that has a heat input capacity greater than 73 MW (250 MMBtu/hr) and that combusts natural gas, distillate oil, or residual oil having a nitrogen content of 0.30 weight percent or less shall determine compliance with the NO_X standards under §60.44b on a continuous basis through the use of a 30-day rolling average emission rate. A new 30-day rolling average emission rate is calculated each steam generating unit operating day as the average of all of the hourly NO_X emission data for the preceding 30 steam generating unit operating days.

(4) Following the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, the owner or operator of an affected facility that has a heat input capacity of 73 MW (250 MMBtu/hr) or less and that combusts natural gas, distillate oil, gasified coal, or residual oil having a nitrogen content of 0.30 weight percent or less shall upon request determine compliance with the NO_X standards in §60.44b through the use of a 30-day performance test. During periods when performance tests are not requested, NO_X emissions data collected pursuant to §60.48b(g)(1) or §60.48b(g)(2) are used to calculate a 30-day rolling average emission rate on a daily basis and used to prepare excess emission reports, but will not be used to determine compliance with the NO_X emission standards. A new 30-day rolling average emission rate is calculated each steam generating unit operating day as the average of all of the hourly NO_X emission data for the preceding 30 steam generating unit operating days.

(5) If the owner or operator of an affected facility that combusts residual oil does not sample and analyze the residual oil for nitrogen content, as specified in §60.49b(e), the requirements of §60.48b(g)(1) apply and the provisions of §60.48b(g)(2) are inapplicable.

(f) To determine compliance with the emissions limits for NO_X required by §60.44b(a)(4) or §60.44b(l) for duct burners used in combined cycle systems, either of the procedures described in paragraph (f)(1) or (2) of this section may be used:

(1) The owner or operator of an affected facility shall conduct the performance test required under §60.8 as follows:

(i) The emissions rate (E) of NO_X shall be computed using Equation 1 in this section:

$$E = E_{sg} + \left(\frac{H_g}{H_b}\right)\left(E_{sg} - E_g\right) \qquad \text{(Eq.1)}$$

Where:

E = Emissions rate of NO_X from the duct burner, ng/J (lb/MMBtu) heat input;

E_{sg}= Combined effluent emissions rate, in ng/J (lb/MMBtu) heat input using appropriate F factor as described in Method 19 of appendix A of this part;

H_g= Heat input rate to the combustion turbine, in J/hr (MMBtu/hr);

H_b= Heat input rate to the duct burner, in J/hr (MMBtu/hr); and

E_g= Emissions rate from the combustion turbine, in ng/J (lb/MMBtu) heat input calculated using appropriate F factor as described in Method 19 of appendix A of this part.

(ii) Method 7E of appendix A of this part shall be used to determine the NO_X concentrations. Method 3A or 3B of appendix A of this part shall be used to determine O_2concentration.

(iii) The owner or operator shall identify and demonstrate to the Administrator's satisfaction suitable methods to determine the average hourly heat input rate to the combustion turbine and the average hourly heat input rate to the affected duct burner.

(iv) Compliance with the emissions limits under §60.44b(a)(4) or §60.44b(l) is determined by the three-run average (nominal 1-hour runs) for the initial and subsequent performance tests; or

(2) The owner or operator of an affected facility may elect to determine compliance on a 30-day rolling average basis by using the CEMS specified under §60.48b for measuring NO_X and $O_2$and meet the requirements of §60.48b. The sampling site shall be located at the outlet from the steam generating unit. The NO_X emissions rate at the outlet from the steam generating unit shall constitute the NO_X emissions rate from the duct burner of the combined cycle system.

(g) The owner or operator of an affected facility described in §60.44b(j) or §60.44b(k) shall demonstrate the maximum heat input capacity of the steam generating unit by operating the facility at maximum capacity for 24 hours. The owner or operator of an affected facility shall determine the maximum heat input capacity using the heat loss method or the heat input method described in sections 5 and 7.3 of the ASME *Power Test Codes* 4.1 (incorporated by reference, see §60.17). This demonstration of maximum heat input capacity shall be made during the initial performance test for affected facilities that meet the criteria of §60.44b(j). It shall be made within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial start-up of each facility, for affected facilities meeting the criteria of §60.44b(k). Subsequent demonstrations may be required by the Administrator at any other time. If this demonstration indicates that the maximum heat input capacity of the affected facility is less than that stated by the manufacturer of the affected facility, the maximum heat input capacity determined during this demonstration shall be used to determine the capacity utilization rate for the affected facility. Otherwise, the maximum heat input capacity provided by the manufacturer is used.

(h) The owner or operator of an affected facility described in §60.44b(j) that has a heat input capacity greater than 73 MW (250 MMBtu/hr) shall:

(1) Conduct an initial performance test as required under §60.8 over a minimum of 24 consecutive steam generating unit operating hours at maximum heat input capacity to demonstrate compliance with the NO_X emission standards under §60.44b using Method 7, 7A, 7E of appendix A of this part, or other approved reference methods; and

(2) Conduct subsequent performance tests once per calendar year or every 400 hours of operation (whichever comes first) to demonstrate compliance with the NO_X emission standards under §60.44b over a minimum of 3 consecutive steam generating unit operating hours at maximum heat input capacity using Method 7, 7A, 7E of appendix A of this part, or other approved reference methods.

(i) The owner or operator of an affected facility seeking to demonstrate compliance with the PM limit in paragraphs §60.43b(a)(4) or §60.43b(h)(5) shall follow the applicable procedures in §60.49b(r).

(j) In place of PM testing with Method 5 or 5B of appendix A–3 of this part, or Method 17 of appendix A–6 of this part, an owner or operator may elect to install, calibrate, maintain, and operate a CEMS for monitoring PM emissions discharged to the atmosphere and record the output of the system. The owner or operator of an affected facility who elects to continuously monitor PM emissions instead of conducting performance testing using Method 5 or 5B of appendix A–3 of this part or Method 17 of appendix A–6 of this part shall comply with the requirements specified in paragraphs (j)(1) through (j)(14) of this section.

(1) Notify the Administrator one month before starting use of the system.

(2) Notify the Administrator one month before stopping use of the system.

(3) The monitor shall be installed, evaluated, and operated in accordance with §60.13 of subpart A of this part.

(4) The initial performance evaluation shall be completed no later than 180 days after the date of initial startup of the affected facility, as specified under §60.8 of subpart A of this part or within 180 days of notification to the Administrator of use of the CEMS if the owner or operator was previously determining compliance by Method 5, 5B, or 17 of appendix A of this part performance tests, whichever is later.

(5) The owner or operator of an affected facility shall conduct an initial performance test for PM emissions as required under §60.8 of subpart A of this part. Compliance with the PM emission limit shall be determined by using the CEMS specified in paragraph (j) of this section to measure PM and calculating a 24-hour block arithmetic average emission concentration using EPA Reference Method 19 of appendix A of this part, section 4.1.

(6) Compliance with the PM emission limit shall be determined based on the 24-hour daily (block) average of the hourly arithmetic average emission concentrations using CEMS outlet data.

(7) At a minimum, valid CEMS hourly averages shall be obtained as specified in paragraphs (j)(7)(i) of this section for 75 percent of the total operating hours per 30-day rolling average.

(i) At least two data points per hour shall be used to calculate each 1-hour arithmetic average.

(ii) [Reserved]

(8) The 1-hour arithmetic averages required under paragraph (j)(7) of this section shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the boiler operating day daily arithmetic average emission concentrations. The 1-hour arithmetic averages shall be calculated using the data points required under §60.13(e)(2) of subpart A of this part.

(9) All valid CEMS data shall be used in calculating average emission concentrations even if the minimum CEMS data requirements of paragraph (j)(7) of this section are not met.

(10) The CEMS shall be operated according to Performance Specification 11 in appendix B of this part.

(11) During the correlation testing runs of the CEMS required by Performance Specification 11 in appendix B of this part, PM and O_2(or CO_2) data shall be collected concurrently (or within a 30-to 60-minute period) by both the continuous emission monitors and performance tests conducted using the following test methods.

(i) For PM, Method 5 or 5B of appendix A–3 of this part or Method 17 of appendix A–6 of this part shall be used; and

(ii) After July 1, 2010 or after Method 202 of appendix M of part 51 has been revised to minimize artifact measurement and notice of that change has been published in the Federal Register, whichever is later, for condensable PM emissions, Method 202 of appendix M of part 51 shall be used; and

(iii) For O_2(or CO_2), Method 3A or 3B of appendix A–2 of this part, as applicable shall be used.

(12) Quarterly accuracy determinations and daily calibration drift tests shall be performed in accordance with procedure 2 in appendix F of this part. Relative Response Audit's must be performed annually and Response Correlation Audits must be performed every 3 years.

(13) When PM emissions data are not obtained because of CEMS breakdowns, repairs, calibration checks, and zero and span adjustments, emissions data shall be obtained by using other monitoring systems as approved by the Administrator or EPA Reference Method 19 of appendix A of this part to provide, as necessary, valid emissions data for a minimum of 75 percent of total operating hours per 30-day rolling average.

(14) After July 1, 2011, within 90 days after completing a correlation testing run, the owner or operator of an affected facility shall either successfully enter the test data into EPA's WebFIRE data base located at *http://cfpub.epa.gov/oarweb/index.cfm?action=fire.main* or mail a copy to: United States Environmental Protection Agency; Energy Strategies Group; 109 TW Alexander DR; Mail Code: D243–01; RTP, NC 27711.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5086, Jan. 28, 2009]

§ 60.47b Emission monitoring for sulfur dioxide.

(a) Except as provided in paragraphs (b) and (f) of this section, the owner or operator of an affected facility subject to the SO_2standards in §60.42b shall install, calibrate, maintain, and operate CEMS for measuring SO_2concentrations and either O_2or CO_2concentrations and shall record the output of the systems. For units complying with the percent reduction standard, the $SO_2$and either O_2or CO_2concentrations shall both be monitored at the inlet and outlet of the SO_2control device. If the owner or operator has installed and certified $SO_2$and O_2or CO_2CEMS according to the requirements of §75.20(c)(1) of this chapter and appendix A to part 75 of this chapter, and is continuing to meet the ongoing quality assurance requirements of §75.21 of this chapter and appendix B to part 75 of this chapter, those CEMS may be used to meet the requirements of this section, provided that:

(1) When relative accuracy testing is conducted, SO_2concentration data and CO_2(or O_2) data are collected simultaneously; and

(2) In addition to meeting the applicable $SO_2$and CO_2(or O_2) relative accuracy specifications in Figure 2 of appendix B to part 75 of this chapter, the relative accuracy (RA) standard in section 13.2 of Performance Specification 2 in appendix B to this part is met when the RA is calculated on a lb/MMBtu basis; and

(3) The reporting requirements of §60.49b are met. $SO_2$and CO_2(or O_2) data used to meet the requirements of §60.49b shall not include substitute data values derived from the missing data procedures in subpart D of part 75 of this chapter, nor shall the SO_2data have been bias adjusted according to the procedures of part 75 of this chapter.

(b) As an alternative to operating CEMS as required under paragraph (a) of this section, an owner or operator may elect to determine the average SO_2emissions and percent reduction by:

(1) Collecting coal or oil samples in an as-fired condition at the inlet to the steam generating unit and analyzing them for sulfur and heat content according to Method 19 of appendix A of this part. Method 19 of appendix A of this part provides procedures for converting these measurements into the format to be used in calculating the average SO_2input rate, or

(2) Measuring SO_2according to Method 6B of appendix A of this part at the inlet or outlet to the SO_2control system. An initial stratification test is required to verify the adequacy of the Method 6B of appendix A of this part sampling location. The stratification test shall consist of three paired runs of a suitable $SO_2$and CO_2measurement train operated at the candidate location and a second similar train operated according to the procedures in section 3.2 and the applicable procedures in section 7 of Performance Specification 2. Method 6B of appendix A of this part, Method 6A of appendix A of this part, or a combination of Methods 6 and 3 or 3B of appendix A of this part or Methods 6C and 3A of appendix A of this part are suitable measurement techniques. If Method 6B of appendix A of this part is used for the second train, sampling time and timer operation may be adjusted for the stratification test as long as an adequate sample volume is collected; however, both sampling trains are to be operated similarly. For the location to be adequate for Method 6B of appendix A of this part 24-hour tests, the mean of the absolute difference between the three paired runs must be less than 10 percent.

(3) A daily SO_2emission rate, E_D, shall be determined using the procedure described in Method 6A of appendix A of this part, section 7.6.2 (Equation 6A–8) and stated in ng/J (lb/MMBtu) heat input.

(4) The mean 30-day emission rate is calculated using the daily measured values in ng/J (lb/MMBtu) for 30 successive steam generating unit operating days using equation 19–20 of Method 19 of appendix A of this part.

(c) The owner or operator of an affected facility shall obtain emission data for at least 75 percent of the operating hours in at least 22 out of 30 successive boiler operating days. If this minimum data requirement is not met with a single monitoring system, the owner or operator of the affected facility shall supplement the emission data with data collected with other monitoring systems as approved by the Administrator or the reference methods and procedures as described in paragraph (b) of this section.

(d) The 1-hour average SO_2emission rates measured by the CEMS required by paragraph (a) of this section and required under §60.13(h) is expressed in ng/J or lb/MMBtu heat input and is used to calculate the average emission rates under §60.42(b). Each 1-hour average SO_2emission rate must be based on 30 or more minutes of steam generating unit operation. The hourly averages shall be calculated according to §60.13(h)(2). Hourly SO_2emission rates are not calculated if the affected facility is operated less than 30 minutes in a given clock hour and are not counted toward determination of a steam generating unit operating day.

(e) The procedures under §60.13 shall be followed for installation, evaluation, and operation of the CEMS.

(1) Except as provided for in paragraph (e)(4) of this section, all CEMS shall be operated in accordance with the applicable procedures under Performance Specifications 1, 2, and 3 of appendix B of this part.

(2) Except as provided for in paragraph (e)(4) of this section, quarterly accuracy determinations and daily calibration drift tests shall be performed in accordance with Procedure 1 of appendix F of this part.

(3) For affected facilities combusting coal or oil, alone or in combination with other fuels, the span value of the SO_2CEMS at the inlet to the SO_2control device is 125 percent of the maximum estimated hourly potential SO_2emissions of the fuel combusted, and the span value of the CEMS at the outlet to the SO_2control device is 50 percent of the maximum estimated hourly potential SO_2emissions of the fuel combusted. Alternatively, SO_2span values determined according to section 2.1.1 in appendix A to part 75 of this chapter may be used.

(4) As an alternative to meeting the requirements of requirements of paragraphs (e)(1) and (e)(2) of this section, the owner or operator may elect to implement the following alternative data accuracy assessment procedures:

(i) For all required $CO_2$and O_2monitors and for $SO_2$and NO_X monitors with span values greater than or equal to 100 ppm, the daily calibration error test and calibration adjustment procedures described in sections 2.1.1 and 2.1.3 of appendix B to part 75 of this chapter may be followed instead of the CD assessment procedures in Procedure 1, section 4.1 of appendix F to this part.

(ii) For all required $CO_2$and O_2monitors and for $SO_2$and NO_X monitors with span values greater than 30 ppm, quarterly linearity checks may be performed in accordance with section 2.2.1 of appendix B to part 75 of this chapter, instead of performing the cylinder gas audits (CGAs) described in Procedure 1, section 5.1.2 of appendix F to this part. If this option is selected: The frequency of the linearity checks shall be as specified in section 2.2.1 of appendix B to part 75 of this chapter; the applicable linearity specifications in section 3.2 of appendix A to part 75 of this chapter shall be met; the data validation and out-of-control criteria in section 2.2.3 of appendix B to part 75 of this chapter shall be followed instead of the excessive audit inaccuracy and out-of-control criteria in Procedure 1, section 5.2 of appendix F to this part; and the grace period provisions in section 2.2.4 of appendix B to part 75 of this chapter shall apply. For the purposes of data validation under this subpart, the cylinder gas audits described in Procedure 1, section 5.1.2 of appendix F to this part shall be performed for $SO_2$and NO_X span values less than or equal to 30 ppm; and

(iii) For SO_2, CO_2, and O_2monitoring systems and for NO_X emission rate monitoring systems, RATAs may be performed in accordance with section 2.3 of appendix B to part 75 of this chapter instead of following the procedures described in Procedure 1, section 5.1.1 of appendix F to this part. If this option is selected: The frequency of each RATA shall be as specified in section 2.3.1 of appendix B to part 75 of this chapter; the applicable relative accuracy specifications shown in Figure 2 in appendix B to part 75 of this chapter shall be met; the data validation and out-of-control criteria in section 2.3.2 of appendix B to part 75 of this chapter shall be followed instead of the excessive audit inaccuracy and out-of-control criteria in Procedure 1, section 5.2 of appendix F to this part; and the grace period provisions in section 2.3.3 of appendix B to part 75 of this chapter shall apply. For the purposes of data validation under this subpart, the relative accuracy specification in section 13.2 of Performance Specification 2 in appendix B to this part shall be met on a lb/MMBtu basis for SO_2(regardless of the SO_2emission level during the RATA), and for NO_X when the average NO_X emission rate measured by the reference method during the RATA is less than 0.100 lb/MMBtu.

(f) The owner or operator of an affected facility that combusts very low sulfur oil or is demonstrating compliance under §60.45b(k) is not subject to the emission monitoring requirements under paragraph (a) of this section if the owner or operator maintains fuel records as described in §60.49b(r).

[72 FR 32742, June 13, 2007, as amended at 74 FR 5087, Jan. 28, 2009]

§ 60.48b Emission monitoring for particulate matter and nitrogen oxides.

(a) Except as provided in paragraph (j) of this section, the owner or operator of an affected facility subject to the opacity standard under §60.43b shall install, calibrate, maintain, and operate a continuous opacity monitoring systems (COMS) for measuring the opacity of emissions discharged to the atmosphere and record the output of the system. The owner or operator of an affected facility subject to an opacity standard under §60.43b and meeting the conditions under paragraphs (j)(1), (2), (3), (4), or (5) of this section who elects not to install a COMS shall conduct a performance test using Method 9 of appendix A–4 of this part and the procedures in §60.11 to demonstrate compliance with the applicable limit in §60.43b and shall comply with either paragraphs (a)(1), (a)(2), or (a)(3) of this section. If during the initial 60 minutes of observation all 6-minute averages are less than 10 percent and all individual 15-second observations are less than or equal to 20 percent, the observation period may be reduced from 3 hours to 60 minutes.

(1) Except as provided in paragraph (a)(2) and (a)(3) of this section, the owner or operator shall conduct subsequent Method 9 of appendix A–4 of this part performance tests using the procedures in paragraph (a) of this section according to the applicable schedule in paragraphs (a)(1)(i) through (a)(1)(iv) of this section, as determined by the most recent Method 9 of appendix A–4 of this part performance test results.

(i) If no visible emissions are observed, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 12 calendar months from the date that the most recent performance test was conducted;

(ii) If visible emissions are observed but the maximum 6-minute average opacity is less than or equal to 5 percent, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 6 calendar months from the date that the most recent performance test was conducted;

(iii) If the maximum 6-minute average opacity is greater than 5 percent but less than or equal to 10 percent, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 3 calendar months from the date that the most recent performance test was conducted; or

(iv) If the maximum 6-minute average opacity is greater than 10 percent, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 30 calendar days from the date that the most recent performance test was conducted.

(2) If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A–4 of this part performance test, the owner or operator may, as an alternative to performing subsequent Method 9 of appendix A–4 of this part performance tests, elect to perform subsequent monitoring using Method 22 of appendix A–7 of this part according to the procedures specified in paragraphs (a)(2)(i) and (ii) of this section.

(i) The owner or operator shall conduct 10 minute observations (during normal operation) each operating day the affected facility fires fuel for which an opacity standard is applicable using Method 22 of appendix A–7 of this part and demonstrate that the sum of the occurrences of any visible emissions is not in excess of 5 percent of the observation period (*i.e.* , 30 seconds per 10 minute period). If the sum of the occurrence of any visible emissions is greater than 30 seconds during the initial 10 minute observation, immediately conduct a 30 minute observation. If the sum of the occurrence of visible emissions is greater than 5 percent of the observation period (*i.e.* , 90 seconds per 30 minute period) the owner or operator shall either document and adjust the operation of the facility and demonstrate within 24 hours that the sum of the occurrence of visible emissions is equal to or less than 5 percent during a 30 minute observation (*i.e.* , 90 seconds) or conduct a new Method 9 of appendix A–4 of this part performance test using the procedures in paragraph (a) of this section within 30 calendar days according to the requirements in §60.46d(d)(7).

(ii) If no visible emissions are observed for 30 operating days during which an opacity standard is applicable, observations can be reduced to once every 7 operating days during which an opacity standard is applicable. If any visible emissions are observed, daily observations shall be resumed.

(3) If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A–4 of this part performance test, the owner or operator may, as an alternative to performing subsequent Method 9 of appendix A–4 performance tests, elect to perform subsequent monitoring using a digital opacity compliance system according to a site-specific monitoring plan approved by the Administrator. The observations shall be similar, but not necessarily identical, to the requirements in paragraph (a)(2) of this section. For reference purposes in preparing the monitoring plan, see OAQPS "Determination of Visible Emission Opacity from Stationary Sources Using Computer-Based Photographic Analysis Systems." This document is available from the U.S. Environmental Protection Agency (U.S. EPA); Office of Air Quality and Planning Standards; Sector Policies and Programs Division; Measurement Policy Group (D243–02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emission Measurement Center Preliminary Methods.

(b) Except as provided under paragraphs (g), (h), and (i) of this section, the owner or operator of an affected facility subject to a NO_X standard under §60.44b shall comply with either paragraphs (b)(1) or (b)(2) of this section.

(1) Install, calibrate, maintain, and operate CEMS for measuring NO_X and O_2(or CO_2) emissions discharged to the atmosphere, and shall record the output of the system; or

(2) If the owner or operator has installed a NO_X emission rate CEMS to meet the requirements of part 75 of this chapter and is continuing to meet the ongoing requirements of part 75 of this chapter, that CEMS may be used to meet the requirements of this section, except that the owner or operator shall also meet the requirements of §60.49b. Data reported to meet the requirements of §60.49b shall not include data substituted using the missing data procedures in subpart D of part 75 of this chapter, nor shall the data have been bias adjusted according to the procedures of part 75 of this chapter.

(c) The CEMS required under paragraph (b) of this section shall be operated and data recorded during all periods of operation of the affected facility except for CEMS breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments.

(d) The 1-hour average NO_X emission rates measured by the continuous NO_X monitor required by paragraph (b) of this section and required under §60.13(h) shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the average emission rates under §60.44b. The 1-hour averages shall be calculated using the data points required under §60.13(h)(2).

(e) The procedures under §60.13 shall be followed for installation, evaluation, and operation of the continuous monitoring systems.

(1) For affected facilities combusting coal, wood or municipal-type solid waste, the span value for a COMS shall be between 60 and 80 percent.

(2) For affected facilities combusting coal, oil, or natural gas, the span value for NO_X is determined using one of the following procedures:

(i) Except as provided under paragraph (e)(2)(ii) of this section, NO_X span values shall be determined as follows:

Fuel	**Span values for NO_X (ppm)**
Natural gas	500.

Oil	500.
Coal	1,000.
Mixtures	500 (x + y) + 1,000z.

Where:

x = Fraction of total heat input derived from natural gas;

y = Fraction of total heat input derived from oil; and

z = Fraction of total heat input derived from coal.

(ii) As an alternative to meeting the requirements of paragraph (e)(2)(i) of this section, the owner or operator of an affected facility may elect to use the NO_X span values determined according to section 2.1.2 in appendix A to part 75 of this chapter.

(3) All span values computed under paragraph (e)(2)(i) of this section for combusting mixtures of regulated fuels are rounded to the nearest 500 ppm. Span values computed under paragraph (e)(2)(ii) of this section shall be rounded off according to section 2.1.2 in appendix A to part 75 of this chapter.

(f) When NO_X emission data are not obtained because of CEMS breakdowns, repairs, calibration checks and zero and span adjustments, emission data will be obtained by using standby monitoring systems, Method 7 of appendix A of this part, Method 7A of appendix A of this part, or other approved reference methods to provide emission data for a minimum of 75 percent of the operating hours in each steam generating unit operating day, in at least 22 out of 30 successive steam generating unit operating days.

(g) The owner or operator of an affected facility that has a heat input capacity of 73 MW (250 MMBtu/hr) or less, and that has an annual capacity factor for residual oil having a nitrogen content of 0.30 weight percent or less, natural gas, distillate oil, gasified coal, or any mixture of these fuels, greater than 10 percent (0.10) shall:

(1) Comply with the provisions of paragraphs (b), (c), (d), (e)(2), (e)(3), and (f) of this section; or

(2) Monitor steam generating unit operating conditions and predict NO_X emission rates as specified in a plan submitted pursuant to §60.49b(c).

(h) The owner or operator of a duct burner, as described in §60.41b, that is subject to the NO_X standards in §60.44b(a)(4), §60.44b(e), or §60.44b(l) is not required to install or operate a continuous emissions monitoring system to measure NO_X emissions.

(i) The owner or operator of an affected facility described in §60.44b(j) or §60.44b(k) is not required to install or operate a CEMS for measuring NO_X emissions.

(j) The owner or operator of an affected facility that meets the conditions in either paragraph (j)(1), (2), (3), (4), (5), or (6) of this section is not required to install or operate a COMS if:

(1) The affected facility uses a PM CEMS to monitor PM emissions; or

(2) The affected facility burns only liquid (excluding residual oil) or gaseous fuels with potential SO_2emissions rates of 26 ng/J (0.060 lb/MMBtu) or less and does not use a post-combustion technology to reduce SO_2or PM emissions. The owner or operator must maintain fuel records of the sulfur content of the fuels burned, as described under §60.49b(r); or

(3) The affected facility burns coke oven gas alone or in combination with fuels meeting the criteria in paragraph (j)(2) of this section and does not use a post-combustion technology to reduce SO_2or PM emissions; or

(4) The affected facility does not use post-combustion technology (except a wet scrubber) for reducing PM, SO_2, or carbon monoxide (CO) emissions, burns only gaseous fuels or fuel oils that contain less than or equal to 0.30 weight percent sulfur, and is operated such that emissions of CO to the atmosphere from the affected facility are maintained at levels less than or equal to 0.15 lb/MMBtu on a steam generating unit operating day average basis. Owners and operators of affected facilities electing to comply with this paragraph must demonstrate compliance according to the procedures specified in paragraphs (j)(4)(i) through (iv) of this section; or

(i) You must monitor CO emissions using a CEMS according to the procedures specified in paragraphs (j)(4)(i)(A) through (D) of this section.

(A) The CO CEMS must be installed, certified, maintained, and operated according to the provisions in §60.58b(i)(3) of subpart Eb of this part.

(B) Each 1-hour CO emissions average is calculated using the data points generated by the CO CEMS expressed in parts per million by volume corrected to 3 percent oxygen (dry basis).

(C) At a minimum, valid 1-hour CO emissions averages must be obtained for at least 90 percent of the operating hours on a 30-day rolling average basis. The 1-hour averages are calculated using the data points required in §60.13(h)(2).

(D) Quarterly accuracy determinations and daily calibration drift tests for the CO CEMS must be performed in accordance with procedure 1 in appendix F of this part.

(ii) You must calculate the 1-hour average CO emissions levels for each steam generating unit operating day by multiplying the average hourly CO output concentration measured by the CO CEMS times the corresponding average hourly flue gas flow rate and divided by the corresponding average hourly heat input to the affected source. The 24-hour average CO emission level is determined by calculating the arithmetic average of the hourly CO emission levels computed for each steam generating unit operating day.

(iii) You must evaluate the preceding 24-hour average CO emission level each steam generating unit operating day excluding periods of affected source startup, shutdown, or malfunction. If the 24-hour average CO emission level is greater than 0.15 lb/MMBtu, you must initiate investigation of the relevant equipment and control systems within 24 hours of the first discovery of the high emission incident and, take the appropriate corrective action as soon as practicable to adjust control settings or repair equipment to reduce the 24-hour average CO emission level to 0.15 lb/MMBtu or less.

(iv) You must record the CO measurements and calculations performed according to paragraph (j)(4) of this section and any corrective actions taken. The record of corrective action taken must include the date and time during which the 24-hour average CO emission level was greater than 0.15 lb/MMBtu, and the date, time, and description of the corrective action.

(5) The affected facility uses a bag leak detection system to monitor the performance of a fabric filter (baghouse) according to the most recent requirements in section §60.48Da of this part; or

(6) The affected facility burns only gaseous fuels or fuel oils that contain less than or equal to 0.30 weight percent sulfur and operates according to a written site-specific monitoring plan approved by the permitting authority. This monitoring plan must include procedures and criteria for establishing and monitoring specific parameters for the affected facility indicative of compliance with the opacity standard.

(k) Owners or operators complying with the PM emission limit by using a PM CEMS must calibrate, maintain, operate, and record the output of the system for PM emissions discharged to the atmosphere as specified in §60.46b(j). The CEMS specified in paragraph §60.46b(j) shall be operated and data recorded

during all periods of operation of the affected facility except for CEMS breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments.

[72 FR 32742, June 13, 2007, as amended at 74 FR 5087, Jan. 28, 2009]

§ 60.49b Reporting and recordkeeping requirements.

(a) The owner or operator of each affected facility shall submit notification of the date of initial startup, as provided by §60.7. This notification shall include:

(1) The design heat input capacity of the affected facility and identification of the fuels to be combusted in the affected facility;

(2) If applicable, a copy of any federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under §§60.42b(d)(1), 60.43b(a)(2), (a)(3)(iii), (c)(2)(ii), (d)(2)(iii), 60.44b(c), (d), (e), (i), (j), (k), 60.45b(d), (g), 60.46b(h), or 60.48b(i);

(3) The annual capacity factor at which the owner or operator anticipates operating the facility based on all fuels fired and based on each individual fuel fired; and

(4) Notification that an emerging technology will be used for controlling emissions of SO_2. The Administrator will examine the description of the emerging technology and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is subject to the provisions of §60.42b(a) unless and until this determination is made by the Administrator.

(b) The owner or operator of each affected facility subject to the SO_2, PM, and/or NO_X emission limits under §§60.42b, 60.43b, and 60.44b shall submit to the Administrator the performance test data from the initial performance test and the performance evaluation of the CEMS using the applicable performance specifications in appendix B of this part. The owner or operator of each affected facility described in §60.44b(j) or §60.44b(k) shall submit to the Administrator the maximum heat input capacity data from the demonstration of the maximum heat input capacity of the affected facility.

(c) The owner or operator of each affected facility subject to the NO_X standard in §60.44b who seeks to demonstrate compliance with those standards through the monitoring of steam generating unit operating conditions in the provisions of §60.48b(g)(2) shall submit to the Administrator for approval a plan that identifies the operating conditions to be monitored in §60.48b(g)(2) and the records to be maintained in §60.49b(g). This plan shall be submitted to the Administrator for approval within 360 days of the initial startup of the affected facility. An affected facility burning coke oven gas alone or in combination with other gaseous fuels or distillate oil shall submit this plan to the Administrator for approval within 360 days of the initial startup of the affected facility or by November 30, 2009, whichever date comes later. If the plan is approved, the owner or operator shall maintain records of predicted nitrogen oxide emission rates and the monitored operating conditions, including steam generating unit load, identified in the plan. The plan shall:

(1) Identify the specific operating conditions to be monitored and the relationship between these operating conditions and NO_X emission rates (*i.e.* , ng/J or lbs/MMBtu heat input). Steam generating unit operating conditions include, but are not limited to, the degree of staged combustion (*i.e.* , the ratio of primary air to secondary and/or tertiary air) and the level of excess air (*i.e.* , flue gas O_2level);

(2) Include the data and information that the owner or operator used to identify the relationship between NO_X emission rates and these operating conditions; and

(3) Identify how these operating conditions, including steam generating unit load, will be monitored under §60.48b(g) on an hourly basis by the owner or operator during the period of operation of the affected facility; the quality assurance procedures or practices that will be employed to ensure that the data generated by monitoring these operating conditions will be representative and accurate; and the type and format of the

records of these operating conditions, including steam generating unit load, that will be maintained by the owner or operator under §60.49b(g).

(d) Except as provided in paragraph (d)(2) of this section, the owner or operator of an affected facility shall record and maintain records as specified in paragraph (d)(1) of this section.

(1) The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor individually for coal, distillate oil, residual oil, natural gas, wood, and municipal-type solid waste for the reporting period. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.

(2) As an alternative to meeting the requirements of paragraph (d)(1) of this section, the owner or operator of an affected facility that is subject to a federally enforceable permit restricting fuel use to a single fuel such that the facility is not required to continuously monitor any emissions (excluding opacity) or parameters indicative of emissions may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

(e) For an affected facility that combusts residual oil and meets the criteria under §§60.46b(e)(4), 60.44b(j), or (k), the owner or operator shall maintain records of the nitrogen content of the residual oil combusted in the affected facility and calculate the average fuel nitrogen content for the reporting period. The nitrogen content shall be determined using ASTM Method D4629 (incorporated by reference, see §60.17), or fuel suppliers. If residual oil blends are being combusted, fuel nitrogen specifications may be prorated based on the ratio of residual oils of different nitrogen content in the fuel blend.

(f) For an affected facility subject to the opacity standard in §60.43b, the owner or operator shall maintain records of opacity. In addition, an owner or operator that elects to monitor emissions according to the requirements in §60.48b(a) shall maintain records according to the requirements specified in paragraphs (f)(1) through (3) of this section, as applicable to the visible emissions monitoring method used.

(1) For each performance test conducted using Method 9 of appendix A–4 of this part, the owner or operator shall keep the records including the information specified in paragraphs (f)(1)(i) through (iii) of this section.

(i) Dates and time intervals of all opacity observation periods;

(ii) Name, affiliation, and copy of current visible emission reading certification for each visible emission observer participating in the performance test; and

(iii) Copies of all visible emission observer opacity field data sheets;

(2) For each performance test conducted using Method 22 of appendix A–4 of this part, the owner or operator shall keep the records including the information specified in paragraphs (f)(2)(i) through (iv) of this section.

(i) Dates and time intervals of all visible emissions observation periods;

(ii) Name and affiliation for each visible emission observer participating in the performance test;

(iii) Copies of all visible emission observer opacity field data sheets; and

(iv) Documentation of any adjustments made and the time the adjustments were completed to the affected facility operation by the owner or operator to demonstrate compliance with the applicable monitoring requirements.

(3) For each digital opacity compliance system, the owner or operator shall maintain records and submit reports according to the requirements specified in the site-specific monitoring plan approved by the Administrator.

(g) Except as provided under paragraph (p) of this section, the owner or operator of an affected facility subject to the NO_X standards under §60.44b shall maintain records of the following information for each steam generating unit operating day:

(1) Calendar date;

(2) The average hourly NO_X emission rates (expressed as NO_2) (ng/J or lb/MMBtu heat input) measured or predicted;

(3) The 30-day average NO_X emission rates (ng/J or lb/MMBtu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly nitrogen oxide emission rates for the preceding 30 steam generating unit operating days;

(4) Identification of the steam generating unit operating days when the calculated 30-day average NO_X emission rates are in excess of the NO_X emissions standards under §60.44b, with the reasons for such excess emissions as well as a description of corrective actions taken;

(5) Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken;

(6) Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data;

(7) Identification of “F” factor used for calculations, method of determination, and type of fuel combusted;

(8) Identification of the times when the pollutant concentration exceeded full span of the CEMS;

(9) Description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specification 2 or 3; and

(10) Results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1 of this part.

(h) The owner or operator of any affected facility in any category listed in paragraphs (h)(1) or (2) of this section is required to submit excess emission reports for any excess emissions that occurred during the reporting period.

(1) Any affected facility subject to the opacity standards in §60.43b(f) or to the operating parameter monitoring requirements in §60.13(i)(1).

(2) Any affected facility that is subject to the NO_X standard of §60.44b, and that:

(i) Combusts natural gas, distillate oil, gasified coal, or residual oil with a nitrogen content of 0.3 weight percent or less; or

(ii) Has a heat input capacity of 73 MW (250 MMBtu/hr) or less and is required to monitor NO_X emissions on a continuous basis under §60.48b(g)(1) or steam generating unit operating conditions under §60.48b(g)(2).

(3) For the purpose of §60.43b, excess emissions are defined as all 6-minute periods during which the average opacity exceeds the opacity standards under §60.43b(f).

(4) For purposes of §60.48b(g)(1), excess emissions are defined as any calculated 30-day rolling average NO_X emission rate, as determined under §60.46b(e), that exceeds the applicable emission limits in §60.44b.

(i) The owner or operator of any affected facility subject to the continuous monitoring requirements for NO_X under §60.48(b) shall submit reports containing the information recorded under paragraph (g) of this section.

(j) The owner or operator of any affected facility subject to the SO_2standards under §60.42b shall submit reports.

(k) For each affected facility subject to the compliance and performance testing requirements of §60.45b and the reporting requirement in paragraph (j) of this section, the following information shall be reported to the Administrator:

(1) Calendar dates covered in the reporting period;

(2) Each 30-day average SO_2emission rate (ng/J or lb/MMBtu heat input) measured during the reporting period, ending with the last 30-day period; reasons for noncompliance with the emission standards; and a description of corrective actions taken; For an exceedance due to maintenance of the SO_2control system covered in paragraph 60.45b(a), the report shall identify the days on which the maintenance was performed and a description of the maintenance;

(3) Each 30-day average percent reduction in SO_2emissions calculated during the reporting period, ending with the last 30-day period; reasons for noncompliance with the emission standards; and a description of corrective actions taken;

(4) Identification of the steam generating unit operating days that coal or oil was combusted and for which SO_2or diluent (O_2or CO_2) data have not been obtained by an approved method for at least 75 percent of the operating hours in the steam generating unit operating day; justification for not obtaining sufficient data; and description of corrective action taken;

(5) Identification of the times when emissions data have been excluded from the calculation of average emission rates; justification for excluding data; and description of corrective action taken if data have been excluded for periods other than those during which coal or oil were not combusted in the steam generating unit;

(6) Identification of “F” factor used for calculations, method of determination, and type of fuel combusted;

(7) Identification of times when hourly averages have been obtained based on manual sampling methods;

(8) Identification of the times when the pollutant concentration exceeded full span of the CEMS;

(9) Description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specification 2 or 3;

(10) Results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1 of this part; and

(11) The annual capacity factor of each fired as provided under paragraph (d) of this section.

(l) For each affected facility subject to the compliance and performance testing requirements of §60.45b(d) and the reporting requirements of paragraph (j) of this section, the following information shall be reported to the Administrator:

(1) Calendar dates when the facility was in operation during the reporting period;

(2) The 24-hour average SO_2emission rate measured for each steam generating unit operating day during the reporting period that coal or oil was combusted, ending in the last 24-hour period in the quarter; reasons for noncompliance with the emission standards; and a description of corrective actions taken;

(3) Identification of the steam generating unit operating days that coal or oil was combusted for which $S0_2$ or diluent (O_2or CO_2) data have not been obtained by an approved method for at least 75 percent of the operating hours; justification for not obtaining sufficient data; and description of corrective action taken;

(4) Identification of the times when emissions data have been excluded from the calculation of average emission rates; justification for excluding data; and description of corrective action taken if data have been excluded for periods other than those during which coal or oil were not combusted in the steam generating unit;

(5) Identification of “F” factor used for calculations, method of determination, and type of fuel combusted;

(6) Identification of times when hourly averages have been obtained based on manual sampling methods;

(7) Identification of the times when the pollutant concentration exceeded full span of the CEMS;

(8) Description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specification 2 or 3; and

(9) Results of daily CEMS drift tests and quarterly accuracy assessments as required under Procedure 1 of appendix F 1 of this part. If the owner or operator elects to implement the alternative data assessment procedures described in §§60.47b(e)(4)(i) through (e)(4)(iii), each data assessment report shall include a summary of the results of all of the RATAs, linearity checks, CGAs, and calibration error or drift assessments required by §§60.47b(e)(4)(i) through (e)(4)(iii).

(m) For each affected facility subject to the SO_2standards in §60.42(b) for which the minimum amount of data required in §60.47b(c) were not obtained during the reporting period, the following information is reported to the Administrator in addition to that required under paragraph (k) of this section:

(1) The number of hourly averages available for outlet emission rates and inlet emission rates;

(2) The standard deviation of hourly averages for outlet emission rates and inlet emission rates, as determined in Method 19 of appendix A of this part, section 7;

(3) The lower confidence limit for the mean outlet emission rate and the upper confidence limit for the mean inlet emission rate, as calculated in Method 19 of appendix A of this part, section 7; and

(4) The ratio of the lower confidence limit for the mean outlet emission rate and the allowable emission rate, as determined in Method 19 of appendix A of this part, section 7.

(n) If a percent removal efficiency by fuel pretreatment (*i.e.* , $\%R_f$) is used to determine the overall percent reduction (*i.e.* , $\%R_o$) under §60.45b, the owner or operator of the affected facility shall submit a signed statement with the report.

(1) Indicating what removal efficiency by fuel pretreatment (*i.e.* , $\%R_f$) was credited during the reporting period;

(2) Listing the quantity, heat content, and date each pre-treated fuel shipment was received during the reporting period, the name and location of the fuel pretreatment facility; and the total quantity and total heat content of all fuels received at the affected facility during the reporting period;

(3) Documenting the transport of the fuel from the fuel pretreatment facility to the steam generating unit; and

(4) Including a signed statement from the owner or operator of the fuel pretreatment facility certifying that the percent removal efficiency achieved by fuel pretreatment was determined in accordance with the provisions of Method 19 of appendix A of this part and listing the heat content and sulfur content of each fuel before and after fuel pretreatment.

(o) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of 2 years following the date of such record.

(p) The owner or operator of an affected facility described in §60.44b(j) or (k) shall maintain records of the following information for each steam generating unit operating day:

(1) Calendar date;

(2) The number of hours of operation; and

(3) A record of the hourly steam load.

(q) The owner or operator of an affected facility described in §60.44b(j) or §60.44b(k) shall submit to the Administrator a report containing:

(1) The annual capacity factor over the previous 12 months;

(2) The average fuel nitrogen content during the reporting period, if residual oil was fired; and

(3) If the affected facility meets the criteria described in §60.44b(j), the results of any NO_X emission tests required during the reporting period, the hours of operation during the reporting period, and the hours of operation since the last NO_X emission test.

(r) The owner or operator of an affected facility who elects to use the fuel based compliance alternatives in §60.42b or §60.43b shall either:

(1) The owner or operator of an affected facility who elects to demonstrate that the affected facility combusts only very low sulfur oil, natural gas, wood, a mixture of these fuels, or any of these fuels (or a mixture of these fuels) in combination with other fuels that are known to contain an insignificant amount of sulfur in §60.42b(j) or §60.42b(k) shall obtain and maintain at the affected facility fuel receipts from the fuel supplier that certify that the oil meets the definition of distillate oil and gaseous fuel meets the definition of natural gas as defined in §60.41b and the applicable sulfur limit. For the purposes of this section, the distillate oil need not meet the fuel nitrogen content specification in the definition of distillate oil. Reports shall be submitted to the Administrator certifying that only very low sulfur oil meeting this definition, natural gas, wood, and/or other fuels that are known to contain insignificant amounts of sulfur were combusted in the affected facility during the reporting period; or

(2) The owner or operator of an affected facility who elects to demonstrate compliance based on fuel analysis in §60.42b or §60.43b shall develop and submit a site-specific fuel analysis plan to the Administrator for review and approval no later than 60 days before the date you intend to demonstrate compliance. Each fuel analysis plan shall include a minimum initial requirement of weekly testing and each analysis report shall contain, at a minimum, the following information:

(i) The potential sulfur emissions rate of the representative fuel mixture in ng/J heat input;

(ii) The method used to determine the potential sulfur emissions rate of each constituent of the mixture. For distillate oil and natural gas a fuel receipt or tariff sheet is acceptable;

(iii) The ratio of different fuels in the mixture; and

(iv) The owner or operator can petition the Administrator to approve monthly or quarterly sampling in place of weekly sampling.

(s) Facility specific NO_X standard for Cytec Industries Fortier Plant's C.AOG incinerator located in Westwego, Louisiana:

(1) *Definitions* .

Oxidation zone is defined as the portion of the C.AOG incinerator that extends from the inlet of the oxidizing zone combustion air to the outlet gas stack.

Reducing zone is defined as the portion of the C.AOG incinerator that extends from the burner section to the inlet of the oxidizing zone combustion air.

Total inlet air is defined as the total amount of air introduced into the C.AOG incinerator for combustion of natural gas and chemical by-product waste and is equal to the sum of the air flow into the reducing zone and the air flow into the oxidation zone.

(2) *Standard for nitrogen oxides* . (i) When fossil fuel alone is combusted, the NO_X emission limit for fossil fuel in §60.44b(a) applies.

(ii) When natural gas and chemical by-product waste are simultaneously combusted, the NO_X emission limit is 289 ng/J (0.67 lb/MMBtu) and a maximum of 81 percent of the total inlet air provided for combustion shall be provided to the reducing zone of the C.AOG incinerator.

(3) *Emission monitoring* . (i) The percent of total inlet air provided to the reducing zone shall be determined at least every 15 minutes by measuring the air flow of all the air entering the reducing zone and the air flow of all the air entering the oxidation zone, and compliance with the percentage of total inlet air that is provided to the reducing zone shall be determined on a 3-hour average basis.

(ii) The NO_X emission limit shall be determined by the compliance and performance test methods and procedures for NO_X in §60.46b(i).

(iii) The monitoring of the NO_X emission limit shall be performed in accordance with §60.48b.

(4) *Reporting and recordkeeping requirements* . (i) The owner or operator of the C.AOG incinerator shall submit a report on any excursions from the limits required by paragraph (a)(2) of this section to the Administrator with the quarterly report required by paragraph (i) of this section.

(ii) The owner or operator of the C.AOG incinerator shall keep records of the monitoring required by paragraph (a)(3) of this section for a period of 2 years following the date of such record.

(iii) The owner of operator of the C.AOG incinerator shall perform all the applicable reporting and recordkeeping requirements of this section.

(t) Facility-specific NO_X standard for Rohm and Haas Kentucky Incorporated's Boiler No. 100 located in Louisville, Kentucky:

(1) *Definitions* .

Air ratio control damper is defined as the part of the low NO_X burner that is adjusted to control the split of total combustion air delivered to the reducing and oxidation portions of the combustion flame.

Flue gas recirculation line is defined as the part of Boiler No. 100 that recirculates a portion of the boiler flue gas back into the combustion air.

(2) *Standard for nitrogen oxides* . (i) When fossil fuel alone is combusted, the NO_X emission limit for fossil fuel in §60.44b(a) applies.

(ii) When fossil fuel and chemical by-product waste are simultaneously combusted, the NO_X emission limit is 473 ng/J (1.1 lb/MMBtu), and the air ratio control damper tee handle shall be at a minimum of 5 inches (12.7 centimeters) out of the boiler, and the flue gas recirculation line shall be operated at a minimum of 10 percent open as indicated by its valve opening position indicator.

(3) *Emission monitoring for nitrogen oxides* . (i) The air ratio control damper tee handle setting and the flue gas recirculation line valve opening position indicator setting shall be recorded during each 8-hour operating shift.

(ii) The NO_X emission limit shall be determined by the compliance and performance test methods and procedures for NO_X in §60.46b.

(iii) The monitoring of the NO_X emission limit shall be performed in accordance with §60.48b.

(4) *Reporting and recordkeeping requirements* . (i) The owner or operator of Boiler No. 100 shall submit a report on any excursions from the limits required by paragraph (b)(2) of this section to the Administrator with the quarterly report required by §60.49b(i).

(ii) The owner or operator of Boiler No. 100 shall keep records of the monitoring required by paragraph (b)(3) of this section for a period of 2 years following the date of such record.

(iii) The owner of operator of Boiler No. 100 shall perform all the applicable reporting and recordkeeping requirements of §60.49b.

(u) *Site-specific standard for Merck & Co., Inc.'s Stonewall Plant in Elkton, Virginia* . (1) This paragraph (u) applies only to the pharmaceutical manufacturing facility, commonly referred to as the Stonewall Plant, located at Route 340 South, in Elkton, Virginia (“site”) and only to the natural gas-fired boilers installed as part of the powerhouse conversion required pursuant to 40 CFR 52.2454(g). The requirements of this paragraph shall apply, and the requirements of §§60.40b through 60.49b(t) shall not apply, to the natural gas-fired boilers installed pursuant to 40 CFR 52.2454(g).

(i) The site shall equip the natural gas-fired boilers with low NO_X technology.

(ii) The site shall install, calibrate, maintain, and operate a continuous monitoring and recording system for measuring NO_X emissions discharged to the atmosphere and opacity using a continuous emissions monitoring system or a predictive emissions monitoring system.

(iii) Within 180 days of the completion of the powerhouse conversion, as required by 40 CFR 52.2454, the site shall perform a performance test to quantify criteria pollutant emissions.

(2) [Reserved]

(v) The owner or operator of an affected facility may submit electronic quarterly reports for $SO_2$and/or NO_X and/or opacity in lieu of submitting the written reports required under paragraphs (h), (i), (j), (k) or (l) of this section. The format of each quarterly electronic report shall be coordinated with the permitting authority. The electronic report(s) shall be submitted no later than 30 days after the end of the calendar quarter and shall be accompanied by a certification statement from the owner or operator, indicating whether compliance with the applicable emission standards and minimum data requirements of this subpart was achieved during the reporting period. Before submitting reports in the electronic format, the owner or operator shall coordinate with the permitting authority to obtain their agreement to submit reports in this alternative format.

(w) The reporting period for the reports required under this subpart is each 6 month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

(x) Facility-specific NO_Xstandard for Weyerhaeuser Company's No. 2 Power Boiler located in New Bern, North Carolina:

(1) *Standard for nitrogen oxides* . (i) When fossil fuel alone is combusted, the NO_Xemission limit for fossil fuel in §60.44b(a) applies.

(ii) When fossil fuel and chemical by-product waste are simultaneously combusted, the NO_Xemission limit is 215 ng/J (0.5 lb/MMBtu).

(2) *Emission monitoring for nitrogen oxides* . (i) The NO_Xemissions shall be determined by the compliance and performance test methods and procedures for NO_Xin §60.46b.

(ii) The monitoring of the NO_Xemissions shall be performed in accordance with §60.48b.

(3) *Reporting and recordkeeping requirements* . (i) The owner or operator of the No. 2 Power Boiler shall submit a report on any excursions from the limits required by paragraph (x)(2) of this section to the Administrator with the quarterly report required by §60.49b(i).

(ii) The owner or operator of the No. 2 Power Boiler shall keep records of the monitoring required by paragraph (x)(3) of this section for a period of 2 years following the date of such record.

(iii) The owner or operator of the No. 2 Power Boiler shall perform all the applicable reporting and recordkeeping requirements of §60.49b.

(y) Facility-specific NO_Xstandard for INEOS USA's AOGI located in Lima, Ohio:

(1) *Standard for* NO_X. (i) When fossil fuel alone is combusted, the NO_Xemission limit for fossil fuel in §60.44b(a) applies.

(ii) When fossil fuel and chemical byproduct/waste are simultaneously combusted, the NO_Xemission limit is 645 ng/J (1.5 lb/MMBtu).

(2) *Emission monitoring for* NO_X. (i) The NO_Xemissions shall be determined by the compliance and performance test methods and procedures for NO_Xin §60.46b.

(ii) The monitoring of the NO_Xemissions shall be performed in accordance with §60.48b.

(3) *Reporting and recordkeeping requirements* . (i) The owner or operator of the AOGI shall submit a report on any excursions from the limits required by paragraph (y)(2) of this section to the Administrator with the quarterly report required by paragraph (i) of this section.

(ii) The owner or operator of the AOGI shall keep records of the monitoring required by paragraph (y)(3) of this section for a period of 2 years following the date of such record.

(iii) The owner or operator of the AOGI shall perform all the applicable reporting and recordkeeping requirements of this section.

Indiana Department of Environmental Management
Office of Air Quality

Attachment D

Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984

Source: 52 FR 11429, Apr. 8, 1987, unless otherwise noted.

§ 60.110b Applicability and designation of affected facility.

(a) Except as provided in paragraph (b) of this section, the affected facility to which this subpart applies is each storage vessel with a capacity greater than or equal to 75 cubic meters (m^3) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984.

(b) This subpart does not apply to storage vessels with a capacity greater than or equal to 151 m^3 storing a liquid with a maximum true vapor pressure less than 3.5 kilopascals (kPa) or with a capacity greater than or equal to 75 m^3 but less than 151 m^3 storing a liquid with a maximum true vapor pressure less than 15.0 kPa.

(c) [Reserved]

(d) This subpart does not apply to the following:

(1) Vessels at coke oven by-product plants.

(2) Pressure vessels designed to operate in excess of 204.9 kPa and without emissions to the atmosphere.

(3) Vessels permanently attached to mobile vehicles such as trucks, railcars, barges, or ships.

(4) Vessels with a design capacity less than or equal to 1,589.874 m^3 used for petroleum or condensate stored, processed, or treated prior to custody transfer.

(5) Vessels located at bulk gasoline plants.

(6) Storage vessels located at gasoline service stations.

(7) Vessels used to store beverage alcohol.

(8) Vessels subject to subpart GGGG of 40 CFR part 63.

(e) *Alternative means of compliance* —(1) *Option to comply with part 65.* Owners or operators may choose to comply with 40 CFR part 65, subpart C, to satisfy the requirements of §§60.112b through 60.117b for storage vessels that are subject to this subpart that meet the specifications in paragraphs (e)(1)(i) and (ii) of this section. When choosing to comply with 40 CFR part 65, subpart C, the monitoring requirements of §60.116b(c), (e), (f)(1), and (g) still apply. Other provisions applying to owners or operators who choose to comply with 40 CFR part 65 are provided in 40 CFR 65.1.

(i) A storage vessel with a design capacity greater than or equal to 151 m^3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa; or

(ii) A storage vessel with a design capacity greater than 75 m^3 but less than 151 m^3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa.

(2) *Part 60, subpart A.* Owners or operators who choose to comply with 40 CFR part 65, subpart C, must also comply with §§60.1, 60.2, 60.5, 60.6, 60.7(a)(1) and (4), 60.14, 60.15, and 60.16 for those storage vessels. All sections and paragraphs of subpart A of this part that are not mentioned in this paragraph (e)(2) do not apply to owners or operators of storage vessels complying with 40 CFR part 65, subpart C, except that provisions required to be met prior to implementing 40 CFR part 65 still apply. Owners and operators who choose to comply with 40 CFR part 65, subpart C, must comply with 40 CFR part 65, subpart A.

(3) *Internal floating roof report.* If an owner or operator installs an internal floating roof and, at initial startup, chooses to comply with 40 CFR part 65, subpart C, a report shall be furnished to the Administrator stating that the control equipment meets the specifications of 40 CFR 65.43. This report shall be an attachment to the notification required by 40 CFR 65.5(b).

(4) *External floating roof report.* If an owner or operator installs an external floating roof and, at initial startup, chooses to comply with 40 CFR part 65, subpart C, a report shall be furnished to the Administrator stating that the control equipment meets the specifications of 40 CFR 65.44. This report shall be an attachment to the notification required by 40 CFR 65.5(b).

[52 FR 11429, Apr. 8, 1987, as amended at 54 FR 32973, Aug. 11, 1989; 65 FR 78275, Dec. 14, 2000; 68 FR 59332, Oct. 15, 2003]

§ 60.111b Definitions.

Terms used in this subpart are defined in the Act, in subpart A of this part, or in this subpart as follows:

Bulk gasoline plant means any gasoline distribution facility that has a gasoline throughput less than or equal to 75,700 liters per day. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal requirement or Federal, State or local law, and discoverable by the Administrator and any other person.

Condensate means hydrocarbon liquid separated from natural gas that condenses due to changes in the temperature or pressure, or both, and remains liquid at standard conditions.

Custody transfer means the transfer of produced petroleum and/or condensate, after processing and/or treatment in the producing operations, from storage vessels or automatic transfer facilities to pipelines or any other forms of transportation.

Fill means the introduction of VOL into a storage vessel but not necessarily to complete capacity.

Gasoline service station means any site where gasoline is dispensed to motor vehicle fuel tanks from stationary storage tanks.

Maximum true vapor pressure means the equilibrium partial pressure exerted by the volatile organic compounds (as defined in 40 CFR 51.100) in the stored VOL at the temperature equal to the highest calendar-month average of the VOL storage temperature for VOL's stored above or below the ambient temperature or at the local maximum monthly average temperature as reported by the National Weather Service for VOL's stored at the ambient temperature, as determined:

(1) In accordance with methods described in American Petroleum institute Bulletin 2517, Evaporation Loss From External Floating Roof Tanks, (incorporated by reference—see §60.17); or

(2) As obtained from standard reference texts; or

(3) As determined by ASTM D2879–83, 96, or 97 (incorporated by reference—see §60.17);

(4) Any other method approved by the Administrator.

Petroleum means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal.

Petroleum liquids means petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery.

Process tank means a tank that is used within a process (including a solvent or raw material recovery process) to collect material discharged from a feedstock storage vessel or equipment within the process before the material is transferred to other equipment within the process, to a product or by-product storage vessel, or to a vessel used to store recovered solvent or raw material. In many process tanks, unit operations such as reactions and blending are conducted. Other process tanks, such as surge control vessels and bottoms receivers, however, may not involve unit operations.

Reid vapor pressure means the absolute vapor pressure of volatile crude oil and volatile nonviscous petroleum liquids except liquified petroleum gases, as determined by ASTM D323–82 or 94 (incorporated by reference—see §60.17).

Storage vessel means each tank, reservoir, or container used for the storage of volatile organic liquids but does not include:

(1) Frames, housing, auxiliary supports, or other components that are not directly involved in the containment of liquids or vapors;

(2) Subsurface caverns or porous rock reservoirs; or

(3) Process tanks.

Volatile organic liquid (VOL) means any organic liquid which can emit volatile organic compounds (as defined in 40 CFR 51.100) into the atmosphere.

Waste means any liquid resulting from industrial, commercial, mining or agricultural operations, or from community activities that is discarded or is being accumulated, stored, or physically, chemically, or biologically treated prior to being discarded or recycled.

[52 FR 11429, Apr. 8, 1987, as amended at 54 FR 32973, Aug. 11, 1989; 65 FR 61756, Oct. 17, 2000; 68 FR 59333, Oct. 15, 2003]

§ 60.112b Standard for volatile organic compounds (VOC).

(a) The owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m^3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa but less than 76.6 kPa or with a design capacity greater than or equal to 75 m^3 but less than 151 m^3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa but less than 76.6 kPa, shall equip each storage vessel with one of the following:

(1) A fixed roof in combination with an internal floating roof meeting the following specifications:

(i) The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.

(ii) Each internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:

(A) A foam- or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal). A liquid-mounted seal means a foam- or liquid-filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank.

(B) Two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor-mounted, but both must be continuous.

(C) A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

(iii) Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

(iv) Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.

(v) Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.

(vi) Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.

(vii) Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.

(viii) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.

(ix) Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

(2) An external floating roof. An external floating roof means a pontoon-type or double-deck type cover that rests on the liquid surface in a vessel with no fixed roof. Each external floating roof must meet the following specifications:

(i) Each external floating roof shall be equipped with a closure device between the wall of the storage vessel and the roof edge. The closure device is to consist of two seals, one above the other. The lower seal is referred to as the primary seal, and the upper seal is referred to as the secondary seal.

(A) The primary seal shall be either a mechanical shoe seal or a liquid-mounted seal. Except as provided in §60.113b(b)(4), the seal shall completely cover the annular space between the edge of the floating roof and tank wall.

(B) The secondary seal shall completely cover the annular space between the external floating roof and the wall of the storage vessel in a continuous fashion except as allowed in §60.113b(b)(4).

(ii) Except for automatic bleeder vents and rim space vents, each opening in a noncontact external floating roof shall provide a projection below the liquid surface. Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof is to be equipped with a gasketed cover, seal, or lid that is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. Automatic bleeder vents are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports. Rim vents are to be set to open when the

roof is being floated off the roof legs supports or at the manufacturer's recommended setting. Automatic bleeder vents and rim space vents are to be gasketed. Each emergency roof drain is to be provided with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening.

(iii) The roof shall be floating on the liquid at all times (i.e., off the roof leg supports) except during initial fill until the roof is lifted off leg supports and when the tank is completely emptied and subsequently refilled. The process of filling, emptying, or refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.

(3) A closed vent system and control device meeting the following specifications:

(i) The closed vent system shall be designed to collect all VOC vapors and gases discharged from the storage vessel and operated with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background and visual inspections, as determined in part 60, subpart VV, §60.485(b).

(ii) The control device shall be designed and operated to reduce inlet VOC emissions by 95 percent or greater. If a flare is used as the control device, it shall meet the specifications described in the general control device requirements (§60.18) of the General Provisions.

(4) A system equivalent to those described in paragraphs (a)(1), (a)(2), or (a)(3) of this section as provided in §60.114b of this subpart.

(b) The owner or operator of each storage vessel with a design capacity greater than or equal to 75 m^3 which contains a VOL that, as stored, has a maximum true vapor pressure greater than or equal to 76.6 kPa shall equip each storage vessel with one of the following:

(1) A closed vent system and control device as specified in §60.112b(a)(3).

(2) A system equivalent to that described in paragraph (b)(1) as provided in §60.114b of this subpart.

(c) *Site-specific standard for Merck & Co., Inc.'s Stonewall Plant in Elkton, Virginia.* This paragraph applies only to the pharmaceutical manufacturing facility, commonly referred to as the Stonewall Plant, located at Route 340 South, in Elkton, Virginia (“site”).

(1) For any storage vessel that otherwise would be subject to the control technology requirements of paragraphs (a) or (b) of this section, the site shall have the option of either complying directly with the requirements of this subpart, or reducing the site-wide total criteria pollutant emissions cap (total emissions cap) in accordance with the procedures set forth in a permit issued pursuant to 40 CFR 52.2454. If the site chooses the option of reducing the total emissions cap in accordance with the procedures set forth in such permit, the requirements of such permit shall apply in lieu of the otherwise applicable requirements of this subpart for such storage vessel.

(2) For any storage vessel at the site not subject to the requirements of 40 CFR 60.112b (a) or (b), the requirements of 40 CFR 60.116b (b) and (c) and the General Provisions (subpart A of this part) shall not apply.

[52 FR 11429, Apr. 8, 1987, as amended at 62 FR 52641, Oct. 8, 1997]

§ 60.113b Testing and procedures.

The owner or operator of each storage vessel as specified in §60.112b(a) shall meet the requirements of paragraph (a), (b), or (c) of this section. The applicable paragraph for a particular storage vessel depends on the control equipment installed to meet the requirements of §60.112b.

(a) After installing the control equipment required to meet §60.112b(a)(1) (permanently affixed roof and internal floating roof), each owner or operator shall:

(1) Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

(2) For Vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in §60.115b(a)(3). Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

(3) For vessels equipped with a double-seal system as specified in §60.112b(a)(1)(ii)(B):

(i) Visually inspect the vessel as specified in paragraph (a)(4) of this section at least every 5 years; or

(ii) Visually inspect the vessel as specified in paragraph (a)(2) of this section.

(4) Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in paragraphs (a)(2) and (a)(3)(ii) of this section and at intervals no greater than 5 years in the case of vessels specified in paragraph (a)(3)(i) of this section.

(5) Notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by paragraphs (a)(1) and (a)(4) of this section to afford the Administrator the opportunity to have an observer present. If the inspection required by paragraph (a)(4) of this section is not planned and the owner or operator could not have known about the inspection 30 days in advance or refilling the tank, the owner or operator shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling.

(b) After installing the control equipment required to meet §60.112b(a)(2) (external floating roof), the owner or operator shall:

(1) Determine the gap areas and maximum gap widths, between the primary seal and the wall of the storage vessel and between the secondary seal and the wall of the storage vessel according to the following frequency.

(i) Measurements of gaps between the tank wall and the primary seal (seal gaps) shall be performed during the hydrostatic testing of the vessel or within 60 days of the initial fill with VOL and at least once every 5 years thereafter.

(ii) Measurements of gaps between the tank wall and the secondary seal shall be performed within 60 days of the initial fill with VOL and at least once per year thereafter.

(iii) If any source ceases to store VOL for a period of 1 year or more, subsequent introduction of VOL into the vessel shall be considered an initial fill for the purposes of paragraphs (b)(1)(i) and (b)(1)(ii) of this section.

(2) Determine gap widths and areas in the primary and secondary seals individually by the following procedures:

(i) Measure seal gaps, if any, at one or more floating roof levels when the roof is floating off the roof leg supports.

(ii) Measure seal gaps around the entire circumference of the tank in each place where a 0.32-cm diameter uniform probe passes freely (without forcing or binding against seal) between the seal and the wall of the storage vessel and measure the circumferential distance of each such location.

(iii) The total surface area of each gap described in paragraph (b)(2)(ii) of this section shall be determined by using probes of various widths to measure accurately the actual distance from the tank wall to the seal and multiplying each such width by its respective circumferential distance.

(3) Add the gap surface area of each gap location for the primary seal and the secondary seal individually and divide the sum for each seal by the nominal diameter of the tank and compare each ratio to the respective standards in paragraph (b)(4) of this section.

(4) Make necessary repairs or empty the storage vessel within 45 days of identification in any inspection for seals not meeting the requirements listed in (b)(4) (i) and (ii) of this section:

(i) The accumulated area of gaps between the tank wall and the mechanical shoe or liquid-mounted primary seal shall not exceed 212 Cm^2 per meter of tank diameter, and the width of any portion of any gap shall not exceed 3.81 cm.

(A) One end of the mechanical shoe is to extend into the stored liquid, and the other end is to extend a minimum vertical distance of 61 cm above the stored liquid surface.

(B) There are to be no holes, tears, or other openings in the shoe, seal fabric, or seal envelope.

(ii) The secondary seal is to meet the following requirements:

(A) The secondary seal is to be installed above the primary seal so that it completely covers the space between the roof edge and the tank wall except as provided in paragraph (b)(2)(iii) of this section.

(B) The accumulated area of gaps between the tank wall and the secondary seal shall not exceed 21.2 cm^2 per meter of tank diameter, and the width of any portion of any gap shall not exceed 1.27 cm.

(C) There are to be no holes, tears, or other openings in the seal or seal fabric.

(iii) If a failure that is detected during inspections required in paragraph (b)(1) of §60.113b(b) cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in §60.115b(b)(4). Such extension request must include a demonstration of unavailability of alternate storage capacity and a specification of a schedule that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

(5) Notify the Administrator 30 days in advance of any gap measurements required by paragraph (b)(1) of this section to afford the Administrator the opportunity to have an observer present.

(6) Visually inspect the external floating roof, the primary seal, secondary seal, and fittings each time the vessel is emptied and degassed.

(i) If the external floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before filling or refilling the storage vessel with VOL.

(ii) For all the inspections required by paragraph (b)(6) of this section, the owner or operator shall notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel to afford the Administrator the opportunity to inspect the storage vessel prior to refilling. If the inspection required by paragraph (b)(6) of this section is not planned and the owner or operator could not have known about the inspection 30 days in advance of refilling the tank, the owner or operator shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling.

(c) The owner or operator of each source that is equipped with a closed vent system and control device as required in §60.112b (a)(3) or (b)(2) (other than a flare) is exempt from §60.8 of the General Provisions and shall meet the following requirements.

(1) Submit for approval by the Administrator as an attachment to the notification required by §60.7(a)(1) or, if the facility is exempt from §60.7(a)(1), as an attachment to the notification required by §60.7(a)(2), an operating plan containing the information listed below.

(i) Documentation demonstrating that the control device will achieve the required control efficiency during maximum loading conditions. This documentation is to include a description of the gas stream which enters the control device, including flow and VOC content under varying liquid level conditions (dynamic and static) and manufacturer's design specifications for the control device. If the control device or the closed vent capture system receives vapors, gases, or liquids other than fuels from sources that are not designated sources under this subpart, the efficiency demonstration is to include consideration of all vapors, gases, and liquids received by the closed vent capture system and control device. If an enclosed combustion device with a minimum residence time of 0.75 seconds and a minimum temperature of 816 °C is used to meet the 95 percent requirement, documentation that those conditions will exist is sufficient to meet the requirements of this paragraph.

(ii) A description of the parameter or parameters to be monitored to ensure that the control device will be operated in conformance with its design and an explanation of the criteria used for selection of that parameter (or parameters).

(2) Operate the closed vent system and control device and monitor the parameters of the closed vent system and control device in accordance with the operating plan submitted to the Administrator in accordance with paragraph (c)(1) of this section, unless the plan was modified by the Administrator during the review process. In this case, the modified plan applies.

(d) The owner or operator of each source that is equipped with a closed vent system and a flare to meet the requirements in §60.112b (a)(3) or (b)(2) shall meet the requirements as specified in the general control device requirements, §60.18 (e) and (f).

[52 FR 11429, Apr. 8, 1987, as amended at 54 FR 32973, Aug. 11, 1989]

§ 60.114b Alternative means of emission limitation.

(a) If, in the Administrator's judgment, an alternative means of emission limitation will achieve a reduction in emissions at least equivalent to the reduction in emissions achieved by any requirement in §60.112b, the Administrator will publish in theFederal Registera notice permitting the use of the alternative means for purposes of compliance with that requirement.

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

(c) Any person seeking permission under this section shall submit to the Administrator a written application including:

(1) An actual emissions test that uses a full-sized or scale-model storage vessel that accurately collects and measures all VOC emissions from a given control device and that accurately simulates wind and accounts for other emission variables such as temperature and barometric pressure.

(2) An engineering evaluation that the Administrator determines is an accurate method of determining equivalence.

(d) The Administrator may condition the permission on requirements that may be necessary to ensure operation and maintenance to achieve the same emissions reduction as specified in §60.112b.

§ 60.115b Reporting and recordkeeping requirements.

The owner or operator of each storage vessel as specified in §60.112b(a) shall keep records and furnish reports as required by paragraphs (a), (b), or (c) of this section depending upon the control equipment installed to meet the requirements of §60.112b. The owner or operator shall keep copies of all reports and records required by this section, except for the record required by (c)(1), for at least 2 years. The record required by (c)(1) will be kept for the life of the control equipment.

(a) After installing control equipment in accordance with §60.112b(a)(1) (fixed roof and internal floating roof), the owner or operator shall meet the following requirements.

(1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of §60.112b(a)(1) and §60.113b(a)(1). This report shall be an attachment to the notification required by §60.7(a)(3).

(2) Keep a record of each inspection performed as required by §60.113b (a)(1), (a)(2), (a)(3), and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

(3) If any of the conditions described in §60.113b(a)(2) are detected during the annual visual inspection required by §60.113b(a)(2), a report shall be furnished to the Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.

(4) After each inspection required by §60.113b(a)(3) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in §60.113b(a)(3)(ii), a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of §61.112b(a)(1) or §60.113b(a)(3) and list each repair made.

(b) After installing control equipment in accordance with §61.112b(a)(2) (external floating roof), the owner or operator shall meet the following requirements.

(1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of §60.112b(a)(2) and §60.113b(b)(2), (b)(3), and (b)(4). This report shall be an attachment to the notification required by §60.7(a)(3).

(2) Within 60 days of performing the seal gap measurements required by §60.113b(b)(1), furnish the Administrator with a report that contains:

(i) The date of measurement.

(ii) The raw data obtained in the measurement.

(iii) The calculations described in §60.113b (b)(2) and (b)(3).

(3) Keep a record of each gap measurement performed as required by §60.113b(b). Each record shall identify the storage vessel in which the measurement was performed and shall contain:

(i) The date of measurement.

(ii) The raw data obtained in the measurement.

(iii) The calculations described in §60.113b (b)(2) and (b)(3).

(4) After each seal gap measurement that detects gaps exceeding the limitations specified by §60.113b(b)(4), submit a report to the Administrator within 30 days of the inspection. The report will identify the vessel and contain the information specified in paragraph (b)(2) of this section and the date the vessel was emptied or the repairs made and date of repair.

(c) After installing control equipment in accordance with §60.112b (a)(3) or (b)(1) (closed vent system and control device other than a flare), the owner or operator shall keep the following records.

(1) A copy of the operating plan.

(2) A record of the measured values of the parameters monitored in accordance with §60.113b(c)(2).

(d) After installing a closed vent system and flare to comply with §60.112b, the owner or operator shall meet the following requirements.

(1) A report containing the measurements required by §60.18(f) (1), (2), (3), (4), (5), and (6) shall be furnished to the Administrator as required by §60.8 of the General Provisions. This report shall be submitted within 6 months of the initial start-up date.

(2) Records shall be kept of all periods of operation during which the flare pilot flame is absent.

(3) Semiannual reports of all periods recorded under §60.115b(d)(2) in which the pilot flame was absent shall be furnished to the Administrator.

§ 60.116b Monitoring of operations.

(a) The owner or operator shall keep copies of all records required by this section, except for the record required by paragraph (b) of this section, for at least 2 years. The record required by paragraph (b) of this section will be kept for the life of the source.

(b) The owner or operator of each storage vessel as specified in §60.110b(a) shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel.

(c) Except as provided in paragraphs (f) and (g) of this section, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m^3 storing a liquid with a maximum true vapor pressure greater than or equal to 3.5 kPa or with a design capacity greater than or equal to 75 m^3 but less than 151 m^3 storing a liquid with a maximum true vapor pressure greater than or equal to 15.0 kPa shall maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period.

(d) Except as provided in paragraph (g) of this section, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m^3 storing a liquid with a maximum true vapor pressure that is normally less than 5.2 kPa or with a design capacity greater than or equal to 75 m^3 but less than 151 m^3 storing a liquid with a maximum true vapor pressure that is normally less than 27.6 kPa shall notify the Administrator within 30 days when the maximum true vapor pressure of the liquid exceeds the respective maximum true vapor vapor pressure values for each volume range.

(e) Available data on the storage temperature may be used to determine the maximum true vapor pressure as determined below.

(1) For vessels operated above or below ambient temperatures, the maximum true vapor pressure is calculated based upon the highest expected calendar-month average of the storage temperature. For vessels operated at ambient temperatures, the maximum true vapor pressure is calculated based upon the maximum local monthly average ambient temperature as reported by the National Weather Service.

(2) For crude oil or refined petroleum products the vapor pressure may be obtained by the following:

(i) Available data on the Reid vapor pressure and the maximum expected storage temperature based on the highest expected calendar-month average temperature of the stored product may be used to determine the maximum true vapor pressure from nomographs contained in API Bulletin 2517 (incorporated by reference—see §60.17), unless the Administrator specifically requests that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the sample(s).

(ii) The true vapor pressure of each type of crude oil with a Reid vapor pressure less than 13.8 kPa or with physical properties that preclude determination by the recommended method is to be determined from available data and recorded if the estimated maximum true vapor pressure is greater than 3.5 kPa.

(3) For other liquids, the vapor pressure:

(i) May be obtained from standard reference texts, or

(ii) Determined by ASTM D2879–83, 96, or 97 (incorporated by reference—see §60.17); or

(iii) Measured by an appropriate method approved by the Administrator; or

(iv) Calculated by an appropriate method approved by the Administrator.

(f) The owner or operator of each vessel storing a waste mixture of indeterminate or variable composition shall be subject to the following requirements.

(1) Prior to the initial filling of the vessel, the highest maximum true vapor pressure for the range of anticipated liquid compositions to be stored will be determined using the methods described in paragraph (e) of this section.

(2) For vessels in which the vapor pressure of the anticipated liquid composition is above the cutoff for monitoring but below the cutoff for controls as defined in §60.112b(a), an initial physical test of the vapor pressure is required; and a physical test at least once every 6 months thereafter is required as determined by the following methods:

(i) ASTM D2879–83, 96, or 97 (incorporated by reference—see §60.17); or

(ii) ASTM D323–82 or 94 (incorporated by reference—see §60.17); or

(iii) As measured by an appropriate method as approved by the Administrator.

(g) The owner or operator of each vessel equipped with a closed vent system and control device meeting the specification of §60.112b or with emissions reductions equipment as specified in 40 CFR 65.42(b)(4), (b)(5), (b)(6), or (c) is exempt from the requirements of paragraphs (c) and (d) of this section.

[52 FR 11429, Apr. 8, 1987, as amended at 65 FR 61756, Oct. 17, 2000; 65 FR 78276, Dec. 14, 2000; 68 FR 59333, Oct. 15, 2003]

§ 60.117b Delegation of authority.

(a) In delegating implementation and enforcement authority to a State under section 111(c) of the Act, the authorities contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.

(b) Authorities which will not be delegated to States: §§60.111b(f)(4), 60.114b, 60.116b(e)(3)(iii), 60.116b(e)(3)(iv), and 60.116b(f)(2)(iii).

[52 FR 11429, Apr. 8, 1987, as amended at 52 FR 22780, June 16, 1987]

Indiana Department of Environmental Management
Office of Air Quality

Attachment E

Subpart DD—Standards of Performance for Grain Elevators

Source: 43 FR 34347, Aug. 3, 1978, unless otherwise noted.

§ 60.300 Applicability and designation of affected facility.

(a) The provisions of this subpart apply to each affected facility at any grain terminal elevator or any grain storage elevator, except as provided under §60.304(b). The affected facilities are each truck unloading station, truck loading station, barge and ship unloading station, barge and ship loading station, railcar loading station, railcar unloading station, grain dryer, and all grain handling operations.

(b) Any facility under paragraph (a) of this section which commences construction, modification, or reconstruction after August 3, 1978, is subject to the requirements of this part.

[43 FR 34347, Aug. 3, 1978, as amended at 52 FR 42434, Nov. 5, 1988]

§ 60.301 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) *Grain* means corn, wheat, sorghum, rice, rye, oats, barley, and soybeans.

(b) *Grain elevator* means any plant or installation at which grain is unloaded, handled, cleaned, dried, stored, or loaded.

(c) *Grain terminal elevator* means any grain elevator which has a permanent storage capacity of more than 88,100 m^3 (ca. 2.5 million U.S. bushels), except those located at animal food manufacturers, pet food manufacturers, cereal manufacturers, breweries, and livestock feedlots.

(d) *Permanent storage capacity* means grain storage capacity which is inside a building, bin, or silo.

(e) *Railcar* means railroad hopper car or boxcar.

(f) *Grain storage elevator* means any grain elevator located at any wheat flour mill, wet corn mill, dry corn mill (human consumption), rice mill, or soybean oil extraction plant which has a permanent grain storage capacity of 35,200 m^3 (ca. 1 million bushels).

(g) *Process emission* means the particulate matter which is collected by a capture system.

(h) *Fugitive emission* means the particulate matter which is not collected by a capture system and is released directly into the atmosphere from an affected facility at a grain elevator.

(i) *Capture system* means the equipment such as sheds, hoods, ducts, fans, dampers, etc. used to collect particulate matter generated by an affected facility at a grain elevator.

(j) *Grain unloading station* means that portion of a grain elevator where the grain is transferred from a truck, railcar, barge, or ship to a receiving hopper.

(k) *Grain loading station* means that portion of a grain elevator where the grain is transferred from the elevator to a truck, railcar, barge, or ship.

(l) *Grain handling operations* include bucket elevators or legs (excluding legs used to unload barges or ships), scale hoppers and surge bins (garners), turn heads, scalpers, cleaners, trippers, and the headhouse and other such structures.

(m) *Column dryer* means any equipment used to reduce the moisture content of grain in which the grain flows from the top to the bottom in one or more continuous packed columns between two perforated metal sheets.

(n) *Rack dryer* means any equipment used to reduce the moisture content of grain in which the grain flows from the top to the bottom in a cascading flow around rows of baffles (racks).

(o) *Unloading leg* means a device which includes a bucket-type elevator which is used to remove grain from a barge or ship.

[43 FR 34347, Aug. 3, 1978, as amended at 65 FR 61759, Oct. 17, 2000]

§ 60.302 Standard for particulate matter.

(a) On and after the 60th day of achieving the maximum production rate at which the affected facility will be operated, but no later than 180 days after initial startup, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere any gases which exhibit greater than 0 percent opacity from any:

(1) Column dryer with column plate perforation exceeding 2.4 mm diameter (ca. 0.094 inch).

(2) Rack dryer in which exhaust gases pass through a screen filter coarser than 50 mesh.

(b) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility except a grain dryer any process emission which:

(1) Contains particulate matter in excess of 0.023 g/dscm (ca. 0.01 gr/dscf).

(2) Exhibits greater than 0 percent opacity.

(c) On and after the 60th day of achieving the maximum production rate at which the affected facility will be operated, but no later than 180 days after initial startup, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere any fugitive emission from:

(1) Any individual truck unloading station, railcar unloading station, or railcar loading station, which exhibits greater than 5 percent opacity.

(2) Any grain handling operation which exhibits greater than 0 percent opacity.

(3) Any truck loading station which exhibits greater than 10 percent opacity.

(4) Any barge or ship loading station which exhibits greater than 20 percent opacity.

(d) The owner or operator of any barge or ship unloading station shall operate as follows:

(1) The unloading leg shall be enclosed from the top (including the receiving hopper) to the center line of the bottom pulley and ventilation to a control device shall be maintained on both sides of the leg and the grain receiving hopper.

(2) The total rate of air ventilated shall be at least 32.1 actual cubic meters per cubic meter of grain handling capacity (ca. 40 ft^3 /bu).

(3) Rather than meet the requirements of paragraphs (d)(1) and (2) of this section the owner or operator may use other methods of emission control if it is demonstrated to the Administrator's satisfaction that they would reduce emissions of particulate matter to the same level or less.

§ 60.303 Test methods and procedures.

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). Acceptable alternative methods and procedures are given in paragraph (c) of this section.

(b) The owner or operator shall determine compliance with the particulate matter standards in §60.302 as follows:

(1) Method 5 shall be used to determine the particulate matter concentration and the volumetric flow rate of the effluent gas. The sampling time and sample volume for each run shall be at least 60 minutes and 1.70 dscm (60 dscf). The probe and filter holder shall be operated without heaters.

(2) Method 2 shall be used to determine the ventilation volumetric flow rate.

(3) Method 9 and the procedures in §60.11 shall be used to determine opacity.

(c) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

(1) For Method 5, Method 17 may be used.

[54 FR 6674, Feb. 14, 1989]

§ 60.304 Modifications.

(a) The factor 6.5 shall be used in place of “annual asset guidelines repair allowance percentage,” to determine whether a capital expenditure as defined by §60.2 has been made to an existing facility.

(b) The following physical changes or changes in the method of operation shall not by themselves be considered a modification of any existing facility:

(1) The addition of gravity loadout spouts to existing grain storage or grain transfer bins.

(2) The installation of automatic grain weighing scales.

(3) Replacement of motor and drive units driving existing grain handling equipment.

(4) The installation of permanent storage capacity with no increase in hourly grain handling capacity.

Indiana Department of Environmental Management
Office of Air Quality

Attachment F

Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

Source: 71 FR 39172, July 11, 2006, unless otherwise noted.

What This Subpart Covers

§ 60.4200 Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (3) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Manufacturers of stationary CI ICE with a displacement of less than 30 liters per cylinder where the model year is:

(i) 2007 or later, for engines that are not fire pump engines,

(ii) The model year listed in table 3 to this subpart or later model year, for fire pump engines.

(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005 where the stationary CI ICE are:

(i) Manufactured after April 1, 2006 and are not fire pump engines, or

(ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.

(3) Owners and operators of stationary CI ICE that modify or reconstruct their stationary CI ICE after July 11, 2005.

(b) The provisions of this subpart are not applicable to stationary CI ICE being tested at a stationary CI ICE test cell/stand.

(c) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 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. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

(d) Stationary CI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C (or the exemptions described in 40 CFR part 89, subpart J and 40 CFR part 94, subpart J, for engines that would need to be certified to standards in those parts), except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

Emission Standards for Manufacturers

§ 60.4201 What emission standards must I meet for non-emergency engines if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later non-emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 kilowatt (KW) (3,000 horsepower (HP)) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 89.112, 40 CFR 89.113, 40 CFR 1039.101, 40 CFR 1039.102, 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, and 40 CFR 1039.115, as applicable, for all pollutants, for the same model year and maximum engine power.

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 through 2010 model year non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.

(c) Stationary CI internal combustion engine manufacturers must certify their 2011 model year and later non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 40 CFR 1039.102, 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, and 40 CFR 1039.115, as applicable, for all pollutants, for the same maximum engine power.

(d) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder to the certification emission standards for new marine CI engines in 40 CFR 94.8, as applicable, for all pollutants, for the same displacement and maximum engine power.

§ 60.4202 What emission standards must I meet for emergency engines if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (a)(1) through (2) of this section.

(1) For engines with a maximum engine power less than 37 KW (50 HP):

(i) The certification emission standards for new nonroad CI engines for the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants for model year 2007 engines, and

(ii) The certification emission standards for new nonroad CI engines in 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, 40 CFR 1039.115, and table 2 to this subpart, for 2008 model year and later engines.

(2) For engines with a maximum engine power greater than or equal to 37 KW (50 HP), the certification emission standards for new nonroad CI engines for the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants beginning in model year 2007.

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (b)(1) through (2) of this section.

(1) For 2007 through 2010 model years, the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.

(2) For 2011 model year and later, the certification emission standards for new nonroad CI engines for engines of the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants.

(c) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less

than 30 liters per cylinder that are not fire pump engines to the certification emission standards for new marine CI engines in 40 CFR 94.8, as applicable, for all pollutants, for the same displacement and maximum engine power.

(d) Beginning with the model years in table 3 to this subpart, stationary CI internal combustion engine manufacturers must certify their fire pump stationary CI ICE to the emission standards in table 4 to this subpart, for all pollutants, for the same model year and NFPA nameplate power.

§ 60.4203 How long must my engines meet the emission standards if I am a stationary CI internal combustion engine manufacturer?

Engines manufactured by stationary CI internal combustion engine manufacturers must meet the emission standards as required in §§60.4201 and 60.4202 during the useful life of the engines.

Emission Standards for Owners and Operators

§ 60.4204 What emission standards must I meet for non-emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of less than 10 liters per cylinder must comply with the emission standards in table 1 to this subpart. Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder must comply with the emission standards in 40 CFR 94.8(a)(1).

(b) Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in §60.4201 for their 2007 model year and later stationary CI ICE, as applicable.

(c) Owners and operators of non-emergency stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder must meet the requirements in paragraphs (c)(1) and (2) of this section.

(1) Reduce nitrogen oxides (NO_X) emissions by 90 percent or more, or limit the emissions of NO_Xin the stationary CI internal combustion engine exhaust to 1.6 grams per KW-hour (g/KW-hr) (1.2 grams per HP-hour (g/HP-hr)).

(2) Reduce particulate matter (PM) emissions by 60 percent or more, or limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.15 g/KW-hr (0.11 g/HP-hr).

§ 60.4205 What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of less than 10 liters per cylinder that are not fire pump engines must comply with the emission standards in table 1 to this subpart. Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards in 40 CFR 94.8(a)(1).

(b) Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in §60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.

(c) Owners and operators of fire pump engines with a displacement of less than 30 liters per cylinder must comply with the emission standards in table 4 to this subpart, for all pollutants.

(d) Owners and operators of emergency stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder must meet the requirements in paragraphs (d)(1) and (2) of this section.

(1) Reduce NO_Xemissions by 90 percent or more, or limit the emissions of NO_Xin the stationary CI internal combustion engine exhaust to 1.6 grams per KW-hour (1.2 grams per HP-hour).

(2) Reduce PM emissions by 60 percent or more, or limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.15 g/KW-hr (0.11 g/HP-hr).

§ 60.4206 How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§60.4204 and 60.4205 according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer, over the entire life of the engine.

Fuel Requirements for Owners and Operators

§ 60.4207 What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?

(a) Beginning October 1, 2007, owners and operators of stationary CI ICE subject to this subpart that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(a).

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel.

(c) Owners and operators of pre-2011 model year stationary CI ICE subject to this subpart may petition the Administrator for approval to use remaining non-compliant fuel that does not meet the fuel requirements of paragraphs (a) and (b) of this section beyond the dates required for the purpose of using up existing fuel inventories. If approved, the petition will be valid for a period of up to 6 months. If additional time is needed, the owner or operator is required to submit a new petition to the Administrator.

(d) Owners and operators of pre-2011 model year stationary CI ICE subject to this subpart that are located in areas of Alaska not accessible by the Federal Aid Highway System may petition the Administrator for approval to use any fuels mixed with used lubricating oil that do not meet the fuel requirements of paragraphs (a) and (b) of this section. Owners and operators must demonstrate in their petition to the Administrator that there is no other place to use the lubricating oil. If approved, the petition will be valid for a period of up to 6 months. If additional time is needed, the owner or operator is required to submit a new petition to the Administrator.

(e) Stationary CI ICE that have a national security exemption under §60.4200(d) are also exempt from the fuel requirements in this section.

Other Requirements for Owners and Operators

§ 60.4208 What is the deadline for importing or installing stationary CI ICE produced in the previous model year?

(a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.

(b) After December 31, 2009, owners and operators may not install stationary CI ICE with a maximum engine power of less than 19 KW (25 HP) (excluding fire pump engines) that do not meet the applicable requirements for 2008 model year engines.

(c) After December 31, 2014, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 KW (25 HP) and less than 56 KW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.

(d) After December 31, 2013, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 56 KW (75 HP) and less than 130 KW (175 HP) that do not meet the applicable requirements for 2012 model year non-emergency engines.

(e) After December 31, 2012, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 130 KW (175 HP), including those above 560 KW (750 HP), that do not meet the applicable requirements for 2011 model year non-emergency engines.

(f) After December 31, 2016, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 560 KW (750 HP) that do not meet the applicable requirements for 2015 model year non-emergency engines.

(g) In addition to the requirements specified in §§60.4201, 60.4202, 60.4204, and 60.4205, it is prohibited to import stationary CI ICE with a displacement of less than 30 liters per cylinder that do not meet the applicable requirements specified in paragraphs (a) through (f) of this section after the dates specified in paragraphs (a) through (f) of this section.

(h) The requirements of this section do not apply to owners or operators of stationary CI ICE that have been modified, reconstructed, and do not apply to engines that were removed from one existing location and reinstalled at a new location.

§ 60.4209 What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in §60.4211.

(a) If you are an owner or operator of an emergency stationary CI internal combustion engine, you must install a non-resettable hour meter prior to startup of the engine.

(b) If you are an owner or operator of a stationary CI internal combustion engine equipped with a diesel particulate filter to comply with the emission standards in §60.4204, the diesel particulate filter must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached.

Compliance Requirements

§ 60.4210 What are my compliance requirements if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their stationary CI ICE with a displacement of less than 10 liters per cylinder to the emission standards specified in §60.4201(a) through (c) and §60.4202(a), (b) and (d) using the certification procedures required in 40 CFR part 89, subpart B, or 40 CFR part 1039, subpart C, as applicable, and must test their engines as specified in those parts. For the purposes of this subpart, engines certified to the standards in table 1 to this subpart shall be subject to the same requirements as engines certified to the standards in 40 CFR part 89. For the purposes of this subpart, engines certified to the standards in table 4 to this subpart shall be subject to the same requirements as engines certified to the standards in 40 CFR part 89, except that engines with NFPA

nameplate power of less than 37 KW (50 HP) certified to model year 2011 or later standards shall be subject to the same requirements as engines certified to the standards in 40 CFR part 1039.

(b) Stationary CI internal combustion engine manufacturers must certify their stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder to the emission standards specified in §60.4201(d) and §60.4202(c) using the certification procedures required in 40 CFR part 94 subpart C, and must test their engines as specified in 40 CFR part 94.

(c) Stationary CI internal combustion engine manufacturers must meet the requirements of 40 CFR 1039.120, 40 CFR 1039.125, 40 CFR 1039.130, 40 CFR 1039.135, and 40 CFR part 1068 for engines that are certified to the emission standards in 40 CFR part 1039. Stationary CI internal combustion engine manufacturers must meet the corresponding provisions of 40 CFR part 89 or 40 CFR part 94 for engines that would be covered by that part if they were nonroad (including marine) engines. Labels on such engines must refer to stationary engines, rather than or in addition to nonroad or marine engines, as appropriate. Stationary CI internal combustion engine manufacturers must label their engines according to paragraphs (c)(1) through (3) of this section.

(1) Stationary CI internal combustion engines manufactured from January 1, 2006 to March 31, 2006 (January 1, 2006 to June 30, 2006 for fire pump engines), other than those that are part of certified engine families under the nonroad CI engine regulations, must be labeled according to 40 CFR 1039.20.

(2) Stationary CI internal combustion engines manufactured from April 1, 2006 to December 31, 2006 (or, for fire pump engines, July 1, 2006 to December 31 of the year preceding the year listed in table 3 to this subpart) must be labeled according to paragraphs (c)(2)(i) through (iii) of this section:

(i) Stationary CI internal combustion engines that are part of certified engine families under the nonroad regulations must meet the labeling requirements for nonroad CI engines, but do not have to meet the labeling requirements in 40 CFR 1039.20.

(ii) Stationary CI internal combustion engines that meet Tier 1 requirements (or requirements for fire pumps) under this subpart, but do not meet the requirements applicable to nonroad CI engines must be labeled according to 40 CFR 1039.20. The engine manufacturer may add language to the label clarifying that the engine meets Tier 1 requirements (or requirements for fire pumps) of this subpart.

(iii) Stationary CI internal combustion engines manufactured after April 1, 2006 that do not meet Tier 1 requirements of this subpart, or fire pumps engines manufactured after July 1, 2006 that do not meet the requirements for fire pumps under this subpart, may not be used in the U.S. If any such engines are manufactured in the U.S. after April 1, 2006 (July 1, 2006 for fire pump engines), they must be exported or must be brought into compliance with the appropriate standards prior to initial operation. The export provisions of 40 CFR 1068.230 would apply to engines for export and the manufacturers must label such engines according to 40 CFR 1068.230.

(3) Stationary CI internal combustion engines manufactured after January 1, 2007 (for fire pump engines, after January 1 of the year listed in table 3 to this subpart, as applicable) must be labeled according to paragraphs (c)(3)(i) through (iii) of this section.

(i) Stationary CI internal combustion engines that meet the requirements of this subpart and the corresponding requirements for nonroad (including marine) engines of the same model year and HP must be labeled according to the provisions in part 89, 94 or 1039, as appropriate.

(ii) Stationary CI internal combustion engines that meet the requirements of this subpart, but are not certified to the standards applicable to nonroad (including marine) engines of the same model year and HP must be labeled according to the provisions in part 89, 94 or 1039, as appropriate, but the words “stationary” must be included instead of “nonroad” or “marine” on the label. In addition, such engines must be labeled according to 40 CFR 1039.20.

(iii) Stationary CI internal combustion engines that do not meet the requirements of this subpart must be labeled according to 40 CFR 1068.230 and must be exported under the provisions of 40 CFR 1068.230.

(d) An engine manufacturer certifying an engine family or families to standards under this subpart that are identical to standards applicable under parts 89, 94, or 1039 for that model year may certify any such family that contains both nonroad (including marine) and stationary engines as a single engine family and/or may include any such family containing stationary engines in the averaging, banking and trading provisions applicable for such engines under those parts.

(e) Manufacturers of engine families discussed in paragraph (d) of this section may meet the labeling requirements referred to in paragraph (c) of this section for stationary CI ICE by either adding a separate label containing the information required in paragraph (c) of this section or by adding the words “and stationary” after the word “nonroad” or “marine,” as appropriate, to the label.

(f) Starting with the model years shown in table 5 to this subpart, stationary CI internal combustion engine manufacturers must add a permanent label stating that the engine is for stationary emergency use only to each new emergency stationary CI internal combustion engine greater than or equal to 19 KW (25 HP) that meets all the emission standards for emergency engines in §60.4202 but does not meet all the emission standards for non-emergency engines in §60.4201. The label must be added according to the labeling requirements specified in 40 CFR 1039.135(b). Engine manufacturers must specify in the owner's manual that operation of emergency engines is limited to emergency operations and required maintenance and testing.

(g) Manufacturers of fire pump engines may use the test cycle in table 6 to this subpart for testing fire pump engines and may test at the NFPA certified nameplate HP, provided that the engine is labeled as “Fire Pump Applications Only”.

(h) Engine manufacturers, including importers, may introduce into commerce uncertified engines or engines certified to earlier standards that were manufactured before the new or changed standards took effect until inventories are depleted, as long as such engines are part of normal inventory. For example, if the engine manufacturers' normal industry practice is to keep on hand a one-month supply of engines based on its projected sales, and a new tier of standards starts to apply for the 2009 model year, the engine manufacturer may manufacture engines based on the normal inventory requirements late in the 2008 model year, and sell those engines for installation. The engine manufacturer may not circumvent the provisions of §§60.4201 or 60.4202 by stockpiling engines that are built before new or changed standards take effect. Stockpiling of such engines beyond normal industry practice is a violation of this subpart.

(i) The replacement engine provisions of 40 CFR 89.1003(b)(7), 40 CFR 94.1103(b)(3), 40 CFR 94.1103(b)(4) and 40 CFR 1068.240 are applicable to stationary CI engines replacing existing equipment that is less than 15 years old.

§ 60.4211 What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer. In addition, owners and operators may only change those settings that are permitted by the manufacturer. You must also meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to you.

(b) If you are an owner or operator of a pre-2007 model year stationary CI internal combustion engine and must comply with the emission standards specified in §§60.4204(a) or 60.4205(a), or if you are an owner or operator of a CI fire pump engine that is manufactured prior to the model years in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) through (5) of this section.

(1) Purchasing an engine certified according to 40 CFR part 89 or 40 CFR part 94, as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's specifications.

(2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.

(3) Keeping records of engine manufacturer data indicating compliance with the standards.

(4) Keeping records of control device vendor data indicating compliance with the standards.

(5) Conducting an initial performance test to demonstrate compliance with the emission standards according to the requirements specified in §60.4212, as applicable.

(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in §60.4204(b) or §60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), you must comply by purchasing an engine certified to the emission standards in §60.4204(b), or §60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's specifications.

(d) If you are an owner or operator and must comply with the emission standards specified in §60.4204(c) or §60.4205(d), you must demonstrate compliance according to the requirements specified in paragraphs (d)(1) through (3) of this section.

(1) Conducting an initial performance test to demonstrate initial compliance with the emission standards as specified in §60.4213.

(2) Establishing operating parameters to be monitored continuously to ensure the stationary internal combustion engine continues to meet the emission standards. The owner or operator must petition the Administrator for approval of operating parameters to be monitored continuously. The petition must include the information described in paragraphs (d)(2)(i) through (v) of this section.

(i) Identification of the specific parameters you propose to monitor continuously;

(ii) A discussion of the relationship between these parameters and $NO_X$and PM emissions, identifying how the emissions of these pollutants change with changes in these parameters, and how limitations on these parameters will serve to limit $NO_X$and PM emissions;

(iii) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;

(iv) A discussion identifying the methods and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and

(v) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

(3) For non-emergency engines with a displacement of greater than or equal to 30 liters per cylinder, conducting annual performance tests to demonstrate continuous compliance with the emission standards as specified in §60.4213.

(e) Emergency stationary ICE may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State, or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. There is no time limit on the use of emergency stationary ICE in emergency situations. Anyone may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or

operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency ICE beyond 100 hours per year. For owners and operators of emergency engines meeting standards under §60.4205 but not §60.4204, any operation other than emergency operation, and maintenance and testing as permitted in this section, is prohibited.

Testing Requirements for Owners and Operators

§ 60.4212 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (d) of this section.

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F.

(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

(c) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8, as applicable, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in 40 CFR 89.112 or 40 CFR 94.8, as applicable, determined from the following equation:

$$\text{NTE requirement for each pollutant} = (1.25) \times (\text{STD}) \qquad \text{(Eq. 1)}$$

Where:

STD = The standard specified for that pollutant in 40 CFR 89.112 or 40 CFR 94.8, as applicable.

Alternatively, stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8 may follow the testing procedures specified in §60.4213 of this subpart, as appropriate.

(d) Exhaust emissions from stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in §60.4204(a), §60.4205(a), or §60.4205(c) must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in §60.4204(a), §60.4205(a), or §60.4205(c), determined from the equation in paragraph (c) of this section.

Where:

STD = The standard specified for that pollutant in §60.4204(a), §60.4205(a), or §60.4205(c).

Alternatively, stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in §60.4204(a), §60.4205(a), or §60.4205(c) may follow the testing procedures specified in §60.4213, as appropriate.

§ 60.4213 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of greater than or equal to 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder must conduct performance tests according to paragraphs (a) through (d) of this section.

(a) Each performance test must be conducted according to the requirements in §60.8 and under the specific conditions that this subpart specifies in table 7. The test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in §60.8(c).

(c) You must conduct three separate test runs for each performance test required in this section, as specified in §60.8(f). Each test run must last at least 1 hour.

(d) To determine compliance with the percent reduction requirement, you must follow the requirements as specified in paragraphs (d)(1) through (3) of this section.

(1) You must use Equation 2 of this section to determine compliance with the percent reduction requirement:

$$\frac{C_i - C_o}{C_i} \times 100 = R \qquad \text{(Eq. 2)}$$

Where:

C_i= concentration of NO_Xor PM at the control device inlet,

C_o= concentration of NO_Xor PM at the control device outlet, and

R = percent reduction of NO_Xor PM emissions.

(2) You must normalize the NO_Xor PM concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen (O_2) using Equation 3 of this section, or an equivalent percent carbon dioxide (CO_2) using the procedures described in paragraph (d)(3) of this section.

$$C_{adj} = C_d \frac{5.9}{20.9 - \%\,O_2} \qquad \text{(Eq. 3)}$$

Where:

C_{adj}= Calculated NO_Xor PM concentration adjusted to 15 percent O_2.

C_d= Measured concentration of NO_Xor PM, uncorrected.

5.9 = 20.9 percent O_2−15 percent O_2, the defined O_2correction value, percent.

$\%O_2$= Measured O_2concentration, dry basis, percent.

(3) If pollutant concentrations are to be corrected to 15 percent $O_2$and CO_2concentration is measured in lieu of O_2concentration measurement, a CO_2correction factor is needed. Calculate the CO_2correction factor as described in paragraphs (d)(3)(i) through (iii) of this section.

(i) Calculate the fuel-specific $F_o$value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

$$F_o = \frac{0.209 F_d}{F_c} \qquad \text{(Eq. 4)}$$

Where:

F_o= Fuel factor based on the ratio of O_2volume to the ultimate CO_2volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is O_2, percent/100.

F_d= Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm^3 /J (dscf/10^6 Btu).

F_c= Ratio of the volume of CO_2produced to the gross calorific value of the fuel from Method 19, dsm^3 /J (dscf/10^6 Btu).

(ii) Calculate the CO_2correction factor for correcting measurement data to 15 percent O_2, as follows:

$$X_{CO_2} = \frac{5.9}{F_o} \qquad \text{(Eq. 5)}$$

Where:

X_{CO2}= CO_2correction factor, percent.

5.9 = 20.9 percent O_2−15 percent O_2, the defined O_2correction value, percent.

(iii) Calculate the $NO_X$and PM gas concentrations adjusted to 15 percent O_2using CO_2as follows:

$$C_{adj} = C_d \frac{X_{CO_2}}{\%CO_2} \qquad \text{(Eq. 6)}$$

Where:

C_{adj}= Calculated NO_Xor PM concentration adjusted to 15 percent O_2.

C_d= Measured concentration of NO_Xor PM, uncorrected.

$\%CO_2$= Measured CO_2concentration, dry basis, percent.

(e) To determine compliance with the NO_Xmass per unit output emission limitation, convert the concentration of NO_Xin the engine exhaust using Equation 7 of this section:

$$ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{\text{KW-hour}} \qquad \text{(Eq. 7)}$$

Where:

ER = Emission rate in grams per KW-hour.

C_d= Measured NO_Xconcentration in ppm.

$1.912x10^{-3}$= Conversion constant for ppm $NO_X$to grams per standard cubic meter at 25 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour.

T = Time of test run, in hours.

KW-hour = Brake work of the engine, in KW-hour.

(f) To determine compliance with the PM mass per unit output emission limitation, convert the concentration of PM in the engine exhaust using Equation 8 of this section:

$$ER = \frac{C_{adj} \times Q \times T}{\text{KW-hour}} \qquad \text{(Eq. 8)}$$

Where:

ER = Emission rate in grams per KW-hour.

C_{adj}= Calculated PM concentration in grams per standard cubic meter.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour.

T = Time of test run, in hours.

KW-hour = Energy output of the engine, in KW.

Notification, Reports, and Records for Owners and Operators

§ 60.4214 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of non-emergency stationary CI ICE that are greater than 2,237 KW (3,000 HP), or have a displacement of greater than or equal to 10 liters per cylinder, or are pre-2007 model year engines that are greater than 130 KW (175 HP) and not certified, must meet the requirements of paragraphs (a)(1) and (2) of this section.

(1) Submit an initial notification as required in §60.7(a)(1). The notification must include the information in paragraphs (a)(1)(i) through (v) of this section.

(i) Name and address of the owner or operator;

(ii) The address of the affected source;

(iii) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(iv) Emission control equipment; and

(v) Fuel used.

(2) Keep records of the information in paragraphs (a)(2)(i) through (iv) of this section.

(i) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(ii) Maintenance conducted on the engine.

(iii) If the stationary CI internal combustion is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards.

(iv) If the stationary CI internal combustion is not a certified engine, documentation that the engine meets the emission standards.

(b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

(c) If the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached.

Special Requirements

§ 60.4215 What requirements must I meet for engines used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands?

(a) Stationary CI ICE that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are required to meet the applicable emission standards in §60.4205. Non-emergency stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder, must meet the applicable emission standards in §60.4204(c).

(b) Stationary CI ICE that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are not required to meet the fuel requirements in §60.4207.

§ 60.4216 What requirements must I meet for engines used in Alaska?

(a) Prior to December 1, 2010, owners and operators of stationary CI engines located in areas of Alaska not accessible by the Federal Aid Highway System should refer to 40 CFR part 69 to determine the diesel fuel requirements applicable to such engines.

(b) The Governor of Alaska may submit for EPA approval, by no later than January 11, 2008, an alternative plan for implementing the requirements of 40 CFR part 60, subpart IIII, for public-sector electrical utilities located in rural areas of Alaska not accessible by the Federal Aid Highway System. This alternative plan must be based on the requirements of section 111 of the Clean Air Act including any increased risks to human health and the environment and must also be based on the unique circumstances related to remote power generation, climatic conditions, and serious economic impacts resulting from implementation of 40 CFR part 60, subpart IIII. If EPA approves by rulemaking process an alternative plan, the provisions as approved by EPA under that plan shall apply to the diesel engines used in new stationary internal combustion engines subject to this paragraph.

§ 60.4217 What emission standards must I meet if I am an owner or operator of a stationary internal combustion engine using special fuels?

(a) Owners and operators of stationary CI ICE that do not use diesel fuel, or who have been given authority by the Administrator under §60.4207(d) of this subpart to use fuels that do not meet the fuel requirements of paragraphs (a) and (b) of §60.4207, may petition the Administrator for approval of alternative emission standards, if they can demonstrate that they use a fuel that is not the fuel on which the manufacturer of the engine certified the engine and that the engine cannot meet the applicable standards required in §60.4202 or §60.4203 using such fuels.

(b) [Reserved]

General Provisions

§ 60.4218 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§60.1 through 60.19 apply to you.

Definitions

§ 60.4219 What definitions apply to this subpart?

As used in this subpart, all terms not defined herein shall have the meaning given them in the CAA and in subpart A of this part.

Combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle combustion turbine, any regenerative/recuperative cycle combustion turbine, the combustion turbine portion of any cogeneration cycle combustion system, or the combustion turbine portion of any combined cycle steam/electric generating system.

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is number 2 distillate oil.

Diesel particulate filter means an emission control technology that reduces PM emissions by trapping the particles in a flow filter substrate and periodically removes the collected particles by either physical action or by oxidizing (burning off) the particles in a process called regeneration.

Emergency stationary internal combustion engine means any stationary internal combustion engine whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc. Stationary CI ICE used to supply power to an electric grid or that supply power as part of a financial arrangement with another entity are not considered to be emergency engines.

Engine manufacturer means the manufacturer of the engine. See the definition of “manufacturer” in this section.

Fire pump engine means an emergency stationary internal combustion engine certified to NFPA requirements that is used to provide power to pump water for fire suppression or protection.

Manufacturer has the meaning given in section 216(1) of the Act. In general, this term includes any person who manufactures a stationary engine for sale in the United States or otherwise introduces a new stationary engine into commerce in the United States. This includes importers who import stationary engines for sale or resale.

Maximum engine power means maximum engine power as defined in 40 CFR 1039.801.

Model year means either:

(1) The calendar year in which the engine was originally produced, or

(2) The annual new model production period of the engine manufacturer if it is different than the calendar year. This must include January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year. For an engine that is converted to a stationary engine after being placed into service as a nonroad or other non-stationary engine, model year means the calendar year or new model production period in which the engine was originally produced.

Other internal combustion engine means any internal combustion engine, except combustion turbines, which is not a reciprocating internal combustion engine or rotary internal combustion engine.

Reciprocating internal combustion engine means any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work.

Rotary internal combustion engine means any internal combustion engine which uses rotary motion to convert heat energy into mechanical work.

Spark ignition means relating to a gasoline, natural gas, or liquefied petroleum gas fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary internal combustion engine means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.

Subpart means 40 CFR part 60, subpart IIII.

Useful life means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or calendar years, whichever comes first. The values for useful life for stationary CI ICE with a displacement of less than 10 liters per cylinder are given in 40 CFR 1039.101(g). The values for useful life for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder are given in 40 CFR 94.9(a).

Table 1 to Subpart IIII of Part 60—Emission Standards for Stationary Pre-2007 Model Year Engines With a Displacement of <10 Liters per Cylinder and 2007–2010 Model Year Engines >2,237 KW (3,000 HP) and With a Displacement of <10 Liters per Cylinder

[As stated in §§60.4201(b), 60.4202(b), 60.4204(a), and 60.4205(a), you must comply with the following emission standards]

Maximum engine power	Emission standards for stationary pre-2007 model year engines with a displacement of <10 liters per cylinder and 2007–2010 model year engines >2,237 KW (3,000 HP) and with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)				
	NMHC + NO_X	HC	NO_X	CO	PM
KW<8 (HP<11)	10.5 (7.8)			8.0 (6.0)	1.0 (0.75)
8≤KW<19 (11≤HP<25)	9.5 (7.1)			6.6 (4.9)	0.80 (0.60)
19≤KW<37 (25≤HP<50)	9.5 (7.1)			5.5 (4.1)	0.80 (0.60)
37≤KW<56 (50≤HP<75)			9.2 (6.9)		
56≤KW<75 (75≤HP<100)			9.2 (6.9)		
75≤KW<130 (100≤HP<175)			9.2 (6.9)		
130≤KW<225 (175≤HP<300)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
225≤KW<450 (300≤HP<600)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
450≤KW≤560 (600≤HP≤750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
KW>560 (HP>750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)

Table 2 to Subpart IIII of Part 60—Emission Standards for 2008 Model Year and Later Emergency Stationary CI ICE <37 KW (50 HP) With a Displacement of <10 Liters per Cylinder

[As stated in §60.4202(a)(1), you must comply with the following emission standards]

Engine power	Emission standards for 2008 model year and later emergency stationary CI ICE <37 KW (50 HP) with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)			
	Model year(s)	NO_X+ NMHC	CO	PM
KW<8 (HP<11)	2008+	7.5 (5.6)	8.0 (6.0)	0.40 (0.30)
8≤KW<19 (11≤HP<25)	2008+	7.5 (5.6)	6.6 (4.9)	0.40 (0.30)
19≤KW<37 (25≤HP<50)	2008+	7.5 (5.6)	5.5 (4.1)	0.30 (0.22)

Table 3 to Subpart IIII of Part 60—Certification Requirements for Stationary Fire Pump Engines

[As stated in §60.4202(d), you must certify new stationary fire pump engines beginning with the following model years:]

Engine power	Starting model year engine manufacturers must certify new stationary fire pump engines according to §60.4202(d)
KW<75 (HP<100)	2011
75≤KW<130 (100≤HP<175)	2010
130≤KW≤560 (175≤HP≤750)	2009
KW>560 (HP>750)	2008

Table 4 to Subpart IIII of Part 60—Emission Standards for Stationary Fire Pump Engines

[As stated in §§60.4202(d) and 60.4205(c), you must comply with the following emission standards for stationary fire pump engines]

Maximum engine power	Model year(s)	NMHC + NO_X	CO	PM
KW<8 (HP<11)	2010 and earlier	10.5 (7.8)	8.0 (6.0)	1.0 (0.75)
	2011+	7.5 (5.6)		0.40 (0.30)
8≤KW<19 (11≤HP<25)	2010 and earlier	9.5 (7.1)	6.6 (4.9)	0.80 (0.60)
	2011+	7.5 (5.6)		0.40 (0.30)
19≤KW<37 (25≤HP<50)	2010 and earlier	9.5 (7.1)	5.5 (4.1)	0.80 (0.60)
	2011+	7.5 (5.6)		0.30 (0.22)
37≤KW<56 (50≤HP<75)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2011+[1]	4.7 (3.5)		0.40 (0.30)
56≤KW<75 (75≤HP<100)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2011+[1]	4.7 (3.5)		0.40 (0.30)
75≤KW<130 (100≤HP<175)	2009 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2010+[2]	4.0 (3.0)		0.30 (0.22)
130≤KW<225 (175≤HP<300)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009+[3]	4.0 (3.0)		0.20 (0.15)
225≤KW<450 (300≤HP<600)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009+[3]	4.0 (3.0)		0.20 (0.15)

450≤KW≤560 (600≤HP≤750)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009+	4.0 (3.0)		0.20 (0.15)
KW>560 (HP>750)	2007 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2008+	6.4 (4.8)		0.20 (0.15)

[1]For model years 2011–2013, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 revolutions per minute (rpm) may comply with the emission limitations for 2010 model year engines.

[2]For model years 2010–2012, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2009 model year engines.

[3]In model years 2009–2011, manufacturers of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2008 model year engines.

Table 5 to Subpart IIII of Part 60—Labeling and Recordkeeping Requirements for New Stationary Emergency Engines

[You must comply with the labeling requirements in §60.4210(f) and the recordkeeping requirements in §60.4214(b) for new emergency stationary CI ICE beginning in the following model years:]

Engine power	Starting model year
19≤KW<56 (25≤HP<75)	2013
56≤KW<130 (75≤HP<175)	2012
KW≥130 (HP≥175)	2011

Table 6 to Subpart IIII of Part 60—Optional 3-Mode Test Cycle for Stationary Fire Pump Engines

[As stated in §60.4210(g), manufacturers of fire pump engines may use the following test cycle for testing fire pump engines:]

Mode No.	Engine speed[1]	Torque (percent)[2]	Weighting factors
1	Rated	100	0.30
2	Rated	75	0.50
3	Rated	50	0.20

[1]Engine speed: ±2 percent of point.

[2]Torque: NFPA certified nameplate HP for 100 percent point. All points should be ±2 percent of engine percent load value.

Table 7 to Subpart IIII of Part 60—Requirements for Performance Tests for Stationary CI ICE With a Displacement of ≥30 Liters per Cylinder

[As stated in §60.4213, you must comply with the following requirements for performance tests for stationary CI ICE with a displacement of ≥30 liters per cylinder:]

For each	Complying with the requirement to	You must	Using	According to the following requirements
1. Stationary CI internal combustion engine with a displacement of ≥30 liters per cylinder	a. Reduce NO_Xemissions by 90 percent or more	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A	(a) Sampling sites must be located at the inlet and outlet of the control device.
		ii. Measure O_2at the inlet and outlet of the control device;	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A	(b) Measurements to determine O_2concentration must be made at the same time as the measurements for NO_Xconcentration.
		iii. If necessary, measure moisture content at the inlet and outlet of the control device; and,	(3) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17)	(c) Measurements to determine moisture content must be made at the same time as the measurements for NO_Xconcentration.
		iv. Measure NO_Xat the inlet and outlet of the control device	(4) Method 7E of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17)	(d) NO_Xconcentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	b. Limit the concentration of NO_Xin the stationary CI internal combustion engine exhaust.	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O_2concentration of the stationary internal combustion engine	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A	(b) Measurements to determine O_2concentration must be made at the same time as

		exhaust at the sampling port location; and,		the measurement for NO_Xconcentration.
		iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and,	(3) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17)	(c) Measurements to determine moisture content must be made at the same time as the measurement for NO_Xconcentration.
		iv. Measure NO_Xat the exhaust of the stationary internal combustion engine	(4) Method 7E of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17)	(d) NO_Xconcentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	c. Reduce PM emissions by 60 percent or more	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A	(a) Sampling sites must be located at the inlet and outlet of the control device.
		ii. Measure O_2at the inlet and outlet of the control device;	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A	(b) Measurements to determine O_2concentration must be made at the same time as the measurements for PM concentration.
		iii. If necessary, measure moisture content at the inlet and outlet of the control device; and	(3) Method 4 of 40 CFR part 60, appendix A	(c) Measurements to determine and moisture content must be made at the same time as the measurements for PM concentration.
		iv. Measure PM at the inlet and outlet of the control device	(4) Method 5 of 40 CFR part 60, appendix A	(d) PM concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	d. Limit the concentration of PM in the stationary CI internal combustion engine exhaust	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A	(a) If using a control device, the sampling site must be located at the outlet of the control device.

		ii. Determine the O_2concentration of the stationary internal combustion engine exhaust at the sampling port location; and	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A	(b) Measurements to determine O_2concentration must be made at the same time as the measurements for PM concentration.
		iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(3) Method 4 of 40 CFR part 60, appendix A	(c) Measurements to determine moisture content must be made at the same time as the measurements for PM concentration.
		iv. Measure PM at the exhaust of the stationary internal combustion engine	(4) Method 5 of 40 CFR part 60, appendix A	(d) PM concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

Table 8 to Subpart IIII of Part 60—Applicability of General Provisions to Subpart IIII

[As stated in §60.4218, you must comply with the following applicable General Provisions:]

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§60.1	General applicability of the General Provisions	Yes	
§60.2	Definitions	Yes	Additional terms defined in §60.4219.
§60.3	Units and abbreviations	Yes	
§60.4	Address	Yes	
§60.5	Determination of construction or modification	Yes	
§60.6	Review of plans	Yes	
§60.7	Notification and Recordkeeping	Yes	Except that §60.7 only applies as specified in §60.4214(a).
§60.8	Performance tests	Yes	Except that §60.8 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder and engines that are not certified.
§60.9	Availability of information	Yes	
§60.10	State Authority	Yes	

§60.11	Compliance with standards and maintenance requirements	No	Requirements are specified in subpart IIII.
§60.12	Circumvention	Yes	
§60.13	Monitoring requirements	Yes	Except that §60.13 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder.
§60.14	Modification	Yes	
§60.15	Reconstruction	Yes	
§60.16	Priority list	Yes	
§60.17	Incorporations by reference	Yes	
§60.18	General control device requirements	No	
§60.19	General notification and reporting requirements	Yes	

Indiana Department of Environmental Management
Office of Air Quality

Attachment G

Title 40: Protection of Environment

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

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

What This Subpart Covers

§ 63.6580 What is the purpose of subpart ZZZZ?

Subpart ZZZZ establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance 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 potential to emit any single HAP at a 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 facilities, 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. Notwithstanding 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 security purposes, you may be eligible to request an exemption from the requirements 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, excluding 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 horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary 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 existing 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 (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 limitations 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]

Emission and Operating Limitations

§ 63.6600 What emission limitations and operating limitations must I meet if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?

(a) If you own or operate an existing, new, or reconstructed spark ignition 4SRB 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 emission limitations in Table 1a to this subpart and the operating limitations in Table 1b to this subpart which apply to you.

(b) If you own or operate a new or reconstructed 2SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, a new or reconstructed 4SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, or a new or reconstructed CI 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 emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

(c) If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the emission limitations in Tables 1a and 2a to this subpart or operating limitations in Tables 1b and 2b to this subpart: an existing 2SLB stationary RICE, an existing 4SLB stationary RICE, or an existing CI stationary RICE; a stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis; an emergency stationary RICE; or a limited use stationary RICE.

[73 FR 3605, Jan. 18, 2008]

§ 63.6601 What emission limitations must I meet if I own or operate a 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than 500 brake HP located at a major source of HAP emissions?

If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at major source of HAP emissions manufactured on or after January 1, 2008, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

[73 FR 3605, Jan. 18, 2008]

General Compliance Requirements

§ 63.6605 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limitations and operating limitations in this subpart that apply to you at all times, except during periods of startup, shutdown, and malfunction.

(b) If you must comply with emission limitations and operating limitations, you must operate and maintain your stationary RICE, including air pollution control and monitoring equipment, in a manner consistent with good air pollution control practices for minimizing emissions at all times, including during startup, shutdown, and malfunction.

Testing and Initial Compliance Requirements

§ 63.6610 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?

If you own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct the initial performance test or other initial compliance demonstrations in Table 4 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in §63.6595 and according to the provisions in §63.7(a)(2).

(b) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must demonstrate initial compliance with either the proposed emission limitations or the promulgated emission limitations no later than February 10, 2005 or no later than 180 days after startup of the source, whichever is later, according to §63.7(a)(2)(ix).

(c) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, and you chose to comply with the proposed emission limitations when demonstrating initial compliance, you must conduct a second performance test to demonstrate compliance with the promulgated emission limitations by December 13, 2007 or after startup of the source, whichever is later, according to §63.7(a)(2)(ix).

(d) An owner or operator is not required to conduct an initial performance test on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (d)(1) through (5) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.

(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

(5) The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3605, Jan. 18, 2008]

§ 63.6611 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a 4SLB SI stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions?

If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must conduct an initial performance test within 240 days after the compliance date that is specified for your stationary RICE in §63.6595 and according to the provisions specified in Table 4 to this subpart, as appropriate.

[73 FR 3605, Jan. 18, 2008]

§ 63.6615 When must I conduct subsequent performance tests?

If you must comply with the emission limitations and operating limitations, you must conduct subsequent performance tests as specified in Table 3 of this subpart.

§ 63.6620 What performance tests and other procedures must I use?

(a) You must conduct each performance test in Tables 3 and 4 of this subpart that applies to you.

(b) Each performance test must be conducted according to the requirements in §63.7(e)(1) and under the specific conditions that this subpart specifies in Table 4. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

(c) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in §63.7(e)(1).

(d) You must conduct three separate test runs for each performance test required in this section, as specified in §63.7(e)(3). Each test run must last at least 1 hour.

(e)(1) You must use Equation 1 of this section to determine compliance with the percent reduction requirement:

$$\frac{C_i - C_o}{C_i} \times 100 = R \qquad \text{(Eq. 1)}$$

Where:

C_i= concentration of CO or formaldehyde at the control device inlet,

C_o= concentration of CO or formaldehyde at the control device outlet, and

R = percent reduction of CO or formaldehyde emissions.

(2) You must normalize the carbon monoxide (CO) or formaldehyde concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide (CO_2). If pollutant concentrations are to be corrected to 15 percent oxygen and CO_2concentration is measured in lieu of oxygen concentration measurement, a CO_2correction factor is needed. Calculate the CO_2correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.

(i) Calculate the fuel-specific $F_o$value for the fuel burned during the test using values obtained from Method 19, section 5.2, and the following equation:

$$F_o = \frac{0.209\ F_d}{F_c} \qquad \text{(Eq. 2)}$$

Where:

F_o= Fuel factor based on the ratio of oxygen volume to the ultimate CO_2volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is oxygen, percent/100.

F_d= Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm^3 /J (dscf/10^6 Btu).

F_c= Ratio of the volume of CO_2produced to the gross calorific value of the fuel from Method 19, dsm^3 /J (dscf/10^6 Btu).

(ii) Calculate the CO_2correction factor for correcting measurement data to 15 percent oxygen, as follows:

$$X_{co_2} = \frac{5.9}{F_o} \qquad \text{(Eq. 3)}$$

Where:

X_{co2}= CO_2correction factor, percent.

5.9 = 20.9 percent O_2−15 percent O_2, the defined O_2correction value, percent.

(iii) Calculate the $NO_X$and SO_2gas concentrations adjusted to 15 percent O_2using CO_2as follows:

$$C_{adj} = C_d \frac{X_{co_2}}{\%CO_2} \qquad \text{(Eq. 4)}$$

Where:

$\%CO_2$= Measured CO_2concentration measured, dry basis, percent.

(f) If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitation to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or NSCR, you must petition the Administrator for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Administrator.

(g) If you petition the Administrator for approval of operating limitations, your petition must include the information described in paragraphs (g)(1) through (5) of this section.

(1) Identification of the specific parameters you propose to use as operating limitations;

(2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters, and how limitations on these parameters will serve to limit HAP emissions;

(3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;

(4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and

(5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

(h) If you petition the Administrator for approval of no operating limitations, your petition must include the information described in paragraphs (h)(1) through (7) of this section.

(1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally (*e.g.,* operator adjustment, automatic controller adjustment, etc.) or unintentionally (*e.g.,* wear and tear, error, etc.) on a routine basis or over time;

(2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;

(3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;

(4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;

(5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;

(6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

(7) A discussion of why, from your point of view, it is infeasible or unreasonable to adopt the parameters as operating limitations.

(i) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided.

§ 63.6625 What are my monitoring, installation, operation, and maintenance requirements?

(a) If you elect to install a CEMS as specified in Table 5 of this subpart, you must install, operate, and maintain a CEMS to monitor CO and either oxygen or CO_2at both the inlet and the outlet of the control device according to the requirements in paragraphs (a)(1) through (4) of this section.

(1) Each CEMS must be installed, operated, and maintained according to the applicable performance specifications of 40 CFR part 60, appendix B.

(2) You must conduct an initial performance evaluation and an annual relative accuracy test audit (RATA) of each CEMS according to the requirements in §63.8 and according to the applicable performance specifications of 40 CFR part 60, appendix B as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.

(3) As specified in §63.8(c)(4)(ii), each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. You must have at least two data points, with each representing a different 15-minute period, to have a valid hour of data.

(4) The CEMS data must be reduced as specified in §63.8(g)(2) and recorded in parts per million or parts per billion (as appropriate for the applicable limitation) at 15 percent oxygen or the equivalent CO_2concentration.

(b) If you are required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of this subpart, you must install, operate, and maintain each CPMS according to the requirements in §63.8.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your stationary RICE in a manner which reasonably minimizes HAP emissions.

(d) If you are operating a new or reconstructed emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must install a non-resettable hour meter prior to the startup of the engine.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008]

§ 63.6630 How do I demonstrate initial compliance with the emission limitations and operating limitations?

(a) You must demonstrate initial compliance with each emission and operating limitation that applies to you according to Table 5 of this subpart.

(b) During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of this subpart that applies to you.

(c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in §63.6645.

Continuous Compliance Requirements

§ 63.6635 How do I monitor and collect data to demonstrate continuous compliance?

(a) If you must comply with emission and operating limitations, you must monitor and collect data according to this section.

(b) Except for monitor malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), you must monitor continuously at all times that the stationary RICE is operating.

(c) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods.

§ 63.6640 How do I demonstrate continuous compliance with the emission limitations and operating limitations?

(a) You must demonstrate continuous compliance with each emission limitation and operating limitation in Tables 1a and 1b and Tables 2a and 2b of this subpart that apply to you according to methods specified in Table 6 of this subpart.

(b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b and Tables 2a and 2b of this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in §63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.

(c) [Reserved]

(d) Consistent with §§63.6(e) and 63.7(e)(1), deviations from the emission or operating limitations that occur during a period of startup, shutdown, or malfunction are not violations if you demonstrate to the Administrator's satisfaction that you were operating in accordance with §63.6(e)(1). For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations.

Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR §94.11(a).

(e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate any stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing CI stationary RICE, an existing emergency stationary RICE, an existing limited use emergency stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008]

Notifications, Reports, and Records

§ 63.6645 What notifications must I submit and when?

(a) If you own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions or a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 HP located at a major source of HAP emissions, you must submit all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified.

(b) As specified in §63.9(b)(2), if you start up your stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart, you must submit an Initial Notification not later than December 13, 2004.

(c) 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 on or after August 16, 2004, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(d) As specified in §63.9(b)(2), if you start up your stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart and you are required to submit an initial notification, you must submit an Initial Notification not later than July 16, 2008.

(e) If you start up your new or reconstructed stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions on or after March 18, 2008 and you are required to submit an initial notification, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with §63.6590(b), your notification should include the information in §63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions).

(g) If you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in §63.7(b)(1).

(h) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to this subpart, you must submit a Notification of Compliance Status according to §63.9(h)(2)(ii).

(1) For each initial compliance demonstration required in Table 5 to this subpart that does not include a performance test, you must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration.

(2) For each initial compliance demonstration required in Table 5 to this subpart that includes a performance test conducted according to the requirements in Table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to §63.10(d)(2).

[73 FR 3606, Jan. 18, 2008]

§ 63.6650 What reports must I submit and when?

(a) You must submit each report in Table 7 of this subpart that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (5) of this section.

(1) The first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in §63.6595.

(2) The first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in §63.6595.

(3) Each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) Each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (4) of this section.

(c) The Compliance report must contain the information in paragraphs (c)(1) through (6) of this section.

(1) Company name and address.

(2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) If you had a startup, shutdown, or malfunction during the reporting period, the compliance report must include the information in §63.10(d)(5)(i).

(5) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.

(6) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.

(d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (4) of this section and the information in paragraphs (d)(1) and (2) of this section.

(1) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.

(2) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.

(e) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in this subpart, you must include information in paragraphs (c)(1) through (4) and (e)(1) through (12) of this section.

(1) The date and time that each malfunction started and stopped.

(2) The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks.

(3) The date, time, and duration that each CMS was out-of-control, including the information in §63.8(c)(8).

(4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period.

(5) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.

(6) A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.

(7) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.

(8) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.

(9) A brief description of the stationary RICE.

(10) A brief description of the CMS.

(11) The date of the latest CMS certification or audit.

(12) A description of any changes in CMS, processes, or controls since the last reporting period.

(f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.

(g) If you are operating as a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must submit an annual report according to Table 7 of this subpart by the date specified unless the Administrator has approved a different schedule, according to the information described in paragraphs (b)(1) through (b)(5) of this section. You must report the data specified in (g)(1) through (g)(3) of this section.

(1) Fuel flow rate of each fuel and the heating values that were used in your calculations. You must also demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10 percent or more of the total fuel consumption on an annual basis.

(2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.

(3) Any problems or errors suspected with the meters.

§ 63.6655 What records must I keep?

(a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(3), (b)(1) through (b)(3) and (c) of this section.

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in §63.10(b)(2)(xiv).

(2) The records in §63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction.

(3) Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii).

(b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.

(1) Records described in §63.10(b)(2)(vi) through (xi).

(2) Previous (*i.e.,* superseded) versions of the performance evaluation plan as required in §63.8(d)(3).

(3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in §63.8(f)(6)(i), if applicable.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.

(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

§ 63.6660 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious review according to §63.10(b)(1).

(b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record readily accessible in hard copy or electronic form on-site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You can keep the records off-site for the remaining 3 years.

Other Requirements and Information

§ 63.6665 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you. If you own or operate any stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with any of the requirements of the General Provisions: An existing 2SLB RICE, an existing 4SLB stationary RICE, an existing CI stationary RICE, 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, an existing emergency stationary RICE, or an existing limited use stationary RICE. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in the General Provisions except for the initial notification requirements: A new stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new emergency stationary RICE, or a new limited use stationary RICE.

[73 FR 3606, Jan. 18, 2008]

§ 63.6670 Who implements and enforces this subpart?

(a) This subpart is implemented and enforced by the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out whether 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 paragraph (c) 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) The authorities that will not be delegated to State, local, or tribal agencies are:

(1) Approval of alternatives to the non-opacity emission limitations and operating limitations in §63.6600 under §63.6(g).

(2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90.

(3) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90.

(4) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §63.90.

(5) Approval of a performance test which was conducted prior to the effective date of the rule, as specified in §63.6610(b).

§ 63.6675 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act (CAA); in 40 CFR 63.2, the General Provisions of this part; and in this section as follows:

Area source means any stationary source of HAP that is not a major source as defined in part 63.

Associated equipment as used in this subpart and as referred to in section 112(n)(4) of the CAA, means equipment associated with an oil or natural gas exploration or production well, and includes all equipment from the well bore to the point of custody transfer, except glycol dehydration units, storage vessels with potential for flash emissions, combustion turbines, and stationary RICE.

CAA means the Clean Air Act (42 U.S.C. 7401 *et seq.,* as amended by Public Law 101–549, 104 Stat. 2399).

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Custody transfer means the transfer of hydrocarbon liquids or natural gas: After processing and/or treatment in the producing operations, or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation. For the purposes of this subpart, the point at which such liquids or natural gas enters a natural gas processing plant is a point of custody transfer.

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 emission limitation or operating limitation;

(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 emission limitation or operating limitation in this subpart during malfunction, regardless or whether or not such failure is permitted by this subpart.

(4) Fails to satisfy the general duty to minimize emissions established by §63.6(e)(1)(i).

Diesel engine means any stationary RICE in which a high boiling point liquid fuel injected into the combustion chamber ignites when the air charge has been compressed to a temperature sufficiently high for auto-ignition. This process is also known as compression ignition.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is fuel oil number 2.

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and CO_2.

Dual-fuel engine means any stationary RICE in which a liquid fuel (typically diesel fuel) is used for compression ignition and gaseous fuel (typically natural gas) is used as the primary fuel.

Emergency stationary RICE means any stationary RICE whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc. Stationary RICE used for peak shaving are not considered emergency stationary RICE. Stationary ICE used to supply power to an electric grid or that supply power as part of a financial arrangement with another entity are not considered to be emergency engines. Emergency stationary RICE with a site-rating of more than 500 brake HP located at a major source of HAP emissions that were installed prior to June 12, 2006, may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by the manufacturer, the vendor, or the insurance company associated with the engine. Required testing of such units should be minimized, but there is no time limit on the use of emergency stationary RICE in emergency situations and for routine testing and maintenance. Emergency stationary RICE with a site-rating of more than 500 brake HP located at a major source of HAP emissions that were installed prior to June 12, 2006, may also operate an additional 50 hours per year in non-emergency situations. Emergency stationary RICE with a site-rating of more than 500 brake HP located at a major source of HAP emissions that were installed on or after June 12, 2006, must comply with requirements specified in 40 CFR 60.4243(d).

Four-stroke engine means any type of engine which completes the power cycle in two crankshaft revolutions, with intake and compression strokes in the first revolution and power and exhaust strokes in the second revolution.

Gaseous fuel means a material used for combustion which is in the gaseous state at standard atmospheric temperature and pressure conditions.

Gasoline means any fuel sold in any State for use in motor vehicles and motor vehicle engines, or nonroad or stationary engines, and commonly or commercially known or sold as gasoline.

Glycol dehydration unit means a device in which a liquid glycol (including, but not limited to, ethylene glycol, diethylene glycol, or triethylene glycol) absorbent directly contacts a natural gas stream and absorbs water in a contact tower or absorption column (absorber). The glycol contacts and absorbs water vapor and other gas stream constituents from the natural gas and becomes “rich” glycol. This glycol is then regenerated in the glycol dehydration unit reboiler. The “lean” glycol is then recycled.

Hazardous air pollutants (HAP) means any air pollutants listed in or pursuant to section 112(b) of the CAA.

ISO standard day conditions means 288 degrees Kelvin (15 degrees Celsius), 60 percent relative humidity and 101.3 kilopascals pressure.

Landfill gas means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO_2.

Lean burn engine means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

Limited use stationary RICE means any stationary RICE that operates less than 100 hours per year.

Liquefied petroleum gas means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining of natural gas production.

Liquid fuel means any fuel in liquid form at standard temperature and pressure, including but not limited to diesel, residual/crude oil, kerosene/naphtha (jet fuel), and gasoline.

Major Source, as used in this subpart, shall have the same meaning as in §63.2, except that:

(1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;

(2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in §63.1271 of subpart HHH of this part, shall not be aggregated;

(3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and

(4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in §63.1271 of subpart HHH of this part, shall not be aggregated.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Natural gas means a naturally occurring mixture of hydrocarbon and non-hydrocarbon gases found in geologic formations beneath the Earth's surface, of which the principal constituent is methane. Natural gas may be field or pipeline quality.

Non-selective catalytic reduction (NSCR) means an add-on catalytic nitrogen oxides (NO_X) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, NO_X, CO, and volatile organic compounds (VOC) into CO_2, nitrogen, and water.

Oil and gas production facility as used in this subpart means any grouping of equipment where hydrocarbon liquids are processed, upgraded (*i.e.,* remove impurities or other constituents to meet contract specifications), or stored prior to the point of custody transfer; or where natural gas is processed, upgraded, or stored prior to entering the natural gas transmission and storage source category. For purposes of a major source determination, facility (including a building, structure, or installation) means oil and natural gas production and processing equipment that is located within the boundaries of an individual surface site as defined in this section. Equipment that is part of a facility will typically be located within close proximity to other equipment located at the same facility. Pieces of production equipment or groupings of equipment

located on different oil and gas leases, mineral fee tracts, lease tracts, subsurface or surface unit areas, surface fee tracts, surface lease tracts, or separate surface sites, whether or not connected by a road, waterway, power line or pipeline, shall not be considered part of the same facility. Examples of facilities in the oil and natural gas production source category include, but are not limited to, well sites, satellite tank batteries, central tank batteries, a compressor station that transports natural gas to a natural gas processing plant, and natural gas processing plants.

Oxidation catalyst means an add-on catalytic control device that controls CO and VOC by oxidation.

Peaking unit or engine means any standby engine intended for use during periods of high demand that are not emergencies.

Percent load means the fractional power of an engine compared to its maximum manufacturer's design capacity at engine site conditions. Percent load may range between 0 percent to above 100 percent.

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. For oil and natural gas production facilities subject to subpart HH of this part, the potential to emit provisions in §63.760(a) may be used. For natural gas transmission and storage facilities subject to subpart HHH of this part, the maximum annual facility gas throughput for storage facilities may be determined according to §63.1270(a)(1) and the maximum annual throughput for transmission facilities may be determined according to §63.1270(a)(2).

Production field facility means those oil and gas production facilities located prior to the point of custody transfer.

Production well means any hole drilled in the earth from which crude oil, condensate, or field natural gas is extracted.

Propane means a colorless gas derived from petroleum and natural gas, with the molecular structure C_3H_8.

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

Rich burn engine means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to December 19, 2002 with passive emission control technology for NO_X(such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

Site-rated HP means the maximum manufacturer's design capacity at engine site conditions.

Spark ignition means relating to either: A gasoline-fueled engine; or any other type of engine a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary reciprocating internal combustion engine (RICE) means any reciprocating 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.

Stationary RICE test cell/stand means an engine test cell/stand, as defined in subpart PPPPP of this part, that tests stationary RICE.

Stoichiometric means the theoretical air-to-fuel ratio required for complete combustion.

Storage vessel with the potential for flash emissions means any storage vessel that contains a hydrocarbon liquid with a stock tank gas-to-oil ratio equal to or greater than 0.31 cubic meters per liter and an American Petroleum Institute gravity equal to or greater than 40 degrees and an actual annual average hydrocarbon liquid throughput equal to or greater than 79,500 liters per day. Flash emissions occur when dissolved hydrocarbons in the fluid evolve from solution when the fluid pressure is reduced.

Subpart means 40 CFR part 63, subpart ZZZZ.

Surface site means any combination of one or more graded pad sites, gravel pad sites, foundations, platforms, or the immediate physical location upon which equipment is physically affixed.

Two-stroke engine means a type of engine which completes the power cycle in single crankshaft revolution by combining the intake and compression operations into one stroke and the power and exhaust operations into a second stroke. This system requires auxiliary scavenging and inherently runs lean of stoichiometric.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3607, Jan. 18, 2008]

Table1a to Subpart ZZZZ of Part 63—Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

[As stated in §63.6600, you must comply with the following emission limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions at 100 percent load plus or minus 10 percent]

For each...	You must meet the following emission limitations...
1. 4SRB stationary RICE	a. reduce formaldehyde emissions by 76 percent or more. If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may reduce formaldehyde emissions by 75 percent or more until June 15, 2007;
	or
	b. limit the concentration of formaldehyde in the stationary RICE exhaust 350 ppbvd or less at 15 percent O_2.

[73 FR 3607, Jan. 18, 2008]

Table1b to Subpart ZZZZ of Part 63—Operating Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

[As stated in §§63.6600, 63.6630 and 63.6640, you must comply with the following operating emission limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions]

For each...	You must meet the following operating limitation...
1. 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and using NSCR;	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and

or	
4SRB stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent $O_2$and using NSCR.	b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 750 °F and less than or equal to 1250 °F.
2. 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and not using NSCR; or	Comply with any operating limitations approved by the Administrator.
4SRB stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent $O_2$and not using NSCR.	

[73 FR 3607, Jan. 18, 2008]

Table2a to Subpart ZZZZ of Part 63—Emission Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions

[As stated in §§63.6600 and 63.6601, you must comply with the following emission limitations for new and reconstructed lean burn and new and reconstructed compression ignition stationary RICE at 100 percent load plus or minus 10 percent]

For each...	You must meet the following emission limitation...
1. 2SLB stationary RICE	a. reduce CO emissions by 58 percent or more;
	or
	b. limit concentration of formaldehyde in the stationary RICE exhaust to 12 ppmvd or less at 15 percent O_2. If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may limit concentration of formaldehyde to 17 ppmvd or less at 15 percent O_2until June 15, 2007.
2. 4SLB stationary RICE	a. reduce CO emissions by 93 percent or more;
	or
	b. limit concentration of formaldehyde in the stationary RICE exhaust to 14 ppmvd or less at 15 percent O_2.
3. CI stationary RICE	a. reduce CO emissions by 70 percent or more;
	or
	b. limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbvd or less at 15 percent O_2.

[73 FR 3608, Jan. 18, 2008]

Table2b to Subpart ZZZZ of Part 63—Operating Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and 4SLB Burn Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions

[As stated in §§63.6600, 63.6601, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed lean burn and new and reconstructed compression ignition stationary]

For each...	You must meet the following operating limitation...
1. 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to reduce CO emissions and using an oxidation catalyst; or 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and using an oxidation catalyst	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.
2. 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to reduce CO emissions and not using an oxidation catalyst; or 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst	Comply with any operating limitations approved by the Administrator.

[73 FR 3608, Jan. 18, 2008]

Table 3 to Subpart ZZZZ of Part 63—Subsequent Performance Tests

[As stated in §§63.6615 and 63.6620, you must comply with the following subsequent performance test requirements]

For each . . .	Complying with the requirement to . . .	You must . . .
1. 2SLB and 4SLB stationary RICE and CI stationary RICE	Reduce CO emissions and not using a CEMS	Conduct subsequent performance tests semiannually.[1]
2. 4SRB stationary RICE with a brake horsepower ≥5,000	Reduce formaldehyde emissions	Conduct subsequent performance tests semiannually.[1]
3. Stationary RICE (all stationary RICE subcategories and all brake horsepower ratings)	Limit the concentration of formaldehyde in the stationary RICE exhaust	Conduct subsequent performance tests semiannually.[1]

[1]After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

Table 4 to Subpart ZZZZ of Part 63—Requirements for Performance Tests

[As stated in §§63.6610, 63.6611, 63.6620, and 63.6640, you must comply with the following requirements for performance tests for stationary RICE]

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
1. 2SLB, 4SLB, and CI stationary RICE	a. Reduce CO emissions	i. Measure the O_2at the inlet and outlet of the control device; and	(1) Portable CO and O_2analyzer	(a) Using ASTM D6522–00 (2005)[a](incorporated by reference, see §63.14). Measurements to determine O2 must be made at the same time as the measurements for CO concentration.
		ii. Measure the CO at the inlet and the outlet of the control device	(1) Portable CO and O_2analyzer	(a) Using ASTM D6522–00 (2005)[a](incorporated by reference, see §63.14) or Method 10 of 40 CFR, appendix A. The CO concentration must be at 15 percent O2, dry basis.
2. 4SRB stationary RICE	a. Reduce formaldehyde emissions	i. Select the sampling port location and the number of traverse points; and	(1) Method 1 or 1A of 40 CFR part 60, appendix A §63.7(d)(1)(i)	(a) Sampling sites must be located at the inlet and outlet of the control device.
		ii. Measure O2 at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A, or ASTM Method D6522–00 (2005).	(a) Measurements to determine O2 concentration must be made at the same time as the measurements for formaldehyde concentration.
		iii. Measure moisture content at the inlet and outlet of the control device; and	(1) Method 4 of 40 CFR part 60, appendix A, or Test Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03	(a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde concentration.
		iv. Measure formaldehyde at the inlet and the outlet of the control device	(1) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348–03[b], provided in ASTM D6348–03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130	(a) Formaldehyde concentration must be at 15 percent O2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
3. Stationary RICE	a. Limit the concentration of formaldehyde in the stationary RICE exhaust	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A §63.7(d)(1)(i)	(a) If using a control device, the sampling site must be located at the outlet of the control device.

		and		
		ii. Determine the O2 concentration of the stationary RICE exhaust at the sampling port location; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A, or ASTM Method D6522–00 (2005)	(a) Measurements to determine O2 concentration must be made at the same time and location as the measurements for formaldehyde concentration.
		iii. Measure moisture content of the stationary RICE exhaust at the sampling port location; and	(1) Method 4 of 40 CFR part 60, appendix A, or Test Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03	(a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde concentration.
		iv. Measure formaldehyde at the exhaust of the stationary RICE	(1) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348–03[b], provided in ASTM D6348–03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130	(a) Formaldehyde concentration must be at 15 percent O2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

[a]You may also use Methods 3A and 10 as options to ASTM–D6522–00 (2005). You may obtain a copy of ASTM–D6522–00 (2005) from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

[b]You may obtain a copy of ASTM–D6348–03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

[73 FR 3609, Jan. 18, 2008]

Table 5 to Subpart ZZZZ of Part 63—Initial Compliance With Emission Limitations and Operating Limitations

[As stated in §§63.6625 and 63.6630, you must initially comply with the emission and operating limitations as required by the following]

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
1. 2SLB and 4SLB stationary RICE and CI stationary RICE	a. Reduce CO emissions and using oxidation catalyst, and using a CPMS	i. the average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.

2. 2SLB and 4SLB stationary RICE and CI stationary RICE	a. Reduce CO emissions and not using oxidation catalyst	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and
		ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.
3. 2SLB and 4SLB stationary RICE and CI stationary RICE	a. Reduce CO emissions, and using a CEMS	i. You have installed a CEMS to continuously monitor CO and either O_2or CO_2at both the inlet and outlet of the oxidation catalyst according to the requirements in §63.6625(a); and
		ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and
		iii. The average reduction of CO calculated using §63.6620 equals or exceeds the required percent reduction. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved during the 4-hour period.
4. 4SRB stationary RICE	a. Reduce formaldehyde emissions and using NSCR	i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction; and
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
5. 4SRB stationary RICE	a. Reduce formaldehyde emissions and not using NSCR	i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction; and
		ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.
6. Stationary RICE	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR	i. The average formaldehyde concentration, corrected to 15 percent O_2, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance

		test.
7. Stationary RICE	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	i. The average formaldehyde concentration, corrected to 15 percent O_2, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and
		ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.

Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations and Operating Limitations

[As stated in §63.6640, you must continuously comply with the emissions and operating limitations as required by the following]

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
1. 2SLB and 4SLB stationary RICE and CI stationary RICE	a. Reduce CO emissions and using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved[1]; and
		ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
2. 2SLB and 4SLB stationary RICE and CI stationary RICE	a. Reduce CO emissions and not using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved[1]; and
		ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
3. 2SLB and 4SLB	a. Reduce CO emissions and	i. Collecting the monitoring data according to

stationary RICE and CI stationary RICE	using a CEMS	§63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction of CO emissions according to §63.6620; and
		ii. Demonstrating that the catalyst achieves the required percent reduction of CO emissions over the 4-hour averaging period; and
		iii. Conducting an annual RATA of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.
4. 4SRB stationary RICE	a. Reduce formaldehyde emissions and using NSCR	i. Collecting the catalyst inlet temperature data according to §63.6625(b); and
		ii. Reducing these data to 4-hour rolling averages; and
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		iv. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
5. 4SRB stationary RICE	a. Reduce formaldehyde emissions and not using NSCR	i. Collecting the approved operating parameter (if any) data according to §63.6625(b); and
		ii. reducing these data to 4-hour rolling averages;
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
6. 4SRB stationary RICE with a brake horsepower ≥5,000	Reduce formaldehyde emissions	Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved[1].
7. Stationary RICE	Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR	i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit[1]; and
		ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.

8. Stationary RICE	Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit[1]; and
		ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and
		ii. Reducing these data to 4-hour rolling averages; and
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.

[1]After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

Table 7 to Subpart ZZZZ of Part 63—Requirements for Reports

[As stated in §63.6650, you must comply with the following requirements for reports]

You must submit a(n)	The report must contain . . .	You must submit the report . . .
1. Compliance report	a. If there are no deviations from any emission limitations or operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or	i. Semiannually according to the requirements in §63.6650(b).
	b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in §63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), the information in §63.6650(e); or	i. Semiannually according to the requirements in §63.6650(b).
	c. If you had a startup, shutdown or malfunction during the reporting period, the information in §63.10(d)(5)(i)	i. Semiannually according to the requirements in §63.6650(b).
2. An immediate startup, shutdown, and malfunction report if actions addressing the startup, shutdown, or malfunction were inconsistent with your startup, shutdown, or malfunction plan during the reporting period	a. Actions taken for the event; and	i. By fax or telephone within 2 working days after starting actions inconsistent with the plan.

	b. The information in §63.10(d)(5)(ii).	i. By letter within 7 working days after the end of the event unless you have made alternative arrangements with the permitting authorities. (§63.10(d)(5)(ii))
3. Report	a. The fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas or digester gas, is equivalent to 10 percent or more of the gross heat input on an annual basis; and	i. Annually, according to the requirements in §63.6650.
	b. The operating limits provided in your federally enforceable permit, and any deviations from these limits; and	i. See item 3.a.i.
	c. Any problems or errors suspected with the meters	i. See item 3.a.i.

Table 8 to Subpart ZZZZ of Part 63—Applicability of General Provisions to Subpart ZZZZ

[As stated in §63.6665, you must comply with the following applicable general provisions]

General provisions citation	Subject of citation	Applies to subpart	Explanation
§63.1	General applicability of the General Provisions	Yes	
§63.2	Definitions	Yes	Additional terms defined in §63.6675.
§63.3	Units and abbreviations	Yes	
§63.4	Prohibited activities and circumvention	Yes	
§63.5	Construction and reconstruction	Yes	
§63.6(a)	Applicability	Yes	
§63.6(b)(1)–(4)	Compliance dates for new and reconstructed sources	Yes	
§63.6(b)(5)	Notification	Yes	
§63.6(b)(6)	[Reserved]		
§63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources	Yes	
§63.6(c)(1)–(2)	Compliance dates for existing sources	Yes	
§63.6(c)(3)–(4)	[Reserved]		
§36.6(c)(5)	Compliance dates for existing area	Yes	

	sources that become major sources		
§63.6(d)	[Reserved]		
§63.6(e)(1)	Operation and maintenance	Yes	
§63.6(e)(2)	[Reserved]		
§63.6(e)(3)	Startup, shutdown, and malfunction plan	Yes	
§63.6(f)(1)	Applicability of standards except during startup shutdown malfunction (SSM)	Yes	
§63.6(f)(2)	Methods for determining compliance	Yes	
§63.6(f)(3)	Finding of compliance	Yes	
§63.6(g)(1)–(3)	Use of alternate standard	Yes	
§63.6(h)	Opacity and visible emission standards	No	Subpart ZZZZ does not contain opacity or visible emission standards.
§63.6(i)	Compliance extension procedures and criteria	Yes	
§63.6(j)	Presidential compliance exemption	Yes	
§63.7(a)(1)–(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at §§63.6610 and 63.6611.
§63.7(a)(3)	CAA section 114 authority	Yes	
§63.7(b)(1)	Notification of performance test	Yes	
§63.7(b)(2)	Notification of rescheduling	Yes	
§63.7(c)	Quality assurance/test plan	Yes	
§63.7(d)	Testing facilities	Yes	
§63.7(e)(1)	Conditions for conducting performance tests	Yes	
§63.7(e)(2)	Conduct of performance tests and reduction of data	Yes	Subpart ZZZZ specifies test methods at §63.6620.
§63.7(e)(3)	Test run duration	Yes	
§63.7(e)(4)	Administrator may require other testing under section 114 of the CAA	Yes	
§63.7(f)	Alternative test method provisions	Yes	
§63.7(g)	Performance test data analysis, recordkeeping, and reporting	Yes	
§63.7(h)	Waiver of tests	Yes	
§63.8(a)(1)	Applicability of monitoring	Yes	Subpart ZZZZ contains specific

	requirements		requirements for monitoring at §63.6625.
§63.8(a)(2)	Performance specifications	Yes	
§63.8(a)(3)	[Reserved]		
§63.8(a)(4)	Monitoring for control devices	No	
§63.8(b)(1)	Monitoring	Yes	
§63.8(b)(2)–(3)	Multiple effluents and multiple monitoring systems	Yes	
§63.8(c)(1)	Monitoring system operation and maintenance	Yes	
§63.8(c)(1)(i)	Routine and predictable SSM	Yes	
§63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan	Yes	
§63.8(c)(1)(iii)	Compliance with operation and maintenance requirements	Yes	
§63.8(c)(2)–(3)	Monitoring system installation	Yes	
§63.8(c)(4)	Continuous monitoring system (CMS) requirements	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§63.8(c)(5)	COMS minimum procedures	No	Subpart ZZZZ does not require COMS.
§63.8(c)(6)–(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.
§63.8(d)	CMS quality control	Yes	
§63.8(e)	CMS performance evaluation	Yes	Except for §63.8(e)(5)(ii), which applies to COMS.
§63.8(f)(1)–(5)	Alternative monitoring method	Yes	
§63.8(f)(6)	Alternative to relative accuracy test	Yes	
§63.8(g)	Data reduction	Yes	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§63.6635 and 63.6640.
§63.9(a)	Applicability and State delegation of notification requirements	Yes	
§63.9(b)(1)–(5)	Initial notifications	Yes	Except that §63.9(b)(3) is reserved.
§63.9(c)	Request for compliance extension	Yes	
§63.9(d)	Notification of special compliance requirements for new sources	Yes	
§63.9(e)	Notification of performance test	Yes	
§63.9(f)	Notification of visible emission (VE)/opacity test	No	Subpart ZZZZ does not contain opacity or VE standards.

§63.9(g)(1)	Notification of performance evaluation	Yes	
§63.9(g)(2)	Notification of use of COMS data	No	Subpart ZZZZ does not contain opacity or VE standards.
§63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded	Yes	If alternative is in use.
§63.9(h)(1)–(6)	Notification of compliance status	Yes	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. §63.9(h)(4) is reserved.
§63.9(i)	Adjustment of submittal deadlines	Yes	
§63.9(j)	Change in previous information	Yes	
§63.10(a)	Administrative provisions for record keeping/reporting	Yes	
§63.10(b)(1)	Record retention	Yes	
§63.10(b)(2)(i)–(v)	Records related to SSM	Yes	
§63.10(b)(2)(vi)–(xi)	Records	Yes	
§63.10(b)(2)(xii)	Record when under waiver	Yes	
§63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes	For CO standard if using RATA alternative.
§63.10(b)(2)(xiv)	Records of supporting documentation	Yes	
§63.10(b)(3)	Records of applicability determination	Yes	
§63.10(c)	Additional records for sources using CEMS	Yes	Except that §63.10(c)(2)–(4) and (9) are reserved.
§63.10(d)(1)	General reporting requirements	Yes	
§63.10(d)(2)	Report of performance test results	Yes	
§63.10(d)(3)	Reporting opacity or VE observations	No	Subpart ZZZZ does not contain opacity or VE standards.
§63.10(d)(4)	Progress reports	Yes	
§63.10(d)(5)	Startup, shutdown, and malfunction reports	Yes	
§63.10(e)(1) and (2)(i)	Additional CMS reports	Yes	
§63.10(e)(2)(ii)	COMS-related report	No	Subpart ZZZZ does not require COMS.
§63.10(e)(3)	Excess emission and parameter exceedances reports	Yes	Except that §63.10(e)(3)(i)(C) is reserved.
§63.10(e)(4)	Reporting COMS data	No	Subpart ZZZZ does not require COMS.

§63.10(f)	Waiver for recordkeeping/reporting	Yes	
§63.11	Flares	No	
§63.12	State authority and delegations	Yes	
§63.13	Addresses	Yes	
§63.14	Incorporation by reference	Yes	
§63.15	Availability of information	Yes	

[73 FR 3610, Jan. 18, 2008]

Indiana Department of Environmental Management
Office of Air Quality

Addendum to the Technical Support Document (ATSD) for a Significant Permit Revision to a Federally Enforceable State Operating Permit (FESOP)

Source Background and Description

Source Name:	**POET Biorefining - North Manchester**
Source Location:	**868 East 800 North, North Manchester, Indiana 46962**
County:	**Wabash**
SIC Code:	**2869**
Operation Permit No.:	**F 169-24515-00068**
Operation Permit Issuance Date:	**August 30, 2007**
Significant Permit Revision No.:	**169-28809-00068**
Permit Reviewer:	**Jason R. Krawczyk**

On March 20, 2010, the Office of Air Quality (OAQ) had a notice published in the Wabash Plain Dealer, Wabash, Indiana, stating that POET Biorefining - North Manchester had applied for a Significant Permit Revision to increase their fuel ethanol production limit from 69 million gallons of denatured ethanol per twelve consecutive month period, to 83.15 million gallons of a combination of normal denatured ethanol and E-85 per twelve consecutive month period. Additionally, E-85 will be limited to 10.06 million gallons per twelve consecutive month period. The notice also stated that the OAQ proposed to issue a Significant Permit Revision for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

Comments and Responses

The Technical Support Document (TSD) is used by IDEM, OAQ for historical purposes. IDEM, OAQ does not make any changes to the original TSD, but the Permit will have the updated changes. The comments and revised permit language are provided below with deleted language as ~~strikeouts~~ and new language **bolded**.

On March 25, 2010, Mr. Charles Signs submitted comments to IDEM, OAQ on the draft Significant Permit Revision.

Comment 1:

> Mr. Signs requested that IDEM allow the continued operation of the source and to approve the increase in production capacity.

Response to Comment 1:

> No changes were made as a result of this comment.

On April 19, 2010, Mr. Colin C. O'Brien, Staff Attorney, Clean Air Project, on behalf of the Natural Resources Defense Council (NRDC) submitted comments to IDEM, OAQ on the draft Significant Permit Revision.

Comment 2:

NRDC objects to the Draft Permit on the grounds that it violates Indiana's State Implementation Plan ("SIP"). On March 3, 2003, EPA approved Indiana's SIP; this approval became effective on April 2, 2003. As a result of the approval, Indiana's PSD rule at 326 IND. ADMIN. CODE 2-2 is federally enforceable under the Clean Air Act. Per 326 IND. ADMIN. CODE 2-2-1(gg), the term "Major stationary source" encompasses sources "that emit or have the potential to emit one hundred (100) tons per year or more of any regulated NSR pollutant." *Id*. Among the listed stationary source categories are "Chemical process plants." 326 IND. ADMIN. CODE 2-2-1(gg)(1)(U). POET, as an ethanol production facility, is a "chemical process plant" subject to the 100 tpy major stationary source threshold established in the SIP. *Id*. The Draft Permit is unlawful because it establishes a PM PTE limit of 250 tpy, yet still classifies the Plant as a "Minor Source, under PSD." 326 IND. ADMIN. CODE 2-2-1(gg)(1)(U) requires that POET Biorefining be subject to a PM PTE limit of 100 tpy <u>or</u> be classified and regulated as a major stationary source.

The TSD asserts that authority to treat ethanol production plants as one of the non-listed 28 source categories derives from a relatively recent EPA rulemaking and related changes that were made to the Code of Federal Regulations. TSD at 8. While it is true that on May 1, 2007, EPA adopted a rule changing the definition of "major emitting facility" in certain sections of the Code of Federal Regulations to exclude fuel ethanol plants, *see generally* 72 Fed. Reg. 24,060 *et seq*., this change has not been incorporated into Indiana's SIP. It is settled law that federal rulemaking changes do not supersede an existing SIP. *See Environmental Defense v. EPA*, 467 F.3d 1329, 1335 (D.C. Cir. 2006) ("A current SIP, even one tied to outdated NAAQS, remains in force until replaced by another but later-approved SIP. The Clean Air Act provides that the current SIPs are legally sufficient until they are replaced by new SIPs."); *Duquesne Light Co. v. EPA*, 698 F.2d 456, 471 (D.C.Cir.1983) ("[C]urrent SIPs remain in force until EPA grants formal approval to a revision."); *see also General Motors Corp. v. US*, 496 U.S. 530, 540 (1990) ("[T]he approved SIP is the applicable implementation plan during the time a SIP revision proposal is pending."). Accordingly, unless and until Indiana amends its SIP to incorporate EPA's Ethanol Rul, the requirements of the existing SIP continue to apply- including the requirement that "chemical process plants" such as POET Biorefining are subject to a 100 tpy major source threshold.

Response to Comment 2:

IDEM disagrees with the assertion that the permit revision violates the Indiana State Implementation Plan ("SIP"). Prior to the federal amendments to 40 CFR 51.165 and 40 CFR 52.21 ("the ethanol plant exclusion"), the Indiana SIP rules were silent as to what did or did not constitute a "chemical process plant". Whenever Indiana's air state rules are not clear, IDEM seeks the guidance of the US EPA. Since the current Indiana SIP does not define what constitutes a "chemical process plant"; IDEM based its permit decision upon US EPA guidance. Using US EPA's guidance as basis for permitting decisions where there is no clear interpretation in Indiana's rule (SIP approved or not) has been the practice in IDEM.

Prior to July 2, 2007, US EPA considered fuel ethanol plants as chemical processing plants. IDEM considered the same interpretation. After the US EPA reinterpreted the term "chemical process plant" which excluded fuel ethanol, again IDEM used the US EPA's interpretation. In this case, IDEM consistently used the US EPA's interpretation (whether the basis is a guidance or federal rule) because the Indiana state rules do not define a "chemical process plant". IDEM has sufficient authority under its current SIP to interpret the term "chemical process plant" pursuant to the current federal rule.

The NRDC argues that POET be subject to a PM PTE limit of 100 tpy or be classified and regulated as a major stationary source. While the current permit states that the current PSD threshold for PM for the source is 250 tons per year, the emissions limits in the permit (with the inclusion of potential fugitive emissions) result in potential PM emissions of only 98.86 tons per year.

No changes have been made as a result of this comment.

Comment 3:

Secondly, the NRDC objects to the Draft Permit on the grounds that the cited authority for the treatment of the Plant as a non-listed source—namely, EPA's Ethanol Rule and the changes made to 40 CFR §§ 51.165 and 52.21—is unlawful. The Ethanol Rule is currently subject to both a pending petition for review before the U.S. Court of Appeals for the District of Columbia Circuit and a pending administrative Petition for Reconsideration before EPA Administrator Lisa Jackson. The Ethanol Rule is unlawful because it violates the plain language of the Clean Air Act, which mandates a 100 tpy threshold for "chemical process plants" such as fuel ethanol facilities. Indeed, such facilities have been classified by EPA as chemical process plants for nearly 30 years. 42 U.S.C. § 7479. The Rule also violates the Clean Air Act's anti-backsliding provision, 42 U.S.C. § 7515, and ignores D.C. Circuit law by authorizing emissions increases in nonattainment areas. Further, the Ethanol Rule unlawfully amended the Clean Air Act's Section 302(j) list for fugitive emissions without a statutorily-mandated rulemaking. 42 U.S.C. § 7602(j).

Response to Comment 3:

The current federal rule, while under reconsideration, is not stayed. The application of the federal ethanol rule does not constitute "back-sliding" as contemplated by 42 USC 7515 and D.C. Circuit case law. The Clean Air Act's anti-backsliding provision applies to nonattainment areas. POET Biorefining - North Manchester is located in Wabash County which is not, nor has ever been nonattainment for an NSR criteria pollutant.

No changes have been made to the permit as a result of this comment.

Comment 4:

Finally, the NRDC would like to note that while the Draft Permit establishes a 250-tpy PSD PTE major source threshold for the plant, such an elevated permit limit is not necessary. The TSD indicates that the plant's PTE is lower than 100 tpy for each of the criteria pollutants, including PM. In fact, the PTE calculated for PM (presumably excluding fugitive emissions) is 50.91 tpy. The higher major source thresholds incorporated into the Draft Permit are not merely unlawful, they are wholly unnecessary.

Response to Comment 4:

The TSD indicates that the limited and controlled PTE is lower than 100 tpy for each of the criteria pollutants, including PM. The higher major source thresholds are incorporated into the Draft Permit because the unlimited and uncontrolled potentials to emit PM, PM10, PM2.5, VOC, and CO (included in Appendix A of the TSD) are greater than the 250 tpy PSD thresholds. Therefore, the emissions limits in the permit are required and necessary in order to comply with 326 IAC 2-2 (Prevention of Significant Deterioration). Furthermore, the calculations summary contained on Page 3 of 19 of the Appendix to the TSD, and the table entitled "Potential To Emit of the Entire Source After Revision (tons/year)" found on Page 7 of 93 of the TSD show that the combined fugitive and non-fugitive emissions for each criteria pollutant are already limited to less than 100 tpy.

No changes have been made to the permit as a result of this comment.

Additional Changes

IDEM, OAQ has decided to make additional revisions to the permit as described below, with deleted language as ~~strikeouts~~ and new language **bolded**.

(a) IDEM, OAQ has decided to clarify Section B - Preventive Maintenance Plan.

...

B.13 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)][326 IAC 2-8-5(a)(1)]

(a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) no later than ninety (90) days after issuance of this permit or ninety (90) days after initial start-up, whichever is later, including the following information on each facility:

...

(3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

The Permittee shall implement the PMPs.

...

(b) IDEM is correcting a typographical error as follows:

...

E.4.2 Standards of Performance for Grain Elevators [40 CFR Part 60, Subpart DD] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart ~~III~~ **DD**, the Permittee shall comply with the provisions of Standards of Performance for **Grain Elevators** ~~Stationary Compression Ignition Internal Combustion Engines~~, which are incorporated by reference as 326 IAC 12, for ~~emergency generator EU037~~ **the grain receiving and handling operation (EU001, EU002, and EU003), corn transfer conveyor system (EU004), and surge bin (EU005)** as follows:

...

IDEM Contact

(a) Questions regarding this proposed Significant Permit Revision can be directed to Jason R. Krawczyk at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 232-8427 or toll free at 1-800-451-6027 extension 2-8427.

(b) A copy of the permit is available on the Internet at: http://www.in.gov/ai/appfiles/idem-caats/

(c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM's Guide for Citizen Participation and Permit Guide on the Internet at: www.idem.in.gov

Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a Significant Permit Revision to a Federally Enforceable State Operating Permit (FESOP)

Source Description and Location

Source Name:	**POET Biorefining - North Manchester**
Source Location:	**868 East 800 North, North Manchester, Indiana 46962**
County:	**Wabash**
SIC Code:	**2869**
Operation Permit No.:	**F 169-24515-00068**
Operation Permit Issuance Date:	**August 30, 2007**
Significant Permit Revision No.:	**169-28809-00068**
Permit Reviewer:	**Jason R. Krawczyk**

On December 23, 2009, the Office of Air Quality (OAQ) received an application from POET Biorefining - North Manchester related to a modification to an existing ethanol production plant.

Existing Approvals

The source was issued FESOP No. 169-24515-00068 on August 30, 2007. The source has since received the following approvals:

(a) Administrative Amendment No. 169-7880-00068, issued on May 13, 2009;

(b) Minor Permit Revision No. 169-27641-00068, issued on April 24, 2009; and

(c) Administrative Amendment No. 169-26985-00068, issued on September 19, 2008.

County Attainment Status

The source is located in Wabash County.

Pollutant	Designation
SO_2	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O_3	Unclassifiable or attainment effective June 15, 2004, for the 8-hour ozone standard.[1]
PM_{10}	Unclassifiable effective November 15, 1990.
NO_2	Cannot be classified or better than national standards.
Pb	Not designated.

[1]Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.
Unclassifiable or attainment effective April 5, 2005, for PM2.5.

(a) Ozone Standards

Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NOx emissions are considered when evaluating the rule applicability relating to ozone. Wabash County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(b) PM2.5

Wabsh County has been classified as attainment for PM2.5. On May 8, 2008 U.S. EPA promulgated the requirements for Prevention of Significant Deterioration (PSD) for PM2.5 emissions, and the effective date of these rules was July 15, 2008. Indiana has three years from the publication of these rules to revise its PSD rules, 326 IAC 2-2, to include those requirements. The May 8, 2008 rule revisions require IDEM to regulate PM10 emissions as a surrogate for PM2.5 emissions until 326 IAC 2-2 is revised.

(c) Other Criteria Pollutants

Wabsh County has been classified as attainment or unclassifiable in Indiana for all criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

Fugitive Emissions

Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2, 326 IAC 2-3, or 326 IAC 2-7 (see Page 8 of this TSD for a detailed explanation), and there is no applicable New Source Performance Standard that was in effect on August 7, 1980, fugitive emissions are not counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability.

Status of the Existing Source

The table below summarizes the potential to emit of the entire source, prior to the proposed revision, after consideration of all enforceable limits established in the effective permits:

Process/Emission Unit	Potential To Emit of the Entire Source Prior to Revision (tons/year)								
	PM	PM10	PM2.5	SO_2	NOx	VOC	CO	Total HAPs	Single HAP (Acetaldehyde)
Emissions Units									
Grain Receiving (001, 002, 003)	5.41	5.41	5.41	-	-	-	-	-	-
Corn Transfer / Scalper (004), Surge Bin (005)	0.44	0.44	0.44	-	-	-	-	-	-
Hammermill (006)	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill (007)	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill (008)	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill (009)	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill (010)	1.80	1.80	1.80	-	-	-	-	-	-
Distillation and Fermentation Processes (011 - 023)	-	-	-	-	-	7.70	-	0.73	0.73
RTO (CE009), DDGS Dryers (025, 026) and Centrifuges (024)	30.22	30.22	30.22	47.30	48.18	45.99	45.99	4.29	2.37
Boilers (027, 028)	2.33	9.33	9.33	0.74	43.84	6.75	50.11	2.36	-
DDGS Cooler (029)	3.59	3.59	3.59	-	-	21.90	-	5.91	4.91
DDGS Silo Loading (030)	0.61	0.61	0.61	-	-	-	-	-	-
DDGS Silo Bypass (031)	0.66	0.66	0.66	-	-	-	-	-	-
DDGS Loading (032 - 035)	1.49	1.49	1.49	-	-	-	-	-	-
Ethanol Loadout (036)	-	-	-	-	1.15	3.35	2.90	0.19	-
Generator (037)	0.23	0.23	0.23	0.53	2.77	0.05	0.06	-	-
Fugitive Emissions									
Uncaptured Grain Receiving Emissions* F001	12.30	4.03	4.03	-	-	-	-	-	-
Uncaptured DDGS Handling Emissions* F002	4.33	1.46	1.46	-	-	-	-	-	-
Truck Traffic* F003	19.30	3.78	3.78	-	-	-	-	-	-
Equipment Leaks* F004	-	-	-	-	-	7.45	-	0.08	-
Cooling Tower* F005	7.13	7.13	7.13	-	-	-	-	-	-
Storage Tanks* (T001 - T005)	-	-	-	-	-	2.56	-	-	-
Total PTE of Source (non-Fugitive)	**53.98**	**60.98**	**60.98**	**48.57**	**95.94**	**85.74**	**99.06**	**13.56**	**8.01**
Title V Major Source Thresholds	NA	100	100	100	100	100	100	25	10
PSD Major Source Thresholds	250	250	250	250	250	250	250	NA	NA

Under the Part 70 Permit program (40 CFR 70), particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM10), not particulate matter (PM), is considered as a "regulated air pollutant". US EPA has directed states to regulate PM10 emissions as surrogate for PM2.5 emissions.

These emissions are based upon revised PTE from FESOP MPR 169-27641-00068. The Grain Receiving and Handling emissions from the 169-27641-00068 Potential to Emit of the Entire Source After Revision TSD table has been expanded and includes emission units 001 through 010 and 032 through 035, the DDGS Handling and Loadout has been expanded and includes emission units 030 and 031.

The RTO Stack emissions have been revised from the 169-27641-00068 Potential to Emit from the Entire Source After Revision TSD table, to show limited PTE based on permit limits and not controlled PTE which the latter table portrayed.

Previous versions of this permit do not show Distillation and Fermentation Process emissions in the TSD tables. However, these emissions should have been included and the limited PTE is being included in this and subsequent tables.

Additionally, PM, PM10, PM2.5, and VOC emissions from the Cooling Tower, Storage Tanks, and Leaks are considered fugitive emissions and are therefore not being counted towards PSD and Part 70 applicability in this revision.

* PM2.5 = PM10
** This plant is capable of producing both DDGS and MDGS. The emissions from the DDGS production, is the worst case scenario. Therefore, the PTE of the wet cake production is not included in the PTE for the entire source.
*** This plant is not 1 of the 28 listed source categories. Therefore, fugitive PM, PM10, and VOC emissions do not count towards the determination of PSD, Emission Offset, and Part 70 Permit applicability. However, fugitive HAPs emissions count towards the determination of Part 70 Permit applicability.

(a) This existing source is not a major stationary source, under PSD (326 IAC 2-2), because no attainment regulated pollutant is emitted at a rate of 250 tons per year or more, and it is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(gg)(1).

(b) This existing source is not a major source of HAPs, as defined in 40 CFR 63.41, because the Permittee has accepted limits on HAPs emissions to less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA).

Description of Proposed Revision

The Office of Air Quality (OAQ) has reviewed an application, submitted by POET Biorefining - North Manchester on December 23, 2009, relating to the increase of their fuel ethanol production limit from 69 million gallons of denatured ethanol per twelve consecutive month period, to 83.15 million gallons of a combination of normal denatured ethanol and E-85 per twelve consecutive month period. Additionally, E-85 will be limited to 10.06 million gallons per twelve consecutive month period.

The total grain received and total DDGS produced permit limits are being removed from the permit conditions since these limits have no effect on the source's potential to emit.

In order to accommodate the increase in throughput capacities, existing emissions limitations have been re-adjusted. Based on stack tests performed in March 2009, the source will be able to comply with the re-adjusted limits.

No physical changes to existing equipment or new emissions units are necessary in order to accommodate the increase in production capacities.

Enforcement Issues

There are no pending enforcement actions related to this revision.

Emission Calculations

See Appendix A of this TSD for detailed emission calculations.

Permit Level Determination – FESOP Revision

The following table is used to determine the appropriate permit level under 326 IAC 2-8.11.1. This table reflects the PTE before controls of the proposed revision. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Process/Emission Unit	Potential To Emit of the Proposed Revision (tons/year)								
	PM	PM10	PM2.5	SO_2	NOx	VOC	CO	Total HAPs	Single HAP (Acetaldehyde)
Emissions Units									
Grain Receiving (001, 002, 003)	0.55	0.55	0.55	-	-	-	-	-	-
Corn Transfer / Scalper (004), Surge Bin (005)	-	-	-	-	-	-	-	-	-
Hammermill (006)	-	-	-	-	-	-	-	-	-
Hammermill (007)	-	-	-	-	-	-	-	-	-
Hammermill (008)	-	-	-	-	-	-	-	-	-
Hammermill (009)	-	-	-	-	-	-	-	-	-
Hammermill (010)	-	-	-	-	-	-	-	-	-
Distillation and Fermentation Processes (011 - 023)	-	-	-	-	-	(1.91)	-	0.49	0.48
RTO (CE009), DDGS Dryers (025, 026) and Centrifuges (024)	-	-	-	4.87	-	4.52	12.09	3.60	1.55
Boilers (027, 028)	0.05	0.19	0.19	0.01	-	0.14	(12.53)	0.03	-
DDGS Cooler (029)	(3.51)	(3.51)	(3.51)	-	-	(20.76)	-	(5.61)	(4.64)
DDGS Silo Loading (030)	-	-	-	-	-	-	-	-	-
DDGS Silo Bypass (031)	-	-	-	-	-	-	-	-	-
DDGS Loading (032 - 035)	-	-	-	-	-	-	-	-	-
Ethanol Loadout (036)	-	-	-	-	0.24	1.29	0.59	0.12	-
Generator (037)	(0.14)	(0.18)	(0.18)	-	(1.05)	0.04	-	-	-
Fugitive Emissions									
Uncaptured Grain Receiving Emissions* F001	2.14	0.70	0.70	-	-	-	-	-	-
Uncaptured DDGS Handling Emissions* F002	(2.05)	(0.69)	(0.69)	-	-	-	-	-	-
Truck Traffic* F003	4.80	0.93	3.08	-	-	-	-	-	-
Equipment Leaks* F004	-	-	-	-	-	(3.19)	-	0.17	-
Cooling Tower* F005	-	-	-	-	-	-	-	-	-
Storage Tanks* (T001 - T005)	-	-	-	-	-	(0.01)	-	-	-
Total PTE of Source (non-Fugitive)* **	**(3.05)**	**(2.95)**	**(2.95)**	**4.88**	**(0.81)**	**(16.67)**	**0.15**	**(1.20)**	**(2.61)**
Title V Major Source Thresholds	NA	100	100	100	100	100	100	25	10
PSD Major Source Thresholds	250	250	250	250	250	250	250	NA	NA

Under the Part 70 Permit program (40 CFR 70), particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM10), not particulate matter (PM), is considered as a "regulated air pollutant". US EPA has directed states to regulate PM10 emissions as surrogate for PM2.5 emissions.

Parenthesis denote a negative number. To accommodate the changes in source wide throughputs and production capacities, PTE is being revised through the revision of existing emissions limitations and update emission factors based on this source's March 2009 stack test.

This plant is capable of producing both DDGS and MDGS. The emissions from the DDGS production, is the worst case scenario. Therefore, the PTE of the wet cake production is not included in the PTE for the entire source.

This plant is not 1 of the 28 listed source categories. Therefore, fugitive PM, PM10, and VOC emissions do not count towards the determination of PSD, Emission Offset, and Part 70 Permit applicability. However, fugitive HAPs emissions count towards the determination of Part 70 Permit applicability.

This FESOP is being revised through a FESOP Significant Permit Revision pursuant to 326 IAC 2-8-11.1(g)(2) because it involves adjustment to the existing source-wide emissions limitations to maintain the FESOP status of the source (see PTE of the Entire Source After The Issuance of the FESOP Revision Section).

PTE of the Entire Source After Issuance of the FESOP Revision

The table below summarizes the potential to emit of the entire source reflecting adjustment of existing limits, with updated emissions shown as **bold** values and previous emissions shown as ~~strikethrough~~ values.

Process/Emission Unit	Potential To Emit of the Entire to Accomodate Revision (tons/year)								
	PM	PM10	PM2.5	SO_2	NOx	VOC	CO	Total HAPs	Single HAP (Acetaldehyde)
Emissions Units									
Grain Receiving (001, 002, 003)	**5.96** ~~5.41~~	**5.96** ~~5.41~~	**5.96** ~~5.41~~	-	-	-	-	-	-
Corn Transfer / Scalper (004), Surge Bin (005)	0.44	0.44	0.44	-	-	-	-	-	-
Hammermill (006)	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill (007)	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill (008)	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill (009)	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill (010)	1.80	1.80	1.80	-	-	-	-	-	-
Distillation and Fermentation Processes (011 - 023)	-	-	-	-	-	**5.79** ~~7.70~~	-	**1.22** ~~0.73~~	**1.21** ~~0.73~~
RTO (CE009), DDGS Dryers (025, 026) and Centrifuges (024)	30.22	30.22	30.22	**52.17** ~~47.30~~	48.18	**50.51** ~~45.99~~	**58.08** ~~45.99~~	**7.89** ~~4.29~~	**3.92** ~~2.37~~
Boilers (027, 028)	**2.38** ~~2.33~~	**9.52** ~~9.33~~	**9.52** ~~9.33~~	**0.75** ~~0.74~~	43.84	**6.89** ~~6.75~~	**37.58** ~~50.11~~	**2.39** ~~2.36~~	-
DDGS Cooler (029)	**0.08** ~~3.59~~	**0.08** ~~3.59~~	**0.08** ~~3.59~~	-	-	**1.14** ~~21.90~~	-	**0.30** ~~5.91~~	**0.27** ~~4.91~~
DDGS Silo Loading (030)	0.61	0.61	0.61	-	-	-	-	-	-
DDGS Silo Bypass (031)	0.66	0.66	0.66	-	-	-	-	-	-
DDGS Loading (032 - 035)	1.49	1.49	1.49	-	-	-	-	-	-
Ethanol Loadout (036)	-	-	-	-	**1.39** ~~1.15~~	**4.64** ~~3.35~~	**3.49** ~~2.90~~	**0.31** ~~0.19~~	-
Generator (037)	**0.09** ~~0.23~~	**0.05** ~~0.23~~	**0.05** ~~0.23~~	0.53	**1.72** ~~2.77~~	**0.09** ~~0.05~~	0.06	-	-
Fugitive Emissions									
Uncaptured Grain Receiving Emissions* F001	**14.44** ~~12.30~~	**4.73** ~~4.03~~	**4.73** ~~4.03~~	-	-	-	-	-	-
Uncaptured DDGS Handling Emissions* F002	**2.28** ~~4.33~~	**0.77** ~~1.46~~	**0.77** ~~1.46~~	-	-	-	-	-	-
Truck Traffic* F003	**24.10** ~~19.30~~	**4.71** ~~4.03~~	**0.70** ~~4.03~~	-	-	-	-	-	-
Equipment Leaks* F004	-	-	-	-	-	**4.26** ~~7.48~~	-	**0.25** ~~0.08~~	-
Cooling Tower* F005	7.13	7.13	7.13	-	-	-	-	-	-
Storage Tanks* (T001 - T005)	-	-	-	-	-	**2.55** ~~2.56~~	-	-	-
Total PTE of Source (non-Fugitive)* **	**50.91** ~~53.98~~	**58.01** ~~60.98~~	**58.01** ~~60.98~~	**53.45** ~~48.57~~	**95.13** ~~95.94~~	**69.07** ~~85.74~~	**99.21** ~~99.06~~	**12.36** ~~13.56~~	**5.40** ~~8.01~~
Title V Major Source Thresholds	NA	100	100	100	100	100	100	25	10
PSD Major Source Thresholds	250	250	250	250	250	250	250	NA	NA

Under the Part 70 Permit program (40 CFR 70), particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM10), not particulate matter (PM), is considered as a "regulated air pollutant". US EPA has directed states to regulate PM10 emissions as surrogate for PM2.5 emissions.

This plant is capable of producing both DDGS and MDGS. The emissions from the DDGS production, is the worst case scenario. Therefore, the PTE of the wet cake production is not included in the PTE for the entire source.

This plant is not 1 of the 28 listed source categories. Therefore, fugitive PM, PM10, and VOC emissions do not count towards the determination of PSD, Emission Offset, and Part 70 Permit applicability. However, fugitive HAPs emissions count towards the determination of Part 70 Permit applicability.

The table below summarizes the potential to emit of the entire source after issuance of this revision, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of this FESOP permit revision, and only to the extent that the effect of the control equipment is made practically enforceable in the permit. The table below was generated from the above table, with bold text un-bolded and strikethrough text deleted.

Process/Emission Unit	Potential To Emit of the Entire Source After Revision (tons/year)								
	PM	PM10	PM2.5	SO_2	NOx	VOC	CO	Total HAPs	Single HAP (Acetaldehyde)
Emissions Units									
Grain Receiving (001, 002, 003)	5.96	5.96	5.96	-	-	-	-	-	-
Corn Transfer / Scalper (004), Surge Bin (005)	0.44	0.44	0.44	-	-	-	-	-	-
Hammermill (006)	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill (007)	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill (008)	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill (009)	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill (010)	1.80	1.80	1.80	-	-	-	-	-	-
Distillation and Fermentation Processes (011 - 023)	-	-	-	-	-	5.79	-	1.22	1.21
RTO (CE009), DDGS Dryers (025, 026) and Centrifuges (024)	30.22	30.22	30.22	52.17	48.18	50.51	58.08	7.89	3.92
Boilers (027, 028)	2.38	9.52	9.52	0.75	43.84	6.89	37.58	2.39	-
DDGS Cooler (029)	0.08	0.08	0.08	-	-	1.14	-	0.30	0.27
DDGS Silo Loading (030)	0.61	0.61	0.61	-	-	-	-	-	-
DDGS Silo Bypass (031)	0.66	0.66	0.66	-	-	-	-	-	-
DDGS Loading (032 - 035)	1.49	1.49	1.49	-	-	-	-	-	-
Ethanol Loadout (036)	-	-	-	-	1.39	4.64	3.49	0.31	-
Generator (037)	0.09	0.05	0.05	0.53	1.72	0.09	0.06	-	-
Fugitive Emissions									
Uncaptured Grain Receiving Emissions* F001	14.44	4.73	4.73	-	-	-	-	-	-
Uncaptured DDGS Handling Emissions* F002	2.28	0.77	0.77	-	-	-	-	-	-
Truck Traffic* F003	24.10	4.71	0.70	-	-	-	-	-	-
Equipment Leaks* F004	-	-	-	-	-	4.26	-	0.25	-
Cooling Towers* F005	7.13	7.13	7.13	-	-	-	-	-	-
Storage Tanks* (T001 - T005)	-	-	-	-	-	2.55	-	-	-
Total PTE of Source (non-Fugitive)* **	**50.91**	**58.01**	**58.01**	**53.45**	**95.13**	**69.07**	**99.21**	**12.36**	**5.40**
Title V Major Source Thresholds	NA	100	100	100	100	100	100	25	10
PSD Major Source Thresholds	250	250	250	250	250	250	250	NA	NA

Under the Part 70 Permit program (40 CFR 70), particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM10), not particulate matter (PM), is considered as a "regulated air pollutant". US EPA has directed states to regulate PM10 emissions as surrogate for PM2.5 emissions.

** This plant is capable of producing both DDGS and MDGS. The emissions from the DDGS production, is the worst case scenario. Therefore, the PTE of the wet cake production is not included in the PTE for the entire source.

*** This plant is not 1 of the 28 listed source categories. Therefore, fugitive PM, PM10, and VOC emissions do not count towards the determination of PSD, Emission Offset, and Part 70 Permit applicability. However, fugitive HAPs emissions count towards the determination of Part 70 Permit applicability.

(a) FESOP Status

This revision to an existing Title V minor stationary source will not change the minor status, because the potential to emit criteria pollutants from the entire source will still be limited to less than the Title V major source threshold levels. Therefore, the source will still be subject to the provisions of 326 IAC 2-8 (FESOP).

(b) PSD Minor Source
This modification to an existing PSD minor stationary source will not change the PSD minor status, because the potential to emit of all attainment regulated pollutants from the entire source will continue to be less than the PSD major source threshold levels. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply.

(c) Fugitive Emissions
Effective July 2, 2007, U.S. EPA has revised the definition of a ‘‘major stationary source’’ under 40 CFR Parts 51 and 52 PSD and Nonattainment New Source Review, and the definition of a ‘‘major source’’ under 40 CFR parts 70 and 71 (State and Federal Operating Permits). U.S. EPA has reinterpreted the component term ‘‘chemical process plants’’ within the statutory definition of ‘‘major emitting facility’’ in section 169(1) of the CAA to exclude wet and dry corn milling facilities that produce ethanol for fuel, or produce ethanol through a natural fermentation process that involves the use of such things as corn, sugar beets, sugar cane or cellulosic biomass as a feedstock regardless of whether the ethanol is produced for human consumption, fuel, or for an industrial purpose. Therefore, ethanol plants are no longer required to count fugitive emissions for purposes of determining whether a source is a major source under the PSD, nonattainment NSR, or Title V programs unless there is an applicable New Source Performance Standard that was in effect on August 7, 1980 for the ethanol plant, or the ethanol plant has a “nested” source category. POET Biorefining - North Manchester does not have a "nested" source category; therefore, the entire source does not fall under one of the 28 listed source categories and fugitive emissions are not counted towards determining whether the source is a major source under the PSD, nonattainment NSR, or Title V programs.

Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-7, fugitive emissions are not counted toward the determination of Part 70 applicability.

Federal Rule Applicability Determination

New Source Performance Standards (NSPS)

(a) New Source Performance Standards (NSPS), Subparts VVa, Db, Kb, DD, and IIII are still applicable to the source. There are no new NSPS (326 IAC 12 and 40 CFR Part 60) included for this proposed revision.

National Emission Standards for Hazardous Air Pollutants (NESHAP)

(b) This source is now subject to the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (40 CFR 63, Subpart ZZZZ), because the source operates a stationary reciprocating internal combustion engine (RICE) at an area source of HAP emissions. This NESHAP was not originally included in FESOP 169-24515-00068 because at the time the NESHAP only applied to stationary RICE operating at a major source of HAP emissions. 73 FR 3603, Jan. 18, 2008 revised the applicability to include stationary RICE located at area sources of HAPs.

The following unit is subject to this rule:

One (1) diesel Generator, identified as EU037, approved to be constructed in 2007, with a maximum power output rate of 2,640 horsepower, and exhausting to stack SV015.

Under 40 CFR 63, Subpart ZZZZ the one (1) diesel generator, identified EU037 is considered an affected facility.

Applicable portions of the NESHAP are the following:

(1) 40 CFR 63.6580
(2) 40 CFR 63.6585(a),(c),(d)
(3) 40 CFR 63.6590(a)(2)(iii),(b)(3)
(4) 40 CFR 63.6665
(5) 40 CFR 63.6675
(6) Table 8

Nonapplicable portions of the NESHAP will not be included in the permit.

The requirements of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated as 326 IAC 20-1-1, apply to the unit except as otherwise specified in 40 CFR 63, Subpart ZZZZ.

(c) The requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Chemical Manufacturing Area Sources, 40 CFR 63.11494, Subpart VVVVVV, are not included for this proposed revision, because the source does not process, produce, or use any of the HAPs listed in Table 1 to this subpart in concentrations greater than 0.1 percent for the listed carcinogens or greater than 1.0 percent for the listed noncarcinogens.

(d) There are no other National Emission Standards for Hazardous Air Pollutants (NESHAPs) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) included for this proposed revision.

Compliance Assurance Monitoring (CAM)

(e) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is not included in the permit, because the potential to emit of the source is limited to less than the Title V major source thresholds and the source is not required to obtain a Part 70 or Part 71 permit.

State Rule Applicability Determination

The following state rules are applicable to the proposed revision:

(a) 326 IAC 2-8-4 (FESOP)
This revision to an existing Title V minor stationary source will not change the minor status, because the potential to emit criteria pollutants from the entire source will still be limited to less than the Title V major source threshold levels. Therefore, the source will still be subject to the provisions of 326 IAC 2-8 (FESOP). See PTE of the Entire Source After Issuance of the FESOP Revision Section above.

(b) 326 IAC 2-2 (Prevention of Significant Deterioration(PSD))
This modification to an existing PSD minor stationary source will not change the PSD minor status, because the potential to emit of all attainment regulated pollutants from the entire source will continue to be less than the PSD major source threshold levels. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply. See PTE of the Entire Source After Issuance of the FESOP Revision Section above.

(c) 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP))
The proposed revision is not subject to the requirements of 326 IAC 2-4.1, since the unlimited potential to emit of HAPs from the modified units is less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs.

(d) 326 IAC 2-6 (Emission Reporting)
Pursuant to 326 IAC 2-6-1, this source is not subject to this rule, because it is not required to have an operating permit under 326 IAC 2-7 (Part 70), it is not located in Lake, Porter, or LaPorte

County, and it does not emit lead into the ambient air at levels equal to or greater than 5 tons per year. Therefore, 326 IAC 2-6 does not apply.

(e) 326 IAC 5-1 (Opacity Limitations)
Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

(1) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.

(2) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

(f) 326 IAC 6-4 (Fugitive Dust Emissions Limitations)
Pursuant to 326 IAC 6-4 (Fugitive Dust Emissions Limitations), the source shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4.

(h) 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)
The source is subject to the requirements of 326 IAC 6-5, because the uncaptured grain receiving, uncaptured DDGS handling, truck traffic, and cooling towers have potential fugitive particulate emissions greater than 25 tons per year. Pursuant to 326 IAC 6-5, fugitive particulate matter emissions shall be controlled according to the Fugitive Dust Control Plan, which is included as Attachment A to the permit.

(m) 326 IAC 12 (New Source Performance Standards)
See Federal Rule Applicability Section of this TSD.

(n) 326 IAC 20 (Hazardous Air Pollutants)
See Federal Rule Applicability Section of this TSD.

Compliance Determination, Monitoring and Testing Requirements

The existing compliance requirements will not change as a result of this revision. The source shall continue to comply with the applicable requirements and permit conditions as contained in FESOP No: 169-24515-00068, issued on August 30, 2007.

In addition to the existing PM and PM10 testing requirements, the Permittee shall perform PM2.5 testing for one of baghouses CE001 through CE007 including CE016, and one of baghouses CE011 or CE012, the RTO system stack (SV009), and DDGS cooler (EU029) at least once every five (5) years from the date of the last valid compliance demonstration, to be run concurrently with the PM and PM10 testing. The existing PM and PM10 compliance requirements will not change as a result of this revision.

Proposed Changes

(a) The following changes listed below are due to the proposed revision. Deleted language appears as ~~strikethrough~~ text and new language appears as **bold** text:

...

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

This stationary source consists of the following emission units and pollution control devices:

(a) One (1) grain receiving and handling operation, approved for construction in 2007, controlled by baghouse CE001, exhausting through stack SV001, and consisting of the following:

(1) ~~Two (2)~~ **Four (4)** truck dump pits, identified as EU001, approved for construction in 2007, with a maximum throughput rate of 840 tons of corn per hour.

(2) Two (2) grain legs and conveying system, identified as EU002, approved for construction in 2007, with a maximum throughput rate of 840 tons per hour.

(3) ~~Six (6)~~ **Four (4)** grain bins, identified as EU003, approved for construction in 2007, with a maximum throughput rate of 840 tons per hour.

Under 40 CFR, Subpart DD, the units comprising the grain receiving and handling operations are considered affected facilities.

(b) One (1) ~~corn scalper~~ **corn transfer conveyor system**, identified as EU004, approved for construction in 2007, with a maximum throughput rate of 140 tons of corn per hour, controlled by baghouse CE002, and exhausting through stack SV002.

Under 40 CFR, Subpart DD, the corn scalper is considered an affected facility.

(c) One (1) surge bin, identified as EU005, approved for construction in 2007, with a maximum throughput rate of 140 tons of corn per hour, controlled by baghouse CE002, and exhausting through stack SV002.

Under 40 CFR, Subpart DD, the surge bin is considered and affected facility.

...

(e) One (1) fermentation process, approved for construction in 2007, with a maximum throughput rate of ~~55,400~~ **58,500** gallons per hour, controlled by scrubber CE008 and thermal oxidizer CE009, with emissions exhausted through SV009. This process consists of the following:

...

(g) One (1) distillation process, approved for construction in 2007, with a maximum throughput rate of ~~54,000~~ **57,000** gallons of ethanol per hour, controlled by scrubber CE008 and thermal oxidizer CE009, with emissions exhausted through stack SV009. This process consists of the following:

....

(j) Two (2) natural gas fired boilers, identified as EU027 and EU028, approved for construction in 2007, each with a maximum heat input rate of 143 MMBtu/hr each, with emissions exhausting to stacks SV013 and SV014, respectively.

Under 40 CFR, Subpart Db, the two (2) boilers are considered to be new steam generating units.

...

(m) One (1) DDGS loadout operation, approved for construction in 2007, with a maximum throughput rate of 220 tons/hr of DDGS, and consisting of the following:

(1) One (1) DDGS conveyor, identified as EU033, approved for construction in 2007, controlled by baghouse CE016, with emissions exhausted to stack ~~SV001~~ **SV018**.

(2) One (1) DDGS truck loadout spout, identified as EU034, approved for construction in 2007**, controlled by baghouse CE016, with emissions exhausted to stack SV018**.

(3) One (1) DDGS rail loadout spout, identified as EU035, approved for construction in 2007, controlled by baghouse CE016, with emissions exhausted to stack ~~SV001~~ **SV018**.

(n) One (1) ethanol loading system, identified as EU036, consisting of ~~one (1) rack for trucks and two (2) racks for railcars~~ **two (2) racks for trucks and one (1) rack for railcars**, approved for construction in 2007, with a maximum throughput rate of 39,000 gallons per hour when loading trucks, and 144,000 gallons per hour when loading railcars. This unit is controlled by enclosed flare CE015, which is fueled by natural gas and has a pilot gas flare heat input capacity of 54,000 Btu/hr, and exhausts through stack SV016.

(o) One (1) diesel generator, identified as EU037, approved for construction in 2007, with a maximum power output rate of 2,640 HP, and exhausting to stack SV015.

Under NSPS, Subpart IIII, this unit is considered an affected source.
Under NESHAP, Subpart ZZZZ, this unit is considered an affected source.

...

SECTION D.1 FACILITY OPERATION CONDITIONS – Grain and DDGS Handling Processes

Facility Description [326 IAC 2-8-4(10)] :

(a) One (1) grain receiving and handling operation, approved for construction in 2007, controlled by baghouse CE001, exhausting through stack SV001, and consisting of the following:

(1) ~~Two (2)~~ **Four (4)** truck dump pits, identified as EU001, approved for construction in 2007, with a maximum throughput rate of 840 tons of corn per hour.

(2) Two (2) grain legs and conveying system, identified as EU002, approved for construction in 2007, with a maximum throughput rate of 840 tons per hour.

(3) ~~Six (6)~~ **Four (4)** grain bins, identified as EU003, approved for construction in 2007, with a maximum throughput rate of 840 tons per hour.

Under 40 CFR, Subpart DD, the units comprising the grain receiving and handling operations are considered affected facilities.

(b) One (1) ~~corn scalper~~ **corn transfer conveyor system**, identified as EU004, approved for construction in 2007, with a maximum throughput rate of 140 tons of corn per hour, controlled by baghouse CE002, and exhausting through stack SV002.

Under 40 CFR, Subpart DD, the corn scalper is considered an affected facility.

(c) One (1) surge bin, identified as EU005, approved for construction in 2007, with a maximum throughput rate of 140 tons of corn per hour, controlled by baghouse CE002, and exhausting through stack SV002.

Under 40 CFR, Subpart DD, the surge bin is considered and affected facility.

...

(m) One (1) DDGS loadout operation, approved for construction in 2007, with a maximum throughput rate of 220 tons/hr of DDGS, and consisting of the following:

(1) One (1) DDGS conveyor, identified as EU033, approved for construction in 2007, controlled by baghouse CE016, with emissions exhausted to stack ~~SV001~~ **SV018**.

(2) One (1) DDGS truck loadout spout, identified as EU034, approved for construction in 2007**, controlled by baghouse CE016, with emissions exhausted to stack SV018**.

(3) One (1) DDGS rail loadout spout, identified as EU035, approved for construction in 2007, controlled by baghouse CE016, with emissions exhausted to stack ~~SV001~~ **SV018**.

...

~~Insignificant Activity:~~

~~(d) Paved roads and parking lots with public access. [326 IAC 6-4]~~

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

...

The PM limits are being separated from the PM10 limits; however, the numerical mass limits are remaining the same. New PM2.5 limits are also being added.

D.1.4 ~~PM and PM10 Emissions~~ **FESOP and PSD Limits** [326 IAC 2-2] [326 IAC 2-8-4]

(a) In order to render the requirements of 326 IAC 2-2 (PSD) not applicable, PM emissions from the following units shall not exceed the emission limits listed in the table below:

Unit ID	Unit Description	Baghouse ID	PM Emission Limit (lbs/hr)
EU001, EU002, EU003	Grain Receiving, Conveyors, and Storage Bins	CE001	1.36 (combined)
EU032, EU033, EU035	DDGS conveying, storage, and loadout	CE016	0.34 (combined)
EU004, EU005	Corn Scalper, Surge Bin	CE002	0.10 (combined)
EU006	Hammermill #1	CE003	0.41
EU007	Hammermill #2	CE004	0.41
EU008	Hammermill #3	CE005	0.41
EU009	Hammermill #4	CE006	0.41
EU010	Hammermill #5	CE007	0.41
EU030	DDGS Silo Loading	CE011	0.14
EU031	DDGS Silo Bypass	CE012	0.15

(b) Pursuant to 326 IAC 2-8-4 (FESOP) and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following emission limits for the grain receiving and DDGS handling operations:

~~(a)~~**(1)** The ~~PM and PM10~~ **PM10 and PM2.5** emissions from the following units shall not exceed the emission limits listed in the table below:

Unit ID	Unit Description	Baghouse ID	~~PM/~~PM10 Emission Limit (lbs/hr)	**PM2.5 Emission Limit (lbs/hr)**
EU001, EU002, EU003	Grain Receiving, Conveyors, and Storage Bins	CE001	**1.36** (combined)	**1.36** (combined)
EU032, EU033, EU035	DDGS conveying, storage, and loadout	CE016	**0.34** (combined)	**0.34** (combined)
EU004, EU005	Corn Scalper, Surge Bin	CE002	**0.10** (combined)	**0.10** (combined)
EU006	Hammermill #1	CE003	0.41	**0.41**
EU007	Hammermill #2	CE004	0.41	**0.41**
EU008	Hammermill #3	CE005	0.41	**0.41**
EU009	Hammermill #4	CE006	0.41	**0.41**
EU010	Hammermill #5	CE007	0.41	**0.41**
EU030	DDGS Silo Loading	CE011	0.14	**0.14**
EU031	DDGS Silo Bypass	CE012	0.15	**0.15**

The total grain received and total DDGS produced limits are being removed from the permit. The source's emissions units are limited to pounds per hour and PTE is calculated based on grain loading and flow rate. Since the permit contains no pound per ton emissions limits, these limits are not relevant to maintaining compliance with any permit conditions.

~~(b) The total grain received shall not exceed 683,280 tons per twelve (12) consecutive month period with compliance determined at the end of each month.~~

~~(c) The total DDGS produced shall not exceed 201,480 tons per twelve (12) consecutive month period with compliance determined at the end of each month.~~

The periodic sweeping requirement is being removed from the permit since the source is not considered 1 of 28 and fugitive particulate emissions are no longer considered in the determination of PSD, Emission Offset, and Part 70 Permit applicability

~~(d) The Permittee shall use periodic sweeping to control PM and PM10 emissions from the paved roads. The sweeping shall be applied in a manner and at a frequency sufficient to ensure compliance with 326 IAC 2-2 and 326 IAC 2-8.~~

Compliance with these PM limits in conjunction with the PM PTE from all other emission units shall limit the PM emissions from the entire source to less than 250 tons per year and therefore, render the requirements of 326 IAC 2-2 (PSD) not applicable.

Combined with the ~~PM/~~PM10 **and PM2.5** emissions from other emission units, the ~~PM/~~PM10 **and PM2.5** emissions from the entire source are limited to less than 100 tons/yr. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program) and 326 IAC 2-2 (PSD) are not applicable.

...

D.1.9 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

In order to demonstrate compliance with Conditions D.1.4(a), **D.1.4(b),** D.1.5 and D.1.6, the Permittee shall perform PM**,** ~~and~~ PM10**, and PM2.5** testing for one of baghouses CE001 through CE007 including CE016, and one of baghouses CE011 or CE012, ~~within 60 days after achieving the maximum capacity, but not later than 180 days after initial startup~~, utilizing methods as approved by the Commissioner. These tests shall be repeated on a different baghouse at least once every five (5) years from the date of ~~this~~ **the last** valid compliance demonstration. **Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures).** ~~Testing shall be conducted in accordance with~~ Section C – Performance Testing **contains the Permittee's obligation with regard to the performance testing required by this condition.** PM10 **and PM2.5** includes filterable and condensible ~~PM10~~ **particulate matter**.

...

D.1.13 Record Keeping Requirements

~~(a) To document compliance with Condition D.1.4(b), the Permittee shall maintain monthly records of the amount of grain received at this plant.~~

~~(b) To document compliance with Condition D.1.4(c), the Permittee shall maintain monthly records of the amount of DDGS produced.~~

(a)~~(c)~~ To document compliance with Condition D.1.10, the Permittee shall maintain a daily record of visible emission notations of the baghouse stack exhausts. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (i.e., the process did not operate that day).

(b)~~(d)~~ To document compliance with Condition D.1.11, the Permittee shall maintain a daily record of the pressure drop across the baghouse controlling the process. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of a pressure drop reading (i.e., the process did not operate that day).

(c)~~(e)~~ ~~All records shall be maintained in accordance with~~ Section C - General Record Keeping Requirements~~, of this permit.~~ **contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.**

...

~~D.1.14 Reporting Requirements~~

~~A quarterly summary of the information to document compliance with Conditions D.1.4(b) and D.1.4(c) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

...

SECTION D.2 FACILITY OPERATION CONDITIONS – Fermentation/Distillation and DDGS Drying

Facility Description [326 IAC 2-8-4(10)]:

(e) One (1) fermentation process, approved to be constructed in 2007, with a maximum throughput rate of ~~55,400~~ **58,500** gallons per hour, controlled by scrubber CE008 and thermal oxidizer CE009, with emissions exhausted through stack SV009. This process consists of the following:

(1) One (1) slurry tank, identified as EU011, approved to be constructed in 2007.

(2) Five (5) fermenters, identified as EU012 through EU016, approved to be constructed in 2007.

(3) One (1) yeast propagation tank, identified as EU017, approved to be constructed in 2007.

(4) One (1) beer well, identified as EU018, approved to be constructed in 2007.

...

(g) One (1) distillation process, approved to be constructed in 2007, with a maximum throughput rate of ~~54,000~~ **57,000** gallons of ethanol per hour, controlled by scrubber CE008 and thermal oxidizer CE009, with emissions exhausted through SV009. This process consists of the following:

(1) One (1) beer stripper, identified as EU019, approved to be constructed in 2007.

(2) One (1) rectifier column, identified as EU020, approved to be constructed in 2007.

(3) One (1) side stripper, identified as EU021, approved to be constructed in 2007.

(4) One (1) set of three (3) molecular sieves, identified as EU022, approved to be constructed in 2007.

(5) One (1) set of four (4) evaporators, identified as EU023, approved to be constructed in 2007.

...

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

...

D.2.4 PSD Minor Limits [326 IAC 2-2]

In order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following emission limits for the RTO system (CE009) which is used to control emissions from the fermentation and distillation processes and the DDGS dryers (EU025 and EU026):

(1) PM emissions shall not exceed 6.90 lbs/hr.

Compliance with this PM limit in conjunction with the limited PM PTE from other emission units shall limit the PM emissions from the entire source to less than 250 tons per year and therefore, render the requirements of 326 IAC 2-2 (PSD) not applicable.

D.2.4**5** FESOP Limits [326 IAC 2-2] [326 IAC 2-8-4] [326 IAC 2-4.1]

Pursuant to 326 IAC 2-8-4 (FESOP) and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable:

~~(1)~~**(a)** The Permittee shall comply with the following emission limits for the RTO system (CE009), which is used to control the emissions from the fermentation and distillation processes~~,~~ and the DDGS dryers (EU025 and EU026):

~~(a)~~**(1)** ~~PM/~~PM10 emissions shall not exceed 6.90 lbs/hr.

(2) PM2.5 emissions shall not exceed 6.90 lbs/hr.

~~(b)~~**(3)** VOC emissions shall not exceed ~~10.5~~ **12.23** lbs/hr.

~~(c)~~**(4)** CO emissions shall not exceed ~~10.5~~ **13.26** lbs/hr.

~~(d)~~**(5)** NOx emissions shall not exceed 11.0 lbs/hr.

~~(e)~~**(6)** SO2 emissions shall not exceed ~~10.8~~ **11.91** lbs/hr.

~~(f)~~**(7)** Acetaldehyde emissions shall not exceed ~~0.54~~ **0.95** lbs/hr.

~~(g)~~**(8)** Total HAP emissions shall not exceed ~~0.98~~ **1.91** lbs/hr.

~~(2)~~**(b)** The Permittee shall comply with the following requirements for the fermentation and distillation scrubber (CE008):

(1) The scrubber (CE008) shall not vent to the atmosphere more than 500 hours per

twelve (12) consecutive month period with compliance determined at the end of each month.

Note: This means that the RTO is down, thus the scrubber is venting directly to the atmosphere.

(2) VOC emissions shall not exceed ~~30.8~~ **23.16** lbs/hr.

(3) Acetaldehyde emissions shall not exceed ~~2.9~~ **4.82** lbs/hr.

Combined with the ~~PM/~~PM10, **PM2.5,** VOC, SO_2, CO, and NOx emissions from other units, the ~~PM/~~PM10, **PM2.5,** SO_2, VOC, CO, NOx emissions from the entire source are each limited to less than 100 tons/yr. Combined with the HAP emissions from other units, the HAP emissions from the entire source are limited to less than 10 tons/yr for a single HAP and less than 25 tons/yr for total HAPs. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program), 326 IAC 2-2 (PSD), and 326 IAC 2-4.1 (MACT) are not applicable.

...

D.2.~~5~~**6** VOC Emissions [326 IAC 8-5-6]

...

D.2.10 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 8-5-6]

In order to demonstrate compliance with Conditions D.2.4**5**, D.2.~~5~~**6**, and D.2.7:

(a) The Permittee shall perform PM, PM10, **PM2.5,** VOC (including emission rate, and destruction efficiency), NOx, SO2, CO, and Acetaldehyde testing for the RTO system stack (SV009) ~~within 60 days after achieving maximum capacity, but not later than 180 days after initial startup~~, utilizing methods as approved by the Commissioner. PM10 **and PM2.5** includes filterable and condensible ~~PM10~~ **particulate matter**. These tests shall be repeated at least once every five (5) years from the date of ~~this~~ **the last** valid compliance demonstration. **Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures).** ~~Testing shall be conducted in accordance with~~ Section C – Performance Testing **contains the Permittee's obligation with regard to the performance testing required by this condition.**

(b) The Permittee shall perform VOC and Acetaldehyde (including emission rate, and destruction efficiency) testing for the scrubber (CE008) within 60 days after achieving maximum capacity, but not later than 180 days after initial startup, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. **Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures).** ~~Testing shall be conducted in accordance with~~ Section C – Performance Testing **contains the Permittee's obligation with regard to the performance testing required by this condition.**

...

D.2.12 Thermal Oxidizer Temperature [326 IAC 8-5-6]

...

(b) The Permittee shall determine the 3-hour average temperature from the most recent valid stack test that demonstrates compliance with limits in Conditions ~~D.2.4 and~~ D.2.5 **and D.2.6**, as approved by IDEM.

...

D.2.13 Parametric Monitoring [326 IAC 8-5-6]

(a) **A continuous monitoring system shall be calibrated, maintained, and operated on the RTO system (CE009) for measuring duct pressure or fan amperage. For the purpose of this condition, continuous means no less than once per minute. The output of this system shall be recorded as 3-hour average.**

~~(a)~~**(b)** The Permittee shall determine the **3-hour average** ~~appropriate~~ duct pressure or fan amperage from the most recent valid stack test that demonstrates compliance with limits in Conditions ~~D.2.4 and~~ D.2.5 **and D.2.6**, as approved by IDEM.

~~(b)~~**(c)** ~~The duct pressure or fan amperage shall be observed at least once per day when the thermal oxidizer is in operation.~~ On and after the date the approved stack test results are available, the duct pressure or fan amperage shall be maintained within the normal range as established in most recent compliant stack test.

...

D.2.14 Scrubber Pressure Drop and Flow Rate [326 IAC 8-5-6]

The Permittee shall monitor and record the pressure drop and the flow rate of the scrubber CE008 at least once per day when the fermentation and/or the distillation process is in operation. When for any one reading, the pressure drop across the scrubber is outside the normal range of ~~2.0 and 8.0~~ **1.0 and 12.0** inches of water, or a range established during the latest stack test, the Permittee shall take reasonable response steps**.** ~~in accordance with~~ Section C – Response to Excursions or Exceedances **contains the Permittee's obligation with regard to the reasonable response steps required by this condition**. When for any one reading, the flow rate of the scrubber is less than the normal minimum of 35 gallons per minute, or a minimum established during the latest stack test, the Permittee shall take reasonable response steps**.** ~~in accordance with~~ Section C – Response to Excursions or Exceedances **contains the Permittee's obligation with regard to the reasonable response steps required by this condition**. A pressure reading that is outside the above mentioned range or a flow rate that is below the above mentioned minimum is not a deviation from this permit. Failure to take response steps ~~in accordance with Section C - Response to Excursions or Exceedances~~ shall be considered a deviation from this permit.

The instruments used for determining the pressure drop and flow rate shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated **or replaced** at least once every six (6) months.

...

D.2.16 Record Keeping Requirements

(a) To document compliance with Condition D.2.4**5**(b)(1), the Permittee shall maintain monthly records of the amount of hours the scrubber (CE008) is vented to the atmosphere.

...

(d) To document compliance with Condition D.2.13, the Permittee shall maintain ~~a daily record of the~~ **continuous** duct pressure or fan amperage **records** for the RTO system (CE009) **and the 3-hour average duct pressure or fan amperage used to demonstrate compliance during the most recent compliant stack test.** ~~The Permittee shall include in its daily record when the duct pressure or fan amperage is not taken and the reason for the lack of the reading (e.g., the process did not operate that day).~~

...

(f) ~~All records shall be maintained in accordance with~~ Section C - General Record Keeping Requirements~~, of this permit.~~ **contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.**

...

D.3.5 CO Emissions [326 IAC 2-8-4] [326 IAC 2-2]

Pursuant to 326 IAC 2-8-4, and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following:

(a) The input of natural gas to the boilers shall be limited to less than 2,505.4 MMCF per 12 consecutive month period, with compliance determined at the end of each month.

(b) CO emissions from the boilers shall not exceed ~~40~~ **30** pounds per MMCF.

...

D.4.4 ~~PM and PM10 Emissions~~ **FESOP and PSD Limits** [326 IAC 2-2] [326 IAC 2-8-4]

(a) ~~Pursuant to 326 IAC 2-8-4 (FESOP) and~~ In order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following:

~~(a)~~**(1)** The PM/~~PM10~~ emissions from the DDGS cooler, which is controlled by baghouse CE010, shall not exceed the 0.82 lbs/hr.

Combined with the PM/~~PM10~~ emissions from other emission units, the PM/~~PM10~~ emissions from the entire source are limited to less than ~~100~~ **250** tons/yr. Therefore, the requirements of ~~326 IAC 2-7 (Part 70 Program) and~~ 326 IAC 2-2 (PSD) are not applicable.

(b) Pursuant to 326 IAC 2-8-4 (FESOP) and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following:

(1) The PM10 emissions from the DDGS cooler, which is controlled by baghouse CE010, shall not exceed the 0.82 lbs/hr.

(2) The PM2.5 emissions from the DDGS cooler, which is controlled by baghouse CE010, shall not exceed the 0.82 lbs/hr.

Combined with the PM10 and PM2.5 emissions from other emission units, the PM10 and PM2.5 emissions from the entire source are limited to less than 100 tons/yr. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program) and 326 IAC 2-2 (PSD) are not applicable.

D.4.5 VOC Emissions [326 IAC 2-2] [326 IAC 2-8-4] [326 IAC 2-4.1]

Pursuant to 326 IAC 2-8-4 (FESOP), and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following:

(a) VOC emissions from EU029, exhausting to stack SV010 shall not exceed ~~5.0~~ **11.4** lbs/hr.

(b) Acetaldehyde emissions from EU029, exhausting to stack SV010 shall not exceed ~~1.12~~ **2.67** lbs/hr.

The fluidized DDGS cooler (EU029) has an alternative operating schedule in which emissions are exhausted directly through the fluid bed cooler stack and not to the RTO stack. The source has opted to limiting this alternative operating schedule to less than 200 hours per year. Therefore the following permit condition is being added:

(c) The fluidized DDGS cooler (EU029) shall not vent to the atmosphere more than 200 hours per twelve (12) consecutive month period with compliance determined at the end of each month.

...

D.4.8 Particulate Control

(a) In order to comply with Conditions D.4.4(a)**, D.4.4(b)**and D.4.6, Baghouse CE010 shall be in operation and control emissions from the DDGS cooler (EU029) at all times that this unit is in operation.

...

D.4.9 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

In order to demonstrate compliance with Conditions D.4.4, D.4.5 and D.4.6, the Permittee shall perform PM, PM10, **PM2.5,** acetaldehyde and VOC testing for the DDGS cooler (EU029) ~~within 60 days after achieving the maximum capacity, but not later than 180 days after initial startup~~, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of ~~this~~ **the last** valid compliance demonstration. **Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures).** ~~Testing shall be conducted in accordance with~~ Section C – Performance Testing **contains the Permittee's obligation with regard to the performance testing required by this condition.** PM10 **and PM2.5** includes filterable and condensible ~~PM10~~ **particulate matter**.

...

D.4.13 Record Keeping Requirements

(a) **To document compliance with Condition D.4.5(c), the Permittee shall maintain monthly records of the number of hours the fluidized DDGS cooler (EU029) exhausts to the atmosphere.**

~~(a)~~**(b)** To document compliance with Condition D.4.10, the Permittee shall maintain a daily record of visible emission notations of the baghouse stack exhaust. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g., the process did not operate that day).

~~(b)~~**(c)** To document compliance with Condition D.4.11, the Permittee shall maintain a daily record of the pressure drop across the baghouse controlling the process. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of a pressure drop reading (e.g., the process did not operate that day).

~~(c)~~**(d)** ~~All records shall be maintained in accordance with~~ Section C - General Record Keeping Requirements~~, of this permit.~~ **contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.**

D.4.14 Reporting Requirements

A quarterly summary of the information to document compliance status with Condition D.4.5(c) shall be submitted not later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting contains the Permittee's obligation with regard to the reporting required by this condition. The report submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

SECTION D.5 FACILITY OPERATION CONDITIONS – Ethanol Loading Racks

Facility Description [326 IAC 2-8-4(10)]:

(n) One (1) ethanol loading system, identified as EU036, consisting of ~~one (1) rack for trucks and two (2) racks for railcars~~ **two (2) racks for trucks and one (1) rack for railcars**, approved to be constructed in 2007, with a maximum throughput rate of 39,000 gallons per hour when loading trucks, and 144,000 gallons per hour when loading railcars. This unit is controlled by enclosed flare CE015, which is fueled by natural gas and has a pilot gas flare heat input capacity of 54,000 Btu/hr, and exhausting through stack SV016.

...

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

D.5.4 FESOP Limits [326 IAC 2-2] [326 IAC 2-8-4]

Pursuant to 326 IAC 2-8-4 (FESOP) and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, the Permittee shall comply with the following emission limits for the ethanol loading racks:

(a) The total **combined** denatured ethanol **and E-85** loadout from loading rack EU036 shall not exceed ~~69,000,000~~ **83,150,000** gallons per twelve (12) consecutive month period with compliance determined at the end of each month.

(b) The E-85 loadout from the ethanol loading rack EU036 shall not exceed 10,060,000 gallons per twelve (12) consecutive month period, with compliance determined at the end of each month.

~~(b)~~**(c)** The Permittee shall use flare CE015 to control the emissions from the ethanol loading rack (EU036).

~~(c)~~**(d)** CO emissions from flare CE015 shall not exceed 0.084 lbs/kgal.

~~(d)~~**(e)** NOx emissions from flare CE015 shall not exceed 0.0334 lbs/kgal.

~~(e)~~**(f)** The ethanol loading rack shall utilize submerged loading method when loading trucks and railcars.

~~(f)~~**(g)** The railcars and trucks shall not use vapor balance services during ethanol loading.

~~(g)~~**(h)** The flare CE015 shall be designed as a smokeless flare.

~~(h)~~**(i)** The VOC emissions from enclosed flare CE015 shall not exceed ~~0.765~~ **1.06** lbs/hr.

Combined with the VOC, CO, NOx and HAP emissions from other units, the VOC, CO, and NOx emissions from the entire source are each limited to less than 100 tons/yr and the HAP emissions from the entire source are limited to less than 10 tons/yr for a single HAP and less than 25 tons/yr for total HAPs. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program) and 326 IAC 2-2 (PSD) are not applicable.

...

D.5.10 Record Keeping Requirements

(a) To document compliance with Condition D.5.4(a), the Permittee shall maintain monthly records of the total ~~amount of~~ **combined** denatured ethanol **and E-85** loaded out from loading rack EU036.

(b) **To document compliance with Condition D.5.4(b), the Permittee shall maintain monthly records of the total amount of E-85 loaded out from the loading rack EU036.**

~~(b)~~**(c)** To document compliance with Condition D.5.10, the Permittee shall maintain records of temperature or other parameters sufficient to demonstrate the presence of a pilot flame when loading rack EU036 is in operation.

~~(c)~~**(d)** ~~All records shall be maintained in accordance with~~ Section C - General Record Keeping Requirements~~, of this permit.~~ **contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.**

D.5.11 Reporting Requirements

~~A~~ Quarterly ~~summary~~ **summaries** of the information to document compliance **status** with Condition**s** D.5.4(a) **and D.5.4(b)** shall be submitted ~~to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within~~ **not later than** thirty (30) days after the end of the quarter being reported. **Section C - General Reporting contains the Permittee's obligation with regard to the reporting required by this condition.** The report submitted by the Permittee does require ~~the~~ **a** certification **that meets the requirements of 326 IAC 2-8-5(a)(1)** by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

SECTION D.6 FACILITY OPERATION CONDITIONS – Diesel Generator

Facility Description [326 IAC 2-8-4(10)]: Insignificant Activities

(o) One (1) diesel Generator, identified as EU037, approved to be constructed in 2007, with a maximum power output rate of 2,640 horsepower, and exhausting to stack SV015.

Under NSPS, Subpart IIII, this unit is considered an affected source.
Under NESHAP, Subpart ZZZZ, this unit is considered an affected source.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

...

SECTION E.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

(e) One (1) fermentation process, approved for construction in 2007, with a maximum throughput rate of ~~55,400~~ **58,500** gallons per hour, controlled by scrubber CE008 and thermal oxidizer CE009, with emissions exhausted through stack SV009. This process consists of the following:

...

(g) One (1) distillation process, approved for construction in 2007, with a maximum throughput rate of ~~54,000~~ **57,000** gallons of ethanol per hour, controlled by scrubber CE008 and thermal oxidizer CE009, with emissions exhausted through stack SV009. This process consists of the following:

...

(n) One (1) ethanol loading system, identified as EU036, consisting of ~~one (1) rack for trucks and two (2) racks for railcars~~ **two (2) racks for trucks and one (1) rack for railcar**, approved for construction in 2007, with a maximum throughput rate of 39,000 gallons per hour when loading trucks, and 144,000 gallons per hour when loading railcars. This unit is controlled by enclosed

flare CE015, which is fueled by natural gas and has a pilot gas flare heat input capacity of 54,000 Btu/hr, and exhausts through stack SV016.

...

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

...

SECTION E.2 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

(j) Two (2) natural gas fired boilers, identified as EU027 and EU028, approved for construction in 2007, each with a maximum heat input rate of 143 MMBtu/hr, with emissions exhausting to stacks SV013 and SV014, respectively.

Under 40 CFR, Subpart Db, the two (2) boilers are considered to be new steam generating units.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

...

SECTION E.**45** FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

(o) One (1) diesel generator, identified as EU037, approved for construction in 2007, with a maximum power output rate of 2,640 HP, and exhausting to stack SV015.

Under NSPS, Subpart IIII, this unit is considered an affected source.
Under NESHAP, Subpart ZZZZ, this unit is considered an affected source.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

...

SECTION E.6 FACILITY OPERATION CONDITIONS - 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE)

Facility Description [326 IAC 2-8-4(10)]:

Emission Units:

(o) One (1) diesel Generator, identified as EU037, approved to be constructed in 2007, with a maximum power output rate of 2,640 horsepower, and exhausting to stack SV015.

Under NSPS, Subpart IIII, this unit is considered an affected source.
Under NESHAP, Subpart ZZZZ, this unit is considered an affected source.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

National Emissions Standards for Hazardous Air Pollutants (NESHAP) Requirements: Stationary

Reciprocating Internal Combustion Engines

E.6.1 General Provisions Relating to National Emissions Standards for Hazardous Air Pollutants under 40 CFR Part 63 [326 IAC 20-1] [40 CFR Part 63, Subpart A]

(a) Pursuant to 40 CFR 63.340(b), the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-82, for the reciprocating internal combustion engines as specified in Table 8 of 40 CFR Part 63, Subpart ZZZZ in accordance with the schedule in 40 CFR 63, Subpart ZZZZ.

(b) Pursuant to 40 CFR 63.10, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

E.6.2 National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines [40 CFR Part 63, Subpart ZZZZ]

The Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart ZZZZ (included as Attachment F) which are incorporated by reference as 326 IAC 20-82 for the reciprocating internal combustion engine:

(1) 40 CFR 63.6580
(2) 40 CFR 63.6585(a),(c),(d)
(3) 40 CFR 63.6590(a)(2)(iii),(b)(3)
(4) 40 CFR 63.6665
(5) 40 CFR 63.6675
(6) Table 8

…

~~INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT~~
~~OFFICE OF AIR QUALITY~~
~~COMPLIANCE AND ENFORCEMENT BRANCH~~

~~FESOP Quarterly Report~~

~~Source Name:~~ ~~POET Biorefining -North Manchester~~
~~Source Address:~~ ~~868 East 800 North, North Manchester, Indiana 46962~~
~~Mailing Address:~~ ~~868 East 800 North, North Manchester, Indiana 46962~~
~~FESOP Permit No.:~~ ~~169-24515-00068~~
~~Facility:~~ ~~Truck dump pits EU001~~
~~Parameter:~~ ~~The amount of corn received~~
~~Limit:~~ ~~Less than 683,280 tons per twelve (12) consecutive month period with compliance determined at the end of each month.~~

~~QUARTER:~~_____ ~~YEAR:~~_____

~~Month~~	~~Column 1~~ ~~This Month~~	~~Column 2~~ ~~Previous 11 Months~~	~~Column 1 + Column 2~~ ~~12 Month Total~~
~~Month 1~~			
~~Month 2~~			
~~Month 3~~			

☐ ~~No deviation occurred in this quarter.~~

☐ ~~Deviation/s occurred in this quarter.~~
~~Deviation has been reported on:~~

~~Submitted by:~~ _____
~~Title / Position:~~ _____
~~Signature:~~_____
~~Date:~~ _____
~~Phone:~~ _____

~~Attach a signed certification to complete this report.~~

~~INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT~~
~~OFFICE OF AIR QUALITY~~
~~COMPLIANCE AND ENFORCEMENT BRANCH~~

~~FESOP Quarterly Report~~

~~Source Name:~~ ~~POET Biorefining -North Manchester~~
~~Source Address:~~ ~~868 East 800 North, North Manchester, Indiana 46962~~
~~Mailing Address:~~ ~~868 East 800 North, North Manchester, Indiana 46962~~
~~FESOP Permit No.:~~ ~~169-24515-00068~~
~~Facility:~~ ~~DDGS Dryers EU025 EU026~~
~~Parameter:~~ ~~The amount of DDGS Produced~~
~~Limit:~~ ~~Less than 227,760 tons per twelve (12) consecutive month period with compliance determined at the end of each month.~~

~~QUARTER:~~_____ ~~YEAR:~~_____

~~Month~~	~~Column 1~~ ~~This Month~~	~~Column 2~~ ~~Previous 11 Months~~	~~Column 1 + Column 2~~ ~~12 Month Total~~
~~Month 1~~			
~~Month 2~~			
~~Month 3~~			

☐ ~~No deviation occurred in this quarter.~~

☐ ~~Deviation/s occurred in this quarter.~~
~~Deviation has been reported on:~~

~~Submitted by:~~ _____
~~Title / Position:~~ _____
~~Signature:~~_____
~~Date:~~ _____
~~Phone:~~ _____

~~Attach a signed certification to complete this report.~~

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

FESOP Quarterly Report

Source Name: POET Biorefining -North Manchester
Source Address: 868 East 800 North, North Manchester, Indiana 46962
Mailing Address: 868 East 800 North, North Manchester, Indiana 46962
FESOP Permit No.: 169-24515-00068
Facility: Fluidized Bed Cooler (EU029)
Parameter: Hours Vented To Atmosphere
Limit: The fluidized DDGS cooler (EU029) shall not vent to the atmosphere more than 200 hours per twelve (12) consecutive month period with compliance determined at the end of each month.

QUARTER:_____ **YEAR:**_____

Month	Column 1 This Month	Column 2 Previous 11 Months	Column 1 + Column 2 12 Month Total
Month 1			
Month 2			
Month 3			

☐ No deviation occurred in this quarter.

☐ Deviation/s occurred in this quarter.
Deviation has been reported on:

Submitted by: _____
Title / Position: _____
Signature: _____
Date: _____
Phone: _____

Attach a signed certification to complete this report.

…

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

FESOP Quarterly Report

Source Name:	POET Biorefining -North Manchester
Source Address:	868 East 800 North, North Manchester, Indiana 46962
Mailing Address:	868 East 800 North, North Manchester, Indiana 46962
FESOP Permit No.:	169-24515-00068
Facility:	Ethanol Loading Rack EU036
Parameter:	**Total Combined** Denatured Ethanol **and E-85** Loadout
Limit:	Less than ~~69~~ **83.15** MMgal per twelve (12) consecutive month period with compliance determined at the end of each month.

...

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

FESOP Quarterly Report

Source Name: **POET Biorefining -North Manchester**
Source Address: **868 East 800 North, North Manchester, Indiana 46962**
Mailing Address: **868 East 800 North, North Manchester, Indiana 46962**
FESOP Permit No.: **169-24515-00068**
Facility: **Ethanol Loading Rack EU036**
Parameter: **E-85 Loadout**
Limit: **Less than 10.06 MMgal per twelve (12) consecutive month period with compliance determined at the end of each month.**

QUARTER:_____ YEAR:_____

Month	Column 1 This Month	Column 2 Previous 11 Months	Column 1 + Column 2 12 Month Total
Month 1			
Month 2			
Month 3			

☐ **No deviation occurred in this quarter.**

☐ **Deviation/s occurred in this quarter.**
Deviation has been reported on:

Submitted by: _____
Title / Position:_____
Signature:_____
Date: _____
Phone: _____

Attach a signed certification to complete this report.

...

(b) Upon further review, IDEM, OAQ has decided to make the following changes to the permit. Deleted language appears as ~~strikethrough~~ text and new language appears as **bold** text:

(1) The Section D permit conditions requiring the source to comply with the NSPS requirements found in the E Sections of the permit are being removed since the conditions found in the E Sections of the permit are already federally enforceable and the Permittee is already required to comply with those requirements.

...

~~D.1.6 The New Source Performance Standards for Grain Elevators [40 CFR 60, Subpart DD]~~

~~The New Source Performance Standards for Grain Elevators, Subpart DD apply to the rail corn receiving, storage, and handling equipment (EU001-005). These requirements include but are not limited to the following:~~

~~(a) Any grain handling operations other than grain dryers shall not emit particulate matter in excess of 0.023 g/dscm (0.01 gr/dscf) and shall not exhibit greater than 0% opacity.~~

~~(b) Fugitive particulate matter emissions from railcar unloading shall not exhibit greater than 5% opacity.~~

...

The remaining D.1 conditions have been re-numbered to reflect the removal of D.1.6.

...

D.1.~~13~~**12** Record Keeping Requirements

(a) To document compliance with Condition D.1.~~10~~**9**, the Permittee shall maintain a daily record of visible emission notations of the baghouse stack exhausts. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (i.e., the process did not operate that day).

(b) To document compliance with Condition D.1.~~11~~**10**, the Permittee shall maintain a daily record of the pressure drop across the baghouse controlling the process. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of a pressure drop reading (i.e., the process did not operate that day).

...

~~D.2.6 Standard of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry [40 CFR Part 60, Subpart VV] [326 IAC 12]~~

~~Pursuant to 40 CFR 60, Subpart VV, the Permittee shall comply with the requirement of Section E.1 for pumps; compressors; pressure relief devices in gas/vapor service; sampling connection systems; open-ended valves or lines; and valves.~~

...

~~D.6.2 Standards of Performance for Stationary Compression Ignition Internal Combustion Engines [40 CFR Part 60, IIII] [326 IAC 12]~~

~~Pursuant to 40 CFR 60, Subpart IIII, the Permittee shall comply with the requirements of Section E.4 for emergency generator EU037.~~

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.6.~~3~~**2** Record Keeping Requirements

(a) To document compliance with Condition D.6.1(a), the Permittee shall maintain monthly records of the operating hours for the diesel generator (EU036).

(b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.6.~~4~~**3** Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.6.1(a) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30)

days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

(2) The full text versions of the applicable NSPS requirements have been removed from the E Sections of the permit and included as attachments at the end of the permit.

...

E.1.2 Standard of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction Commenced After November 7, 2006 [40 CFR Part 60, Subpart VVa] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart VVa, the Permittee shall comply with the provisions of Standard of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction Commenced After November 7, 2006, which are incorporated by reference as 326 IAC 12, as specified as follows:

(1) 40 CFR 60.480a
(2) 40 CFR 60.481a
(3) 40 CFR 60.482-1a
(4) 40 CFR 60.482-2a
(5) 40 CFR 60.482-3a
(6) 40 CFR 60.482-4a
(7) 40 CFR 60.482-5a
(8) 40 CFR 60.482-6a
(9) 40 CFR 60.482-7a
(10) 40 CFR 60.482-8a
(11) 40 CFR 60.482-9a
(12) 40 CFR 60.482-10a
(13) 40 CFR 60.482-11a
(14) 40 CFR 60.483-1a
(15) 40 CFR 60.483-2a
(16) 40 CFR 60.484a
(17) 40 CFR 60.485a
(18) 40 CFR 60.486a
(19) 40 CFR 60.487a
(20) 40 CFR 60.488a
(21) 40 CFR 60.489a

~~*Subpart VVa—Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006*~~

~~Source: 72 FR 64883, Nov. 16, 2007, unless otherwise noted.~~

~~§ 60.480a Applicability and designation of affected facility.~~

~~(a)(1) The provisions of this subpart apply to affected facilities in the synthetic organic chemicals manufacturing industry.~~

~~(2) The group of all equipment (defined in §60.481a) within a process unit is an affected facility.~~

~~*§ 60.481a Definitions.*~~

~~As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act (CAA) or in subpart A of part 60, and the following terms shall have the specific meanings given them.~~

~~*Capital expenditure* means, in addition to the definition in 40 CFR 60.2, an expenditure for a physical or operational change to an existing facility that:~~

~~(a) Exceeds P, the product of the facility's replacement cost, R, and an adjusted annual asset guideline repair allowance, A, as reflected by the following equation: P = R × A, where:~~

~~(1) The adjusted annual asset guideline repair allowance, A, is the product of the percent of the replacement cost, Y, and the applicable basic annual asset guideline repair allowance, B, divided by 100 as reflected by the following equation:~~

~~A = Y × (B ÷ 100);~~

~~(2) The percent Y is determined from the following equation: Y = 1.0 − 0.575 log X, where X is 2006 minus the year of construction; and~~

~~(3) The applicable basic annual asset guideline repair allowance, B, is selected from the following table consistent with the applicable subpart:~~

~~Table for Determining Applicable Value for B~~

~~Subpart applicable to facility~~	~~Value of B to be used in equation~~
~~VVa~~	~~12.5~~
~~GGGa~~	~~7.0~~

~~*Closed loop system* means an enclosed system that returns process fluid to the process.~~

~~*Closed-purge system* means a system or combination of systems and portable containers to capture purged liquids. Containers for purged liquids must be covered or closed when not being filled or emptied.~~

~~*Closed vent system* means a system that is not open to the atmosphere and that is composed of hard-piping, ductwork, connections, and, if necessary, flow-inducing devices that transport gas or vapor from a piece or pieces of equipment to a control device or back to a process.~~

~~*Connector* means flanged, screwed, or other joined fittings used to connect two pipe lines or a pipe line and a piece of process equipment or that close an opening in a pipe that could be connected to another pipe. Joined fittings welded completely around the circumference of the interface are not considered connectors for the purpose of this regulation.~~

~~*Control device* means an enclosed combustion device, vapor recovery system, or flare.~~

~~*Distance piece* means an open or enclosed casing through which the piston rod travels, separating the compressor cylinder from the crankcase.~~

~~*Double block and bleed system* means two block valves connected in series with a bleed valve or line that can vent the line between the two block valves.~~

~~*Duct work* means a conveyance system such as those commonly used for heating and ventilation systems. It is often made of sheet metal and often has sections connected by screws or crimping. Hard-piping is not ductwork.~~

~~*Equipment* means each pump, compressor, pressure relief device, sampling connection system, open-ended valve or line, valve, and flange or other connector in VOC service and any devices or systems required by this subpart.~~

~~*First attempt at repair* means to take action for the purpose of stopping or reducing leakage of organic material to the atmosphere using best practices.~~

~~*Fuel gas* means gases that are combusted to derive useful work or heat.~~

~~*Fuel gas system* means the offsite and onsite piping and flow and pressure control system that gathers gaseous stream(s) generated by onsite operations, may blend them with other sources of gas, and transports the gaseous stream for use as fuel gas in combustion devices or in process combustion equipment, such as furnaces and gas turbines, either singly or in combination.~~

~~*Hard-piping* means pipe or tubing that is manufactured and properly installed using good engineering judgment and standards such as ASME B31.3, Process Piping (available from the American Society of Mechanical Engineers, P.O. Box 2300, Fairfield, NJ 07007–2300).~~

~~*In gas/vapor service* means that the piece of equipment contains process fluid that is in the gaseous state at operating conditions.~~

~~*In heavy liquid service* means that the piece of equipment is not in gas/vapor service or in light liquid service.~~

~~*In light liquid service* means that the piece of equipment contains a liquid that meets the conditions specified in §60.485a(e).~~

~~*In situ sampling systems* means nonextractive samplers or in-line samplers.~~

~~*In vacuum service* means that equipment is operating at an internal pressure which is at least 5 kilopascals (kPa) (0.7 psia) below ambient pressure.~~

~~*In VOC service* means that the piece of equipment contains or contacts a process fluid that is at least 10 percent VOC by weight. (The provisions of §60.485a(d) specify how to determine that a piece of equipment is not in VOC service.)~~

~~*Initial calibration value* means the concentration measured during the initial calibration at the beginning of each day required in §60.485a(b)(1), or the most recent calibration if the instrument is recalibrated during the day (i.e., the calibration is adjusted) after a calibration drift assessment.~~

~~*Liquids dripping* means any visible leakage from the seal including spraying, misting, clouding, and ice formation.~~

~~*Open-ended valve or line* means any valve, except safety relief valves, having one side of the valve seat in contact with process fluid and one side open to the atmosphere, either directly or through open piping.~~

~~*Pressure release means* the emission of materials resulting from system pressure being greater than set pressure of the pressure relief device.~~

~~*Process improvement* means routine changes made for safety and occupational health requirements, for energy savings, for better utility, for ease of maintenance and operation, for correction of design deficiencies, for bottleneck removal, for changing product requirements, or for environmental control.~~

~~*Process unit* means the components assembled and connected by pipes or ducts to process raw materials and to produce, as intermediate or final products, one or more of the chemicals listed in §60.489. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product. For the purpose of this subpart, process unit includes any feed, intermediate and final product storage vessels (except as specified in §60.482–1a(g)), product transfer racks, and connected ducts and piping. A process unit includes all equipment as defined in this subpart.~~

~~*Process unit shutdown* means a work practice or operational procedure that stops production from a process unit or part of a process unit during which it is technically feasible to clear process material from a process unit or part of a process unit consistent with safety constraints and during which repairs can be accomplished. The following are not considered process unit shutdowns:~~

~~(1) An unscheduled work practice or operational procedure that stops production from a process unit or part of a process unit for less than 24 hours.~~

~~(2) An unscheduled work practice or operational procedure that would stop production from a process unit or part of a process unit for a shorter period of time than would be required to clear the process unit or part of the process unit of materials and start up the unit, and would result in greater emissions than delay of repair of leaking components until the next scheduled process unit shutdown.~~

~~(3) The use of spare equipment and technically feasible bypassing of equipment without stopping production.~~

~~*Quarter* means a 3-month period; the first quarter concludes on the last day of the last full month during the 180 days following initial startup.~~

~~*Repaired* means that equipment is adjusted, or otherwise altered, in order to eliminate a leak as defined in the applicable sections of this subpart and, except for leaks identified in accordance with §§60.482–2a(b)(2)(ii) and (d)(6)(ii) and (d)(6)(iii), 60.482–3a(f), and 60.482–10a(f)(1)(ii), is re-monitored as specified in §60.485a(b) to verify that emissions from the equipment are below the applicable leak definition.~~

~~*Replacement cost* means the capital needed to purchase all the depreciable components in a facility.~~

~~*Sampling connection system* means an assembly of equipment within a process unit used during periods of representative operation to take samples of the process fluid. Equipment used to take nonroutine grab samples is not considered a sampling connection system.~~

~~*Sensor* means a device that measures a physical quantity or the change in a physical quantity such as temperature, pressure, flow rate, pH, or liquid level.~~

~~*Storage vessel* means a tank or other vessel that is used to store organic liquids that are used in the process as raw material feedstocks, produced as intermediates or final products, or generated as wastes. Storage vessel does not include vessels permanently attached to motor vehicles, such as trucks, railcars, barges or ships.~~

~~*Synthetic organic chemicals manufacturing industry* means the industry that produces, as intermediates or final products, one or more of the chemicals listed in §60.489.~~

~~*Transfer rack* means the collection of loading arms and loading hoses, at a single loading rack, that are used to fill tank trucks and/or railcars with organic liquids.~~

~~*Volatile organic compounds* or VOC means, for the purposes of this subpart, any reactive organic compounds as defined in §60.2 Definitions.~~

~~Effective Date Note: At 73 FR 31376, June 2, 2008, in §60.481a, the definitions of "capital expenditure" and "process unit" were stayed until further notice.~~

~~*§ 60.482-1a Standards: General.*~~

~~(a) Each owner or operator subject to the provisions of this subpart shall demonstrate compliance with the requirements of §§60.482–1a through 60.482–10a or §60.480a(e) for all equipment within 180 days of initial startup.~~

~~(b) Compliance with §§60.482–1a to 60.482–10a will be determined by review of records and reports, review of performance test results, and inspection using the methods and procedures specified in §60.485a.~~

~~(c)(1) An owner or operator may request a determination of equivalence of a means of emission limitation to the requirements of §§60.482–2a, 60.482–3a, 60.482–5a, 60.482–6a, 60.482–7a, 60.482–8a, and 60.482–10a as provided in §60.484a.~~

~~(2) If the Administrator makes a determination that a means of emission limitation is at least equivalent to the requirements of §§60.482–2a, 60.482–3a, 60.482–5a, 60.482–6a, 60.482–7a, 60.482–8a, or 60.482–10a, an owner or operator shall comply with the requirements of that determination.~~

~~(d) Equipment that is in vacuum service is excluded from the requirements of §§60.482–2a through 60.482–10a if it is identified as required in §60.486a(e)(5).~~

~~(e) Equipment that an owner or operator designates as being in VOC service less than 300 hr/yr is excluded from the requirements of §§60.482–2a through 60.482–11a if it is identified as required in §60.486a(e)(6) and it meets any of the conditions specified in paragraphs (e)(1) through (3) of this section.~~

~~(1) The equipment is in VOC service only during startup and shutdown, excluding startup and shutdown between batches of the same campaign for a batch process.~~

~~(2) The equipment is in VOC service only during process malfunctions or other emergencies.~~

~~(3) The equipment is backup equipment that is in VOC service only when the primary equipment is out of service.~~

~~(f)(1) If a dedicated batch process unit operates less than 365 days during a year, an owner or operator may monitor to detect leaks from pumps, valves, and open ended valves or lines at the frequency specified in the following table instead of monitoring as specified in §§60.482–2a, 60.482–7a, and 60.483.2a:~~

~~Operating time (percent of hours during year)~~	~~Equivalent monitoring frequency time in use~~		
	~~Monthly~~	~~Quarterly~~	~~Semiannually~~
~~0 to <25~~	~~Quarterly~~	~~Annually~~	~~Annually.~~
~~25 to <50~~	~~Quarterly~~	~~Semiannually~~	~~Annually.~~
~~50 to <75~~	~~Bimonthly~~	~~Three quarters~~	~~Semiannually.~~
~~75 to 100~~	~~Monthly~~	~~Quarterly~~	~~Semiannually.~~

~~(2) Pumps and valves that are shared among two or more batch process units that are subject to this subpart may be monitored at the frequencies specified in paragraph (f)(1) of this section, provided the operating time of all such process units is considered.~~

~~(3) The monitoring frequencies specified in paragraph (f)(1) of this section are not requirements for monitoring at specific intervals and can be adjusted to accommodate process operations. An owner or operator may monitor at any time during the specified monitoring period (e.g., month, quarter, year), provided the monitoring is conducted at a reasonable interval after completion of the last monitoring campaign. Reasonable intervals are defined in paragraphs (f)(3)(i) through (iv) of this section.~~

~~(i) When monitoring is conducted quarterly, monitoring events must be separated by at least 30 calendar days.~~

~~(ii) When monitoring is conducted semiannually (*i.e.* , once every 2 quarters), monitoring events must be separated by at least 60 calendar days.~~

~~(iii) When monitoring is conducted in 3 quarters per year, monitoring events must be separated by at least 90 calendar days.~~

~~(iv) When monitoring is conducted annually, monitoring events must be separated by at least 120 calendar days.~~

~~(g) If the storage vessel is shared with multiple process units, the process unit with the greatest annual amount of stored materials (predominant use) is the process unit the storage vessel is assigned to. If the storage vessel is shared equally among process units, and one of the process units has equipment subject to this subpart, the storage vessel is assigned to that process unit. If the storage vessel is shared equally among process units, none of which have equipment subject to this subpart of this part, the storage vessel is assigned to any process unit subject to subpart VV of this part. If the predominant use of the storage vessel varies from year to year, then the owner or operator must estimate the predominant use initially and reassess every 3 years. The owner or operator must keep records of the information and supporting calculations that show how predominant use is determined. All equipment on the storage vessel must be monitored when in VOC service.~~

~~Effective Date Note: At 73 FR 31376, June 2, 2008, in §60.482–1a, paragraph (g) was stayed until further notice.~~

~~*§ 60.482-2a Standards: Pumps in light liquid service.*~~

~~(a)(1) Each pump in light liquid service shall be monitored monthly to detect leaks by the methods specified in §60.485a(b), except as provided in §60.482–1a(c) and (f) and paragraphs (d), (e), and (f) of this section. A pump that begins operation in light liquid service after the initial startup date for the process unit must be monitored for the first time within 30 days after the end of its startup period, except for a pump that replaces a leaking pump and except as provided in §60.482–1a(c) and paragraphs (d), (e), and (f) of this section.~~

~~(2) Each pump in light liquid service shall be checked by visual inspection each calendar week for indications of liquids dripping from the pump seal, except as provided in §60.482–1a(f).~~

~~(b)(1) The instrument reading that defines a leak is specified in paragraphs (b)(1)(i) and (ii) of this section.~~

~~(i) 5,000 parts per million (ppm) or greater for pumps handling polymerizing monomers;~~

~~(ii) 2,000 ppm or greater for all other pumps.~~

~~(2) If there are indications of liquids dripping from the pump seal, the owner or operator shall follow the procedure specified in either paragraph (b)(2)(i) or (ii) of this section. This requirement does not apply to a pump that was monitored after a previous weekly inspection and the instrument reading was less than the concentration specified in paragraph (b)(1)(i) or (ii) of this section, whichever is applicable.~~

~~(i) Monitor the pump within 5 days as specified in §60.485a(b). A leak is detected if the instrument reading measured during monitoring indicates a leak as specified in paragraph (b)(1)(i) or (ii) of this section, whichever is applicable. The leak shall be repaired using the procedures in paragraph (c) of this section.~~

~~(ii) Designate the visual indications of liquids dripping as a leak, and repair the leak using either the procedures in paragraph (c) of this section or by eliminating the visual indications of liquids dripping.~~

~~(c)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §60.482–9a.~~

~~(2) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected. First attempts at repair include, but are not limited to, the practices described in paragraphs (c)(2)(i) and (ii) of this section, where practicable.~~

~~(i) Tightening the packing gland nuts;~~

~~(ii) Ensuring that the seal flush is operating at design pressure and temperature.~~

~~(d) Each pump equipped with a dual mechanical seal system that includes a barrier fluid system is exempt from the requirements of paragraph (a) of this section, provided the requirements specified in paragraphs (d)(1) through (6) of this section are met.~~

~~(1) Each dual mechanical seal system is:~~

~~(i) Operated with the barrier fluid at a pressure that is at all times greater than the pump stuffing box pressure; or~~

~~(ii) Equipped with a barrier fluid degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device that complies with the requirements of §60.482-10a; or~~

~~(iii) Equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.~~

~~(2) The barrier fluid system is in heavy liquid service or is not in VOC service.~~

~~(3) Each barrier fluid system is equipped with a sensor that will detect failure of the seal system, the barrier fluid system, or both.~~

~~(4)(i) Each pump is checked by visual inspection, each calendar week, for indications of liquids dripping from the pump seals.~~

~~(ii) If there are indications of liquids dripping from the pump seal at the time of the weekly inspection, the owner or operator shall follow the procedure specified in either paragraph (d)(4)(ii)(A) or (B) of this section prior to the next required inspection.~~

~~(A) Monitor the pump within 5 days as specified in §60.485a(b) to determine if there is a leak of VOC in the barrier fluid. If an instrument reading of 2,000 ppm or greater is measured, a leak is detected.~~

~~(B) Designate the visual indications of liquids dripping as a leak.~~

~~(5)(i) Each sensor as described in paragraph (d)(3) is checked daily or is equipped with an audible alarm.~~

~~(ii) The owner or operator determines, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.~~

~~(iii) If the sensor indicates failure of the seal system, the barrier fluid system, or both, based on the criterion established in paragraph (d)(5)(ii) of this section, a leak is detected.~~

~~(6)(i) When a leak is detected pursuant to paragraph (d)(4)(ii)(A) of this section, it shall be repaired as specified in paragraph (c) of this section.~~

~~(ii) A leak detected pursuant to paragraph (d)(5)(iii) of this section shall be repaired within 15 days of detection by eliminating the conditions that activated the sensor.~~

~~(iii) A designated leak pursuant to paragraph (d)(4)(ii)(B) of this section shall be repaired within 15 days of detection by eliminating visual indications of liquids dripping.~~

~~(e) Any pump that is designated, as described in §60.486a(e)(1) and (2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs (a), (c), and (d) of this section if the pump:~~

~~(1) Has no externally actuated shaft penetrating the pump housing;~~

~~(2) Is demonstrated to be operating with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background as measured by the methods specified in §60.485a(c); and~~

~~(3) Is tested for compliance with paragraph (e)(2) of this section initially upon designation, annually, and at other times requested by the Administrator.~~

~~(f) If any pump is equipped with a closed vent system capable of capturing and transporting any leakage from the seal or seals to a process or to a fuel gas system or to a control device that complies with the requirements of §60.482–10a, it is exempt from paragraphs (a) through (e) of this section.~~

~~(g) Any pump that is designated, as described in §60.486a(f)(1), as an unsafe-to-monitor pump is exempt from the monitoring and inspection requirements of paragraphs (a) and (d)(4) through (6) of this section if:~~

~~(1) The owner or operator of the pump demonstrates that the pump is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (a) of this section; and~~

~~(2) The owner or operator of the pump has a written plan that requires monitoring of the pump as frequently as practicable during safe-to-monitor times, but not more frequently than the periodic monitoring schedule otherwise applicable, and repair of the equipment according to the procedures in paragraph (c) of this section if a leak is detected.~~

~~(h) Any pump that is located within the boundary of an unmanned plant site is exempt from the weekly visual inspection requirement of paragraphs (a)(2) and (d)(4) of this section, and the daily requirements of paragraph (d)(5) of this section, provided that each pump is visually inspected as often as practicable and at least monthly.~~

~~*§ 60.482-3a Standards: Compressors.*~~

~~(a) Each compressor shall be equipped with a seal system that includes a barrier fluid system and that prevents leakage of VOC to the atmosphere, except as provided in §60.482–1a(c) and paragraphs (h), (i), and (j) of this section.~~

~~(b) Each compressor seal system as required in paragraph (a) of this section shall be:~~

~~(1) Operated with the barrier fluid at a pressure that is greater than the compressor stuffing box pressure; or~~

~~(2) Equipped with a barrier fluid system degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device that complies with the requirements of §60.482–10a; or~~

~~(3) Equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.~~

~~(c) The barrier fluid system shall be in heavy liquid service or shall not be in VOC service.~~

~~(d) Each barrier fluid system as described in paragraph (a) shall be equipped with a sensor that will detect failure of the seal system, barrier fluid system, or both.~~

~~(e)(1) Each sensor as required in paragraph (d) of this section shall be checked daily or shall be equipped with an audible alarm.~~

~~(2) The owner or operator shall determine, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.~~

~~(f) If the sensor indicates failure of the seal system, the barrier system, or both based on the criterion determined under paragraph (e)(2) of this section, a leak is detected.~~

~~(g)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §60.482–9a.~~

~~(2) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.~~

~~(h) A compressor is exempt from the requirements of paragraphs (a) and (b) of this section, if it is equipped with a closed vent system to capture and transport leakage from the compressor drive shaft back to a process or fuel gas system or to a control device that complies with the requirements of §60.482–10a, except as provided in paragraph (i) of this section.~~

~~(i) Any compressor that is designated, as described in §60.486a(e)(1) and (2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs (a) through (h) of this section if the compressor:~~

~~(1) Is demonstrated to be operating with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the methods specified in §60.485a(c); and~~

~~(2) Is tested for compliance with paragraph (i)(1) of this section initially upon designation, annually, and at other times requested by the Administrator.~~

~~(j) Any existing reciprocating compressor in a process unit which becomes an affected facility under provisions of §60.14 or §60.15 is exempt from paragraphs (a) through (e) and (h) of this section, provided the owner or operator demonstrates that recasting the distance piece or replacing the compressor are the only options available to bring the compressor into compliance with the provisions of paragraphs (a) through (e) and (h) of this section.~~

~~*§ 60.482-4a Standards: Pressure relief devices in gas/vapor service.*~~

~~(a) Except during pressure releases, each pressure relief device in gas/vapor service shall be operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as determined by the methods specified in §60.485a(c).~~

~~(b)(1) After each pressure release, the pressure relief device shall be returned to a condition of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as soon as practicable, but no later than 5 calendar days after the pressure release, except as provided in §60.482–9a.~~

~~(2) No later than 5 calendar days after the pressure release, the pressure relief device shall be monitored to confirm the conditions of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, by the methods specified in §60.485a(c).~~

~~(c) Any pressure relief device that is routed to a process or fuel gas system or equipped with a closed vent system capable of capturing and transporting leakage through the pressure relief device to a control device as described in §60.482–10a is exempted from the requirements of paragraphs (a) and (b) of this section.~~

~~(d)(1) Any pressure relief device that is equipped with a rupture disk upstream of the pressure relief device is exempt from the requirements of paragraphs (a) and (b) of this section, provided the owner or operator complies with the requirements in paragraph (d)(2) of this section.~~

~~(2) After each pressure release, a new rupture disk shall be installed upstream of the pressure relief device as soon as practicable, but no later than 5 calendar days after each pressure release, except as provided in §60.482–9a.~~

~~*§ 60.482-5a Standards: Sampling connection systems.*~~

~~(a) Each sampling connection system shall be equipped with a closed-purge, closed-loop, or closed-vent system, except as provided in §60.482–1a(c) and paragraph (c) of this section.~~

~~(b) Each closed-purge, closed-loop, or closed-vent system as required in paragraph (a) of this section shall comply with the requirements specified in paragraphs (b)(1) through (4) of this section.~~

~~(1) Gases displaced during filling of the sample container are not required to be collected or captured.~~

~~(2) Containers that are part of a closed-purge system must be covered or closed when not being filled or emptied.~~

~~(3) Gases remaining in the tubing or piping between the closed-purge system valve(s) and sample container valve(s) after the valves are closed and the sample container is disconnected are not required to be collected or captured.~~

~~(4) Each closed-purge, closed-loop, or closed-vent system shall be designed and operated to meet requirements in either paragraph (b)(4)(i), (ii), (iii), or (iv) of this section.~~

~~(i) Return the purged process fluid directly to the process line.~~

~~(ii) Collect and recycle the purged process fluid to a process.~~

~~(iii) Capture and transport all the purged process fluid to a control device that complies with the requirements of §60.482–10a.~~

~~(iv) Collect, store, and transport the purged process fluid to any of the following systems or facilities:~~

~~(A) A waste management unit as defined in 40 CFR 63.111, if the waste management unit is subject to and operated in compliance with the provisions of 40 CFR part 63, subpart G, applicable to Group 1 wastewater streams;~~

~~(B) A treatment, storage, or disposal facility subject to regulation under 40 CFR part 262, 264, 265, or 266;~~

~~(C) A facility permitted, licensed, or registered by a state to manage municipal or industrial solid waste, if the process fluids are not hazardous waste as defined in 40 CFR part 261;~~

~~(D) A waste management unit subject to and operated in compliance with the treatment requirements of 40 CFR 61.348(a), provided all waste management units that collect, store, or transport the purged process fluid to the treatment unit are subject to and operated in compliance with the management requirements of 40 CFR 61.343 through 40 CFR 61.347; or~~

~~(E) A device used to burn off-specification used oil for energy recovery in accordance with 40 CFR part 279, subpart G, provided the purged process fluid is not hazardous waste as defined in 40 CFR part 261.~~

~~(c) In-situ sampling systems and sampling systems without purges are exempt from the requirements of paragraphs (a) and (b) of this section.~~

~~*§ 60.482-6a Standards: Open-ended valves or lines.*~~

~~(a)(1) Each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve, except as provided in §60.482–1a(c) and paragraphs (d) and (e) of this section.~~

~~(2) The cap, blind flange, plug, or second valve shall seal the open end at all times except during operations requiring process fluid flow through the open-ended valve or line.~~

~~(b) Each open-ended valve or line equipped with a second valve shall be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed.~~

~~(c) When a double block-and-bleed system is being used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall comply with paragraph (a) of this section at all other times.~~

~~(d) Open-ended valves or lines in an emergency shutdown system which are designed to open automatically in the event of a process upset are exempt from the requirements of paragraphs (a), (b), and (c) of this section.~~

~~(e) Open-ended valves or lines containing materials which would autocatalytically polymerize or would present an explosion, serious overpressure, or other safety hazard if capped or equipped with a double block and bleed system as specified in paragraphs (a) through (c) of this section are exempt from the requirements of paragraphs (a) through (c) of this section.~~

~~*§ 60.482-7a—Standards: Valves in gas/vapor service and in light liquid service.*~~

~~(a)(1) Each valve shall be monitored monthly to detect leaks by the methods specified in §60.485a(b) and shall comply with paragraphs (b) through (e) of this section, except as provided in paragraphs (f), (g), and (h) of this section, §60.482–1a(c) and (f), and §§60.483–1a and 60.483–2a.~~

~~(2) A valve that begins operation in gas/vapor service or light liquid service after the initial startup date for the process unit must be monitored according to paragraphs (a)(2)(i) or (ii), except for a valve that replaces a leaking valve and except as provided in paragraphs (f), (g), and (h) of this section, §60.482–1a(c), and §§60.483–1a and 60.483–2a.~~

~~(i) Monitor the valve as in paragraph (a)(1) of this section. The valve must be monitored for the first time within 30 days after the end of its startup period to ensure proper installation.~~

~~(ii) If the existing valves in the process unit are monitored in accordance with §60.483–1a or §60.483–2a, count the new valve as leaking when calculating the percentage of valves leaking as described in §60.483–2a(b)(5). If less than 2.0 percent of the valves are leaking for that process unit, the valve must be monitored for the first time during the next scheduled monitoring event for existing valves in the process unit or within 90 days, whichever comes first.~~

~~(b) If an instrument reading of 500 ppm or greater is measured, a leak is detected.~~

~~(c)(1)(i) Any valve for which a leak is not detected for 2 successive months may be monitored the first month of every quarter, beginning with the next quarter, until a leak is detected.~~

~~(ii) As an alternative to monitoring all of the valves in the first month of a quarter, an owner or operator may elect to subdivide the process unit into two or three subgroups of valves and monitor each subgroup in a different month during the quarter, provided each subgroup is monitored every 3 months. The owner or operator must keep records of the valves assigned to each subgroup.~~

~~(2) If a leak is detected, the valve shall be monitored monthly until a leak is not detected for 2 successive months.~~

~~(d)(1) When a leak is detected, it shall be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected, except as provided in §60.482–9a.~~

~~(2) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.~~

~~(e) First attempts at repair include, but are not limited to, the following best practices where practicable:~~

~~(1) Tightening of bonnet bolts;~~

~~(2) Replacement of bonnet bolts;~~

~~(3) Tightening of packing gland nuts;~~

~~(4) Injection of lubricant into lubricated packing.~~

~~(f) Any valve that is designated, as described in §60.486a(e)(2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraph (a) of this section if the valve:~~

~~(1) Has no external actuating mechanism in contact with the process fluid,~~

~~(2) Is operated with emissions less than 500 ppm above background as determined by the method specified in §60.485a(c), and~~

~~(3) Is tested for compliance with paragraph (f)(2) of this section initially upon designation, annually, and at other times requested by the Administrator.~~

~~(g) Any valve that is designated, as described in §60.486a(f)(1), as an unsafe-to-monitor valve is exempt from the requirements of paragraph (a) of this section if:~~

~~(1) The owner or operator of the valve demonstrates that the valve is unsafe to monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (a) of this section, and~~

~~(2) The owner or operator of the valve adheres to a written plan that requires monitoring of the valve as frequently as practicable during safe-to-monitor times.~~

~~(h) Any valve that is designated, as described in §60.486a(f)(2), as a difficult-to-monitor valve is exempt from the requirements of paragraph (a) of this section if:~~

~~(1) The owner or operator of the valve demonstrates that the valve cannot be monitored without elevating the monitoring personnel more than 2 meters above a support surface.~~

~~(2) The process unit within which the valve is located either:~~

~~(i) Becomes an affected facility through §60.14 or §60.15 and was constructed on or before January 5, 1981; or~~

~~(ii) Has less than 3.0 percent of its total number of valves designated as difficult-to-monitor by the owner or operator.~~

~~(3) The owner or operator of the valve follows a written plan that requires monitoring of the valve at least once per calendar year.~~

~~*§ 60.482-8a Standards: Pumps, valves, and connectors in heavy liquid service and pressure relief devices in light liquid or heavy liquid service.*~~

~~(a) If evidence of a potential leak is found by visual, audible, olfactory, or any other detection method at pumps, valves, and connectors in heavy liquid service and pressure relief devices in light liquid or heavy liquid service, the owner or operator shall follow either one of the following procedures:~~

~~(1) The owner or operator shall monitor the equipment within 5 days by the method specified in §60.485a(b) and shall comply with the requirements of paragraphs (b) through (d) of this section.~~

~~(2) The owner or operator shall eliminate the visual, audible, olfactory, or other indication of a potential leak within 5 calendar days of detection.~~

~~(b) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.~~

~~(c)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §60.482-9a.~~

~~(2) The first attempt at repair shall be made no later than 5 calendar days after each leak is detected.~~

~~(d) First attempts at repair include, but are not limited to, the best practices described under §§60.482-2a(c)(2) and 60.482-7a(e).~~

~~*§ 60.482-9a Standards: Delay of repair.*~~

~~(a) Delay of repair of equipment for which leaks have been detected will be allowed if repair within 15 days is technically infeasible without a process unit shutdown. Repair of this equipment shall occur before the~~

~~end of the next process unit shutdown. Monitoring to verify repair must occur within 15 days after startup of the process unit.~~

~~(b) Delay of repair of equipment will be allowed for equipment which is isolated from the process and which does not remain in VOC service.~~

~~(c) Delay of repair for valves and connectors will be allowed if:~~

~~(1) The owner or operator demonstrates that emissions of purged material resulting from immediate repair are greater than the fugitive emissions likely to result from delay of repair, and~~

~~(2) When repair procedures are effected, the purged material is collected and destroyed or recovered in a control device complying with §60.482–10a.~~

~~(d) Delay of repair for pumps will be allowed if:~~

~~(1) Repair requires the use of a dual mechanical seal system that includes a barrier fluid system, and~~

~~(2) Repair is completed as soon as practicable, but not later than 6 months after the leak was detected.~~

~~(e) Delay of repair beyond a process unit shutdown will be allowed for a valve, if valve assembly replacement is necessary during the process unit shutdown, valve assembly supplies have been depleted, and valve assembly supplies had been sufficiently stocked before the supplies were depleted. Delay of repair beyond the next process unit shutdown will not be allowed unless the next process unit shutdown occurs sooner than 6 months after the first process unit shutdown.~~

~~(f) When delay of repair is allowed for a leaking pump, valve, or connector that remains in service, the pump, valve, or connector may be considered to be repaired and no longer subject to delay of repair requirements if two consecutive monthly monitoring instrument readings are below the leak definition.~~

~~*§ 60.482-10a Standards: Closed vent systems and control devices.*~~

~~(a) Owners or operators of closed vent systems and control devices used to comply with provisions of this subpart shall comply with the provisions of this section.~~

~~(b) Vapor recovery systems (for example, condensers and absorbers) shall be designed and operated to recover the VOC emissions vented to them with an efficiency of 95 percent or greater, or to an exit concentration of 20 parts per million by volume (ppmv), whichever is less stringent.~~

~~(c) Enclosed combustion devices shall be designed and operated to reduce the VOC emissions vented to them with an efficiency of 95 percent or greater, or to an exit concentration of 20 ppmv, on a dry basis, corrected to 3 percent oxygen, whichever is less stringent or to provide a minimum residence time of 0.75 seconds at a minimum temperature of 816 °C.~~

~~(d) Flares used to comply with this subpart shall comply with the requirements of §60.18.~~

~~(e) Owners or operators of control devices used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs.~~

~~(f) Except as provided in paragraphs (i) through (k) of this section, each closed vent system shall be inspected according to the procedures and schedule specified in paragraphs (f)(1) and (2) of this section.~~

~~(1) If the vapor collection system or closed vent system is constructed of hard-piping, the owner or operator shall comply with the requirements specified in paragraphs (f)(1)(i) and (ii) of this section:~~

~~(i) Conduct an initial inspection according to the procedures in §60.485a(b); and~~

~~(ii) Conduct annual visual inspections for visible, audible, or olfactory indications of leaks.~~

~~(2) If the vapor collection system or closed vent system is constructed of ductwork, the owner or operator shall:~~

~~(i) Conduct an initial inspection according to the procedures in §60.485a(b); and~~

~~(ii) Conduct annual inspections according to the procedures in §60.485a(b).~~

~~(g) Leaks, as indicated by an instrument reading greater than 500 ppmv above background or by visual inspections, shall be repaired as soon as practicable except as provided in paragraph (h) of this section.~~

~~(1) A first attempt at repair shall be made no later than 5 calendar days after the leak is detected.~~

~~(2) Repair shall be completed no later than 15 calendar days after the leak is detected.~~

~~(h) Delay of repair of a closed vent system for which leaks have been detected is allowed if the repair is technically infeasible without a process unit shutdown or if the owner or operator determines that emissions resulting from immediate repair would be greater than the fugitive emissions likely to result from delay of repair. Repair of such equipment shall be complete by the end of the next process unit shutdown.~~

~~(i) If a vapor collection system or closed vent system is operated under a vacuum, it is exempt from the inspection requirements of paragraphs (f)(1)(i) and (f)(2) of this section.~~

~~(j) Any parts of the closed vent system that are designated, as described in paragraph (l)(1) of this section, as unsafe to inspect are exempt from the inspection requirements of paragraphs (f)(1)(i) and (f)(2) of this section if they comply with the requirements specified in paragraphs (j)(1) and (2) of this section:~~

~~(1) The owner or operator determines that the equipment is unsafe to inspect because inspecting personnel would be exposed to an imminent or potential danger as a consequence of complying with paragraphs (f)(1)(i) or (f)(2) of this section; and~~

~~(2) The owner or operator has a written plan that requires inspection of the equipment as frequently as practicable during safe-to-inspect times.~~

~~(k) Any parts of the closed vent system that are designated, as described in paragraph (l)(2) of this section, as difficult to inspect are exempt from the inspection requirements of paragraphs (f)(1)(i) and (f)(2) of this section if they comply with the requirements specified in paragraphs (k)(1) through (3) of this section:~~

~~(1) The owner or operator determines that the equipment cannot be inspected without elevating the inspecting personnel more than 2 meters above a support surface; and~~

~~(2) The process unit within which the closed vent system is located becomes an affected facility through §§60.14 or 60.15, or the owner or operator designates less than 3.0 percent of the total number of closed vent system equipment as difficult to inspect; and~~

~~(3) The owner or operator has a written plan that requires inspection of the equipment at least once every 5 years. A closed vent system is exempt from inspection if it is operated under a vacuum.~~

~~(l) The owner or operator shall record the information specified in paragraphs (l)(1) through (5) of this section.~~

~~(1) Identification of all parts of the closed vent system that are designated as unsafe to inspect, an explanation of why the equipment is unsafe to inspect, and the plan for inspecting the equipment.~~

~~(2) Identification of all parts of the closed vent system that are designated as difficult to inspect, an explanation of why the equipment is difficult to inspect, and the plan for inspecting the equipment.~~

~~(3) For each inspection during which a leak is detected, a record of the information specified in §60.486a(c).~~

~~(4) For each inspection conducted in accordance with §60.485a(b) during which no leaks are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected.~~

~~(5) For each visual inspection conducted in accordance with paragraph (f)(1)(ii) of this section during which no leaks are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected.~~

~~(m) Closed vent systems and control devices used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.~~

~~*§ 60.482-11a Standards: Connectors in gas/vapor service and in light liquid service.*~~

~~(a) The owner or operator shall initially monitor all connectors in the process unit for leaks by the later of either 12 months after the compliance date or 12 months after initial startup. If all connectors in the process unit have been monitored for leaks prior to the compliance date, no initial monitoring is required provided either no process changes have been made since the monitoring or the owner or operator can determine that the results of the monitoring, with or without adjustments, reliably demonstrate compliance despite process changes. If required to monitor because of a process change, the owner or operator is required to monitor only those connectors involved in the process change.~~

~~(b) Except as allowed in §60.482–1a(c), §60.482–10a, or as specified in paragraph (e) of this section, the owner or operator shall monitor all connectors in gas and vapor and light liquid service as specified in paragraphs (a) and (b)(3) of this section.~~

~~(1) The connectors shall be monitored to detect leaks by the method specified in §60.485a(b) and, as applicable, §60.485a(c).~~

~~(2) If an instrument reading greater than or equal to 500 ppm is measured, a leak is detected.~~

~~(3) The owner or operator shall perform monitoring, subsequent to the initial monitoring required in paragraph (a) of this section, as specified in paragraphs (b)(3)(i) through (iii) of this section, and shall comply with the requirements of paragraphs (b)(3)(iv) and (v) of this section. The required period in which monitoring must be conducted shall be determined from paragraphs (b)(3)(i) through (iii) of this section using the monitoring results from the preceding monitoring period. The percent leaking connectors shall be calculated as specified in paragraph (c) of this section.~~

~~(i) If the percent leaking connectors in the process unit was greater than or equal to 0.5 percent, then monitor within 12 months (1 year).~~

~~(ii) If the percent leaking connectors in the process unit was greater than or equal to 0.25 percent but less than 0.5 percent, then monitor within 4 years. An owner or operator may comply with the requirements of this paragraph by monitoring at least 40 percent of the connectors within 2 years of the start of the monitoring period, provided all connectors have been monitored by the end of the 4-year monitoring period.~~

~~(iii) If the percent leaking connectors in the process unit was less than 0.25 percent, then monitor as provided in paragraph (b)(3)(iii)(A) of this section and either paragraph (b)(3)(iii)(B) or (b)(3)(iii)(C) of this section, as appropriate.~~

~~(A) An owner or operator shall monitor at least 50 percent of the connectors within 4 years of the start of the monitoring period.~~

~~(B) If the percent of leaking connectors calculated from the monitoring results in paragraph (b)(3)(iii)(A) of this section is greater than or equal to 0.35 percent of the monitored connectors, the owner or operator~~

~~shall monitor as soon as practical, but within the next 6 months, all connectors that have not yet been monitored during the monitoring period. At the conclusion of monitoring, a new monitoring period shall be started pursuant to paragraph (b)(3) of this section, based on the percent of leaking connectors within the total monitored connectors.~~

~~(C) If the percent of leaking connectors calculated from the monitoring results in paragraph (b)(3)(iii)(A) of this section is less than 0.35 percent of the monitored connectors, the owner or operator shall monitor all connectors that have not yet been monitored within 8 years of the start of the monitoring period.~~

~~(iv) If, during the monitoring conducted pursuant to paragraphs (b)(3)(i) through (iii) of this section, a connector is found to be leaking, it shall be re-monitored once within 90 days after repair to confirm that it is not leaking.~~

~~(v) The owner or operator shall keep a record of the start date and end date of each monitoring period under this section for each process unit.~~

~~(c) For use in determining the monitoring frequency, as specified in paragraphs (a) and (b)(3) of this section, the percent leaking connectors as used in paragraphs (a) and (b)(3) of this section shall be calculated by using the following equation:~~

$\%C_L = C_L / C_t * 100$

~~Where:~~

$\%C_L$ ~~= Percent of leaking connectors as determined through periodic monitoring required in paragraphs (a) and (b)(3)(i) through (iii) of this section.~~

C_L ~~= Number of connectors measured at 500 ppm or greater, by the method specified in §60.485a(b).~~

C_t ~~= Total number of monitored connectors in the process unit or affected facility.~~

~~(d) When a leak is detected pursuant to paragraphs (a) and (b) of this section, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §60.482–9a. A first attempt at repair as defined in this subpart shall be made no later than 5 calendar days after the leak is detected.~~

~~(e) Any connector that is designated, as described in §60.486a(f)(1), as an unsafe-to-monitor connector is exempt from the requirements of paragraphs (a) and (b) of this section if:~~

~~(1) The owner or operator of the connector demonstrates that the connector is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraphs (a) and (b) of this section; and~~

~~(2) The owner or operator of the connector has a written plan that requires monitoring of the connector as frequently as practicable during safe-to-monitor times but not more frequently than the periodic monitoring schedule otherwise applicable, and repair of the equipment according to the procedures in paragraph (d) of this section if a leak is detected.~~

~~(f) *Inaccessible, ceramic, or ceramic-lined connectors* . (1) Any connector that is inaccessible or that is ceramic or ceramic-lined (e.g., porcelain, glass, or glass-lined), is exempt from the monitoring requirements of paragraphs (a) and (b) of this section, from the leak repair requirements of paragraph (d) of this section, and from the recordkeeping and reporting requirements of §§63.1038 and 63.1039. An inaccessible connector is one that meets any of the provisions specified in paragraphs (f)(1)(i) through (vi) of this section, as applicable:~~

~~(i) Buried;~~

~~(ii) Insulated in a manner that prevents access to the connector by a monitor probe;~~

~~(iii) Obstructed by equipment or piping that prevents access to the connector by a monitor probe;~~

~~(iv) Unable to be reached from a wheeled scissor-lift or hydraulic-type scaffold that would allow access to connectors up to 7.6 meters (25 feet) above the ground;~~

~~(v) Inaccessible because it would require elevating the monitoring personnel more than 2 meters (7 feet) above a permanent support surface or would require the erection of scaffold; or~~

~~(vi) Not able to be accessed at any time in a safe manner to perform monitoring. Unsafe access includes, but is not limited to, the use of a wheeled scissor-lift on unstable or uneven terrain, the use of a motorized man-lift basket in areas where an ignition potential exists, or access would require near proximity to hazards such as electrical lines, or would risk damage to equipment.~~

~~(2) If any inaccessible, ceramic, or ceramic-lined connector is observed by visual, audible, olfactory, or other means to be leaking, the visual, audible, olfactory, or other indications of a leak to the atmosphere shall be eliminated as soon as practical.~~

~~(g) Except for instrumentation systems and inaccessible, ceramic, or ceramic-lined connectors meeting the provisions of paragraph (f) of this section, identify the connectors subject to the requirements of this subpart. Connectors need not be individually identified if all connectors in a designated area or length of pipe subject to the provisions of this subpart are identified as a group, and the number of connectors subject is indicated.~~

~~Effective Date Note: At 73 FR 31376, June 2, 2008, §60.482–11a was stayed until further notice.~~

~~§ 60.483-1a Alternative standards for valves—allowable percentage of valves leaking.~~

~~(a) An owner or operator may elect to comply with an allowable percentage of valves leaking of equal to or less than 2.0 percent.~~

~~(b) The following requirements shall be met if an owner or operator wishes to comply with an allowable percentage of valves leaking:~~

~~(1) An owner or operator must notify the Administrator that the owner or operator has elected to comply with the allowable percentage of valves leaking before implementing this alternative standard, as specified in §60.487a(d).~~

~~(2) A performance test as specified in paragraph (c) of this section shall be conducted initially upon designation, annually, and at other times requested by the Administrator.~~

~~(3) If a valve leak is detected, it shall be repaired in accordance with §60.482–7a(d) and (e).~~

~~(c) Performance tests shall be conducted in the following manner:~~

~~(1) All valves in gas/vapor and light liquid service within the affected facility shall be monitored within 1 week by the methods specified in §60.485a(b).~~

~~(2) If an instrument reading of 500 ppm or greater is measured, a leak is detected.~~

~~(3) The leak percentage shall be determined by dividing the number of valves for which leaks are detected by the number of valves in gas/vapor and light liquid service within the affected facility.~~

~~(d) Owners and operators who elect to comply with this alternative standard shall not have an affected facility with a leak percentage greater than 2.0 percent, determined as described in §60.485a(h).~~

~~§ 60.483-2a Alternative standards for valves—skip period leak detection and repair.~~

~~(a)(1) An owner or operator may elect to comply with one of the alternative work practices specified in paragraphs (b)(2) and (3) of this section.~~

~~(2) An owner or operator must notify the Administrator before implementing one of the alternative work practices, as specified in §60.487(d)a.~~

~~(b)(1) An owner or operator shall comply initially with the requirements for valves in gas/vapor service and valves in light liquid service, as described in §60.482–7a.~~

~~(2) After 2 consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, an owner or operator may begin to skip 1 of the quarterly leak detection periods for the valves in gas/vapor and light liquid service.~~

~~(3) After 5 consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, an owner or operator may begin to skip 3 of the quarterly leak detection periods for the valves in gas/vapor and light liquid service.~~

~~(4) If the percent of valves leaking is greater than 2.0, the owner or operator shall comply with the requirements as described in §60.482–7a but can again elect to use this section.~~

~~(5) The percent of valves leaking shall be determined as described in §60.485a(h).~~

~~(6) An owner or operator must keep a record of the percent of valves found leaking during each leak detection period.~~

~~(7) A valve that begins operation in gas/vapor service or light liquid service after the initial startup date for a process unit following one of the alternative standards in this section must be monitored in accordance with §60.482–7a(a)(2)(i) or (ii) before the provisions of this section can be applied to that valve.~~

~~*§ 60.484a – Equivalence of means of emission limitation.*~~

~~(a) Each owner or operator subject to the provisions of this subpart may apply to the Administrator for determination of equivalence for any means of emission limitation that achieves a reduction in emissions of VOC at least equivalent to the reduction in emissions of VOC achieved by the controls required in this subpart.~~

~~(b) Determination of equivalence to the equipment, design, and operational requirements of this subpart will be evaluated by the following guidelines:~~

~~(1) Each owner or operator applying for an equivalence determination shall be responsible for collecting and verifying test data to demonstrate equivalence of means of emission limitation.~~

~~(2) The Administrator will compare test data for demonstrating equivalence of the means of emission limitation to test data for the equipment, design, and operational requirements.~~

~~(3) The Administrator may condition the approval of equivalence on requirements that may be necessary to assure operation and maintenance to achieve the same emission reduction as the equipment, design, and operational requirements.~~

~~(c) Determination of equivalence to the required work practices in this subpart will be evaluated by the following guidelines:~~

~~(1) Each owner or operator applying for a determination of equivalence shall be responsible for collecting and verifying test data to demonstrate equivalence of an equivalent means of emission limitation.~~

~~(2) For each affected facility for which a determination of equivalence is requested, the emission reduction achieved by the required work practice shall be demonstrated.~~

~~(3) For each affected facility, for which a determination of equivalence is requested, the emission reduction achieved by the equivalent means of emission limitation shall be demonstrated.~~

~~(4) Each owner or operator applying for a determination of equivalence shall commit in writing to work practice(s) that provide for emission reductions equal to or greater than the emission reductions achieved by the required work practice.~~

~~(5) The Administrator will compare the demonstrated emission reduction for the equivalent means of emission limitation to the demonstrated emission reduction for the required work practices and will consider the commitment in paragraph (c)(4) of this section.~~

~~(6) The Administrator may condition the approval of equivalence on requirements that may be necessary to assure operation and maintenance to achieve the same emission reduction as the required work practice.~~

~~(d) An owner or operator may offer a unique approach to demonstrate the equivalence of any equivalent means of emission limitation.~~

~~(e)(1) After a request for determination of equivalence is received, the Administrator will publish a notice in theFederal Registerand provide the opportunity for public hearing if the Administrator judges that the request may be approved.~~

~~(2) After notice and opportunity for public hearing, the Administrator will determine the equivalence of a means of emission limitation and will publish the determination in theFederal Register.~~

~~(3) Any equivalent means of emission limitations approved under this section shall constitute a required work practice, equipment, design, or operational standard within the meaning of section 111(h)(1) of the CAA.~~

~~(f)(1) Manufacturers of equipment used to control equipment leaks of VOC may apply to the Administrator for determination of equivalence for any equivalent means of emission limitation that achieves a reduction in emissions of VOC achieved by the equipment, design, and operational requirements of this subpart.~~

~~(2) The Administrator will make an equivalence determination according to the provisions of paragraphs (b), (c), (d), and (e) of this section.~~

~~*§ 60.485a Test methods and procedures.*~~

~~(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).~~

~~(b) The owner or operator shall determine compliance with the standards in §§60.482–1a through 60.482–11a, 60.483a, and 60.484a as follows:~~

~~(1) Method 21 shall be used to determine the presence of leaking sources. The instrument shall be calibrated before use each day of its use by the procedures specified in Method 21 of appendix A–7 of this part. The following calibration gases shall be used:~~

~~(i) Zero air (less than 10 ppm of hydrocarbon in air); and~~

~~(ii) A mixture of methane or n-hexane and air at a concentration no more than 2,000 ppm greater than the leak definition concentration of the equipment monitored. If the monitoring instrument's design allows for multiple calibration scales, then the lower scale shall be calibrated with a calibration gas that is no higher than 2,000 ppm above the concentration specified as a leak, and the highest scale shall be calibrated with a calibration gas that is approximately equal to 10,000 ppm. If only one scale on an instrument will be used during monitoring, the owner or operator need not calibrate the scales that will not be used during that day's monitoring.~~

~~(2) A calibration drift assessment shall be performed, at a minimum, at the end of each monitoring day. Check the instrument using the same calibration gas(es) that were used to calibrate the instrument before~~

~~use. Follow the procedures specified in Method 21 of appendix A–7 of this part, Section 10.1, except do not adjust the meter readout to correspond to the calibration gas value. Record the instrument reading for each scale used as specified in §60.486a(e)(7). Calculate the average algebraic difference between the three meter readings and the most recent calibration value. Divide this algebraic difference by the initial calibration value and multiply by 100 to express the calibration drift as a percentage. If any calibration drift assessment shows a negative drift of more than 10 percent from the initial calibration value, then all equipment monitored since the last calibration with instrument readings below the appropriate leak definition and above the leak definition multiplied by (100 minus the percent of negative drift/divided by 100) must be re-monitored. If any calibration drift assessment shows a positive drift of more than 10 percent from the initial calibration value, then, at the owner/operator's discretion, all equipment since the last calibration with instrument readings above the appropriate leak definition and below the leak definition multiplied by (100 plus the percent of positive drift/divided by 100) may be re-monitored.~~

~~(c) The owner or operator shall determine compliance with the no-detectable-emission standards in §§60.482–2a(e), 60.482–3a(i), 60.482–4a, 60.482–7a(f), and 60.482–10a(e) as follows:~~

~~(1) The requirements of paragraph (b) shall apply.~~

~~(2) Method 21 of appendix A–7 of this part shall be used to determine the background level. All potential leak interfaces shall be traversed as close to the interface as possible. The arithmetic difference between the maximum concentration indicated by the instrument and the background level is compared with 500 ppm for determining compliance.~~

~~(d) The owner or operator shall test each piece of equipment unless he demonstrates that a process unit is not in VOC service, i.e., that the VOC content would never be reasonably expected to exceed 10 percent by weight. For purposes of this demonstration, the following methods and procedures shall be used:~~

~~(1) Procedures that conform to the general methods in ASTM E260–73, 91, or 96, E168–67, 77, or 92, E169–63, 77, or 93 (incorporated by reference—see §60.17) shall be used to determine the percent VOC content in the process fluid that is contained in or contacts a piece of equipment.~~

~~(2) Organic compounds that are considered by the Administrator to have negligible photochemical reactivity may be excluded from the total quantity of organic compounds in determining the VOC content of the process fluid.~~

~~(3) Engineering judgment may be used to estimate the VOC content, if a piece of equipment had not been shown previously to be in service. If the Administrator disagrees with the judgment, paragraphs (d)(1) and (2) of this section shall be used to resolve the disagreement.~~

~~(e) The owner or operator shall demonstrate that a piece of equipment is in light liquid service by showing that all the following conditions apply:~~

~~(1) The vapor pressure of one or more of the organic components is greater than 0.3 kPa at 20 °C (1.2 in. H_2O at 68 °F). Standard reference texts or ASTM D2879–83, 96, or 97 (incorporated by reference—see §60.17) shall be used to determine the vapor pressures.~~

~~(2) The total concentration of the pure organic components having a vapor pressure greater than 0.3 kPa at 20 °C (1.2 in. H_2O at 68 °F) is equal to or greater than 20 percent by weight.~~

~~(3) The fluid is a liquid at operating conditions.~~

~~(f) Samples used in conjunction with paragraphs (d), (e), and (g) of this section shall be representative of the process fluid that is contained in or contacts the equipment or the gas being combusted in the flare.~~

~~(g) The owner or operator shall determine compliance with the standards of flares as follows:~~

~~(1) Method 22 of appendix A–7 of this part shall be used to determine visible emissions.~~

~~(2) A thermocouple or any other equivalent device shall be used to monitor the presence of a pilot flame in the flare.~~

~~(3) The maximum permitted velocity for air assisted flares shall be computed using the following equation:~~

$\cancel{V_{max} = K_1 + K_2 H_T}$

~~Where:~~

~~V_{max}= Maximum permitted velocity, m/sec (ft/sec).~~

~~H_T= Net heating value of the gas being combusted, MJ/scm (Btu/scf).~~

~~K_1= 8.706 m/sec (metric units) = 28.56 ft/sec (English units).~~

~~K_2= 0.7084 m^4 /(MJ-sec) (metric units) = 0.087 ft^4 /(Btu-sec) (English units).~~

~~(4) The net heating value (HT) of the gas being combusted in a flare shall be computed using the following equation:~~

$$\cancel{H_T = K \sum_{i=1}^{n} C_i H_i}$$

~~Where:~~

~~K = Conversion constant, 1.740 × 10^{-7} (g-mole)(MJ)/(ppm-scm-kcal) (metric units) = 4.674 × 10^{-6} [(g-mole)(Btu)/(ppm-scf-kcal)] (English units).~~

~~C_i= Concentration of sample component "i," ppm~~

~~H_i= net heat of combustion of sample component "i" at 25 °C and 760 mm Hg (77 °F and 14.7 psi), kcal/g-mole.~~

~~(5) Method 18 of appendix A–6 of this part or ASTM D6420–99 (2004) (where the target compound(s) are those listed in Section 1.1 of ASTM D6420–99, and the target concentration is between 150 parts per billion by volume and 100 ppmv) and ASTM D2504–67, 77, or 88 (Reapproved 1993) (incorporated by reference-see §60.17) shall be used to determine the concentration of sample component "i."~~

~~(6) ASTM D2382–76 or 88 or D4809–95 (incorporated by reference-see §60.17) shall be used to determine the net heat of combustion of component "i" if published values are not available or cannot be calculated.~~

~~(7) Method 2, 2A, 2C, or 2D of appendix A–7 of this part, as appropriate, shall be used to determine the actual exit velocity of a flare. If needed, the unobstructed (free) cross-sectional area of the flare tip shall be used.~~

~~(h) The owner or operator shall determine compliance with §60.483–1a or §60.483–2a as follows:~~

~~(1) The percent of valves leaking shall be determined using the following equation:~~

$\cancel{\%V_L = (V_L / V_T) * 100}$

~~Where:~~

~~$\%V_L$= Percent leaking valves.~~

~~V_L= Number of valves found leaking.~~

~~V_T= The sum of the total number of valves monitored.~~

~~(2) The total number of valves monitored shall include difficult-to-monitor and unsafe-to-monitor valves only during the monitoring period in which those valves are monitored.~~

~~(3) The number of valves leaking shall include valves for which repair has been delayed.~~

~~(4) Any new valve that is not monitored within 30 days of being placed in service shall be included in the number of valves leaking and the total number of valves monitored for the monitoring period in which the valve is placed in service.~~

~~(5) If the process unit has been subdivided in accordance with §60.482–7a(c)(1)(ii), the sum of valves found leaking during a monitoring period includes all subgroups.~~

~~(6) The total number of valves monitored does not include a valve monitored to verify repair.~~

~~*§ 60.486a Recordkeeping requirements.*~~

~~(a)(1) Each owner or operator subject to the provisions of this subpart shall comply with the recordkeeping requirements of this section.~~

~~(2) An owner or operator of more than one affected facility subject to the provisions of this subpart may comply with the recordkeeping requirements for these facilities in one recordkeeping system if the system identifies each record by each facility.~~

~~(3) The owner or operator shall record the information specified in paragraphs (a)(3)(i) through (v) of this section for each monitoring event required by §§60.482–2a, 60.482–3a, 60.482–7a, 60.482–8a, 60.482–11a, and 60.483–2a.~~

~~(i) Monitoring instrument identification.~~

~~(ii) Operator identification.~~

~~(iii) Equipment identification.~~

~~(iv) Date of monitoring.~~

~~(v) Instrument reading.~~

~~(b) When each leak is detected as specified in §§60.482–2a, 60.482–3a, 60.482–7a, 60.482–8a, 60.482–11a, and 60.483–2a, the following requirements apply:~~

~~(1) A weatherproof and readily visible identification, marked with the equipment identification number, shall be attached to the leaking equipment.~~

~~(2) The identification on a valve may be removed after it has been monitored for 2 successive months as specified in §60.482–7a(c) and no leak has been detected during those 2 months.~~

~~(3) The identification on a connector may be removed after it has been monitored as specified in §60.482–11a(b)(3)(iv) and no leak has been detected during that monitoring.~~

~~(4) The identification on equipment, except on a valve or connector, may be removed after it has been repaired.~~

~~(c) When each leak is detected as specified in §§60.482–2a, 60.482–3a, 60.482–7a, 60.482–8a, 60.482–11a, and 60.483–2a, the following information shall be recorded in a log and shall be kept for 2 years in a readily accessible location:~~

~~(1) The instrument and operator identification numbers and the equipment identification number, except when indications of liquids dripping from a pump are designated as a leak.~~

~~(2) The date the leak was detected and the dates of each attempt to repair the leak.~~

~~(3) Repair methods applied in each attempt to repair the leak.~~

~~(4) Maximum instrument reading measured by Method 21 of appendix A–7 of this part at the time the leak is successfully repaired or determined to be nonrepairable, except when a pump is repaired by eliminating indications of liquids dripping.~~

~~(5) "Repair delayed" and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak.~~

~~(6) The signature of the owner or operator (or designate) whose decision it was that repair could not be effected without a process shutdown.~~

~~(7) The expected date of successful repair of the leak if a leak is not repaired within 15 days.~~

~~(8) Dates of process unit shutdowns that occur while the equipment is unrepaired.~~

~~(9) The date of successful repair of the leak.~~

~~(d) The following information pertaining to the design requirements for closed vent systems and control devices described in §60.482–10a shall be recorded and kept in a readily accessible location:~~

~~(1) Detailed schematics, design specifications, and piping and instrumentation diagrams.~~

~~(2) The dates and descriptions of any changes in the design specifications.~~

~~(3) A description of the parameter or parameters monitored, as required in §60.482–10a(e), to ensure that control devices are operated and maintained in conformance with their design and an explanation of why that parameter (or parameters) was selected for the monitoring.~~

~~(4) Periods when the closed vent systems and control devices required in §§60.482–2a, 60.482–3a, 60.482–4a, and 60.482–5a are not operated as designed, including periods when a flare pilot light does not have a flame.~~

~~(5) Dates of startups and shutdowns of the closed vent systems and control devices required in §§60.482–2a, 60.482–3a, 60.482–4a, and 60.482–5a.~~

~~(e) The following information pertaining to all equipment subject to the requirements in §§60.482–1a to 60.482–11a shall be recorded in a log that is kept in a readily accessible location:~~

~~(1) A list of identification numbers for equipment subject to the requirements of this subpart.~~

~~(2)(i) A list of identification numbers for equipment that are designated for no detectable emissions under the provisions of §§60.482–2a(e), 60.482–3a(i), and 60.482–7a(f).~~

~~(ii) The designation of equipment as subject to the requirements of §60.482–2a(e), §60.482–3a(i), or §60.482–7a(f) shall be signed by the owner or operator. Alternatively, the owner or operator may establish a mechanism with their permitting authority that satisfies this requirement.~~

~~(3) A list of equipment identification numbers for pressure relief devices required to comply with §60.482–4a.~~

~~(4)(i) The dates of each compliance test as required in §§60.482–2a(e), 60.482–3a(i), 60.482–4a, and 60.482–7a(f).~~

~~(ii) The background level measured during each compliance test.~~

~~(iii) The maximum instrument reading measured at the equipment during each compliance test.~~

~~(5) A list of identification numbers for equipment in vacuum service.~~

~~(6) A list of identification numbers for equipment that the owner or operator designates as operating in VOC service less than 300 hr/yr in accordance with §60.482–1a(e), a description of the conditions under which the equipment is in VOC service, and rationale supporting the designation that it is in VOC service less than 300 hr/yr.~~

~~(7) The date and results of the weekly visual inspection for indications of liquids dripping from pumps in light liquid service.~~

~~(8) Records of the information specified in paragraphs (e)(8)(i) through (vi) of this section for monitoring instrument calibrations conducted according to sections 8.1.2 and 10 of Method 21 of appendix A–7 of this part and §60.485a(b).~~

~~(i) Date of calibration and initials of operator performing the calibration.~~

~~(ii) Calibration gas cylinder identification, certification date, and certified concentration.~~

~~(iii) Instrument scale(s) used.~~

~~(iv) A description of any corrective action taken if the meter readout could not be adjusted to correspond to the calibration gas value in accordance with section 10.1 of Method 21 of appendix A–7 of this part.~~

~~(v) Results of each calibration drift assessment required by §60.485a(b)(2) (i.e., instrument reading for calibration at end of monitoring day and the calculated percent difference from the initial calibration value).~~

~~(vi) If an owner or operator makes their own calibration gas, a description of the procedure used.~~

~~(9) The connector monitoring schedule for each process unit as specified in §60.482–11a(b)(3)(v).~~

~~(10) Records of each release from a pressure relief device subject to §60.482–4a.~~

~~(f) The following information pertaining to all valves subject to the requirements of §60.482–7a(g) and (h), all pumps subject to the requirements of §60.482–2a(g), and all connectors subject to the requirements of §60.482–11a(e) shall be recorded in a log that is kept in a readily accessible location:~~

~~(1) A list of identification numbers for valves, pumps, and connectors that are designated as unsafe-to-monitor, an explanation for each valve, pump, or connector stating why the valve, pump, or connector is unsafe-to-monitor, and the plan for monitoring each valve, pump, or connector.~~

~~(2) A list of identification numbers for valves that are designated as difficult-to-monitor, an explanation for each valve stating why the valve is difficult-to-monitor, and the schedule for monitoring each valve.~~

~~(g) The following information shall be recorded for valves complying with §60.483–2a:~~

~~(1) A schedule of monitoring.~~

~~(2) The percent of valves found leaking during each monitoring period.~~

~~(h) The following information shall be recorded in a log that is kept in a readily accessible location:~~

~~(1) Design criterion required in §§60.482–2a(d)(5) and 60.482–3a(e)(2) and explanation of the design criterion; and~~

~~(2) Any changes to this criterion and the reasons for the changes.~~

~~(i) The following information shall be recorded in a log that is kept in a readily accessible location for use in determining exemptions as provided in §60.480a(d):~~

~~(1) An analysis demonstrating the design capacity of the affected facility,~~

~~(2) A statement listing the feed or raw materials and products from the affected facilities and an analysis demonstrating whether these chemicals are heavy liquids or beverage alcohol, and~~

~~(3) An analysis demonstrating that equipment is not in VOC service.~~

~~(j) Information and data used to demonstrate that a piece of equipment is not in VOC service shall be recorded in a log that is kept in a readily accessible location.~~

~~(k) The provisions of §60.7(b) and (d) do not apply to affected facilities subject to this subpart.~~

~~*§ 60.487a Reporting requirements.*~~

~~(a) Each owner or operator subject to the provisions of this subpart shall submit semiannual reports to the Administrator beginning 6 months after the initial startup date.~~

~~(b) The initial semiannual report to the Administrator shall include the following information:~~

~~(1) Process unit identification.~~

~~(2) Number of valves subject to the requirements of §60.482–7a, excluding those valves designated for no detectable emissions under the provisions of §60.482–7a(f).~~

~~(3) Number of pumps subject to the requirements of §60.482–2a, excluding those pumps designated for no detectable emissions under the provisions of §60.482–2a(e) and those pumps complying with §60.482–2a(f).~~

~~(4) Number of compressors subject to the requirements of §60.482–3a, excluding those compressors designated for no detectable emissions under the provisions of §60.482–3a(i) and those compressors complying with §60.482–3a(h).~~

~~(5) Number of connectors subject to the requirements of §60.482–11a.~~

~~(c) All semiannual reports to the Administrator shall include the following information, summarized from the information in §60.486a:~~

~~(1) Process unit identification.~~

~~(2) For each month during the semiannual reporting period,~~

~~(i) Number of valves for which leaks were detected as described in §60.482–7a(b) or §60.483–2a,~~

~~(ii) Number of valves for which leaks were not repaired as required in §60.482–7a(d)(1),~~

~~(iii) Number of pumps for which leaks were detected as described in §60.482–2a(b), (d)(4)(ii)(A) or (B), or (d)(5)(iii),~~

~~(iv) Number of pumps for which leaks were not repaired as required in §60.482–2a(c)(1) and (d)(6),~~

~~(v) Number of compressors for which leaks were detected as described in §60.482–3a(f),~~

~~(vi) Number of compressors for which leaks were not repaired as required in §60.482–3a(g)(1),~~

~~(vii) Number of connectors for which leaks were detected as described in §60.482–11a(b)~~

~~(viii) Number of connectors for which leaks were not repaired as required in §60.482–11a(d), and~~

~~(ix)–(x) [Reserved]~~

~~(xi) The facts that explain each delay of repair and, where appropriate, why a process unit shutdown was technically infeasible.~~

~~(3) Dates of process unit shutdowns which occurred within the semiannual reporting period.~~

~~(4) Revisions to items reported according to paragraph (b) of this section if changes have occurred since the initial report or subsequent revisions to the initial report.~~

~~(d) An owner or operator electing to comply with the provisions of §§60.483–1a or 60.483–2a shall notify the Administrator of the alternative standard selected 90 days before implementing either of the provisions.~~

~~(e) An owner or operator shall report the results of all performance tests in accordance with §60.8 of the General Provisions. The provisions of §60.8(d) do not apply to affected facilities subject to the provisions of this subpart except that an owner or operator must notify the Administrator of the schedule for the initial performance tests at least 30 days before the initial performance tests.~~

~~(f) The requirements of paragraphs (a) through (c) of this section remain in force until and unless EPA, in delegating enforcement authority to a state under section 111(c) of the CAA, approves reporting requirements or an alternative means of compliance surveillance adopted by such state. In that event, affected sources within the state will be relieved of the obligation to comply with the requirements of paragraphs (a) through (c) of this section, provided that they comply with the requirements established by the state.~~

~~*§ 60.488a Reconstruction.*~~

~~For the purposes of this subpart:~~

~~(a) The cost of the following frequently replaced components of the facility shall not be considered in calculating either the "fixed capital cost of the new components" or the "fixed capital costs that would be required to construct a comparable new facility" under §60.15: Pump seals, nuts and bolts, rupture disks, and packings.~~

~~(b) Under §60.15, the "fixed capital cost of new components" includes the fixed capital cost of all depreciable components (except components specified in §60.488a(a)) which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 2-year period following the applicability date for the appropriate subpart. (See the "Applicability and designation of affected facility" section of the appropriate subpart.) For purposes of this paragraph, "commenced" means that an owner or operator has undertaken a continuous program of component replacement or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of component replacement.~~

~~*§ 60.489a List of chemicals produced by affected facilities.*~~

~~Process units that produce, as intermediates or final products, chemicals listed in §60.489 are covered under this subpart. The applicability date for process units producing one or more of these chemicals is November 8, 2006.~~

...

E.2.2 Standard of Performance for Industrial-Commercial-Institutional Steam Generating Units Requirements [40 CFR Part 60, Subpart Db] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart Db, the Permittee shall comply with the provisions of Standard of Performance for Industrial-Commercial-Institutional Steam Generating Units, which

are incorporated by reference as 326 IAC 12, for boilers EU027 and EU028 as specified as follows:

(1) 40 CFR 60.40b
(2) 40 CFR 60.41b
(3) 40 CFR 60.44b(a), (h) and (i)
(4) 40 CFR 60.46b(a)
(5) 40 CFR 60.46b(c)
(6) 40 CFR 60.46b(e)(1)
(7) 40 CFR 60.48b(b)
(8) 40 CFR 60.48b(b)(1)
(9) 40 CFR 60.48b(c)
(10) 40 CFR 60.48b(d)
(11) 40 CFR 60.48b(e)(2)
(12) 40 CFR 60.48b(f)
(13) 40 CFR 60.48b(g)(2)
(14) 40 CFR 60.49(a)(1) and (3)
(15) 40 CFR 60.49b(b)
(16) 40 CFR 60.49b(c)
(17) 40 CFR 60.49b(d)
(18) 40 CFR 60.49b(g)(1-10)
(19) 40 CFR 60.49b(v)
(20) 40 CFR 60.49b(w)

~~*Subpart Db—Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units*~~

~~Source: 72 FR 32742, June 13, 2007, unless otherwise noted.~~

~~*§ 60.40b Applicability and delegation of authority.*~~

~~(a) The affected facility to which this subpart applies is each steam generating unit that commences construction, modification, or reconstruction after June 19, 1984, and that has a heat input capacity from fuels combusted in the steam generating unit of greater than 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/hr)).~~

~~(b) Any affected facility meeting the applicability requirements under paragraph (a) of this section and commencing construction, modification, or reconstruction after June 19, 1984, but on or before June 19, 1986, is subject to the following standards:~~

~~(1) Coal-fired affected facilities having a heat input capacity between 29 and 73 MW (100 and 250 MMBtu/hr), inclusive, are subject to the particulate matter (PM) and nitrogen oxides (NO_X) standards under this subpart.~~

~~(2) Coal-fired affected facilities having a heat input capacity greater than 73 MW (250 MMBtu/hr) and meeting the applicability requirements under subpart D (Standards of performance for fossil-fuel-fired steam generators; §60.40) are subject to the PM and NO_X standards under this subpart and to the sulfur dioxide (SO_2) standards under subpart D (§60.43).~~

~~(3) Oil-fired affected facilities having a heat input capacity between 29 and 73 MW (100 and 250 MMBtu/hr), inclusive, are subject to the NO_X standards under this subpart.~~

~~(4) Oil-fired affected facilities having a heat input capacity greater than 73 MW (250 MMBtu/hr) and meeting the applicability requirements under subpart D (Standards of performance for fossil-fuel-fired steam generators; §60.40) are also subject to the NO_X standards under this subpart and the PM and SO_2standards under subpart D (§60.42 and §60.43).~~

~~(c) Affected facilities that also meet the applicability requirements under subpart J (Standards of performance for petroleum refineries; §60.104) are subject to the PM and NO_x standards under this subpart and the SO_2 standards under subpart J (§60.104).~~

~~(d) Affected facilities that also meet the applicability requirements under subpart E (Standards of performance for incinerators; §60.50) are subject to the NO_x and PM standards under this subpart.~~

~~(e) Steam generating units meeting the applicability requirements under subpart Da (Standards of performance for electric utility steam generating units; §60.40Da) are not subject to this subpart.~~

~~(f) Any change to an existing steam generating unit for the sole purpose of combusting gases containing total reduced sulfur (TRS) as defined under §60.281 is not considered a modification under §60.14 and the steam generating unit is not subject to this subpart.~~

~~(g) In delegating implementation and enforcement authority to a State under section 111(c) of the Clean Air Act, the following authorities shall be retained by the Administrator and not transferred to a State.~~

~~(1) Section 60.44b(f).~~

~~(2) Section 60.44b(g).~~

~~(3) Section 60.49b(a)(4).~~

~~(h) Any affected facility that meets the applicability requirements and is subject to subpart Ea, subpart Eb, or subpart AAAA of this part is not covered by this subpart.~~

~~(i) Heat recovery steam generators that are associated with combined cycle gas turbines and that meet the applicability requirements of subpart GG or KKKK of this part are not subject to this subpart. This subpart will continue to apply to all other heat recovery steam generators that are capable of combusting more than 29 MW (100 MMBtu/hr) heat input of fossil fuel. If the heat recovery steam generator is subject to this subpart, only emissions resulting from combustion of fuels in the steam generating unit are subject to this subpart. (The gas turbine emissions are subject to subpart GG or KKKK, as applicable, of this part.)~~

~~(j) Any affected facility meeting the applicability requirements under paragraph (a) of this section and commencing construction, modification, or reconstruction after June 19, 1986 is not subject to subpart D (Standards of Performance for Fossil-Fuel-Fired Steam Generators, §60.40).~~

~~(k) Any affected facility that meets the applicability requirements and is subject to an EPA approved State or Federal section 111(d)/129 plan implementing subpart Cb or subpart BBBB of this part is not covered by this subpart.~~

~~*§ 60.41b Definitions.*~~

~~As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act and in subpart A of this part.~~

~~*Annual capacity factor* means the ratio between the actual heat input to a steam generating unit from the fuels listed in §60.42b(a), §60.43b(a), or §60.44b(a), as applicable, during a calendar year and the potential heat input to the steam generating unit had it been operated for 8,760 hours during a calendar year at the maximum steady state design heat input capacity. In the case of steam generating units that are rented or leased, the actual heat input shall be determined based on the combined heat input from all operations of the affected facility in a calendar year.~~

~~*Byproduct/waste* means any liquid or gaseous substance produced at chemical manufacturing plants, petroleum refineries, or pulp and paper mills (except natural gas, distillate oil, or residual oil) and combusted in a steam generating unit for heat recovery or for disposal. Gaseous substances with carbon dioxide (CO_2) levels greater than 50 percent or carbon monoxide levels greater than 10 percent are not byproduct/waste for the purpose of this subpart.~~

~~*Chemical manufacturing plants* mean industrial plants that are classified by the Department of Commerce under Standard Industrial Classification (SIC) Code 28.~~

~~*Coal* means all solid fuels classified as anthracite, bituminous, subbituminous, or lignite by the American Society of Testing and Materials in ASTM D388 (incorporated by reference, see §60.17), coal refuse, and petroleum coke. Coal-derived synthetic fuels, including but not limited to solvent refined coal, gasified coal, coal-oil mixtures, coke oven gas, and coal water mixtures, are also included in this definition for the purposes of this subpart.~~

~~*Coal refuse* means any byproduct of coal mining or coal cleaning operations with an ash content greater than 50 percent, by weight, and a heating value less than 13,900 kJ/kg (6,000 Btu/lb) on a dry basis.~~

~~*Cogeneration* , also known as combined heat and power, means a facility that simultaneously produces both electric (or mechanical) and useful thermal energy from the same primary energy source.~~

~~*Coke oven gas* means the volatile constituents generated in the gaseous exhaust during the carbonization of bituminous coal to form coke.~~

~~*Combined cycle system* means a system in which a separate source, such as a gas turbine, internal combustion engine, kiln, etc., provides exhaust gas to a steam generating unit.~~

~~*Conventional technology* means wet flue gas desulfurization (FGD) technology, dry FGD technology, atmospheric fluidized bed combustion technology, and oil hydrodesulfurization technology.~~

~~*Distillate oil* means fuel oils that contain 0.05 weight percent nitrogen or less and comply with the specifications for fuel oil numbers 1 and 2, as defined by the American Society of Testing and Materials in ASTM D396 (incorporated by reference, see §60.17).~~

~~*Dry flue gas desulfurization technology* means a SO_2control system that is located downstream of the steam generating unit and removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline reagent and water, whether introduced separately or as a premixed slurry or solution and forming a dry powder material. This definition includes devices where the dry powder material is subsequently converted to another form. Alkaline slurries or solutions used in dry flue gas desulfurization technology include but are not limited to lime and sodium.~~

~~*Duct burner* means a device that combusts fuel and that is placed in the exhaust duct from another source, such as a stationary gas turbine, internal combustion engine, kiln, etc., to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a steam generating unit.~~

~~*Emerging technology* means any SO_2control system that is not defined as a conventional technology under this section, and for which the owner or operator of the facility has applied to the Administrator and received approval to operate as an emerging technology under §60.49b(a)(4).~~

~~*Federally enforceable* means all limitations and conditions that are enforceable by the Administrator, including the requirements of 40 CFR parts 60 and 61, requirements within any applicable State Implementation Plan, and any permit requirements established under 40 CFR 52.21 or under 40 CFR 51.18 and 51.24.~~

~~*Fluidized bed combustion technology* means combustion of fuel in a bed or series of beds (including but not limited to bubbling bed units and circulating bed units) of limestone aggregate (or other sorbent materials) in which these materials are forced upward by the flow of combustion air and the gaseous products of combustion.~~

~~*Fuel pretreatment* means a process that removes a portion of the sulfur in a fuel before combustion of the fuel in a steam generating unit.~~

~~*Full capacity* means operation of the steam generating unit at 90 percent or more of the maximum steady-state design heat input capacity.~~

~~*Gaseous fuel* means any fuel that is present as a gas at ISO conditions.~~

~~*Gross output* means the gross useful work performed by the steam generated. For units generating only electricity, the gross useful work performed is the gross electrical output from the turbine/generator set. For cogeneration units, the gross useful work performed is the gross electrical or mechanical output plus 75 percent of the useful thermal output measured relative to ISO conditions that is not used to generate additional electrical or mechanical output (i.e., steam delivered to an industrial process).~~

~~*Heat input* means heat derived from combustion of fuel in a steam generating unit and does not include the heat derived from preheated combustion air, recirculated flue gases, or exhaust gases from other sources, such as gas turbines, internal combustion engines, kilns, etc.~~

~~*Heat release rate* means the steam generating unit design heat input capacity (in MW or Btu/hr) divided by the furnace volume (in cubic meters or cubic feet); the furnace volume is that volume bounded by the front furnace wall where the burner is located, the furnace side waterwall, and extending to the level just below or in front of the first row of convection pass tubes.~~

~~*Heat transfer medium* means any material that is used to transfer heat from one point to another point.~~

~~*High heat release rate* means a heat release rate greater than 730,000 J/sec-m^3 (70,000 Btu/hr-ft^3).~~

~~*ISO Conditions* means a temperature of 288 Kelvin, a relative humidity of 60 percent, and a pressure of 101.3 kilopascals.~~

~~*Lignite* means a type of coal classified as lignite A or lignite B by the American Society of Testing and Materials in ASTM D388 (incorporated by reference, see §60.17).~~

~~*Low heat release rate* means a heat release rate of 730,000 J/sec-m^3 (70,000 Btu/hr-ft^3) or less.~~

~~*Mass-feed stoker steam generating unit* means a steam generating unit where solid fuel is introduced directly into a retort or is fed directly onto a grate where it is combusted.~~

~~*Maximum heat input capacity* means the ability of a steam generating unit to combust a stated maximum amount of fuel on a steady state basis, as determined by the physical design and characteristics of the steam generating unit.~~

~~*Municipal-type solid waste* means refuse, more than 50 percent of which is waste consisting of a mixture of paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustible materials, and noncombustible materials such as glass and rock.~~

~~*Natural gas* means: (1) A naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal constituent is methane; or (2) liquefied petroleum gas, as defined by the American Society for Testing and Materials in ASTM D1835 (incorporated by reference, see §60.17).~~

~~*Oil* means crude oil or petroleum or a liquid fuel derived from crude oil or petroleum, including distillate and residual oil.~~

~~*Petroleum refinery* means industrial plants as classified by the Department of Commerce under Standard Industrial Classification (SIC) Code 29.~~

~~*Potential sulfur dioxide emission rate* means the theoretical SO_2emissions (nanograms per joule (ng/J) or lb/MMBtu heat input) that would result from combusting fuel in an uncleaned state and without using emission control systems.~~

~~*Process heater* means a device that is primarily used to heat a material to initiate or promote a chemical reaction in which the material participates as a reactant or catalyst.~~

~~*Pulp and paper mills* means industrial plants that are classified by the Department of Commerce under North American Industry Classification System (NAICS) Code 322 or Standard Industrial Classification (SIC) Code 26.~~

~~*Pulverized coal-fired steam generating unit* means a steam generating unit in which pulverized coal is introduced into an air stream that carries the coal to the combustion chamber of the steam generating unit where it is fired in suspension. This includes both conventional pulverized coal-fired and micropulverized coal-fired steam generating units. Residual oil means crude oil, fuel oil numbers 1 and 2 that have a nitrogen content greater than 0.05 weight percent, and all fuel oil numbers 4, 5 and 6, as defined by the American Society of Testing and Materials in ASTM D396 (incorporated by reference, see §60.17).~~

~~*Spreader stoker steam generating unit* means a steam generating unit in which solid fuel is introduced to the combustion zone by a mechanism that throws the fuel onto a grate from above. Combustion takes place both in suspension and on the grate.~~

~~*Steam generating unit* means a device that combusts any fuel or byproduct/waste and produces steam or heats water or any other heat transfer medium. This term includes any municipal-type solid waste incinerator with a heat recovery steam generating unit or any steam generating unit that combusts fuel and is part of a cogeneration system or a combined cycle system. This term does not include process heaters as they are defined in this subpart.~~

~~*Steam generating unit operating day* means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the steam generating unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.~~

~~*Very low sulfur oil* means for units constructed, reconstructed, or modified on or before February 28, 2005, an oil that contains no more than 0.5 weight percent sulfur or that, when combusted without SO_2emission control, has a SO_2emission rate equal to or less than 215 ng/J (0.5 lb/MMBtu) heat input. For units constructed, reconstructed, or modified after February 28, 2005, *very low sulfur oil* means an oil that contains no more than 0.3 weight percent sulfur or that, when combusted without SO_2emission control, has a SO_2emission rate equal to or less than 140 ng/J (0.32 lb/MMBtu) heat input.~~

~~*Wet flue gas desulfurization technology* means a SO_2control system that is located downstream of the steam generating unit and removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gas with an alkaline slurry or solution and forming a liquid material. This definition applies to devices where the aqueous liquid material product of this contact is subsequently converted to other forms. Alkaline reagents used in wet flue gas desulfurization technology include, but are not limited to, lime, limestone, and sodium.~~

~~*Wet scrubber system* means any emission control device that mixes an aqueous stream or slurry with the exhaust gases from a steam generating unit to control emissions of PM or SO_2.~~

~~*Wood* means wood, wood residue, bark, or any derivative fuel or residue thereof, in any form, including, but not limited to, sawdust, sanderdust, wood chips, scraps, slabs, millings, shavings, and processed pellets made from wood or other forest residues.~~

~~*§ 60.44b Standard for nitrogen oxides (NOX).*~~

~~(a) Except as provided under paragraphs (k) and (l) of this section, on and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that is subject to the provisions of this section and that combusts only coal, oil, or natural gas shall cause to be discharged into the atmosphere from that affected facility any gases that contain NO_x(expressed as NO_2) in excess of the following emission limits:~~

~~Fuel/steam generating unit type~~	
	~~Nitrogen oxide emission limits (expressed~~

	~~as NO_2) heat input~~	
	~~ng/J~~	~~lb/MMBTu~~
~~(1) Natural gas and distillate oil, except (4):~~		
~~(i) Low heat release rate~~	~~43~~	~~0.10~~
~~(ii) High heat release rate~~	~~86~~	~~0.20~~
~~(2) Residual oil:~~		
~~(i) Low heat release rate~~	~~130~~	~~0.30~~
~~(ii) High heat release rate~~	~~170~~	~~0.40~~
~~(3) Coal:~~		
~~(i) Mass-feed stoker~~	~~210~~	~~0.50~~
~~(ii) Spreader stoker and fluidized bed combustion~~	~~260~~	~~0.60~~
~~(iii) Pulverized coal~~	~~300~~	~~0.70~~
~~(iv) Lignite, except (v)~~	~~260~~	~~0.60~~
~~(v) Lignite mined in North Dakota, South Dakota, or Montana and combusted in a slag tap furnace~~	~~340~~	~~0.80~~
~~(vi) Coal-derived synthetic fuels~~	~~210~~	~~0.50~~
~~(4) Duct burner used in a combined cycle system:~~		
~~(i) Natural gas and distillate oil~~	~~86~~	~~0.20~~
~~(ii) Residual oil~~	~~170~~	~~0.40~~

~~(h) For purposes of paragraph (i) of this section, the NO_X standards under this section apply at all times including periods of startup, shutdown, or malfunction.~~

~~(i) Except as provided under paragraph (j) of this section, compliance with the emission limits under this section is determined on a 30-day rolling average basis.~~

~~*§ 60.46b Compliance and performance test methods and procedures for particulate matter and nitrogen oxides.*~~

~~(a) The PM emission standards and opacity limits under §60.43b apply at all times except during periods of startup, shutdown, or malfunction. The NO_X emission standards under §60.44b apply at all times.~~

~~(c) Compliance with the NO_X emission standards under §60.44b shall be determined through performance testing under paragraph (e) or (f), or under paragraphs (g) and (h) of this section, as applicable.~~

~~(e) To determine compliance with the emission limits for NO_X required under §60.44b, the owner or operator of an affected facility shall conduct the performance test as required under §60.8 using the continuous system for monitoring NO_X under §60.48(b).~~

~~(1) For the initial compliance test, NO_X from the steam generating unit are monitored for 30 successive steam generating unit operating days and the 30-day average emission rate is used to determine compliance with the NO_X emission standards under §60.44b. The 30-day average emission rate is calculated as the average of all hourly emissions data recorded by the monitoring system during the 30-day test period.~~

~~*§ 60.48b Emission monitoring for particulate matter and nitrogen oxides.*~~

~~(b) Except as provided under paragraphs (g), (h), and (i) of this section, the owner or operator of an affected facility subject to a NO_X standard under §60.44b shall comply with either paragraphs (b)(1) or (b)(2) of this section.~~

~~(1) Install, calibrate, maintain, and operate CEMS for measuring NO_X and O_2(or CO_2) emissions discharged to the atmosphere, and shall record the output of the system; or~~

~~(c) The CEMS required under paragraph (b) of this section shall be operated and data recorded during all periods of operation of the affected facility except for CEMS breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments.~~

~~(d) The 1-hour average NO_X emission rates measured by the continuous NO_X monitor required by paragraph (b) of this section and required under §60.13(h) shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the average emission rates under §60.44b. The 1-hour averages shall be calculated using the data points required under §60.13(h)(2).~~

~~(e) The procedures under §60.13 shall be followed for installation, evaluation, and operation of the continuous monitoring systems.~~

~~(2) For affected facilities combusting coal, oil, or natural gas, the span value for NO_X is determined using one of the following procedures:~~

~~(i) Except as provided under paragraph (e)(2)(ii) of this section, NO_X span values shall be determined as follows:~~

~~Fuel~~	~~Span values for NO_X (ppm)~~
~~Natural gas~~	~~500.~~
~~Oil~~	~~500.~~
~~Coal~~	~~1,000.~~
~~Mixtures~~	~~500 (x + y) + 1,000z.~~

~~Where:~~

~~x = Fraction of total heat input derived from natural gas;~~

~~y = Fraction of total heat input derived from oil; and~~

~~z = Fraction of total heat input derived from coal.~~

~~(f) When NO_X emission data are not obtained because of CEMS breakdowns, repairs, calibration checks and zero and span adjustments, emission data will be obtained by using standby monitoring systems, Method 7 of appendix A of this part, Method 7A of appendix A of this part, or other approved reference methods to provide emission data for a minimum of 75 percent of the operating hours in each steam generating unit operating day, in at least 22 out of 30 successive steam generating unit operating days.~~

~~(g) The owner or operator of an affected facility that has a heat input capacity of 73 MW (250 MMBtu/hr) or less, and that has an annual capacity factor for residual oil having a nitrogen content of 0.30 weight percent or less, natural gas, distillate oil, or any mixture of these fuels, greater than 10 percent (0.10) shall:~~

~~(2) Monitor steam generating unit operating conditions and predict NO_X emission rates as specified in a plan submitted pursuant to §60.49b(c).~~

~~*§ 60.49b Reporting and recordkeeping requirements.*~~

~~(a) The owner or operator of each affected facility shall submit notification of the date of initial startup, as provided by §60.7. This notification shall include:~~

~~(1) The design heat input capacity of the affected facility and identification of the fuels to be combusted in the affected facility;~~

~~(2) If applicable, a copy of any federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under §§60.42b(d)(1), 60.43b(a)(2), (a)(3)(iii), (c)(2)(ii), (d)(2)(iii), 60.44b(c), (d), (e), (i), (j), (k), 60.45b(d), (g), 60.46b(h), or 60.48b(i);~~

~~(3) The annual capacity factor at which the owner or operator anticipates operating the facility based on all fuels fired and based on each individual fuel fired; and~~

~~(b) The owner or operator of each affected facility subject to the SO_2, PM, and/or NO_X emission limits under §§60.42b, 60.43b, and 60.44b shall submit to the Administrator the performance test data from the initial performance test and the performance evaluation of the CEMS using the applicable performance specifications in appendix B of this part. The owner or operator of each affected facility described in §60.44b(j) or §60.44b(k) shall submit to the Administrator the maximum heat input capacity data from the demonstration of the maximum heat input capacity of the affected facility.~~

~~(c) The owner or operator of each affected facility subject to the NO_X standard of §60.44b who seeks to demonstrate compliance with those standards through the monitoring of steam generating unit operating conditions under the provisions of §60.48b(g)(2) shall submit to the Administrator for approval a plan that identifies the operating conditions to be monitored under §60.48b(g)(2) and the records to be maintained under §60.49b(j). This plan shall be submitted to the Administrator for approval within 360 days of the initial startup of the affected facility. If the plan is approved, the owner or operator shall maintain records of predicted nitrogen oxide emission rates and the monitored operating conditions, including steam generating unit load, identified in the plan. The plan shall:~~

~~(1) Identify the specific operating conditions to be monitored and the relationship between these operating conditions and NO_X emission rates (*i.e.* , ng/J or lbs/MMBtu heat input). Steam generating unit operating conditions include, but are not limited to, the degree of staged combustion (*i.e.* , the ratio of primary air to secondary and/or tertiary air) and the level of excess air (*i.e.* , flue gas O_2level);~~

~~(2) Include the data and information that the owner or operator used to identify the relationship between NO_X emission rates and these operating conditions; and~~

~~(3) Identify how these operating conditions, including steam generating unit load, will be monitored under §60.48b(g) on an hourly basis by the owner or operator during the period of operation of the affected facility; the quality assurance procedures or practices that will be employed to ensure that the data generated by monitoring these operating conditions will be representative and accurate; and the type and format of the records of these operating conditions, including steam generating unit load, that will be maintained by the owner or operator under §60.49b(j).~~

~~(d) The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor individually for coal, distillate oil, residual oil, natural gas, wood, and municipal-type solid waste for the reporting period. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.~~

~~(g) Except as provided under paragraph (p) of this section, the owner or operator of an affected facility subject to the NO_X standards under §60.44b shall maintain records of the following information for each steam generating unit operating day:~~

~~(1) Calendar date;~~

~~(2) The average hourly NO_X emission rates (expressed as NO_2) (ng/J or lb/MMBtu heat input) measured or predicted;~~

~~(3) The 30-day average NO_X emission rates (ng/J or lb/MMBtu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly nitrogen oxide emission rates for the preceding 30 steam generating unit operating days;~~

~~(4) Identification of the steam generating unit operating days when the calculated 30-day average NO_X emission rates are in excess of the NO_X emissions standards under §60.44b, with the reasons for such excess emissions as well as a description of corrective actions taken;~~

~~(5) Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken;~~

~~(6) Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data;~~

~~(7) Identification of "F" factor used for calculations, method of determination, and type of fuel combusted;~~

~~(8) Identification of the times when the pollutant concentration exceeded full span of the CEMS;~~

~~(9) Description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specification 2 or 3; and~~

~~(10) Results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1 of this part.~~

~~(i) The owner or operator of any affected facility subject to the continuous monitoring requirements for NO_Xunder §60.48(b) shall submit reports containing the information recorded under paragraph (g) of this section.~~

~~(v) The owner or operator of an affected facility may submit electronic quarterly reports for $SO_2$and/or $NO_X$and/or opacity in lieu of submitting the written reports required under paragraphs (h), (i), (j), (k) or (l) of this section. The format of each quarterly electronic report shall be coordinated with the permitting authority. The electronic report(s) shall be submitted no later than 30 days after the end of the calendar quarter and shall be accompanied by a certification statement from the owner or operator, indicating whether compliance with the applicable emission standards and minimum data requirements of this subpart was achieved during the reporting period. Before submitting reports in the electronic format, the owner or operator shall coordinate with the permitting authority to obtain their agreement to submit reports in this alternative format.~~

~~(w) The reporting period for the reports required under this subpart is each 6 month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.~~

...

E.3.2 Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) [40 CFR Part 60, Subpart Kb] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart Kb, the Permittee shall comply with the provisions of Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels), which are incorporated by reference as 326 IAC 12, for tanks T001, T002, T003, T004, and T005 as follows:

(1) 40 CFR 60.110b
(2) 40 CFR 60.111b
(3) 40 CFR 60.112b(a)(1)

(4) 40 CFR 60.113b(a)
(5) 40 CFR 60.115b(a)
(6) 40 CFR 60.116b(a) through (e)

~~*Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels)*~~
~~Source: 52 FR 11429, April 8, 1987, unless otherwise noted.~~

~~*§ 60.110b Applicability and designation of affected facility.*~~

~~(a) Except as provided in paragraph (b) of this section, the affected facility to which this subpart applies is each storage vessel with a capacity greater than or equal to 75 cubic meters (m^3) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984.~~

~~(b) This subpart does not apply to storage vessels with a capacity greater than or equal to 151 m^3 storing a liquid with a maximum true vapor pressure less than 3.5 kilopascals (kPa) or with a capacity greater than or equal to 75 m^3 but less than 151 m^3 storing a liquid with a maximum true vapor pressure less than 15.0 kPa.~~

~~(c) [Reserved]~~

~~(d) This subpart does not apply to the following:~~

~~(1) Vessels at coke oven by-product plants.~~

~~(2) Pressure vessels designed to operate in excess of 204.9 kPa and without emissions to the atmosphere.~~

~~(3) Vessels permanently attached to mobile vehicles such as trucks, railcars, barges, or ships.~~

~~(4) Vessels with a design capacity less than or equal to 1,589.874 m^3 used for petroleum or condensate stored, processed, or treated prior to custody transfer.~~

~~(5) Vessels located at bulk gasoline plants.~~

~~(6) Storage vessels located at gasoline service stations.~~

~~(7) Vessels used to store beverage alcohol.~~

~~(8) Vessels subject to subpart GGGG of 40 CFR part 63.~~

~~(e) *Alternative means of compliance*—(1) *Option to comply with part 65.* Owners or operators may choose to comply with 40 CFR part 65, subpart C, to satisfy the requirements of §§60.112b through 60.117b for storage vessels that are subject to this subpart that meet the specifications in paragraphs (e)(1)(i) and (ii) of this section. When choosing to comply with 40 CFR part 65, subpart C, the monitoring requirements of §60.116b(c), (e), (f)(1), and (g) still apply. Other provisions applying to owners or operators who choose to comply with 40 CFR part 65 are provided in 40 CFR 65.1.~~

~~(i) A storage vessel with a design capacity greater than or equal to 151 m^3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa; or~~

~~(ii) A storage vessel with a design capacity greater than 75 m^3 but less than 151 m^3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa.~~

~~(2) *Part 60, subpart A.* Owners or operators who choose to comply with 40 CFR part 65, subpart C, must also comply with §§60.1, 60.2, 60.5, 60.6, 60.7(a)(1) and (4), 60.14, 60.15, and 60.16 for those storage vessels. All sections and paragraphs of subpart A of this part that are not mentioned in this paragraph (e)(2) do not apply to owners or operators of storage vessels complying with 40 CFR part 65, subpart C, except that provisions required to be met prior to implementing 40 CFR part 65 still apply. Owners and~~

~~operators who choose to comply with 40 CFR part 65, subpart C, must comply with 40 CFR part 65, subpart A.~~

~~(3) *Internal floating roof report.* If an owner or operator installs an internal floating roof and, at initial startup, chooses to comply with 40 CFR part 65, subpart C, a report shall be furnished to the Administrator stating that the control equipment meets the specifications of 40 CFR 65.43. This report shall be an attachment to the notification required by 40 CFR 65.5(b).~~

~~(4) *External floating roof report.* If an owner or operator installs an external floating roof and, at initial startup, chooses to comply with 40 CFR part 65, subpart C, a report shall be furnished to the Administrator stating that the control equipment meets the specifications of 40 CFR 65.44. This report shall be an attachment to the notification required by 40 CFR 65.5(b).~~

~~[52 FR 11429, Apr. 8, 1987, as amended at 54 FR 32973, Aug. 11, 1989; 65 FR 78275, Dec. 14, 2000; 68 FR 59332, Oct. 15, 2003]~~

~~*§ 60.111b Definitions.*~~

~~Terms used in this subpart are defined in the Act, in subpart A of this part, or in this subpart as follows:~~

~~*Bulk gasoline plant* means any gasoline distribution facility that has a gasoline throughput less than or equal to 75,700 liters per day. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal requirement or Federal, State or local law, and discoverable by the Administrator and any other person.~~

~~*Condensate* means hydrocarbon liquid separated from natural gas that condenses due to changes in the temperature or pressure, or both, and remains liquid at standard conditions.~~

~~*Custody transfer* means the transfer of produced petroleum and/or condensate, after processing and/or treatment in the producing operations, from storage vessels or automatic transfer facilities to pipelines or any other forms of transportation.~~

~~*Fill* means the introduction of VOL into a storage vessel but not necessarily to complete capacity.~~

~~*Gasoline service station* means any site where gasoline is dispensed to motor vehicle fuel tanks from stationary storage tanks.~~

~~*Maximum true vapor pressure* means the equilibrium partial pressure exerted by the volatile organic compounds (as defined in 40 CFR 51.100) in the stored VOL at the temperature equal to the highest calendar-month average of the VOL storage temperature for VOL's stored above or below the ambient temperature or at the local maximum monthly average temperature as reported by the National Weather Service for VOL's stored at the ambient temperature, as determined:~~

~~(1) In accordance with methods described in American Petroleum institute Bulletin 2517, Evaporation Loss From External Floating Roof Tanks, (incorporated by reference—see §60.17); or~~

~~(2) As obtained from standard reference texts; or~~

~~(3) As determined by ASTM D2879–83, 96, or 97 (incorporated by reference—see §60.17);~~

~~(4) Any other method approved by the Administrator.~~

~~*Petroleum* means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal.~~

~~*Petroleum liquids* means petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery.~~

~~*Process tank* means a tank that is used within a process (including a solvent or raw material recovery process) to collect material discharged from a feedstock storage vessel or equipment within the process before the material is transferred to other equipment within the process, to a product or by-product storage~~

~~vessel, or to a vessel used to store recovered solvent or raw material. In many process tanks, unit operations such as reactions and blending are conducted. Other process tanks, such as surge control vessels and bottoms receivers, however, may not involve unit operations.~~

~~*Reid vapor pressure* means the absolute vapor pressure of volatile crude oil and volatile nonviscous petroleum liquids except liquified petroleum gases, as determined by ASTM D323–82 or 94 (incorporated by reference—see §60.17).~~

~~*Storage vessel* means each tank, reservoir, or container used for the storage of volatile organic liquids but does not include:~~

~~(1) Frames, housing, auxiliary supports, or other components that are not directly involved in the containment of liquids or vapors;~~

~~(2) Subsurface caverns or porous rock reservoirs; or~~

~~(3) Process tanks.~~

~~*Volatile organic liquid (VOL)* means any organic liquid which can emit volatile organic compounds (as defined in 40 CFR 51.100) into the atmosphere.~~

~~*Waste* means any liquid resulting from industrial, commercial, mining or agricultural operations, or from community activities that is discarded or is being accumulated, stored, or physically, chemically, or biologically treated prior to being discarded or recycled.~~

~~[52 FR 11429, Apr. 8, 1987, as amended at 54 FR 32973, Aug. 11, 1989; 65 FR 61756, Oct. 17, 2000; 68 FR 59333, Oct. 15, 2003]~~

~~*§ 60.112b Standard for volatile organic compounds (VOC).*~~

~~(a) The owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m^3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa but less than 76.6 kPa or with a design capacity greater than or equal to 75 m^3 but less than 151 m^3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa but less than 76.6 kPa, shall equip each storage vessel with one of the following:~~

~~(1) A fixed roof in combination with an internal floating roof meeting the following specifications:~~

~~(i) The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.~~

~~(ii) Each internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:~~

~~(A) A foam- or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal). A liquid-mounted seal means a foam- or liquid-filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank.~~

~~(B) Two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor-mounted, but both must be continuous.~~

~~(C) A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.~~

~~(iii) Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.~~

~~(iv) Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.~~

~~(v) Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.~~

~~(vi) Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.~~

~~(vii) Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.~~

~~(viii) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.~~

~~(ix) Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.~~

~~*§ 60.113b Testing and procedures.*~~

~~The owner or operator of each storage vessel as specified in §60.112b(a) shall meet the requirements of paragraph (a), (b), or (c) of this section. The applicable paragraph for a particular storage vessel depends on the control equipment installed to meet the requirements of §60.112b.~~

~~(a) After installing the control equipment required to meet §60.112b(a)(1) (permanently affixed roof and internal floating roof), each owner or operator shall:~~

~~(1) Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.~~

~~(2) For Vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in §60.115b(a)(3). Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.~~

~~(3) For vessels equipped with a double-seal system as specified in §60.112b(a)(1)(ii)(B):~~

~~(i) Visually inspect the vessel as specified in paragraph (a)(4) of this section at least every 5 years; or~~

~~(ii) Visually inspect the vessel as specified in paragraph (a)(2) of this section.~~

~~(4) Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal~~

~~fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in paragraphs (a)(2) and (a)(3)(ii) of this section and at intervals no greater than 5 years in the case of vessels specified in paragraph (a)(3)(i) of this section.~~

~~(5) Notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by paragraphs (a)(1) and (a)(4) of this section to afford the Administrator the opportunity to have an observer present. If the inspection required by paragraph (a)(4) of this section is not planned and the owner or operator could not have known about the inspection 30 days in advance or refilling the tank, the owner or operator shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling.~~

~~§ 60.115b Reporting and recordkeeping requirements.~~

~~The owner or operator of each storage vessel as specified in §60.112b(a) shall keep records and furnish reports as required by paragraphs (a), (b), or (c) of this section depending upon the control equipment installed to meet the requirements of §60.112b. The owner or operator shall keep copies of all reports and records required by this section, except for the record required by (c)(1), for at least 2 years. The record required by (c)(1) will be kept for the life of the control equipment.~~

~~(a) After installing control equipment in accordance with §60.112b(a)(1) (fixed roof and internal floating roof), the owner or operator shall meet the following requirements.~~

~~(1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of §60.112b(a)(1) and §60.113b(a)(1). This report shall be an attachment to the notification required by §60.7(a)(3).~~

~~(2) Keep a record of each inspection performed as required by §60.113b (a)(1), (a)(2), (a)(3), and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).~~

~~(3) If any of the conditions described in §60.113b(a)(2) are detected during the annual visual inspection required by §60.113b(a)(2), a report shall be furnished to the Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.~~

~~(4) After each inspection required by §60.113b(a)(3) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in §60.113b(a)(3)(ii), a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of §61.112b(a)(1) or §60.113b(a)(3) and list each repair made.~~

~~§ 60.116b Monitoring of operations.~~

~~(a) The owner or operator shall keep copies of all records required by this section, except for the record required by paragraph (b) of this section, for at least 2 years. The record required by paragraph (b) of this section will be kept for the life of the source.~~

~~(b) The owner or operator of each storage vessel as specified in §60.110b(a) shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel.~~

~~(c) Except as provided in paragraphs (f) and (g) of this section, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m^3 storing a liquid with a maximum true vapor pressure greater than or equal to 3.5 kPa or with a design capacity greater than or equal to 75 m^3 but less than 151 m^3 storing a liquid with a maximum true vapor pressure greater than or equal to 15.0 kPa shall maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period.~~

~~(d) Except as provided in paragraph (g) of this section, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m^3 storing a liquid with a maximum true vapor pressure that is normally less than 5.2 kPa or with a design capacity greater than or equal to 75 m^3 but less than 151 m^3 storing a liquid with a maximum true vapor pressure that is normally less than 27.6 kPa shall notify the Administrator within 30 days when the maximum true vapor pressure of the liquid exceeds the respective maximum true vapor vapor pressure values for each volume range.~~

~~(e) Available data on the storage temperature may be used to determine the maximum true vapor pressure as determined below.~~

~~(1) For vessels operated above or below ambient temperatures, the maximum true vapor pressure is calculated based upon the highest expected calendar-month average of the storage temperature. For vessels operated at ambient temperatures, the maximum true vapor pressure is calculated based upon the maximum local monthly average ambient temperature as reported by the National Weather Service.~~

~~(2) For crude oil or refined petroleum products the vapor pressure may be obtained by the following:~~

~~(i) Available data on the Reid vapor pressure and the maximum expected storage temperature based on the highest expected calendar-month average temperature of the stored product may be used to determine the maximum true vapor pressure from nomographs contained in API Bulletin 2517 (incorporated by reference—see §60.17), unless the Administrator specifically requests that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the sample(s).~~

~~(ii) The true vapor pressure of each type of crude oil with a Reid vapor pressure less than 13.8 kPa or with physical properties that preclude determination by the recommended method is to be determined from available data and recorded if the estimated maximum true vapor pressure is greater than 3.5 kPa.~~

~~(3) For other liquids, the vapor pressure:~~

~~(i) May be obtained from standard reference texts, or~~

~~(ii) Determined by ASTM D2879-83, 96, or 97 (incorporated by reference—see §60.17); or~~

~~(iii) Measured by an appropriate method approved by the Administrator; or~~

~~(iv) Calculated by an appropriate method approved by the Administrator.~~

~~[52 FR 11429, Apr. 8, 1987, as amended at 65 FR 61756, Oct. 17, 2000; 65 FR 78276, Dec. 14, 2000; 68 FR 59333, Oct. 15, 2003]~~

~~§ 60.117b Delegation of authority.~~

~~(a) In delegating implementation and enforcement authority to a State under section 111(c) of the Act, the authorities contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.~~

~~(b) Authorities which will not be delegated to States: §§60.111b(f)(4), 60.114b, 60.116b(e)(3)(iii), 60.116b(e)(3)(iv), and 60.116b(f)(2)(iii).~~

~~[52 FR 11429, Apr. 8, 1987, as amended at 52 FR 22780, June 16, 1987]~~

…

SECTION E.4 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

(a) One (1) grain receiving and handling operation, approved for construction in 2007, controlled by baghouse CE001, exhausting through stack SV001, and consisting of the following:

(1) Four (4) truck dump pits, identified as EU001, approved for construction in 2007, with a maximum throughput rate of 840 tons of corn per hour.

(2) Two (2) grain legs and conveying system, identified as EU002, approved for construction in 2007, with a maximum throughput rate of 840 tons per hour.

(3) Four (4) grain bins, identified as EU003, approved for construction in 2007, with a maximum throughput rate of 840 tons per hour.

Under 40 CFR, Subpart DD, the units comprising the grain receiving and handling operations are considered affected facilities.

(b) One (1) corn transfer conveyor system, identified as EU004, approved for construction in 2007, with a maximum throughput rate of 140 tons of corn per hour, controlled by baghouse CE002, and exhausting through stack SV002.

Under 40 CFR, Subpart DD, the corn scalper is considered an affected facility.

(c) One (1) surge bin, identified as EU005, approved for construction in 2007, with a maximum throughput rate of 140 tons of corn per hour, controlled by baghouse CE002, and exhausting through stack SV002.

Under 40 CFR, Subpart DD, the surge bin is considered and affected facility.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

E.4.1 General Provisions Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A]

Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1, except as otherwise specified in 40 CFR Part 60, Subpart DD.

E.4.2 Standards of Performance for Grain Elevators [40 CFR Part 60, Subpart DD] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart IIII, the Permittee shall comply with the provisions of Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, which are incorporated by reference as 326 IAC 12, for emergency generator EU037 as follows:

(1) 40 CFR 60.300
(2) 40 CFR 60.301
(3) 40 CFR 60.302
(4) 40 CFR 60.303

(5) 40 CFR 60.304

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SECTION E.4**5** FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

(o) One (1) diesel generator, identified as EU037, approved for construction in 2007, with a maximum power output rate of 2,640 HP, and exhausting to stack SV015.

Under NSPS, Subpart IIII, this unit is considered an affected source.
Under NESHAP, Subpart ZZZZ, this unit is considered an affected source.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

E.4**5**.1 General Provisions Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A]

(a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1 for emergency generator EU037, except as otherwise specified in 40 CFR Part 60, Subpart IIII.

(b) Pursuant to 40 CFR 60.19, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

E.4**5**.2 Standards of Performance for Stationary Compression Ignition Internal Combustion Engines [40 CFR Part 60, Subpart IIII] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart IIII, the Permittee shall comply with the provisions of Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, which are incorporated by reference as 326 IAC 12, for emergency generator EU037 as follows:

(1) 40 CFR 60.4200 (a)(2)(i) and (c)
(2) 40 CFR 60.4205 (b)
(3) 40 CFR 60.4206
(4) 40 CFR 60.4207 (a),(b),(c)
(5) 40 CFR 60.4208
(6) 40 CFR 60.4209
(7) 40 CFR 60.4211 (a),(c),(e)
(8) 40 CFR 60.4212
(9) 40 CFR 60.4214 (b),(c)
(10) 40 CFR 60.4218
(11) 40 CFR 60.4219
(12) Table 1
(13) Table 8

~~Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines~~

~~Source: 71 FR 39172, July 11, 2006, unless otherwise noted.~~

~~What This Subpart Covers~~

~~§ 60.4200 Am I subject to this subpart?~~

~~(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (3) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.~~

~~(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005 where the stationary CI ICE are:~~

~~(i) Manufactured after April 1, 2006 and are not fire pump engines, or~~

~~(ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.~~

~~(3) Owners and operators of stationary CI ICE that modify or reconstruct their stationary CI ICE after July 11, 2005.~~

~~(b) The provisions of this subpart are not applicable to stationary CI ICE being tested at a stationary CI ICE test cell/stand.~~

~~§ 60.4205 What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?~~

~~(a) Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of less than 10 liters per cylinder that are not fire pump engines must comply with the emission standards in table 1 to this subpart. Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards in 40 CFR 94.8(a)(1).~~

~~§ 60.4206 How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?~~

~~Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§60.4204 and 60.4205 according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer, over the entire life of the engine.~~

~~Fuel Requirements for Owners and Operators~~

~~§ 60.4207 What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?~~

~~(a) Beginning October 1, 2007, owners and operators of stationary CI ICE subject to this subpart that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(a).~~

~~(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel.~~

~~(c) Owners and operators of pre-2011 model year stationary CI ICE subject to this subpart may petition the Administrator for approval to use remaining non-compliant fuel that does not meet the fuel requirements of paragraphs (a) and (b) of this section beyond the dates required for the purpose of using up existing fuel inventories. If approved, the petition will be valid for a period of up to 6 months. If additional time is needed, the owner or operator is required to submit a new petition to the Administrator.~~

~~Other Requirements for Owners and Operators~~

~~§ 60.4208 What is the deadline for importing or installing stationary CI ICE produced in the previous model year?~~

~~(a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.~~

~~(b) After December 31, 2009, owners and operators may not install stationary CI ICE with a maximum engine power of less than 19 KW (25 HP) (excluding fire pump engines) that do not meet the applicable requirements for 2008 model year engines.~~

~~(c) After December 31, 2014, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 KW (25 HP) and less than 56 KW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.~~

~~(d) After December 31, 2013, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 56 KW (75 HP) and less than 130 KW (175 HP) that do not meet the applicable requirements for 2012 model year non-emergency engines.~~

~~(e) After December 31, 2012, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 130 KW (175 HP), including those above 560 KW (750 HP), that do not meet the applicable requirements for 2011 model year non-emergency engines.~~

~~(f) After December 31, 2016, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 560 KW (750 HP) that do not meet the applicable requirements for 2015 model year non-emergency engines.~~

~~(g) In addition to the requirements specified in §§60.4201, 60.4202, 60.4204, and 60.4205, it is prohibited to import stationary CI ICE with a displacement of less than 30 liters per cylinder that do not meet the applicable requirements specified in paragraphs (a) through (f) of this section after the dates specified in paragraphs (a) through (f) of this section.~~

~~(h) The requirements of this section do not apply to owners or operators of stationary CI ICE that have been modified, reconstructed, and do not apply to engines that were removed from one existing location and reinstalled at a new location.~~

~~§ 60.4209 What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?~~

~~If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in §60.4211.~~

~~(a) If you are an owner or operator of an emergency stationary CI internal combustion engine, you must install a non resettable hour meter prior to startup of the engine.~~

~~Compliance Requirements~~

~~§ 60.4211 What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?~~

~~(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer. In addition, owners and operators may only change those settings that are permitted by the manufacturer. You must also meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to you.~~

~~(b) If you are an owner or operator of a pre-2007 model year stationary CI internal combustion engine and must comply with the emission standards specified in §§60.4204(a) or 60.4205(a), or if you are an owner~~

~~or operator of a CI fire pump engine that is manufactured prior to the model years in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) through (5) of this section.~~

~~(1) Purchasing an engine certified according to 40 CFR part 89 or 40 CFR part 94, as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's specifications.~~

~~(2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.~~

~~(3) Keeping records of engine manufacturer data indicating compliance with the standards.~~

~~(4) Keeping records of control device vendor data indicating compliance with the standards.~~

~~(5) Conducting an initial performance test to demonstrate compliance with the emission standards according to the requirements specified in §60.4212, as applicable.~~

~~(e) Emergency stationary ICE may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State, or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. There is no time limit on the use of emergency stationary ICE in emergency situations. Anyone may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency ICE beyond 100 hours per year. For owners and operators of emergency engines meeting standards under §60.4205 but not §60.4204, any operation other than emergency operation, and maintenance and testing as permitted in this section, is prohibited.~~

~~Testing Requirements for Owners and Operators~~

~~§ 60.4212 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?~~

~~Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (d) of this section.~~

~~(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F.~~

~~(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.~~

~~(c) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8, as applicable, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in 40 CFR 89.112 or 40 CFR 94.8, as applicable, determined from the following equation:~~

~~NTE requirement for each pollutant = (1.25) × (STD) (Eq. 1)~~

~~Where:~~

~~STD = The standard specified for that pollutant in 40 CFR 89.112 or 40 CFR 94.8, as applicable.~~

~~Alternatively, stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8 may follow the testing procedures specified in §60.4213 of this subpart, as appropriate.~~

~~(d) Exhaust emissions from stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in §60.4204(a), §60.4205(a), or §60.4205(c) must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in §60.4204(a), §60.4205(a), or §60.4205(c), determined from the equation in paragraph (c) of this section.~~

~~Where:~~

~~STD = The standard specified for that pollutant in §60.4204(a), §60.4205(a), or §60.4205(c).~~

~~Alternatively, stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in §60.4204(a), §60.4205(a), or §60.4205(c) may follow the testing procedures specified in §60.4213, as appropriate.~~

~~Notification, Reports, and Records for Owners and Operators~~

~~§ 60.4214 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?~~

~~(b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.~~

~~General Provisions~~

~~§ 60.4218 What parts of the General Provisions apply to me?~~

~~Table 8 to this subpart shows which parts of the General Provisions in §§60.1 through 60.19 apply to you.~~

~~Definitions~~

~~§ 60.4219 What definitions apply to this subpart?~~

~~As used in this subpart, all terms not defined herein shall have the meaning given them in the CAA and in subpart A of this part.~~

~~Combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle combustion turbine, any regenerative/recuperative cycle combustion turbine, the combustion turbine portion of any cogeneration cycle combustion system, or the combustion turbine portion of any combined cycle steam/electric generating system.~~

~~Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.~~

~~Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is number 2 distillate oil.~~

~~Diesel particulate filter means an emission control technology that reduces PM emissions by trapping the particles in a flow filter substrate and periodically removes the collected particles by either physical action or by oxidizing (burning off) the particles in a process called regeneration.~~

~~Emergency stationary internal combustion engine means any stationary internal combustion engine whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc. Stationary CI ICE used to supply power to an electric grid or that supply power as part of a financial arrangement with another entity are not considered to be emergency engines.~~

~~Engine manufacturer means the manufacturer of the engine. See the definition of "manufacturer" in this section.~~

~~Fire pump engine means an emergency stationary internal combustion engine certified to NFPA requirements that is used to provide power to pump water for fire suppression or protection.~~

~~Manufacturer has the meaning given in section 216(1) of the Act. In general, this term includes any person who manufactures a stationary engine for sale in the United States or otherwise introduces a new stationary engine into commerce in the United States. This includes importers who import stationary engines for sale or resale.~~

~~Maximum engine power means maximum engine power as defined in 40 CFR 1039.801.~~

~~Model year means either:~~

~~(1) The calendar year in which the engine was originally produced, or~~

~~(2) The annual new model production period of the engine manufacturer if it is different than the calendar year. This must include January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year. For an engine that is converted to a stationary engine after being placed into service as a nonroad or other non-stationary engine, model year means the calendar year or new model production period in which the engine was originally produced.~~

~~Other internal combustion engine means any internal combustion engine, except combustion turbines, which is not a reciprocating internal combustion engine or rotary internal combustion engine.~~

~~Reciprocating internal combustion engine means any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work.~~

~~Rotary internal combustion engine means any internal combustion engine which uses rotary motion to convert heat energy into mechanical work.~~

~~Spark ignition means relating to a gasoline, natural gas, or liquefied petroleum gas fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.~~

~~Stationary internal combustion engine means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.~~

~~Subpart means 40 CFR part 60, subpart IIII.~~

~~Useful life means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or~~

~~calendar years, whichever comes first. The values for useful life for stationary CI ICE with a displacement of less than 10 liters per cylinder are given in 40 CFR 1039.101(g). The values for useful life for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder are given in 40 CFR 94.9(a).~~

~~Tables to Subpart IIII of Part 60~~

~~Table 1 to Subpart IIII of Part 60._Emission Standards for Stationary Pre-2007 Model Year Engines With a Displacement of <10 Liters per Cylinder and 2007-2010 Model Year Engines >2,237 KW (3,000 HP) and With a Displacement of <10 Liters per Cylinder [As stated in §§ 60.4201(b), 60.4202(b), 60.4204(a), and 60.4205(a), you must comply with the following emission standards]~~

Maximum engine power	Emission standards for stationary pre-2007 model year engines with a displacement of <10 liters per cylinder and 2007-2010 model year engines >2,237 KW (3,000 HP) and with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)				
	NMHC + NOX	HC	NOX	CO	PM
KW<8 (HP<11)	10.5 (7.8)	.....	.....	8.0 (6.0)	1.0 (0.75)
8[le]KW<19 (11[le]HP<25)	9.5 (7.1)	.....	.....	6.6 (4.9)	0.80 (0.60)
19[le]KW<37 (25[le]HP<50)	9.5 (7.1)	.....	.....	5.5 (4.1)	0.80 (0.60)
37[le]KW<56 (50[le]HP<75)	.....	.....	9.2 (6.9)	.....	.....
56[le]KW<75 (75[le]HP<100)	.....	.....	9.2 (6.9)	.....	.....
75[le]KW<130 (100[le]HP<175)	.....	.....	9.2 (6.9)	.....	.....
130[le]KW<225 (175[le]HP<300)	.....	1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
225[le]KW<450 (300[le]HP<600)	.....	1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
450[le]KW[le]560 (600[le]HP[le]750)	.....	1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
KW>560 (HP>750)	.....	1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)

~~Table 5 to Subpart IIII of Part 60._Labeling and Recordkeeping Requirements for New Stationary Emergency Engines~~
~~[You must comply with the labeling requirements in § 60.4210(f) and the recordkeeping requirements in § 60.4214(b) for new emergency stationary CI ICE beginning in the following model years:]~~

Engine power	Starting model year
19[le]KW<56 (25[le]HP<75)	2013
56[le]KW<130 (75[le]HP<175)	2012
KW>=130 (HP>=175)	2011

~~Table 8 to Subpart IIII of Part 60._Applicability of General Provisions to Subpart IIII~~
~~[As stated in § 60.4218, you must comply with the following applicable General Provisions:]~~

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§ 60.1	General applicability of the General Provisions.	Yes	
§ 60.2	Definitions	Yes	Additional terms defined in § 60.4219.
§ 60.3	Units and abbreviations	Yes	
§ 60.4	Address	Yes	
§ 60.5	Determination of construction or modification.	Yes	
§ 60.6	Review of plans	Yes	
§ 60.7	Notification and Recordkeeping.	Yes	Except that § 60.7 only applies as specified in § 60.4214(a).
§ 60.8	Performance tests	Yes	Except that § 60.8 only applies to stationary CI ICE with a displacement of (>=30 liters per cylinder and engines that are not

			~~certified.~~
~~§ 60.9~~	~~Availability of information.~~	~~Yes~~	
~~§ 60.10~~	~~State Authority~~	~~Yes~~	
~~§ 60.11~~	~~Compliance with standards and maintenance requirements.~~	~~No~~	~~Requirements are specified in subpart IIII.~~
~~§ 60.12~~	~~Circumvention~~	~~Yes~~	
~~§ 60.13~~	~~Monitoring requirements~~	~~Yes~~	~~Except that § 60.13 only applies to stationary CI ICE with a displacement of (>=30 liters per cylinder.~~
~~§ 60.14~~	~~Modification~~	~~Yes~~	
~~§ 60.15~~	~~Reconstruction~~	~~Yes~~	
~~§ 60.16~~	~~Priority list~~	~~Yes~~	
~~§ 60.17~~	~~Incorporations by reference.~~	~~Yes~~	
~~§ 60.18~~	~~General control device requirements.~~	~~No~~	
~~§ 60.19~~	~~General notification and reporting requirements.~~	~~Yes~~	

(3) IDEM has decided that the phrases "no later than" and "not later than" are clearer than "within" in relation to the end of a timeline. Therefore all timeline have been switched to "no later than" or "not later than" except for the timelines in Conditions B.2 and B.14. The underlying rules state "within."

(4) IDEM has decided to clarify what rule requirements a certification needs to meet. IDEM has decide to remove the last sentence dealing with the need for certification from the forms because the Conditions requiring the forms already address this issue.

(5) To clarify that Section B - Certification only states what a certification must be, IDEM has revised the condition.

(6) IDEM, OAQ is revising Section B - Emergency Provisions to delete paragraph (h). 326 IAC 2-8-4(3)(C)(ii) allows that deviations reported under an independent requirement do not have to be included in the Quarterly Deviation and Compliance Monitoring Report.

(7) IDEM, OAQ has decided that having a separate condition for the reporting of deviations is unnecessary. Therefore, IDEM has removed Section B - Deviation form Permit Requirements and Conditions and added the requirements of that condition to Section C - General Reporting Requirements. Paragraph (d) of Section C - General Reporting Requirements has been removed because IDEM already states the timeline and certification needs of each report in the condition requiring the report.

(8) IDEM has decided to state which rule establishes the authority to set a deadline for the Permittee to submit additional information. Therefore, Section B - Permit Renewal has been revised.

(9) Condition B.26 Advanced Source Modification Approval incorrectly identifies Sections A.1 and A.2 as containing the source's emission units, control equipment or insignificant activities. This condition has been revised to identify Sections A.2 and A.3.

(10) IDEM has added 326 IAC 5-1-1 to the exception clause of Section C - Opacity, since 326 IAC 5-1-1 does list exceptions.

(11) IDEM has revised the Asbestos Abatement Projects condition to indicate that a "Licensed" inspector is required prior to a renovation or demolition.

(12) IDEM has removed the first paragraph of Section C - Performance Testing due to the fact that specific testing conditions elsewhere in the permit will specify the timeline and procedures.

(13) IDEM has revised Section C - Compliance Monitoring. The reference to recordkeeping has been removed due to the fact that other conditions already address recordkeeping. The voice of the condition has been change to clearly indicate that it is the Permittee that must follow the requirements of the condition.

(14) IDEM has revised Section C - Response to Excursions or Exceedances. The introduction sentence has been added to clarify that it is only when an excursion or exceedance is detected that the requirements of this condition need to be followed. The word "excess" was added to the last sentence of paragraph (a) because the Permittee only has to minimize excess emissions. The middle of paragraph (b) has been deleted as it was duplicative of paragraph (a). The phrase "or are returning" was added to subparagraph (b)(2) as this is an acceptable response assuming the operation or emission unit does return to normal or its usual manner of operation. The phrase "within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable" was replaced with "normal or usual manner of operation" because the first phrase is just a limited list of the second phrase. The recordkeeping required by paragraph (e) was changed to require only records of the response because the previously listed items are required to be recorded elsewhere in the permit.

(15) IDEM has removed Section C - Monitoring Methods. The conditions that require the monitoring or testing, if required, state what methods shall be used.

(16) IDEM has revised Section C - Actions Related to Noncompliance Demonstrated by a Stack Test. The requirements to take response steps and minimize excess emissions have been removed because Section C - Response to Excursions or Exceedances already requires response steps related to exceedances and excess emissions minimization. The start of the timelines was switched from "the receipt of the test results" to "the date of the test." There was confusion if the "receipt" was by IDEM, the Permittee, or someone else. Since the start of the timelines has been moved up, the length of the timelines was increased. The new timelines require action within a comparable timeline; and the new timelines still ensure that the Permittee will return to compliance within a reasonable timeframe.

(17) The voice of paragraph (b) of Section C - General Record Keeping Requirements has been change to clearly indicate that it is the Permittee that must follow the requirements of the paragraph.

(18) IDEM has decided to simplify the referencing in Section C - Compliance with 40 CFR 82 and 326 IAC 22-1.

(19) The phrase "of this permit" has been added to the paragraph of the Quarterly Deviation and Compliance Monitoring Report to match the underlying rule.

(20) IDEM has decided to clarify Section D - Testing Requirements.

(21) IDEM has included the replacement of an instrument as an acceptable action in Section D - Parametric Monitoring conditions.

(22) The word "status" has been added to Section D - Reporting Requirements. The Permittee has the obligation to document the compliance status. The wording has been revised to properly reflect this.

(23) IDEM has changed references to the general conditions: "in accordance with Section B", "in accordance with Section C", or other similar language, to "Section ... contains the Permittee's obligations with regard to the ... required by this condition."

(24) The source does not require Continuous Opacity Monitors or Continuous Emissions Monitors, they are required to continuously monitor the thermal oxidizer operating temperature and duct pressure or fan amperage. Therefore, the Maintenance of Continuous Emission Monitoring Equipment condition in Section C has been removed from the permit.

...

B.9 Duty to Provide Information [326 IAC 2-8-4(5)(E)]

(a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. ~~The submittal by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~ Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.

...

B.11 Certification [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]

~~(a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by an "authorized individual" of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.~~

~~(b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.~~

(a) A certification required by this permit meets the requirements of 326 IAC 2-8-5(a)(1) if:

(i) it contains a certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1), and

(ii) the certification is based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(b) The Permittee may use the attached Certification Form, or its equivalent with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.

(c) An "authorized individual" is defined at 326 IAC 2-1.1-1(1)

B.12 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

...

(c) The annual compliance certification report shall include the following:

...

(5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

~~The submittal by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

The submittal by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

B.13 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)][326 IAC 2-8-5(a)(1)]

(a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) ~~prior to startup of operations~~ **no later than ninety (90) days after issuance of this permit or ninety (90) days after initial start-up, whichever is later**, including the following information on each facility:

...

(3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

~~The PMP extension notification does not require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(b) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. ~~The PMPs do not require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~ **The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).**

...

B.14 Emergency Provisions [326 IAC 2-8-12]

...

(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

...

(5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

...

The notice fulfills the requirement of 326 IAC 2-8-4(3)(C)(ii) and must contain the following:

...

(C) Corrective actions taken.

~~The notification which shall be submitted by the Permittee does not require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

The notification which shall be submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

~~(h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.~~

...

B.17 **Reserved** ~~Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]~~

~~(a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:~~

~~Indiana Department of Environmental Management~~
~~Compliance and Enforcement Branch, Office of Air Quality~~
~~100 North Senate Avenue~~
~~MC 61-53 IGCN 1003~~
~~Indianapolis, Indiana 46204-2251~~

~~using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.~~

~~The Quarterly Deviation and Compliance Monitoring Report does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

~~(b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.~~

B.18 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-8-4(5)(C)][326 IAC 2-8-7(a)][326 IAC 2-8-8]

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Federally Enforceable State Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)] ~~The notification by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~ **The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).**

...

B.19 Permit Renewal [326 IAC 2-8-3(h)]

(a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40) ~~The renewal application does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~ **The renewal**

application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

(c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified, **pursuant to 326 IAC 2-8-3 (g),** in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.20 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]

...

(b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

~~Any such application shall be certified by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

Any such application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

B.24 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

...

(b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

~~The application which shall be submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

Any such application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.25 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]

(a) The Permittee shall pay annual fees to IDEM, OAQ, ~~within~~ **no later than** thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.

...

B.26 Advanced Source Modification Approval [326 IAC 2-8-4(11)] [326 IAC 2-1.1-9]

(a) The requirements to obtain a permit modification under 326 IAC 2-8-11.1 are satisfied by this permit for the proposed emission units, control equipment or insignificant activities in Sections ~~A.1 and A.2~~ **A.2 and A.3**.

...

C.3 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in **326 IAC 5-1-1 (Applicability) and** 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

...

C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

...

(g) Indiana ~~Accredited~~ **Licensed** Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana ~~Accredited~~ **Licensed** Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos.

...

C.9 Performance Testing [326 IAC 3-6]

(a) ~~Compliance testing on new emissions units shall be conducted within 60 days after achieving maximum production rate, but no later than 180 days after initial start-up, if specified in Section D of this approval. All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.~~

~~A~~ **For performance testing required by this permit, a** test protocol, except as provided elsewhere in this permit, shall be submitted to:

...

C.11 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]

Unless otherwise specified in this permit, **for** all monitoring ~~and record keeping~~ requirements not already legally required**, the Permittee shall be allowed up to** ~~shall be implemented within~~ ninety (90) days ~~of~~ **from the date of** permit issuance or ~~ninety (90) days~~ of initial start-up, whichever is later**, to begin such monitoring**. ~~If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment.~~ If due to circumstances beyond ~~its~~ **the Permittee's** control, ~~that~~ **any monitoring** equipment **required by this permit** cannot be installed and operated ~~within~~ **no later than** ninety (90) days **after permit issuance or the date of initial startup, whichever is later**, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

...

The notification which shall be submitted by the Permittee does require ~~the~~ **a** certification **that meets the requirements of 326 IAC 2-8-5(a)(1)** by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

C.12 **Reserved** ~~Maintenance of Continuous Emission Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]~~

~~(a) The Permittee shall install, calibrate, maintain, and operate all necessary continuous emission monitoring systems (CEMS) and related equipment.~~

~~(b) In the event that a breakdown of a continuous emission monitoring system occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.~~

~~(c) Whenever a continuous emission monitor or predictive emission monitor (PEM) other than an opacity monitor is malfunctioning or will be down for calibration, maintenance, or repairs for a period of four (4) hours or more, a calibrated backup CEMS shall be brought online within four (4) hours of shutdown of the primary CEMS, and shall be operated until such time as the primary CEMS is back in operation.~~

~~(d) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous emission monitoring system pursuant to 40 CFR 60, Subpart Db.~~

C.13 **Reserved** ~~Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]~~

~~Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60 Appendix B, 40 CFR 63, or other approved methods as specified in this permit.~~

....

C.16 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]

Upon detecting an excursion where a response step is required by the D Section or an exceedance of a limitation in this permit:

(a) ~~Upon detecting an excursion or exceedance,~~ the Permittee shall **take reasonable response steps to** restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing **excess** emissions.

(b) The response shall include minimizing the period of any startup, shutdown or malfunction ~~and taking any **reasonable response steps** to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions)~~. ~~Corrective actions~~ **The response** may include, but ~~are~~ **is** not limited to, the following:

(1) initial inspection and evaluation;

(2) recording that operations returned **or are returning** to normal without operator action (such as through response by a computerized distribution control system); or

(3) any necessary follow-up actions to return operation to ~~within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable~~ **normal or usual manner of operation**.

...

(e) The Permittee shall **record** ~~maintain the following records~~ ~~**of**~~ **the reasonable responses steps taken.** ~~:~~

~~(1) monitoring data;~~

~~(2) monitor performance data, if applicable; and~~

~~(3) corrective actions taken.~~

C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

(a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the ~~Permittee shall take appropriate response actions. The~~ Permittee shall submit a description of **its** ~~these~~ response actions to IDEM, OAQ, ~~within~~ **no later than** ~~thirty (30) days of receipt of the test results~~ **seventy-five (75) days after the date of the test**. ~~The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.~~

(b) A retest to demonstrate compliance shall be performed ~~within~~ **no later than** one hundred **eighty (180)** ~~twenty (120)~~ ~~of receipt of the original test results~~ **days after the date of the test**. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred **eighty (180)** ~~twenty (120)~~ days is not practicable, IDEM, OAQ may extend the retesting deadline.

...

The response action documents submitted pursuant to this condition do require ~~the~~ **a** certification **that meets the requirements of 326 IAC 2-8-5(a)(1)** by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

C.18 General Record Keeping Requirements[326 IAC 2-8-4(3)] [326 IAC 2-8-5]

...

(b) Unless otherwise specified in this permit, **for** all record keeping requirements not already legally required**, the Permittee shall be allowed up to** ~~shall be implemented within~~ ninety (90) days **from the date** of permit issuance or ~~ninety (90) days~~ **the date** of initial start-up, whichever is later**, to begin such record keeping**.

C.19 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]

(a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported **except that a deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.** This report shall be submitted not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include ~~the~~ **a** certification **that meets the requirements of 326 IAC 2-8-5(a)(1)** by an "authorized individual" as defined by 326 IAC 2-1.1-11(1). **A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.**

(b) The ~~report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to~~ **address for report submittal is**:

...

(d) **Reserved** ~~Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

...

C.20 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with ~~the~~ **applicable** standards for recycling and emissions reduction~~:~~**.**

~~(a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.~~

~~(b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.~~

~~(c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.~~

...

D.1.6 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan~~, in accordance with Section B - Preventive Maintenance Plan, of this permit~~, is required for these facilities and any control devices. **Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.**

...

D.1.9 Visible Emissions Notations

...

(e) If abnormal emissions are observed, the Permittee shall take reasonable response steps**.** ~~in accordance with~~ Section C – Response to Excursions or Exceedances **contains the Permittee's obligation with regard to the reasonable response steps required by this condition**. Failure to take response steps ~~in accordance with Section C - Response to Excursions or Exceedances~~ shall be considered a deviation from this permit.

...

D.1.10 Parametric Monitoring

(a) The Permittee shall record the pressure drop across the baghouses used in conjunction with the grain receiving and handling operations (EU001 through EU005), the hammermills (EU006 through EU010), and the DDGS handling and loadout operations (EU030 through EU033, and EU035), at least once per day when these units are in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 1.0 to 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps**.** ~~in accordance with~~ Section C – Response to Excursions or Exceedances **contains the Permittee's obligation with regard to the reasonable response steps required by this condition**. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps ~~in accordance with Section C - Response to Excursions or Exceedances~~ shall be considered a deviation from this permit.

(b) The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ and shall be calibrated **or replaced** at least once every six (6) months.

...

D.2.8 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan~~, in accordance with Section B - Preventive Maintenance Plan, of this permit~~, is required for these facilities and any control devices. **Section B - Preventive**

Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

...

D.2.11 Visible Emissions Notations

...

(e) If abnormal emissions are observed, the Permittee shall take reasonable response steps**.** ~~in accordance with~~ Section C – Response to Excursions or Exceedances **contains the Permittee's obligation with regard to the reasonable response steps required by this condition**. Failure to take response steps ~~in accordance with Section C - Response to Excursions or Exceedances~~ shall be considered a deviation from this permit.

...

D.2.15 Scrubber Detection

In the event that a scrubber malfunction has been observed:

Failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions). **Section C – Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition**. Failure to take response steps ~~in accordance with Section C - Response to Excursions or Exceedances~~ shall be considered a deviation from this permit.

...

D.3.7 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan~~, in accordance with Section B - Preventive Maintenance Plan, of this permit~~, is required for these facilities and any control devices. **Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.**

...

D.3.8 Testing Requirements [326 IAC 2-8-5(a) (1), (4)] [326 IAC 2-1.1-11]

In order to demonstrate compliance with Conditions D.3.4 and D.3.5, the Permittee shall perform NOx and CO testing for the boilers, within sixty (60) days after achieving the maximum capacity, but not later than one hundred eighty (180) days after initial startup, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. **Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures).** ~~Testing shall be conducted in accordance with~~ Section C – Performance Testing **contains the Permittee's obligation with regard to the performance testing required by this condition.**

...

D.3.9 Record Keeping Requirements

(a) To document compliance with Conditions D.3.4 and D.3.5, the Permittee shall maintain daily records of the amount of fuel combusted in the boilers.

(b) ~~All records shall be maintained in accordance with~~ Section C - General Record Keeping Requirements~~, of this permit.~~ **contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.**

D.3.10 Reporting Requirements

A quarterly summary of the information to document compliance **status** with Conditions D.3.4 and D.3.5 shall be submitted ~~to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within~~

not later than thirty (30) days after the end of the quarter being reported. **Section C - General Reporting contains the Permittee's obligation with regard to the reporting required by this condition.** The report submitted by the Permittee does require ~~the~~ **a** certification **that meets the requirements of 326 IAC 2-8-5(a)(1)** by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

D.4.7 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan~~, in accordance with Section B - Preventive Maintenance Plan, of this permit~~, is required for these facilities and any control devices. **Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.**

...

D.4.10 Visible Emissions Notations

...

(e) If abnormal emissions are observed, the Permittee shall take reasonable response steps**.** ~~in accordance with~~ Section C – Response to Excursions or Exceedances **contains the Permittee's obligation with regard to the reasonable response steps required by this condition**. Failure to take response steps ~~in accordance with Section C - Response to Excursions or Exceedances~~ shall be considered a deviation from this permit.

...

D.4.11 Parametric Monitoring

(a) The Permittee shall record the pressure drop across the baghouse used in conjunction with the DDGS cooler (EU029) at least once per day when this unit is in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 1.0 to 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps**.** ~~in accordance with~~ Section C – Response to Excursions or Exceedances **contains the Permittee's obligation with regard to the reasonable response steps required by this condition**. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps ~~in accordance with Section C - Response to Excursions or Exceedances~~ shall be considered a deviation from this permit.

(b) The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ and shall be calibrated **or replaced** at least once every six (6) months.

...

D.5.6 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan~~, in accordance with Section B - Preventive Maintenance Plan, of this permit~~, is required for these facilities and any control devices. **Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.**

...

D.5.8 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 8-5-6]

In order to demonstrate compliance with Conditions D.5.4 and D.5.5, the Permittee shall perform VOC (including emission rate, destruction efficiency, and capture efficiency), CO, and NOx testing for enclosed flare CE015, within 60 days after achieving the maximum production, but not later than 180 days after initial startup, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. **Testing shall be conducted in accordance with the provisions of 326 IAC 3-6**

(Source Sampling Procedures). ~~Testing shall be conducted in accordance with~~ Section C – Performance Testing **contains the Permittee's obligation with regard to the performance testing required by this condition.**

...

D.6.2 Record Keeping Requirements

...

(b) ~~All records shall be maintained in accordance with~~ Section C - General Record Keeping Requirements~~, of this permit.~~ **contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.**

...

D.7.2 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan~~, in accordance with Section B - Preventive Maintenance Plan, of this permit~~, is required for these facilities and any control devices. **Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.**

...

D.7.3 Record Keeping Requirements

...

(b) ~~All records shall be maintained in accordance with~~ Section C - General Record Keeping Requirements~~, of this permit.~~ **contains the Permittee's obligation with regard to the recordkeeping requirements of this requirement.**

...

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT

Source Name:	POET Biorefining -North Manchester
Source Address:	868 East 800 North, North Manchester, Indiana 46962
Mailing Address:	868 East 800 North, North Manchester, Indiana 46962
FESOP Permit No.:	169-24515-00068

Months: _____ to _____ Year: _____

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements **of this permit**, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

...

Conclusion and Recommendation

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant. An application for the purposes of this review was received on December 23, 2009.

The construction and operation of this proposed revision shall be subject to the conditions of the attached proposed FESOP Significant Revision No. 169-28809-00068. The staff recommends to the Commissioner that this FESOP Significant Revision be approved.

IDEM Contact

(a) Questions regarding this proposed permit can be directed to Jason R. Krawczyk at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 232-8427 or toll free at 1-800-451-6027 extension 2-8427.

(b) A copy of the findings is available on the Internet at: http://www.in.gov/ai/appfiles/idem-caats/

(c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM's Guide for Citizen Participation and Permit Guide on the Internet at: www.idem.in.gov

Appendix A: Emission Calculations
Emissions Summary

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

Process, Emission Units, Stack	Potential to Emit Before Control								
	PM	PM10	PM2.5	VOC	NOx	SO2	CO	Single HAP	Combined HAPs
Grain Receiving, Conveyors, Storage Bins (EU001 - EU003) (SV001)	596.18	596.18	596.18	-	-	-	-	-	-
Corn Transfer Conveyor / Scalper (EU004), Surge Bin (EU005) (SV002)	45.05	45.05	45.05	-	-	-	-	-	-
Hammermill #1 (EU006) (SV003)	180.21	180.21	180.21	-	-	-	-	-	-
Hammermill #2 (EU007) (SV004)	180.21	180.21	180.21	-	-	-	-	-	-
Hammermill #3 (EU008) (SV005)	180.21	180.21	180.21	-	-	-	-	-	-
Hammermill #4 (EU009) (SV006)	180.21	180.21	180.21	-	-	-	-	-	-
Hammermill #5 (EU010) (SV007)	180.21	180.21	180.21	-	-	-	-	-	-
Distillation and Fermentation Processes (EU011 - EU023) (SV008 or SV009)	-	-	-	227.50	-	-	-	1.40	1.43
RTO (CE009) DDGS Dryers (EU025, EU026) and Centrifuges (EU024) (SV009)	254.41	258.41	258.41	2357.51	48.20	52.17	526.67	38.82	68.09
Boilers (EU027, EU028) (SV013, SV014)	2.38	9.52	9.52	6.89	43.84	0.75	37.58	-	2.39
DDGS Cooler (EU029) (SV010)	8.16	8.16	8.16	49.93	-	-	-	11.69	13.27
DDGS Silo Loading (EU030) (SV011)	60.07	60.07	60.07	-	-	-	-	-	-
DDGS Silo Bypass (EU031) (SV012)	67.58	67.58	67.58	-	-	-	-	-	-
DDGS Loading (EU032 - EU035) (SV018)	150.17	150.17	150.17	-	-	-	-	-	-
Ethanol Loadout (EU036), including Flare (SV016)	-	-	-	232.28	7.02	-	17.66	-	13.51
Generator (EU037) (SV015)	8.09	4.64	4.64	8.15	150.32	46.77	63.60	0.00	0.13
Fugitive Emissions									
Uncaptured Emissions From Grain Receiving (F001)*	14.44	4.73	4.73	-	-	-	-	-	-
Uncaptured Emissions From DDGS Handling (F002)*	2.28	0.77	0.77	-	-	-	-	-	-
Truck Traffic (F003)*	24.10	4.71	0.70	-	-	-	-	-	-
Equipment Leaks (F004)*	-	-	-	53.22	-	-	-	0.00	3.16
Cooling Towers (F005)*	7.13	7.13	7.13	-	-	-	-	-	-
Storage Tanks (T001 - T005)*	-	-	-	2.55	-	-	-	-	-
Total Fugitive:	47.95	17.34	13.33	55.77	0.00	0.00	0.00	0.00	3.16
Total (Non-Fugitive):	**2093.12**	**2100.80**	**2100.80**	**2882.26**	**249.38**	**99.69**	**645.51**	**51.92**	**101.98**

Notes:

*Fugitive PM, PM10, PM2.5, and VOC emissions are not counted toward the determination of Part 70, PSD, or Emission Offset applicability.

Appendix A: Emission Calculations

Emissions Summary (continued)

Process, Emission Units, Stack	Control Device	Potential to Emit After Control (Without Limits) (ton/yr)								
		PM	PM10	PM2.5	VOC	NOx	SO2	CO	Single HAP	Combined HAPs
Grain Receiving, Conveyors, Storage Bins (EU001 - EU003) (SV001)	CE001	5.96	5.96	1.01	-	-	-	-	-	-
Corn Transfer Conveyor / Scalper (EU004), Surge Bin (EU005) (SV002)	CE002	0.45	0.45	0.08	-	-	-	-	-	-
Hammermill #1 (EU006) (SV003)	CE003	1.80	1.80	0.31	-	-	-	-	-	-
Hammermill #2 (EU007) (SV004)	CE004	1.80	1.80	0.31	-	-	-	-	-	-
Hammermill #3 (EU008) (SV005)	CE005	1.80	1.80	0.31	-	-	-	-	-	-
Hammermill #4 (EU009) (SV006)	CE006	1.80	1.80	0.31	-	-	-	-	-	-
Hammermill #5 (EU010) (SV007)	CE007	1.80	1.80	0.31	-	-	-	-	-	-
Distillation and Fermentation Processes (EU011 - EU023) (SV008 or SV009)	CE008 / CE009	-	-	-	4.55	-	-	-	0.70	0.72
RTO (CE009) DDGS Dryers (EU025, EU026) and Centrifuges (EU024) (SV009)	CE009	26.59	26.59	26.59	47.08	48.20	52.17	101.33	3.88	7.87
Boilers (EU027, EU028) (SV013, SV014)	N/A	2.38	9.52	9.52	6.89	43.84	0.75	37.58	-	2.39
DDGS Cooler (EU029) (SV010)	CE010	0.08	0.08	0.01	1.14	-	-	-	0.27	0.30
DDGS Silo Loading (EU030) (SV011)	CE011	0.60	0.60	0.10	-	-	-	-	-	-
DDGS Silo Bypass (EU031) (SV012)	CE012	0.68	0.68	0.11	-	-	-	-	-	-
DDGS Loading (EU032 - EU035) (SV018)	CE016	1.50	1.50	0.26	-	-	-	-	-	-
Ethanol Loadout (EU036), including Flare (SV016)	CE015	-	-	-	4.65	1.39	-	3.49	-	0.27
Generator (EU037) (SV015)	N/A	8.09	4.64	4.64	8.15	150.32	46.77	63.60	0.00	0.13
Fugitive Emissions										
Uncaptured Emissions From Grain Receiving (F001)*	N/A	14.44	4.73	4.73	-	-	-	-	-	-
Uncaptured Emissions From DDGS Handling (F002)*	N/A	2.28	0.77	0.77	-	-	-	-	-	-
Truck Traffic (F003)*	N/A	12.11	2.37	0.35	-	-	-	-	-	-
Equipment Leaks (F004)*	N/A	-	-	-	4.26	-	-	-	-	0.25
Cooling Towers (F005)*	N/A	7.13	7.13	7.13	-	-	-	-	-	-
Storage Tanks (T001 - T005)*	N/A	-	-	-		-	-	-	-	-
Total Fugitive:	-	35.96	15.00	12.98	4.26	0.00	0.00	0.00	0.00	0.25
Total (Non-Fugitive):	-	**55.35**	**59.03**	**43.86**	**72.46**	**243.75**	**99.69**	**206.00**	**4.85**	**11.93**

Notes:

*Fugitive PM, PM10, PM2.5, and VOC emissions are not counted toward the determination of Part 70, PSD, or Emission Offset applicability.

Appendix A: Emission Calculations

Emissions Summary (continued)

Process, Emission Units, Stack	Control Device	Limited Potential to Emit (ton/yr)								
		PM	PM10	PM2.5	VOC	NOx	SO2	CO	Single HAP	Combined HAPs
Grain Receiving, Conveyors, Storage Bins (EU001 - EU003) (SV001)	CE001	5.96	5.96	5.96	-	-	-	-	-	-
Corn Transfer Conveyor / Scalper (EU004), Surge Bin (EU005) (SV002)	CE002	0.44	0.44	0.44	-	-	-	-	-	-
Hammermill #1 (EU006) (SV003)	CE003	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill #2 (EU007) (SV004)	CE004	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill #3 (EU008) (SV005)	CE005	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill #4 (EU009) (SV006)	CE006	1.80	1.80	1.80	-	-	-	-	-	-
Hammermill #5 (EU010) (SV007)	CE007	1.80	1.80	1.80	-	-	-	-	-	-
Distillation and Fermentation Processes (EU011 - EU023) (SV008 or SV009)	CE008 / CE009	-	-	-	5.79	-	-	-	1.21	1.22
RTO (CE009) DDGS Dryers (EU025, EU026) and Centrifuges (EU024) (SV009)	CE009	30.22	30.22	30.22	50.51	48.18	52.17	58.08	3.92	7.89
Boilers (EU027, EU028) (SV013, SV014)	N/A	2.38	9.52	9.52	6.89	43.84	0.75	37.58	-	2.39
DDGS Cooler (EU029) (SV010)	CE010	0.08	0.08	0.08	1.14	-	-	-	0.27	0.30
DDGS Silo Loading (EU030) (SV011)	CE011	0.61	0.61	0.61	-	-	-	-	-	-
DDGS Silo Bypass (EU031) (SV012)	CE012	0.66	0.66	0.66	-	-	-	-	-	-
DDGS Loading (EU032 - EU035) (SV018)	CE016	1.49	1.49	1.49	-	-	-	-	-	-
Ethanol Loadout (EU036), including Flare (SV016)	CE015	-	-	-	4.64	1.39	-	3.49	-	0.31
Generator (EU037) (SV015)	N/A	0.09	0.05	0.05	0.09	1.72	0.53	0.06	0.00	0.00
Fugitive Emissions										
Uncaptured Emissions From Grain Receiving (F001)*	N/A	14.44	4.73	4.73	-	-	-	-	-	-
Uncaptured Emissions From DDGS Handling (F002)*	N/A	2.28	0.77	0.77	-	-	-	-	-	-
Truck Traffic (F003)*	N/A	24.10	4.71	0.70	-	-	-	-	-	-
Equipment Leaks (F004)*	N/A	-	-	-	4.26	-	-	-	-	0.25
Cooling Towers (F005)*	N/A	7.13	7.13	7.13	-	-	-	-	-	-
Storage Tanks (T001 - T005)*	N/A	-	-	-	2.55	-	-	-	-	-
Total Fugitive:	-	47.95	17.34	13.33	6.81	0.00	0.00	0.00	0.00	0.25
Total (non-Fugitive):	**-**	**50.91**	**58.01**	**58.01**	**69.07**	**95.13**	**53.45**	**99.21**	**5.40**	**12.36**

Notes:

*Fugitive PM, PM10, PM2.5, and VOC emissions are not counted toward the determination of Part 70, PSD, or Emission Offset applicability.

VOC and HAP limited PTE for thr RTO (CE009) DDGS Dryers (EU025, EU026) and Centrifuges (EU024), exhausting to stack SV009, are based on 8,260 hours of operation.

Appendix A: Emission Calculations
Natural Gas HAPs Combustion Emissions Summary

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

Combustion HAP PTE Calculations

		RTO		*Dryers*		*Boilers*	
		30.0 MMBtu/hr		120.0 MMBtu/hr		286.0 MMBtu/hr	
Pollutant	**Emission Factor* (lb/MMBtu)**	**Potential to Emit Emissions (lb/hr)**	**(ton/yr)**	**Potential to Emit Emissions (lb/hr)**	**(ton/yr)**	**Potential to Emit Emissions (lb/hr)**	**(ton/yr)**
2-Methylnaphthalene	2.40E-08	7.2E-07	3.0E-06	2.9E-06	1.2E-05	6.86E-06	3.01E-05
3-Methylchloranthrene	1.80E-09	5.4E-08	2.2E-07	2.2E-07	8.9E-07	5.15E-07	2.25E-06
7,12-Dimethylbenz(a)anthracene	1.60E-08	4.8E-07	2.0E-06	1.9E-06	7.9E-06	4.58E-06	2.00E-05
Acenaphthene	1.80E-09	5.4E-08	2.2E-07	2.2E-07	8.9E-07	5.15E-07	2.25E-06
Acenaphthlyene	1.80E-09	5.4E-08	2.2E-07	2.2E-07	8.9E-07	5.15E-07	2.25E-06
Anthracene	2.40E-09	7.2E-08	3.0E-07	2.9E-07	1.2E-06	6.86E-07	3.01E-06
Benz(a)anthracene	1.80E-09	5.4E-08	2.2E-07	2.2E-07	8.9E-07	5.15E-07	2.25E-06
Benzene	2.10E-06	6.3E-05	2.6E-04	2.5E-04	1.0E-03	6.01E-04	2.63E-03
Benzo(a)pyrene	1.20E-09	3.6E-08	1.5E-07	1.4E-07	5.9E-07	3.43E-07	1.50E-06
Benzo(b)fluoranthene	1.80E-09	5.4E-08	2.2E-07	2.2E-07	8.9E-07	5.15E-07	2.25E-06
Benzo(g,h,i)perylene	1.20E-09	3.6E-08	1.5E-07	1.4E-07	5.9E-07	3.43E-07	1.50E-06
Benzo(k)fluoranthene	1.80E-09	5.4E-08	2.2E-07	2.2E-07	8.9E-07	5.15E-07	2.25E-06
Chrysene	1.80E-09	5.4E-08	2.2E-07	2.2E-07	8.9E-07	5.15E-07	2.25E-06
Dibenzo(a,h)anthracene	1.20E-09	3.6E-08	1.5E-07	1.4E-07	5.9E-07	3.43E-07	1.50E-06
Dichlorobenzene	1.20E-06	3.6E-05	1.5E-04	1.4E-04	5.9E-04	3.43E-04	1.50E-03
Fluoranthene	3.00E-09	9.0E-08	3.7E-07	3.6E-07	1.5E-06	8.58E-07	3.76E-06
Fluorene	2.80E-09	8.4E-08	3.5E-07	3.4E-07	1.4E-06	8.01E-07	3.51E-06
Formaldehyde	7.50E-05	2.3E-03	9.3E-03	9.0E-03	3.7E-02	2.15E-02	9.40E-02
Hexane	1.80E-03	5.4E-02	2.2E-01	2.2E-01	8.9E-01	5.15E-01	2.25E+00
Indeno(1,2,3-cd)pyrene	1.80E-09	5.4E-08	2.2E-07	2.2E-07	8.9E-07	5.15E-07	2.25E-06
Napthalene	6.10E-07	1.8E-05	7.6E-05	7.3E-05	3.0E-04	1.74E-04	7.64E-04
Phenanathrene	1.70E-08	5.1E-07	2.1E-06	2.0E-06	8.4E-06	4.86E-06	2.13E-05
Pyrene	5.00E-09	1.5E-07	6.2E-07	6.0E-07	2.5E-06	1.43E-06	6.26E-06
Toluene	3.40E-06	1.0E-04	4.2E-04	4.1E-04	1.7E-03	9.72E-04	4.26E-03
Arsenic	2.40E-07	7.2E-06	3.0E-05	2.9E-05	1.2E-04	6.86E-05	3.01E-04
Cadmium	1.10E-06	3.3E-05	1.4E-04	1.3E-04	5.5E-04	3.15E-04	1.38E-03
Chromium	1.40E-06	4.2E-05	1.7E-04	1.7E-04	6.9E-04	4.00E-04	1.75E-03
Cobalt	8.40E-08	2.5E-06	1.0E-05	1.0E-05	4.2E-05	2.40E-05	1.05E-04
Manganese	3.80E-07	1.1E-05	4.7E-05	4.6E-05	1.9E-04	1.09E-04	4.76E-04
Mercury	2.60E-07	7.8E-06	3.2E-05	3.1E-05	1.3E-04	7.44E-05	3.26E-04
Nickel	2.10E-05	6.3E-04	2.6E-03	2.5E-03	1.0E-02	6.01E-03	2.63E-02
Totals		**0.06**	**0.24**	**0.23**	**0.95**	**0.55**	**2.39**

*Emission Factors are from AP-42, 5th Edition, Section 1.4, "Natural Gas Combustion ," 7/98

The RTO is permitted for 500 hours of downtime. The DDGS Dryers are not permitted to operate in the event of the RTO shutdown; therefore, HAP emisions for these units are based on 8,260 hours of operation. These emissions combined with the HAP emissions when the wet scrubber CE008 are exhausting to stack SV008, equate to a worst case scenario.

Appendix A: Emission Calculations
PM / PM10 / PM2.5Emissions
From the Grain Receiving, Handling, and Hammermilling Operations
and the DDGS Loadout Operations

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

1. Potential to Emit PM/PM10/PM2.5 - Captured Emissions:

Baghouse ID	Process Description	Outlet Grain Loading (gr/dscf)	Maximum Air Flow Rate (scfm)	PTE of PM/PM10 after Control (lbs/hr)	PTE of PM/PM10 after Control (tons/yr)	PTE of PM2.5 after Control (lbs/hr)	PTE of PM2.5 after Control (tons/yr)	Control Efficiency (%)	PTE of PM/PM10/PM2.5 before Control (tons/yr)
CE001	Grain Receiving (EU001), Conveyors (EU 002), and Storage Bins (EU003)	0.004	39,700	1.36	5.96	0.23	1.01	99%	596.18
CE002	Corn Transfer Conveyor / Scalper (EU004), Surge Bin (EU005)	0.004	3,000	0.10	0.45	0.02	0.08	99%	45.05
CE003	Hammermill #1 (EU 006)	0.004	12,000	0.41	1.80	0.07	0.31	99%	180.21
CE004	Hammermill #2 (EU 007)	0.004	12,000	0.41	1.80	0.07	0.31	99%	180.21
CE005	Hammermill #3 (EU 008)	0.004	12,000	0.41	1.80	0.07	0.31	99%	180.21
CE006	Hammermill #4 (EU 009)	0.004	12,000	0.41	1.80	0.07	0.31	99%	180.21
CE007	Hammermill #5 (EU 010)	0.004	12,000	0.41	1.80	0.07	0.31	99%	180.21
CE016	DDGS Loadout Operations (EU032-EU035)	0.004	10,000	0.34	1.50	0.06	0.26	99%	150.17
Total				**3.86**	**16.92**	**0.66**	**2.88**		**1,692.43**

Note:
Assume all PM emissions equal PM10 emissions.
*Assume controlled PM2.5 emissions equal 17% PM/PM10 emissions (AP-42 Table 9.9.1-1 Reference 40).

Methodology:
PTE of PM/PM10 after Control (lbs/hr) = Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x 60 mins/hr x 1/7000 lb/gr
PTE of PM/PM10 after Control (tons/yr) = Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x 60 mins/hr x 1/7000 lb/gr x 8760 hr/yr x 1 ton/2000 lbs
PTE of PM2.5 after Control (lbs/hr) = Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x 60 mins/hr x 1/7000 lb/gr * 0.17
PTE of PM2.5 after Control (tons/yr) = Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x 60 mins/hr x 1/7000 lb/gr x 8760 hr/yr x 1 ton/2000 lbs * 0.17
PTE of PM/PM10/PM2.5 before Control (tons/yr) = PTE of PM/PM10 after Control (tons/yr) / (1-Control Efficiency)

2. Potential to Emit PM/PM10/PM2.5 - Fugitive Emissions:

Unit ID	Unit Description	Annual Throughput Limit (tons/yr)	Uncontrolled PM Emission Factor (lbs/ton)	Uncontrolled PM10 Emission Factor (lbs/ton)	Baghouse ID	Capture Efficiency (%)	Fugitive PM Emissions (tons/yr)	Fugitive PM10/PM2.5 Emissions (tons/yr)
F001	Uncaptured Emissions From Grain Receiving (F001)	802,165	0.180	0.0590	CE001	80%	14.44	4.73
Total							**14.44**	**4.73**

Note:
Emission factors are from AP-42, Chapter 9.9.1-1 and AP-42, Chapter 9.9.1-2. Assume all the grain receiving and loadout is by truck, which is the worst case scenario.
Assume PM10 emissions equal to PM2.5 emissions.

Methodology
Fugitive PM/PM10/PM2.5 (tons/yr) = Annual Throughput Limit (tons/yr) x Uncontrolled Emission Factor (lbs/ton) x (1-Capture Efficiency%) x 1 ton/2000 lbs

Appendix A: Emission Calculations
PM / PM10 / PM2.5Emissions
From DDGS Handling Operations

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

1. Potential to Emit PM/PM10/PM2.5 - Captured Emissions:

Baghouse ID	Process Description	Outlet Grain Loading (gr/dscf)	Maximum Air Flow Rate (scfm)	PTE of PM/PM10 after Control (lbs/hr)	PTE of PM/PM10 after Control (tons/yr)	PTE of PM2.5 after Control (lbs/hr)	PTE of PM2.5 after Control (tons/yr)	Control Efficiency (%)	PTE of PM/PM10/PM2.5 before Control (tons/yr)
CE011	DDGS Silo Loading (EU030)	0.004	4,000	0.14	0.60	0.02	0.10	99%	60.07
CE012	DDGS Silo Bypass (EU031)	0.004	4,500	0.15	0.68	0.03	0.11	99%	67.58
Total				**0.29**	**1.28**	**0.05**	**0.22**		**127.65**

Note:
Assume all PM emissions equal PM10 emissions.
*Assume controlled PM2.5 emissions equal 17% PM/PM10 emissions (AP-42 Table 9.9.1-1 Reference 40).

Methodology:
PTE of PM/PM10 after Control (lbs/hr) = Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x 60 mins/hr x 1/7000 lb/gr
PTE of PM/PM10 after Control (tons/yr) = Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x 60 mins/hr x 1/7000 lb/gr x 8760 hr/yr x 1 ton/2000 lbs
PTE of PM2.5 after Control (lbs/hr) = Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x 60 mins/hr x 1/7000 lb/gr * 0.17
PTE of PM2.5 after Control (tons/yr) = Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x 60 mins/hr x 1/7000 lb/gr x 8760 hr/yr x 1 ton/2000 lbs * 0.17
PTE of PM/PM10/PM2.5 before Control (tons/yr) = PTE of PM/PM10 after Control (tons/yr) / (1-Control Efficiency)

2. Potential to Emit PM/PM10/PM2.5 - Fugitive Emissions:

Unit ID	Unit Description	Annual Throughput Limit (tons/yr)	Uncontrolled PM Emission Factor (lbs/ton)	Uncontrolled PM10 Emission Factor (lbs/ton)	Capture Efficiency (%)	Fugitive PM Emissions (tons/yr)	Fugitive PM10/PM2.5 Emissions (tons/yr)
EU034	Uncaptured Emissions From DDGS Handling (F002)	264,715	0.0860	0.0290	80%	2.28	0.77
Total						**2.28**	**0.77**

Note:
Emission factors are from AP-42, Chapter 9.9.1-1 and AP-42, Chapter 9.9.1-2. Assume all the grain receiving and loadout is by truck, which is the worst case scenario.
Assume PM10 emissions equal to PM2.5 emissions.

Methodology
Fugitive PM/PM10/PM2.5 (tons/yr) = Annual Throughput Limit (tons/yr) x Uncontrolled Emission Factor (lbs/ton) x (1-Capture Efficiency%) x 1 ton/2000 lbs

Appendix A: Emission Calculations

VOC and HAP Emissions

From the Distillation and Fermentation Scrubber / RTO Bypass (Stack SV008)

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

Scrubber VOC Control Efficiency =	98.00%
Scrubber HAP Control Efficiency =	50.00%
Annual Hours of Operation Limit* =	500

PTE Before Control	lb/hr	ton/yr
VOC	910.0	227.5
Acetaldehyde	5.6	1.4
Propionaldehyde	0.04	0.01
Methanol	0.04	0.01
Formaldehyde	0.04	0.01
Total Uncontrolled HAP	5.72	1.4

PTE After Control	lb/hr	ton/yr
VOC	18.20	4.55
Acetaldehyde	2.80	0.70
Propionaldehyde	0.02	0.01
Methanol	0.02	0.01
Formaldehyde	0.02	0.01
Total Controlled HAP	2.86	0.7

Limited PTE	lb/hr	ton/yr
VOC	23.16	5.79
Acetaldehyde	4.82	1.21
Propionaldehyde	0.02	0.01
Methanol	0.02	0.01
Formaldehyde	0.02	0.01
Total Controlled HAP	4.88	1.22

Note:

*The RTO must occasionally be temporarily shut down for maintenance or other operational reasons. In this event, the DDGS dryers and fluid bed cooler will be shut down, however, the distillation and fermentation systems will continue to be operated in normal mode. The emissions from these sources will be vented to a by-pass stack SV008. The emissions will be controlled by the wet scrubber, CE008.

PTE After Control VOC and HAP emission rates based on performance test contucted March 2009.

Methodology:

PTE Before Control (lb/hr) = PTE After Control (lb/hr) / (100% - Control Efficiency)
PTE Before Control (ton/yr) = PTE Before Control * 500 hours / 2,000 lbs
PTE After Control (lb/hr) = Emission Rate based on performance tests performed at this facility March 2009.
PTE After Control (ton/yr) = PTE After Control (lb/hr) * 500 hours / 2,000 lbs
Limited PTE (lb/hr) = lb/hr emission rate chosen by source
Limited (ton/yr) = Limited PTE (lb/hr) * 500 hours / 2,000 lbs

Appendix A: Emission Calculations
PM/PM10/PM2.5 and VOC Emissions
From the DDGS Cooler (EU029)

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

1. Potential to Emit PM/PM10/PM2.5

Baghouse ID	Process Description	Outlet Grain Loading (gr/dscf)	Maximum Air Flow Rate (scfm)	PTE of PM/PM10 after Control (lbs/hr)	PTE of PM/PM10 after Control (tons/yr)	PTE of PM2.5 after Control (lbs/hr)	PTE of PM2.5 after Control (tons/yr)	Control Efficiency (%)	PTE of PM/PM10/PM2.5 before Control (tons/yr)
CE010	DDGS Cooler	0.004	23,800	0.82	0.08	0.14	0.01	99%	8.16

Note:

Assume all PM emissions equal PM10 emissions.
Assume controlled PM2.5 emissions equal 17% PM/PM10 emissions (AP-42 Table 9.9.1-1 Reference 40).
Emissions from the fluid bed cooler are first controlled by a fabric filter and then normally routed to the DDGS dryers as combustion air and exhausted throught the RTO stack. An alternative operating condition will exhaust directly out the fluid bed cooler stack. This alternative operating condition will be limited to 200 hours per year.

Methodology

PTE of PM/PM10 after Control (lbs/hr) = Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x 60 mins/hr x 1/7000 lb/gr
PTE of PM/PM10 after Control (tons/yr) = Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x 60 mins/hr x 1/7000 lb/gr x 200 hr/yr x 1 ton/2000 lbs
PTE of PM/PM10 before Control (tons/yr) = PTE of PM/PM10 after Control (tons/yr) / (1-Control Efficiency)

2. Potential to Emit VOC:

VOC Emission Factor =	11.4	lb/hr as Ethanol	(Based on stack test performed on the Fluid Bed Cooler on March 5, 2009)
Unlimited PTE of VOC (tons/yr) =	11.4 (lb/hr) x 8760 (hr/yr) x 1 ton / 2000 lbs =		**49.93 (tons/yr)**
Limited PTE of VOC (tons/yr) =	11.4 (lb/hr) x 200 (hr/yr) x 1 ton / 2000 lbs =		**1.14 (tons/yr)**

3. Potential to Emit HAPs:

	Pollutant				
	Acetaldehyde	Acrolein	Methanol	Formaldehyde	Total
Emission Rate after Control (lbs/hr) *	2.67	0.07	0.22	0.07	0.07
Unlimited PTE of HAP (tons/yr)	**11.69**	**0.31**	**0.96**	**0.31**	**13.27**
Limited PTE of HAP (tons/yr)	**0.27**	**0.01**	**0.02**	**0.01**	**0.30**

*HAP emission rates based on stack test performed on the Fluid Bed Cooler on March 5, 2009.

Methodology

Unlimited PTE of HAP (tons/yr) = Emission Rate after Control (lbs/hr) x 8,760 hr/yr x 1 ton/2000 lbs
Limited PTE of HAP (tons/yr) = Emission Rate after Control (lbs/hr) x 200 hr/yr x 1 ton/2000 lbs

Appendix A: Emission Calculations
DDGS Dryers and RTO

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

1. DDGS Dryers Combustion Emissions

Heat Input Capacity MMBtu/hr	Throughput MMCF/yr
120.0	**1,051.2**

Pollutant

	PM*	PM10**	PM2.5	SO_2****	NOx***	VOC	CO
Emission Factor in lbs/MMCF	1.9	7.6	7.6	20	81.7	5.5	82.3
Emission Factor, lb/MMBtu	0.0019	0.0076	0.0076	0.0200	0.0817	0.0055	0.0823
Hourly Emissions Limit (lbs/hour)	0.228	0.912	0.912	2.400	9.804	0.660	9.876
Potential to Emit in tons/yr	**1.0**	**4.0**	**4.0**	**10.5**	**42.9**	**2.7**	**43.3**

Note:
HAP emissions are included on the HAPs Combutions Emissions Summary sheet.
The RTO is permitted for 500 hours of downtime. The DDGS Dryers are not permitted to operate in the event of the RTO shutdown; therefore, VOC emisions are based on 8,260 hours of operation. These emissions combined with the VOC emissions when the wet scrubber CE008 are exhausting to stack SV008, equate to a worst case scenario.

Methodology:
Emission factors are from AP-42, Chapter 1.4, Tables 1.4-1, 1.4-2, and 1.4-3 (AP-42, 3/98).
*PM emission factor is filterable PM only.
**PM10 emission factor is condensable and filterable PM10 combined.
***NOx emission factor based on stack test results from a simlar source. Putnam County Ethanol will verify emission rate via stack test.
****SO2 emission factor based on stack test performed March 5, 2009.
Assume PM10 = PM2.5
MMBtu = 1,000,000 Btu
MMCF = 1,000,000 Cubic Feet of Gas

2. RTO Combustion Emissions

Heat Input Capacity MMBtu/hr	Throughput MMCF/yr
30.0	**262.8**

Pollutant

	PM*	PM10*	PM2.5	SO_2	Nox***	VOC	CO
Emission Factor in lbs/MMCF	1.9	7.6	7.6	0.6	40	5.5	82.3
Emission Factor, lb/MMBtu	0.0019	0.0076	0.0076	0.0006	0.0400	0.0055	0.0823
Hourly Emissions Limit (lbs/hour)	0.057	0.228	0.228	0.018	1.200	0.165	2.469
Potential to Emit in tons/yr	**0.25**	**1.00**	**1.00**	**0.08**	**5.26**	**0.68**	**10.81**

Note:
HAP emissions are included on the HAPs Combutions Emissions Summary sheet.
The RTO is permitted for 500 hours of downtime; therefore, VOC emisions are based on 8,260 hours of operation. These emissions combined with the VOC emissions when the wet scrubber CE008 are exhausting to stack SV008, equate to a worst case scenario.

Methodology:
Emission factors are from AP-42, Chapter 1.4, Tables 1.4-1, 1.4-2, and 1.4-3 (AP-42, 3/98).
*PM emission factor is filterable PM only.
**PM10 emission factor is condensable and filterable PM10 combined.
***NOx emission factor based on manufacturer's guarantee.
Assume PM10 = PM2.5
MMBtu = 1,000,000 Btu
MMCF = 1,000,000 Cubic Feet of Gas

Appendix A: Emission Calculations
DDGS Dryers and RTO (Continued)

3. Process Emissions

Particulate Emissions

Control ID	Emissions Units	Outlet Grain Loading (gr/dscf)	Maximum Air Flow Rate (scfm)	PTE of PM/PM10/PM2.5 after Control (lbs/hr)	PTE of PM/PM10/PM2.5 after Control (tons/yr)	Control Efficiency (%)	PTE of PM/PM10/PM2.5 before Control (lbs/yr)	PTE of PM/PM10/PM2.5 before Control (ton/yr)
CE009	EU025, EU026	0.135	50,000	5.79	25.34	90%	57.86	253.41

Note:
The PM/PM10/PM2.5 after control emission rates are achievable based on the March 2009 stack test.

Methodology:
PTE before Control (lbs/yr) = Outlet Grain Loading (gr/dscf) * Maximum Air Flow Rate (scfm) * 60 minutes / 7,000 grains.
PTE before Control (tons/yr) = PTE before Control (lbs/hr) * 8,760 hours / 2,000 lbs.
PTE after Control (lbs/hr) = PTE before Control (lbs/hr) * (1 - Control Efficiency (%)).
PTE after Control (tons/yr) = PTE before Control (lbs/hr) * 8,760 hours / 2,000 lbs.

CO Emissions

Control ID	Emissions Units	PTE of CO before Control		Control Efficiency	PTE of CO after Control	
		(lb/hr)	(ton/year)	(%)	(lb/hr)	(ton/year)
CE009	EU025, EU026	107.9	472.6	90.0%	10.8	47.3

Note:
After control CO emission rate is acheivable based on the March 2009 stack test.

Methodology:
PTE of CO before Control (ton/yr) = PTE of CO before Control (lb/hr) * 8,760 hrs / 2,000 lbs.
PTE of CO after Control (lb/hr) = PTE of CO before Control (lb/hr) * (1 - Control Efficiency (%)).
PTE of CO after Control (tons/yr) = PTE of CO after Control (lb/hr) * 8,760 hrs / 2,000 lbs.

VOC and HAP Emissions

Control ID	Analyte	PTE before Control		Control Efficiency	PTE after Control	
		lb/hr	ton/year	%	lb/hr	ton/year
CE009	VOC	570.0	**2354.1**	98.0%	11.40	**47.1**
	Acetaldehyde	9.4	38.8	90%	0.94	3.88
	Acrolein	1.3	5.4	90%	0.13	0.54
	Methanol	0.7	2.9	90%	0.07	0.29
	Formaldehyde	4.8	19.8	90%	0.48	1.98
	Total HAP	16.2	**66.9**	90%	1.62	**6.69**

Note:
The VOC and HAP after control (lb/hr) emission rates for the RTO are achievable based on the March 2009 stack test.

Methodology:
PTE before Control (lb/hr) = PTE after Control (lb/hr) / (1- Control Effieciency (%))
PTE before Control (tons/yr) = PTE before Control (lb/hr) * 8,760 hrs / 2,000 lbs.
PTE after Control (ton/yr) = PTE after Control (lb/hr) * 8,260 hrs / 2,000 lbs.

SO2 Emissions

Ethanol Production Limit	Emission Factor	Emission Rate	Emission Rate
(MMgal/yr)	(lb/gal)	(lb/hr)	(ton/yr)
83.153	0.001	9.49	**41.58**

Note:
SO_2 emission factor based on testing at similar plant.

Methodology:
Emission Rate (lb/hr) = Ethanol Production Limit (MMGal/yr) * Emission Factor (lb/gal) / 8,760 hrs.
Emission Rate (ton/yr) = Emission Rate (lb/hr) * 8,760 hrs / 2,000 lbs.

Appendix A: Emission Calculations
Emissions from Loading Rack
and Flare Combustion

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

1. Emission Factors: AP-42

Ethanol will be shipped by truck and by rail. Railcars will be dedicated fleets, but the trucks may be used to carry gasoline prior to filling with ethanol. Railcars and trucks will be filled by submerged loading process and the truck loading process is controlled by flare CE012, which has a control efficiency of 98% for VOC and HAPs.

According to AP-42, Chapter 5.2 - Transportation and Marketing of Petroleum Liquids (01/95), the VOC emission factors for the truck and rail loading rack can be estimated from the following equation:

$$L = 12.46 \times (SPM)/T$$

where:

L = loading loss (lbs/kgal)
S = a saturation factor (see AP-42, Table 5.2-1)
P = true vapor pressure of the liquid loaded (psia)
M = molecular weight of vapors
T = temperature of the bulk liquid loaded (degree R)

Previous Stored Liquid	*S	P (psia)	M (lbs/mole lbs)	T (degree R)	L (lbs/kgal)
Gasoline (RVP15 normal)	1.0	6.96	60.00	510	10.20
Gasoline (RVP15 clean cargo)	0.5	6.96	60.00	510	5.10
E-85 Ethanol (normal)	0.6	1.63	56.56	510	1.35
E-85 Ethanol (clean cargo)	0.5	1.63	56.56	510	1.13
Denatured Ethanol (normal)	0.6	0.66	49.30	510	0.48
Denatured Ethanol (clean cargo)	0.5	0.66	49.30	510	0.40

The emission factor for loading denatured ethanol to rail which previously contained denatured ethanol			
= L (Denatured ethanol, normal) =	Denatured Ethanol	0.48	(lbs/kgal)
The emission factor for loading E-85 to trucks which stored gasoline previously			
= L (gasoline, normal) - L (gasoline, clean cargo) + L (E-85, clean cargo) =	E-85	6.23	
Therefore, the emission factor for loading denatured ethanol to trucks which stored gasoline previously			
= L (gasoline, normal) - L (gasoline, clean cargo) + L (denatured ethanol, clean cargo) =	Denatured Ethanol	5.50	

True vapor pressure and the molecular weight are calculated within Tanks 4.0.9d software for Indianapolis, IN meterological data.
Gasoline service is assuming RVP15 gasoline
Denatured ethanol is assumed to be 95% ethanol and 5% RVP15 gasoline
E-85 ethanol is assumed to be 70% ethanol and 30% RVP15 gasoline

2. Unlimited Potential to Emit VOC Before Control:

(1) Assume truck loadout = :

Denatured Loadout =	90%	
E-85 =	10%	
200 Proof EtOH	77.35	MMgal/yr
Denatured Loadout =	73.10	MMgal/yr (90% of 200 Proof @ 5% Denaturant)
E-85 =	10.06	MMgal/yr (10% of 200 Proof @ 30% Denaturant)
Total Loadout =	83.15	MMgal/yr

Denatured Ethanol Loading Rate limit for truck: 73.10 MMgal/yr
PTE of VOC before Control (tons/yr) = 73.10 MMgal/yr x 5.50 lbs/kgal x 1 ton/2000 lbs = **201.0 tons/yr**

E-85 Loading Rate limit for truck: 10.06 MMgal/yr
PTE of VOC before Control (tons/yr) = 10.06 MMgal/yr x 6.23 lbs/kgal x 1 ton/2000 lbs =" **31.3 tons/yr**

(2) Assume all ethanol loaded out via rail:
Loading Rate limit for rail: 83.15 MMgal/yr
PTE of VOC before Control (tons/yr) = 83.15 MMgal/yr x 0.48 lbs/kgal x 1 ton/2000 lbs =" **19.8 tons/yr**

Appendix A: Emission Calculations
Emissions from Loading Rack
and Flare Combustion (Continued)

3. Limited Potential to Emit VOC after Control:

Annual Production Limit:	83.15	MMgal/yr
Railcar Limited Throughput	83.15	MMgal/yr
Truck Throughput (worst case)	83.15	MMgal/yr
Flare Control Efficiency:	98%	

(1) Assume truck loadout = :
Denatured Loadout = 90%
E-85 = 10%

Limited PTE of VOC from denatured ethanol truck loading (tons/yr) = 5.50 lbs/kgal x 73,100 kgal/yr x (1-98%) x 1 tons/2000 lbs = **4.02 tons/yr**
Limited PTE of VOC from E-85 truck loading (tons/yr) = 6.23 lbs/kgal x 10,060 kgal/yr x (1-98%) x 1 tons/2000 lbs = **0.63 tons/yr**
Total = 4.65 tons/yr

(2) Assume all denatured ethanol is loaded to railcars (controlled by flare):
PTE of VOC (tons/yr) = 0.51 lb/kg *Annual Production Limit (MMgal/yr)* 1000 gallons * (1- Flare Control Efficiency) * 1 ton / 2000 lbs **0.40 tons/yr**

Worst Case Scenario = 4.65 tons/yr

4. Potential to Emit HAPs:

HAP emissions are mainly from the unloading process for trucks, which may have been used to ship gasoline previously.

HAP	*HAP Fraction	PTE of HAPs before Control (tons/yr)	Limited PTE of HAPs after Control (tons/yr)
Benzene	2.50E-03	0.58	1.16E-02
Carbon Disulfide	2.00E-05	0.00	9.29E-05
Cumene	1.00E-04	0.02	4.65E-04
Ethyl benzene	5.00E-05	0.01	2.32E-04
n-Hexane	5.00E-02	11.61	2.32E-01
Toluene	5.00E-03	1.16	2.32E-02
Xylene	5.00E-04	0.12	2.32E-03
Total	**0.058**	**13.51**	**0.27**

* This is the HAP fraction for gasoline vapors.

Methodology:
PTE of HAPs before Control (tons/yr) = PTE of VOC before Control (tons/yr) x HAP %
Limited PTE of HAPs after Control (tons/yr) = Limited PTE of VOC by Trucks (tons/yr) x HAP %

Appendix A: Emission Calculations
Emissions from Loading Rack
and Flare Combustion (Continued)

5. Potential to Emit (NOx and CO) from Flare Combustion

Maximum Heat Input Capacity	0.055	MMBtu/hr
Maximum Loadout Rate	48.00	kgal/hr
Annual Limited Loadout Rate	83,153	kgal/yr

	**NO_x	**CO
Emission Factor (lbs/kgal)	0.0334	0.084
Unlimited Potential to Emit in tons/yr	**7.02**	**17.66**
Limited Potential to Emit in tons/yr	**1.39**	**3.49**

*PM, PM10, and SO_2 emission factors are negligible due to the smokeless design and minimal H_2S levels.
**Emission factors for NOx and CO are based on the information provided by the flare manufacturer (John Zink Company).

Methodology:
Unlimited PTE of NOx and CO (tons/yr) = Max. Load-out Rate (kgal/hr) x Emission Factor (lbs/kgal) x 8760 hr/yr x 1 ton/2000 lbs
Limited PTE of NOx and CO (tons/yr) = Annual Production Limit (kgal/yr) x Emission Factor (lbs/kgal) x 1 ton/2000 lbs
Limited PTE of PM/PM10 and SO_2 (tons/yr) = Unlimited PTE (tons/yr) x Annual Production Limit (Mgal/yr) / (Max. Load-out Rate Mgal/hr x 8760 hr/yr)

Appendix A: Emission Calculations
Two (2) Natural Gas Fired Boilers

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

Heat Input Capacity MMBtu/hr	Unlimited Throughput MMCF/yr
286.0	**2,505.4**

Pollutant

	PM	PM10*	PM2.5*	SO_2	NOx	VOC	CO**
Emission Factor in lbs/MMCF	1.9	7.6	7.6	0.6	35	5.5	30.0
Emission Factor, lb/MMBtu	0.0019	0.0076	0.0076	0.0006	0.035	0.0055	0.03
Hourly Emissions Limit (lbs/hour)	0.543	2.174	2.174	0.172	10.010	1.573	8.580
Potential to Emit in tons/yr	**2.38**	**9.52**	**9.52**	**0.75**	**43.84**	**6.89**	**37.6**

Note:
HAP emissions are included on the HAPs Combutions Emissions Summary sheet.

Methodology:
Emission factors are from AP-42, Chapter 1.4, Tables 1.4-1, 1.4-2, and 1.4-3 (AP-42, 3/98).
*PM10 and PM2.5 emission factors are condensable and filterable PM combined.
**CO emission factor based on performance test data of a similar unit.
Assume PM10 = PM2.5
MMBtu = 1,000,000 Btu
MMCF = 1,000,000 Cubic Feet of Gas

Appendix A: Emission Calculations
Large Reciprocating Internal Combustion Engines - Diesel Fuel
Output Rating (>600 HP)

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

Emissions calculated based on output rating (hp)

Output Horsepower Rating (hp)	2640.0
Unlimited Hours of Operation per Year	8760
Unlimited Potential Throughput (hp-hr/yr)	23,126,400
Limited Hours of Operation per Year	100
Limited Potential Throughput (hp-hr/yr)	264,000
Sulfur Content (S) of Fuel (% by weight)	0.500

	Pollutant						
	PM*	PM10*	PM2.5*	SO2	NOx	VOC	CO
Emission Factor in lb/hp-hr	7.00E-04	4.01E-04	4.01E-04	4.05E-03 *(.00809S)*	1.30E-02 **see below	7.05E-04	5.50E-03
Unlimited Potential Emissions in tons/yr	8.09	4.64	4.64	46.77	150.32	8.15	63.60
Limited Potential Emission in tons/yr	**0.09**	**0.05**	**0.05**	**0.53**	**1.72**	**0.09**	**0.73**

*PM10 emission factor in lb/hp-hr was calculated using the emission factor in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42 Table 3.3-1).
**NOx emission factor: uncontrolled = 0.024 lb/hp-hr, controlled by ignition timing retard = 0.013 lb/hp-hr

Hazardous Air Pollutants (HAPs)

	Pollutant						
	Benzene	Toluene	Xylene	Formaldehyde	Acetaldehyde	Acrolein	Total PAH HAPs***
Emission Factor in lb/hp-hr****	5.43E-06	1.97E-06	1.35E-06	5.52E-07	1.76E-07	5.52E-08	1.48E-06
Unlimited Potential Emission in tons/yr	6.28E-02	2.27E-02	1.56E-02	6.39E-03	2.04E-03	6.38E-04	1.72E-02
Limited Potential Emission in tons/yr	**7.17E-04**	**2.60E-04**	**1.78E-04**	**7.29E-05**	**2.33E-05**	**7.28E-06**	**1.96E-04**

***PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)
****Emission factors in lb/hp-hr were calculated using emission factors in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42 Table 3.3-1).

Unlimited Potential Emissions of Total HAPs (ton/yr)	1.27E-01
Limited Potential Emission of Total HAPs (tons/yr)	**1.45E-03**

Methodology
Emission Factors are from AP 42 (Supplement B 10/96) Tables 3.4-1 , 3.4-2, 3.4-3, and 3.4-4
Potential Throughput (hp-hr/yr) = [Output Horsepower Rating (hp)] * [Limited Hours of Operation per Year]
Limited Potential Emission (tons/yr) = [Potential Throughput (hp-hr/yr)] * [Emission Factor (lb/hp-hr)] / [2,000 lb/ton]
Unlimited Potential Emissions (tons/yr) =

Appendix A: Emission Calculations
Fugitive Emissions From Roads

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

1. Paved Roads

E= [(k x (sL/2)^0.65) x (W/3)^1.5 - C](1-(P/4N))

AP-42, Section 13.2.2-1

			Summer Months			Winter Months		
Factor	**Description**	**Source**	**PM Value**	**PM_{10} Value**	**$PM_{2.5}$ Value**	**PM Value**	**PM_{10} Value**	**$PM_{2.5}$ Value**
E =	Emission factor (lb/VMT, vehicle miles traveled)	Calculation, above	0.95	0.19	0.03	2.35	0.46	0.07
k =	PM Particle size multiplier (lb/VMT)	AP-42, Section 13.2.1	0.082	0.016	0.0024	0.082	0.016	0.0024
sL =	Road surface silt loading (g/m^2)	AP-42, Section 13.2.1-2	0.60	0.60	0.60	2.40	2.40	2.4
C =	Vehicle exhaust emission factor		0.0005	0.0005	0.0004	0.0005	0.0005	0.0004
P =	Number of "wet" days in an averaging period		120	120	120	120	120	120
N =	Number of days in the averaging period		365	365	365	365	365	365
W =	Average vehicle weight (ton)		27.5	27.5	27.5	27.5	27.5	27.5

Average Annual Emission Factors

	Non-Winter Months	Winter Months	Average Factor
PM	9	3	**1.30**
PM_{10}	9	3	**0.25**
$PM_{2.5}$	9	3	**0.04**

PM Emissions from Paved Roads

Activity	Quantity Transported per truck	No. of Trucks (truck/yr)	Miles Traveled per Truck (miles/truck)	Annual Mileage (VMT/yr)	Uncontrolled PM Emissions (lb/yr)	Uncontrolled PM Emissions (tpy)	Controlled PM Emissons* (tpy)
Grain delivery	25 ton	27,331	0.75	20,498	26723.88	13.36	6.68
DDGS haul out	25 ton	10,589	0.75	7,942	10353.78	5.18	2.59
Ethanol haul out	8,000 gal	10,394	0.75	7,796	10163.11	5.08	2.54
Denaturant delivery	8,000 gal	725	0.75	544	708.90	0.35	0.18
Total						23.97	**11.99**

*Periodic sweeping will be done to provide control (50%) to PM/PM_{10}/$PM_{2.5}$ emissions.

PM_{10} Emissions from Paved Roads

Activity	Quantity Transported per truck	No. of Trucks (truck/yr)	Miles Traveled per Truck (miles/truck)	Annual Mileage (VMT/yr)	Uncontrolled PM_{10} Emissions (lb/yr)	Uncontrolled PM_{10} Emissions (tpy)	Controlled PM_{10} Emissions* (tpy)
Grain delivery	25 ton	27,331	0.75	20,498	5,207	2.60	1.30
DDGS haul out	25 ton	10,589	0.75	7,942	2,017	1.01	0.50
Ethanol haul out	8,000 gal	10,394	0.75	7,796	1,980	0.99	0.50
Denaturant delivery	8,000 gal	725	0.75	544	138	0.07	0.03
Total						4.67	**2.34**

*Periodic sweeping will be done to provide control (50%) to PM/PM_{10}/$PM_{2.5}$ emissions.

$PM_{2.5}$ Emissions from Paved Roads

Activity	Quantity Transported per truck	No. of Trucks (truck/yr)	Miles Traveled per Truck (miles/truck)	Annual Mileage (VMT/yr)	Uncontrolled $PM_{2.5}$ Emissions (lb/yr)	Uncontrolled $PM_{2.5}$ Emissions (tpy)	Controlled $PM_{2.5}$ Emissions* (tpy)
Grain delivery	25 ton	27,331	0.75	20,498	776	0.39	0.19
DDGS haul out	25 ton	10,589	0.75	7,942	301	0.15	0.08
Ethanol haul out	8,000 gal	10,394	0.75	7,796	295	0.15	0.07
Denaturant delivery	8,000 gal	725	0.75	544	21	0.01	0.01
Total						0.70	**0.35**

*Periodic sweeping will be done to provide control (50%) to PM/PM_{10}/$PM_{2.5}$ emissions.

2. Unpaved Roads

According to AP-42, Section 13.2.2 Unpaved Roads, November 2006, the PM/PM_{10} emission factors for

E= $[k (s/12)^a (W/3)^b]*[(365-P)/365]$

Factor	Description	PM	PM_{10}	PM2.5
E =	Emission Factor (lb/VMT)	3.25	0.93	0.09
k =	Particle size multiplier (dimensionless)	4.9	1.5	0.15
s =	surface material silt content (%) (Table 13.2.2-1)	8.5	8.5	8.5
W =	mean vehicle weight (tons)	5.0	5.0	5.0
a =	Equation constants (Table 13.2.2-2)	0.7	0.9	0.9
b =	Equation constants (Table 13.2.2-2)	0.45	0.45	0.45
P =	Number of days with at least 0.01 in of precipitation	120	120	120

Total length of unpaved maintenance roads = 0.50 miles

Emission Area	Vehicle Weight (tons)	Unpaved Total VMT[1]	Total Vehicle Emissions (lb/yr)	Total Vehicle Emissions (tpy)
Maintenance Roads (PM)	5.00	78	255	**0.13**
Maintenance Roads (PM_{10})	5.00	78	73	**0.04**
Maintenance Roads ($PM_{2.5}$)	5.00	78	7	**0.00**

[1] Conservatively assumes 2 vehicles per day round trip on all maintenance roads

Methodology

Total Vehicle Emissions (tons/yr) = Unpaved Total VMT (miles/yr) x PM/PM10/PM2.5 Emission Factors x 1 ton/2000 lbs

Emission Calculations
VOC and HAP Emissions
From Equipment Leaks

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

1. Fugitive VOC Emissions:

Process Stream	Equipment Component Source	Product	Component Count	Emission Factor (lb/comp.-hr)	Uncontrolled Rate (lb/hr)	Uncontrolled Rate (ton/yr)	Subpart VVa Control Effectiveness (%)	Controlled Rate (lb/hr)	TOC Weight (%)	Emitted Water (lb/hr)	Controlled TOC (lb/hr)	Controlled TOC (ton/yr)
EU036, T001 - T005, F004	Valves	Gas/Vapor	32	0.013134	0.42	1.84	92.00%	0.03	100.00%	0.000	0.034	0.147
	Valves	Light Liquid	236	0.0089	2.10	9.20	84.00%	0.34	100.00%	0.000	0.336	1.472
	Pump Seals	Light Liquid	7	0.04378	0.31	1.34	75.00%	0.08	100.00%	0.000	0.077	0.336
	Compressors	Gas/Vapor	0	0.5016	0.00	0.00		0.00	100.00%	0.000	0.000	0.000
	Relief Valves	Gas/Vapor	9	0.2288	2.06	9.02	92.00%	0.16	100.00%	0.000	0.165	0.722
	Sampling Connections	All	0	0.033	0.00	0.00		0.00	100.00%	0.000	0.000	0.000
	Open Ended Lines	All	0	0.00374	0.00	0.00		0.00	100.00%	0.000	0.000	0.000
	Connectors	All	1098	0.004026	4.42	19.36	93.00%	0.31	100.00%	0.000	0.309	1.355
EU036, T001 - T005, F004	Valves	Gas/Vapor	1	0.013134	0.01	0.06	92.00%	0.00	15.00%	0.001	0.000	0.001
	Valves	Light Liquid	117	0.0089	1.04	4.56	84.00%	0.17	15.00%	0.142	0.025	0.109
	Pump Seals	Light Liquid	6	0.04378	0.26	1.15	75.00%	0.07	15.00%	0.056	0.010	0.043
	Compressors	Gas/Vapor	0	0.5016	0.00	0.00		0.00	15.00%	0.000	0.000	0.000
	Relief Valves	Gas/Vapor	0	0.2288	0.00	0.00	92.00%	0.00	15.00%	0.000	0.000	0.000
	Sampling Connections	All	0	0.033	0.00	0.00		0.00	15.00%	0.000	0.000	0.000
	Open Ended Lines	All	0	0.00374	0.00	0.00		0.00	15.00%	0.000	0.000	0.000
	Connectors	All	379	0.004026	1.53	6.68	93.00%	0.11	15.00%	0.091	0.016	0.070
	Totals				**12.15**	**53.22**		**1.26**		**0.29**	**0.97**	**4.26**

Methodology
* Component count provided by source.
** Emission factors are from Protocol for Equipment leak Emission Estimates, EPA-453/R-95-017. Table 2-1 and Table 5-2

2. Fugitive HAP Emissions:

Uncontrolled Fugitive HAP Emissions (tons/yr) = Uncontrolled TOC (tons/yr) x HAP Fraction
Controlled Fugitive HAP Emissions (tons/yr) = Controlled TOC (tons/yr) x HAP Fraction

HAP	HAP Fraction*	Uncontrolled Fugitive HAP Emissions (tons/yr)	Controlled Fugitive HAP Emissions (tons/yr)
Acetaldehyde **	2.00E-04	1.06E-02	8.51E-04
Methanol	2.00E-04	1.06E-02	8.51E-04
Benzene	2.50E-03	1.33E-01	1.06E-02
Carbon Disulfide	2.00E-05	1.06E-03	8.51E-05
Cumene	1.00E-03	5.32E-02	4.26E-03
Ethylbenzene	5.00E-05	2.66E-03	2.13E-04
n-Hexane	5.00E-02	2.66E+00	2.13E-01
Toluene	5.00E-03	2.66E-01	2.13E-02
Xylenes	5.00E-04	2.66E-02	2.13E-03
Total		**3.16**	**0.25**

Appendix A: Emission Calculations
PM/PM10 Emissions
From the the Cooling Tower (F005)

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

1. Process Description:

Type of Cooling Tower:	Induced Draft	
Circulation Flow Rate:	26,000	gal/min
Total Drift:	0.005%	of the circulating flow
Total Dissolved Solids:	2,500	ppm
Density:	8.345	lbs/gal

Note: The information above was provided by the cooling tower manufacturer for the same units loacated at a similar source.

2. Potential to Emit PM/PM10:

Assume all the dissolved solids become PM10 emissions and assume PM emissions are equal to PM10 emissions.

PTE of PM/PM10 (lbs/hr) = 26,000 gal/min x 60 min/hr x 0.005% x 8.345 lbs/gal x 2,500 ppm x 1/1,000,000 ppm = **1.63 lbs/hr**

PTE of PM/PM10 (tons/yr) = 1.63 lbs/hr x 8760 hr/yr x 1 ton/2000 lbs = **7.13 tons/yr**

Appendix A: Emission Calculations
VOC Emissions
Storage Tanks

Company Name: POET Biorefining - North Manchester
Address: 868 E 800 North, North Manchester, IN 46962
FESOP: F 169-28809-00068
Plt ID: 169-00068
Reviewer: Jason R. Krawczyk
Date: February 10, 2010

Tank ID	Contents	lb/year	lb/hr	Tons/year
T001	190 Proof Ethanol	616.77	0.07	0.31
T002	Denaturant	1,967.29	0.22	0.98
T003	200 Proof Ethanol	305.55	0.03	0.15
T004	200 Proof Ethanol	305.55	0.03	0.15
T005	Denaturant	1,904.65	0.22	0.95
			Total:	**2.55**

Emissions were calculated using Tanks 4.0.9d software and submitted by the source for Minor Permit Revision 169-27641-00068.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

SENT VIA U.S. MAIL: CONFIRMED DELIVERY AND SIGNATURE REQUESTED

TO: Greg Lyons
POET Biorefining
4615 N Lewis Avenue
Sioux Falls, SD 57104

DATE: May 5, 2010

FROM: Matt Stuckey, Branch Chief
Permits Branch
Office of Air Quality

SUBJECT: Final Decision
FESOP
169-28809-00068

Enclosed is the final decision and supporting materials for the air permit application referenced above. Please note that this packet contains the original, signed, permit documents.

The final decision is being sent to you because our records indicate that you are the contact person for this application. However, if you are not the appropriate person within your company to receive this document, please forward it to the correct person.

A copy of the final decision and supporting materials has also been sent via standard mail to:
Bryan Christijansen, Responsible Official
OAQ Permits Branch Interested Parties List

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178, or toll-free at 1-800-451-6027 (ext. 3-0178), and ask to speak to the permit reviewer who prepared the permit. If you think you have received this document in error, please contact Joanne Smiddie-Brush of my staff at 1-800-451-6027 (ext 3-0185), or via e-mail at jbrush@idem.IN.gov.

Final Applicant Cover letter.dot 11/30/07

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
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Thomas W. Easterly
Commissioner

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(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

May 5, 2010

TO: North Manchester Public Library

From: Matthew Stuckey, Branch Chief
Permits Branch
Office of Air Quality

Subject: **Important Information for Display Regarding a Final Determination**

Applicant Name: POET Biorefining
Permit Number: 169-28809-00068

You previously received information to make available to the public during the public comment period of a draft permit. Enclosed is a copy of the final decision and supporting materials for the same project. Please place the enclosed information along with the information you previously received. To ensure that your patrons have ample opportunity to review the enclosed permit, **we ask that you retain this document for at least 60 days.**

The applicant is responsible for placing a copy of the application in your library. If the permit application is not on file, or if you have any questions concerning this public review process, please contact Joanne Smiddie-Brush, OAQ Permits Administration Section at 1-800-451-6027, extension 3-0185.

Enclosures
Final Library.dot 11/30/07

Mail Code 61-53

IDEM Staff	DPABST 5/5/2010 POET Biorefining - North Manchester 169-28809-00068 (Final)			AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
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2		Bryan Christjansen GM POET Biorefining - North Manchester 868 E 800 N N Manchester IN 46962 *(RO CAATS)*									
3		Mr. Charles L. Berger Berger & Berger, Attorneys at Law 313 Main Street Evansville IN 47700 *(Affected Party)*									
4		North Manchester Public Library 405 N. Market St North Manchester IN 46962 *(Library)*									
5		Wabash County Commissioners 1 West Hill Street Wabash IN 46992 *(Local Official)*									
6		Wabash County Health Department 89 W. Hill, Memorial Hall Wabash IN 46992-3184 *(Health Department)*									
7		Ted Little Wabash County Council 1076 West 900 North North Manchester IN 46962 *(Affected Party)*									
8		North Manchester Town Council and Town Manager 103 East Main Street North Manchester IN 46962 *(Local Official)*									
9		Mr. Colin OBrien Natural Resources Defense Council 1200 New York Avenue NW, Ste. 400 Washington DC 20005 *(Affected Party)*									
10		Greg Lyons 4615 North Lewis Avenue Siooux Falls SD 57104 *(Consultant)*									
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